

**TOWN OF CANTON BOARD
REGULAR MEETING**

April 11, 2018

6:00 PM

Minutes

Present: Supervisor Mary Ann Ashley, Council Member's Bob Washo, Jim Smith, Phil LaMarche and Tim Danehy.

Also in Attendance: Town Clerk/Tax Collector Lisa Hammond, Recreation Director Caitlin Boreyko, Code Officer Jeff Murray, Historian Linda Casserly, Highway Superintendent Terry Billings, John and Angela Gray, Carol Pynchon, Paul Backus, Adam Atkinson, Klaus Proem, Derek Hetu, County Legislator Kevin Acres, Dan Soulia, Sue Mende, John Casserly, Eric Gustafson, Toby Irvén, Jonathon Ignatowski, Ginger Storey-Welch and Rosaling Llett

Absent: Assessor Steve Teele and Economic Development Director Leigh Rodriguez

Additions to the Agenda:

New Business: Consider John Casserly as alternate to the Town Planning Board and Electric Car Charging presentation

Supervisors report: Transfer of funds from A General to Trust & Agency Fund.

Old Business: Complete Streets

Changes to Agenda: Climate Smart Community Pledge not resolution

A. Call Meeting to Order: Supervisor Mary Ann Ashley called the meeting to order

B. Public Comment: John Casserly of Miner Street Road asked the board to consider passing a resolution lowering the speed limit to 40 mph temporarily on Miner Street Road, Eddy Pyrites Road and Jingleville Roads. Casserly asked that the resolution be forward to the State DOT for their consideration. This matter to be discussed further in the agenda during complete streets.

C. Approval of minutes: (s): March 14, 2018 Regular Meeting- March 21, 2018 Special Meeting and March 26, 2018 Special Meeting

Council Member Phil LaMarche made a motion to approve minutes from above, second by Council Member Tim Danehy. All voted in favor. Motion carries. Council Member Bob Washo abstained from voting on the March 26, 2018 minutes as he was not present.

D. Supervisor Report: John Gray, Gray & Gray CPA, gave a verbal financial report. Gray stated that all accounts have been reconciled. Supervisor Ashley added that there were two unexpected transactions, one of which was a 2017

Cobra payment recouped by the Town of \$8,000 and second Canton Central School paid the Town \$5,000 for 2017 school tax collection. John Gray stated that he is working on a couple penalties that have been assessed by the IRS, one of which is the 2017 third quarter payroll taxes that were not paid on time for a possible \$400 to \$500 penalty. Secondly the former administration didn't pay payroll taxes on the severance package. These were paid late which caused a proposed fine of \$900. Gray stated he is working with the IRS and trying to get out of some of these penalties if not all of them. Councilmember Washo asked that Gray keep a running total of any and all penalties.

D1. Supervisor Ashley stated that she transferred \$4,000 from the "A" General Fund to the Trust & Agency Fund with board support.

E. Audit Committee:

1. Approval of Expenditures

The following bills for Abstract #4-2018 were approved for payment:

General "A"	\$67,164.04
Town Outside "B"	\$1,124.40
Special Lighting "SL"	\$308.04
Joint Activity "SM"	\$2,321.19
Highway "DA"	\$71,992.76
Highway "DB"	\$2,734.50

Council Member Phil LaMarche made a motion to accept bills as presented, seconded by Council Member Jim Smith. All voted in favor. Motion carries.

Councilmember Bob Washo stated that these totals do not reflect the insurance and prescription payments. Washo also requested that Supervisor Ashley ask Dog Warden Jim Pipher to provide more information on his vouchers submitted for services. Washo would like to see an invoice with more detail attached, not just a voucher.

F. Approval of Department Reports

Council Member Bob Washo made a motion to accept department reports, seconded by Council Member Phil LaMarche. All voted in favor. Motion carries.

