

**TOWN OF CANTON BOARD  
PUBLIC HEARING  
REGULAR MEETING**

July 11, 2018

5:45 PM

Minutes

Present: Supervisor Mary Ann Ashley, Council Members Bob Washo, Jim Smith, Phil LaMarche and Tim Danehy

Also in Attendance: Town Clerk/Tax Collector Lisa Hammond, Attorney Eric Gustafson, Historian Linda Casserly, Highway Superintendent Terry Billings, Assessor Steve Teele, John Gray, Village Trustees Carol Pynchon and Klaus Proemm, County Legislator Dan Fay, Sue Mende, Toby Irvén, John Casserly, John Conklin, John Charamella, Dennis Walsh, Town Planning Board Chair Mike Morgan

Absent: Economic Development Director Leigh Rodriguez, Recreation Director Caitlin Boreyko, Code Enforcement Officer Jeff Murray

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

Additions to the Agenda:

New Business: Acceptance of Resignation due to retirement of Town Assessor

Supervisors report: Justice Court Budget

Old Business: Hold Harmless Resolution between the Highway Department and Village of Rensselaer Falls

**B. Public Hearing – Moratorium on Solar Development:**

5:46 pm Supervisor Mary Ann Ashley open the Public Hearing

Ashley read the proposed LL#1 2018

Ashley asked the public if they had any questions/comments

Sue Mende asked what prompted this proposed law

Attorney Gustafson answered that there are proposed solar developments, and stated that if you look at New York State, Department of State sighting board in Massena, Norfolk, Brasher, Malone, Moores area. Pease added that the Canton Town Board decided it was time to look at the regulations to get ahead of things in the event that someone would be looking here in Canton for development of a large-scale energy project.

John Charamella of Apex Solar was present and expressed concerns on ground mounts.

Gustafson answered Charamella by stating that it specifically defines the type of solar energy equipment located at a private residence, on a road or legally

permitted structure. The law does not prevent solar panels and solar energy equipment located at a private residence. Carmela asked the Board to consider making this moratorium a 3- month process instead of a 6 month.

Council Member Bob Washo added that there is nothing in our local law to allow for a large scale solar project, this moratorium will give us time to come up with a local law of some sort.

Planning Board Chair Mike Morgan suggested this not only be a local law but also be added to the code if adopted and that a 6month moratorium is probably a good length of time. Council Member Bob Washo agreed about adding this to the code and this moratorium is for smart use planning. Village Trustee Klaus Proemm also agreed with Morgan on the 6 months' time and added that this proposed Local Law is going to benefit Canton greatly and development to continue.

The Town Board was in agreement that a 6month time length on the moratorium will allow the Board to develop a policy regarding Solar Farm Development.

Supervisor Mary Ann Ashley stated that the Town Board is looking to protect the residents and be prepared for future developments.

6:03 pm Supervisor Mary Ann Ashley closed the Public Hearing

Ashley asked the Board members if they wanted to discuss the issue now and they agreed to do so.

Discussion was held on the purposed moratorium Local Law. Council Member Tim Danehy wants to see this as broad as possible and noted that it can be changed. Danehy wants to put proper thought into this. Attorney Gustafson was asked to prepare a draft law and get it back to the board members and Planning Board Chair.

Discussion was held on forming a committee to work on a Solar Farm Development.

Council Member Bob Washo made a motion to adopt LL#12018 that will expire January 11, 2019, seconded by Council Member Tim Danehy. All voted in favor. Motion carries.

See Attached LL#1

**C. Public Comment: None**

**D. Assessor Presentation:**

Town Assessor Steve Teele gave a description of his job duties and obligations

**E. County Legislature Representative (s) Update (s)**

Legislator Dan Fay gave a brief update on Canton items at the County level. Fay stated that the MR Bell liens are cleared up now on the County end and that the 12 West Street environmental problem is under investigation and there is a feeling that it is not as contaminated as was thought. Fay noted the sadness of The Club Restaurant closure in the Village.