G. Committee Reports:

Technology Committee member Tim Danehy reported that they will meet on April 13th to discuss email address and filing of monthly reports.

Comprehensive Plan Committee member Jim Smith reported that there is an upcoming Outreach Session set in Pyrites for April 18th and Morley for April 19th both at 6 pm. A Church and Community session will be held on April 16th at 4

pm. Committee members are looking for resident's thoughts, ideas and concerns related to community growth and infrastructure. Smith stated that the next big public meeting will be held May 24th at the BOCES building in Canton.

Committee member Phil LaMarche reported that the Grass River Blue Way Logo has been agreed upon. LaMarche shared the North Flowing Compos Logo with Board members.

Committee member Bob Washo reported that the Master Trail Plan Committee will hold a joint meeting April 30th at BOCES in Canton at 5:30 pm. Washo stated that the plan should be wrapping up soon.

H. Old Business

1. Consider Pyrites Boat Launch Expenditure: Tabled
2. Municipal Building Telephone Upgrade:

Supervisor Mary Ashley gave a brief update on the out dated phones in the Municipal Building. Ashley gave a hand out on the cost savings. It was agreed upon by all members to upgrade the phone system by sharing the cost with the Village of Canton

Councilmember Bob Washo made a motion to upgrade the phone system in the Municipal Building, seconded by Councilmember Phil LaMarche. All voted in favor. Motion carries.

3. Complete Streets:

Jonathon Ignatowski, Chairman of the Complete Streets Taskforce, spoke on upcoming road work in the Township. Ignatowski stated that his main focus is safety and multi function usage of the roadways. Ignatowski further stated that he is in full support of the speed zone reductions and suggested centerline striping the detour roads. The board members were given hand outs of recommendations and comments of support. Ignatowski ended by saying he would like to see wide approaches at the Eddy Pyrites and Hermon-Pyrites Roads along with the intersection of Miner St Rd.

Councilmember Bob Washo stated that he will work with the Complete Street Committee to draft resolutions for both Striping and speed reductions of the detour roads.

I. County Legislature Update(s)

County Legislature Kevin Acres was present and gave a brief update on County business. Acres stated that he is not in favor of the purposed Juvenile Facility in Canton. Acres added that the County has a plug in

station for Electronic Cars. Acres gave a brief description of his and County Administrator Ruth Doyle participation in Falcons Peaks education which entailed a helicopter ride in a Black Hawk from Fort Drum to Morse Airfield and back. Acres brought up the multi-use ATV trail project. A short discussion was held on temporary alternative trails for ATV's while the State DEC works to establish multi use trails. Acres stated that there is an existing trail, but we are being blocked by the DEC and added this would be an alternative to connect these sections of trails. Acres encouraged the Board members to invite Debbie Christy to a board meeting to present the maps. Questions arose from board members about whether or not existing maps are being held private. Supervisor Ashley thanked Acres for his knowledge on the matter.

J. New Business

1. Consider Pease & Gustafson Professional Legal Service Agreement

Councilmember Bob Washo made a motion to authorize Supervisor Mary Ann Ashley to sign a contract with Pease & Gustafson, seconded by Councilmember Phil LaMarche. All voted in favor. Motion carries.

The firm will provide legal services to the Town of Canton at a rate of \$150.00 an hour, with additional fees for expenses. Supervisor Ashley read the agreement during the meeting. Agreement runs April 11, 2018 through December of 2018. Agreement attached to the minutes.

See attachment

2. Town Highway Construction Expenditure Request

Councilmember Phil LaMarche made a motion to approve Highway Expenditure as presented, seconded by Councilmember Jim Smith. All voted in favor. Motion carries.

Project agreement attached

3. Climate Smart Community Resolution: - changed to Pledge

Councilmember Bob Washo made a motion to pass the Climate Smart Community Pledge, seconded by Councilmember Tim Danchy. All voted in favor. Motion carries.

Councilmember Bob Washo stated that approving this pledge it will help benchmark our Electric and Fuel consumption and decrease it in various ways. Washo hopes that this will cut our energy usage.

4. Accept Resignation of Board of Assessment Review Member: Ryan Spadaccini sent a letter of resignation to the Town Board due to the fact that he no longer lives in the Township of Canton.

Councilman Bob Washo made a motion to accept Spadaccini's resignation with gratitude from the Town Board, seconded by Councilmember Tim Danehy. All voted in favor. Motion carries.

Councilmember Tim Danehy reminded the board members that grievance day is approaching and it's very important that Spadaccini's seat is filled as soon as possible

5. Consider Animal Control Deputy Officer position:

Supervisor Mary Ann Ashley gave a brief overview about the importance of having back up for the Towns current Dog Control Officer. Ashley stated that the Dog Control Officer is under contract and not a Town Employee. Ashley suggested tabling this matter to come up with some structure on how to handle the matter. Councilmember Jim Smith asked why Dan Moyer wasn't being considered. Ashley will contact Dog Warden Jim Pipher and bring this back in May.

6. CENSUS 2020:

Supervisor Mary Ashley reported that the December 5th registration date was not met. Ashley has since got the Town back on track and will continue working with the County to make sure the Census numbers are reported correctly.

7. Riverside Renaissance Grant Discussion:

Supervisor Mary Ann Ashley gave a brief overview on the \$462,548.00 grant that was approved. State funds awarded were \$231,274.000 with a local match of \$231,274.00. Ashley stated that it is for acquisition and demolition of 25, 27 and 29 Riverside Drive. Design of the Whitewater Park and create a walk way under the Route 11 Bridge. Ashley asked that this discussion be brought back at the May meeting as there has been no money budgeted for this. Councilmember Bob Washo requested that Barbara Kendall from the State weigh in on this grant. Washo suggested asking if it could be piecemealed out or could the Town turn it over to the Village of Canton.

8. Amend February 14, 2018 Minutes:

Councilmember Bob Washo made a motion to amend the February 14, 2018 meeting minutes item #10 to reflect payment to Roemer Wallens Gold Legal Services to reflect \$24,000 not \$34,300 for services, seconded by Councilmember Phil LaMarche. All voted in favor. Motion carries.

9. Car Charging Station Presentation:

Ginger Storey-Welch and Rosalind Llett of North Country 350 Alliance gave a power point presentation on Mainstreaming Electric Vehicles, the future of Electronic Cars and Grant Funding for Municipalities on purchases of Zero Emission Vehicles. Handouts were provided to the Board Members. Discussion was held on charging stations in the area and the mileage of electronic vehicles.

10. Planning Board member appointment:

Councilmember Tim Danehy made a motion to appoint John Casserly as alternate to the Planning Board, seconded by Councilmember Phil LaMarche. All voted in favor. Motion carries.

K. Public Comment: none

- L. Executive Session:** Councilmember Bob Washo made a motion to enter into executive session for the purpose as identified in Public Officers Law 105 (1)(e)(f). Negotiations at 8:03 p.m., seconded by Councilmember Tim Danehy. All voted in favor. Motion carries.

Councilmember Tim Danehy made a motion to come out of executive session at 9:04 pm: Councilmember Bob Washo seconded the motion. All voted in favor. The motion carries.

Councilmember Jim Smith made a motion to adjourn the meeting at 9:05 pm. Councilmember Phil LaMarche seconded the motion. All voted in favor. The motion carries.