**F. Approval of minutes: (s): June 13, 2018 Regular/Joint Meeting and June 27, 2018 Special Meeting**

Council Member Tim Danehy made a motion to approve minutes from above, second by Council Member Bob Washo. All voted in favor. Motion carries.

**G. Supervisor Report:** John Gray, Gray & Gray CPA, went over the financial reports. Gray received questions from the board members: Council Member Bob Washo asked what the additional funding was for real property for Pilots – Gray will check into this and get back to the board. The Dog Control line item was discussed and noted that this will be re-structured in the 2019 budget. Council Member Tim Danehy asked about the revenue and permit line items, Gray will check into this with Supervisor Ashley as she has been making deposits on a monthly basis to this account. Supervisor Mary Ann Ashley noted that a temporary loan was made to the A account from the B account in the amount of \$10,000 to be repaid by the end of the fiscal year. Supervisor Ashley asked Gray to add an additional report showing transfers and or loans to internal account.

Addition to agenda: Court Budget

Supervisor Mary Ann Ashely reported that the Justice court had to spend unexpected money on a fire wall which put them over budget. After discussion it was decided that money will come out of legislative contractual to allow the Court clerk to attend conference.

**H. Audit Committee:**

1. Approval of Expenditures

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

General "A".....	\$21,331.05
Town Outside "B" .....	\$60,399.08
Special Lighting "SL" .....	\$276.81
Joint Activity "SM".....	\$6,061.83
Highway "DA".....	\$6,684.34
Highway "DB".....	\$73,968.05
Trust & Agency.....	\$18,651.88

Council Member Bob Washo made a motion to accept bills as presented, seconded by Council Member Tim Danehy. All voted in favor. Motion carries.



Discussion was held the numerous bank accounts that the Town has. The question was raised on statutory requirements to have these accounts that have no activity. The board agrees to look into some of these small money amount accounts to see if it's necessary to have them open.

#### **I. Approval of Department Reports:**

Historian Linda Casserly noted that she put an incorrect amount of her conference expense in her report. The cost is much less and she is in hopes of getting a scholarship. Casserly also noted that the Village of Canton pays for half on any expense.

Highway Superintendent Terry Billings asked the board for their blessing on allowing two highway men and himself to help with the yearly fire training center in West Potsdam for one day using the Town paver. The board gave their consent to do so.

Council Member Bob Washo requested that the Court Clerk start putting a cover sheet on the Justice report each month. Washo noted that this was done in the past and it is very informational and important to see.

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

#### **J. Committee Reports: none**

#### **K. Old Business**

##### **1. SLC Human Resources addition of Town Deputy Clerk Position:**

After discussion it was decided that a third Deputy Clerk position will not be created at this time. Attorney Eric Gustafson agreed with this.

##### **2. Riverside Renaissance Grant Discussion:**

Supervisor Mary Ann Ashley noted that she, Economic Developer Leigh Rodriquez talked with Barbara Kendall from the State about the possible opportunities. Ashley stated that this grant was not budgeted for. Ashley noted that there is three pieces to the grant - Purchase of a building, a walkway under Rt 11 bridge, and a Whitewater Park. Ashley asked for support to send this to the joint Economic Development Committee of which is Council Members Tim Danehy and Phil LaMarche. Village Trustees Klaus Proemm and Carol Pynchon. All in agreement to do so.

#### **L. New Business:**

##### **1. Rensselaer Falls Fire Department Request:**

Supervisor Mary Ann Ashley stated that the Rensselaer Falls Fire Department was awarded a \$50,000 grant and are looking for a \$50,000 donation from the Town of Canton to purchase a \$232,000 fire truck. Council Member Jim Smith requested Ashley to find out if they have approached the rural development or any other funding places yet as that where discussed at the Fire Summit meeting. Ashley to come back to the board with this information. Council Member Phil LaMarche noted that the fire department didn't go looking to purchase a new truck, they were awarded a grant which is a great thing.