Respectfully Submitted,



Lisa A. Hammond
Canton Town Clerk

PROFESSIONAL LEGAL SERVICES
RETAINER AGREEMENT

BETWEEN

TOWN OF CANTON
60 MAIN STREET
CANTON, NY 13617
TEL. 315-386-2962

PEASE AND GUSTAFSON, LLP
40 MAIN STREET
MASSENA, NY 13662
TEL. 315-769-3898

1. THE TOWN OF CANTON HEREBY RETAINS PEASE AND GUSTAFSON, LLP TO PROVIDE PROFESSIONAL LEGAL SERVICES AS DESCRIBED HEREIN.
2. PEASE AND GUSTAFSON, LLP HEREBY AGREES TO PROVIDE PROFESSIONAL LEGAL SERVICES REQUESTED BY THE TOWN OF CANTON WITHIN THE LIMITS DESIGNATED HEREIN.
3. PROFESSIONAL LEGAL SERVICES ARE DESIGNATED AS FOLLOWS:
 - A. PEASE AND GUSTAFSON, LLP SHALL PROVIDE ROUTINE ADVICE AND PROFESSIONAL LEGAL SERVICES TO TOWN OFFICERS AND BOARDS ON TOWN OF CANTON BUSINESS. THE TOWN OF CANTON UNDERSTANDS THAT ANY PROFESSIONAL AT THE FIRM MAY PROVIDE SERVICES TO THE TOWN.
 - B. PEASE AND GUSTAFSON, LLP WILL SERVE ONLY AS A LIAISON WITH BONDING ATTORNEYS ON ALL TOWN FINANCING, UNLESS OTHERWISE RETAINED.
 - C. PEASE AND GUSTAFSON, LLP WILL ATTEND REGULAR TOWN BOARD MEETINGS AS DIRECTED TO DO SO BY THE TOWN SUPERVISOR.
 - D. PEASE AND GUSTAFSON, LLP WILL ATTEND SPECIAL TOWN BOARD MEETINGS AS DIRECTED TO DO SO BY THE TOWN SUPERVISOR.
4. FOR ALL PROFESSIONAL LEGAL SERVICES, THE TOWN OF CANTON WILL PAY TO PEASE AND GUSTAFSON, LLP THE SUM OF ONE HUNDRED FIFTY DOLLARS AND NO CENTS (\$150.00), PER HOUR. ALL BILLS WILL BE PAID IN FULL WITHIN THIRTY DAYS OF THE LAST DAY OF THE MONTH IN WHICH THE BILL IS SUBMITTED.

IN ADDITION, THE TOWN OF CANTON WILL PAY PEASE AND GUSTAFSON, LLP FOR ALL COSTS AND DISBURSEMENTS IN PROVIDING PROFESSIONAL LEGAL SERVICES UNDER THIS AGREEMENT. COSTS AND DISBURSEMENTS SHALL HAVE ITS USUAL AND CUSTOMARY MEANING AND SHALL INCLUDE BUT NOT BE LIMITED TO PHOTO COPIES, MAILINGS,

SEARCH FEES, AND SUCH OTHER AND FURTHER EXPENSES INCURRED TO PROVIDE LEGAL SERVICES TO THE TOWN.

ANY FEES, COSTS AND DISBURSEMENTS NOT PAID AS OUTLINED ABOVE SHALL BEAR INTEREST AT THE RATE OF ONE AND ONE HALF PERCENT PER MONTH.

5. PEASE AND GUSTAFSON, AT THE REQUEST OF THE TOWN BOARD, WILL PROVIDE EXTRA LEGAL SERVICES AS FOLLOWS:

- A. BOND ISSUANCE
- B. ARTICLE X WORK UNDER THE PUBLIC SERVICE LAW

6. THE TOWN OF CANTON AGREES TO PAY PEASE AND GUSTAFSON, LLP FOR ALL SERVICES RENDERED UNDER PARAGRAPH 5 AT A RATE TO BE DETERMINED BY THE PARTIES HERETO IN WRITING BY ADDENDUM TO THIS AGREEMENT. PEASE AND GUSTAFSON, LLP MUST PROVIDE MONTHLY INVOICES TO THE SUPERVISOR FOR SUCH ADDITIONAL WORK, FROM TIME TO TIME AND SHALL BE PAID BY TOWN OF CANTON WITHIN THE SAME TIME PERIOD AS SET FORTH ABOVE FOR REGULAR LEGAL SERVICES.

7. SINCE ALL LEGAL SERVICES RENDERED WILL BE IN THE NATURE OF REPRESENTATION FOR OR OF THE TOWN OF CANTON, PEASE AND GUSTAFSON WILL NOT GIVE ANY STATEMENTS FOR THE TOWN OF CANTON TO THE MEDIA, UNLESS REQUESTED TO DO SO BY THE TOWN BOARD.

8. IN ACCORDANCE WITH PEASE AND GUSTAFSON'S RECORDS RETENTION POLICY, PEASE AND GUSTAFSON, LLP WILL MAINTAIN ALL DOCUMENTS, PAPERS AND OTHER ITEMS RELATING TO THE REPRESENTATION OF THE TOWN OF CANTON PURSUANT TO THIS AGREEMENT UP TO TEN (10) YEARS. CLIO OFFSITE STORAGE SOLUTION IS USED FOR ALL DATA MANAGEMENT THAT IS PROFESSIONALLY PROTECTED.

9. THE TERM OF THIS RETAINER IS FROM APRIL 11TH, 2018 TO DECEMBER 31ST, 2018, AND RENEWABLE AS THE PARTIES AGREE. EITHER PARTY MAY TERMINATE THIS AGREEMENT ON THIRTY DAYS (30) WRITTEN NOTICE TO THE OTHER PARTY.

IN WITNESS, THE PARTIES HAVE SUBSCRIBED THEIR NAMES ON THE DATE
INDICATED BELOW:

DATE: 4/11/18



MARY ANN ASHLEY

TOWN SUPERVISOR



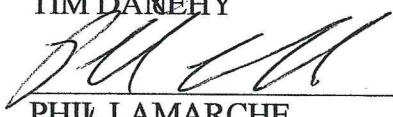
BOB WASHO

DEPUTY SUPERVISOR



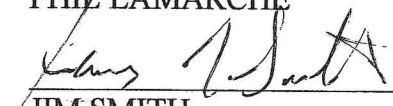
TIM DANEHY

COUNCIL MEMBER



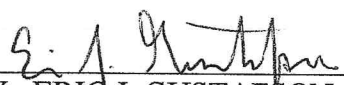
PHIL LAMARCHE

COUNCIL MEMBER



JIM SMITH

COUNCIL MEMBER



BY: ERIC J. GUSTAFSON

PEASE AND GUSTAFSON, LLP

TOWN OF CANTON

Highway Department

CANTON, NEW YORK 13617

To; Canton Town Board / Highway Committee

From: Supt of Highways

Ref: Approval to Spend DB Monies

Pending & Assuming County Legislators will award the Blacktop bid to Sheehan Construction, the current numbers favor his bid. 2018 numbers are up \$5 from 2017. And, already oil index is up over \$2. So, my estimates are based on \$50 per/ton, and with your approval, I intend to start paving as soon as possible, last year they opened the 1st of May.

Project #1 Eddy-Pyrites Road 2200' by 20'
600 Tons Type#7 top @ \$50.00
Total \$30,000.00

Project #2 Old State Road 4500' by 20'
1200 tons Type #7 top @ \$50.00
Total \$60,000.00

Project #3 ; Potsdam/Morley Road (310-Sykes) 6500' by 20'
\$17.00 per/foot Shim & top
Total \$110,500.00

Grand Total \$200,500.00

Note: These projects give us a total of 2.5 miles of 20 year road. I feel comfortable with these numbers and likely the total cost will be lower, and this should cover the edging/backup material.

With luck, maybe the May meeting will give us direction as to where we will work to complete the season.

Sincerely submitted;

Terry L. Billings
Terry L. Billings
Supt of Highways
Town of Canton

3-29-18

*approved
4-11-18*