2. Town of Dekalb Amish Transportation Resolution:  
Discussion was held on the Town of Dekalb request of the Commissioner of Motor Vehicles to require the Amish to install slow moving emblems on all of their transportation used on public roads. This was for informational purpose only

3. Village of Waddington Bassmaster Tournament letter:

A letter was received from the Village of Waddington requesting a donation for their Bassmaster Tournament. After discussion it was decided the Town of Canton is very supportive but no funding will be given at this time.

Addition to agenda: Accept Resignation of Town Assessor:

Town Assessor Steve Teele filed a letter of resignation with Town Clerk Lisa Hammond on July 11, 2018 effective August 31, 2018. Teele resignation was accepted with appreciation for his service. Teele's term runs to the end of 2019.

Council Member Jim Smith accepted Assessor Steve Teele resignation effective August 31, 2018, seconded by Council Member Bob Washo. All voted in favor. Motion carries.

Addition to agenda: Hold Harmless Resolution for Rensselaer Falls and Canton Highway

Council Member Tim Danehy made a motion to approve Hold Harmless Resolution #4, seconded by Council Member Phil LaMarche. All voted in favor. Motion carries.

**M. Public Comment:** none

- N. **Executive Session:** Councilmember Tim Danehy made a motion to enter into executive session for the purpose as identified in Public Officers Law 105 (1)(e)(f). Negotiations at 7:34 p.m., seconded by Councilmember Phil LaMarche. All voted in favor. Motion carries.

Councilmember Bob Washo made a motion to come out of executive session at 9:30 pm. Councilmember Tim Danehy seconded the motion. All voted in favor. The motion carries.

Councilmember Jim Smith made a motion to adjourn the meeting at 9:31 pm. Councilmember Phil LaMarche seconded the motion. All voted in favor. The motion carries.

Respectfully Submitted,

Lisa A. Hammond  
Canton Town Clerk

**Town of Canton**  
**Local Law No. 1 of the year 2018**

**WHEREAS**, the Town Board of the Town of Canton (the "Town") desires to enact a Moratorium on all solar energy system development (as defined herein) operating within the Town;

**WHEREAS**, the Town Board intends to enact comprehensive regulations regarding solar energy system development in the Town;

**WHEREAS**, the Town Board believes that such a moratorium will protect the public interest and welfare of the residents of the Town until such comprehensive regulations are adopted; and

**WHEREAS**, there are currently no regulations relating to solar energy system development within the Town, but the Town Board believes that such regulations can be duly considered and adopted within six (6) months of the date hereof;

**NOW, THEREFORE, BE IT ENACTED AS FOLLOWS:**

1. There is hereby placed a moratorium on all solar energy system development in the Town of Canton, County of St. Lawrence, and State of New York.
2. Solar energy system shall mean an electrical generating system composed of a combination of both Solar Panels and Solar Energy Equipment. A Solar Panel is a photovoltaic device capable of collecting and converting solar energy into electrical energy. Solar Energy Equipment shall mean electrical energy storage devices, material, hardware, inverters, or other electrical equipment and conduit of photovoltaic devices associated with the production and/or transmission of electrical energy. Nothing herein shall prevent solar panel and solar energy equipment located on the roof of or within any legally permitted building or structure for the purpose of producing electricity primarily for onsite consumption. Further, nothing herein shall



prohibit a licensed load serving entities from conducting its regular and usual business of providing electrical distribution within its service territory as defined by its tariff with the New York State Department of Public Service.

3. This moratorium shall expire on the 11<sup>th</sup> day of January, 2019.
4. This local law shall take effect upon filing with the Town Clerk of the Town, and upon filing the same with the Secretary of State of the State of New York.
5. The above local law was enacted by the Town Board of the Town on the 11th day of July, 2018.

A handwritten signature in cursive script, reading "Lisa Hammond", written over a horizontal line.

Town Clerk  
Town of Canton