

# *Village of Canton, New York*

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## **VILLAGE BOARD MEETING**

Meeting Minutes: March 18, 2019

### ***Board Present:***

Michael Dalton, Mayor  
Klaus Proemm, Trustee

Sean O'Brien, Trustee

### ***Others Present:***

Gerald Ducharme, Village Attorney  
Brien Hallahan, Superintendent  
Cara Adams, Deputy Clerk  
Jim Santimaw, Police Chief

Sally Noble, Clerk/Treasurer  
Leigh Rodriguez, Economic Developer  
Jim Putman, Recreation Director

### **PUBLIC HEARING:**

Mayor Dalton opened the Public Hearing at 6:10pm for the purpose of hearing public comments concerning the adoption of a local law that would allow the Village of Canton to Override the Tax Cap.

Tari Briggs, 53 Lincoln St. asked if the Mayor could explain the tax cap?

Mayor Dalton stated that the Tax Cap is a state mandate which requires us to keep our tax levy under a certain percentage or less than 2%. If they have to exceed that then the Tax Cap has to be overridden. This is done just in case we have to exceed the 2% tax cap.

Mayor Dalton closed the Public Hearing at 6:13pm.

Mayor Dalton opened the Public Hearing at 6:13pm for the purpose of hearing public comments on the subdivision proposed for 96-98-100 Miner Street owned by Linda Fay. Mayor Dalton explained that this is Phase 1 to break out two parcels on Miner Street. Phase 2 will be down the road and will require an additional Public Hearing.

Dan Fay highlighted the parcels on the map and showed the subdivision. There is currently a house on the parcel that will be separated off. One of the parcels would be used to build a house on and the parcel with the house might be sold at a later date.

The following people were in support of the Subdivision.

Dan Martin, 24 Pleasant Street.

Tari Briggs, 53 Lincoln Street.

Mary Ann Ashley, 1 East Drive

Sigie Barr Sapp, 62 County Route 29

The following people had questions regarding Phase 2 of the subdivision but were informed that they will be discussed if the subdivision goes to Phase 2 with a Public Hearing.

Ron Tavernier, 65 Buck Street

Tari Briggs, 53 Lincoln Street

Joe Briggs, 53 Lincoln Street

Mayor Dalton closed the Public Hearing at 6:28pm

**ORDER OF BUSINESS: The Mayor opened the regular meeting at 6:30pm.**

- a. **Approve minutes of February 19, 2019** - Trustee O'Brien made a motion to approve the minutes of February 19, 2019 seconded by Trustee Proemm. All voted in favor. Motion carries.

**ACCEPTANCE OF DEPARTMENT HEAD REPORTS:**

Trustee Proemm made a motion to accept the Department Head Reports; seconded by Trustee O'Brien. All voted in favor. Motion carries.

Superintendent Hallahan did not have anything to add.

Mayor Dalton informed the Board that they will not be picking up plastic bags during Spring pick up. Trustee Pynchon will do an information campaign.

Recreation Director Putman did not have anything to add. The ice is currently coming out.

Code Officer Murray was not in attendance. Mayor Dalton stated that they discussed the Commercial Roofing Building Permit Fee at the Joint Meeting. Supervisor Ashley informed Mayor Dalton that the Town Board voted in favor of the increase.

Trustee O'Brien made a motion to approve to increase Commercial Roofing Building Permit Fee. Trustee Proemm seconded the motion. All voted in favor. Motion carries.

Economic Developer Rodriguez did not have anything to add.

Mayor Dalton stated that an e-mail was sent to all Department Heads and Committees regarding the CFA Grants. Please send Economic Developer Rodriguez an e-mail with any needs.

Economic Developer Rodriguez added that her Assistant Rebecca Bliss gave her notice on February 28<sup>th</sup>. Rebecca's employment has been extended and is working remotely. It will be reviewed monthly to see if it is working.

**COMMITTEE REPORTS:**

Communication and Technology- Trustee O'Brien updated the Board letting them know the Committee is coming up with common training for appropriate use of the internet resources. Also, working on a contract for updates to the webpage.

Sustainability Committee- Trustee Proemm stated that they are continuing to work on composting

Green Living Fair- Trustee Proemm reminded that Board that the Green Living Fair will be held at SUNY Canton on April 20, 2019.

Fire Summit- Trustee O'Brien stated that they are looking at comptrollers' recommendations and sharing knowledge.

Solar Committee- Mayor Dalton reported that solar is coming online.

**COMMUNICATIONS AND INFORMATION:**

None

**PUBLIC COMMENT:**

Mary Ann Ashley, 1 East Drive voiced her concern of the condition of Pleasant Street. Her concerns were regarding the flooding, sinking and drainage, the speed of the train. She stated that the concerns need to be addressed as soon as possible.

Mayor Dalton let her know that the Village knows about the problems on Pleasant Street. They will be having a conversation with the Railroad regarding the drainage.

Deb Martin, 24 Pleasant Street stated that she has lived there for 40 years. She said that the street is a major thru fair with high fast-moving traffic and is one of the most traveled side streets. When they first moved in, they asked for a speed bump on the street but it was not approved.

Mayor Dalton informed Ms. Martin that a group is doing an engineering study on Judson Street and they will include Pleasant Street in the study. He informed her that speed bumps are going to be placed on Judson Street.

Marti MacAurthur, 21 Pleasant Street voiced her concerns regarding the drainage ditch. She stated that her husband clears out the ditch because the Village does not.

Lynne Soulia, 6216 County Route 27 stated that she was attending on behalf of her mom, Barb Peters who resides behind Country Townhouse Apartments. Ms. Soulia stated that she would like a better presence of Police patrolling the area.

Chief Santimaw stated that he will speak with his officers.

**OLD BUSINESS:**

- a. **EV Charging Stations-** Trustee Proemm stated that they will be meeting with a rep with National Grid in the next few days to discuss the EV Charging Stations.
- b. **Discuss and Possible Take Action on the Miner Street Subdivision Request –** Attorney Ducharme stated that the property on Miner Street is in an R-2 Zone and the subdivision is only dealing with two new parcels.

The Board reviewed and answered the questions on the SEQRA short form.

Trustee O'Brien made a motion to approve that there were no environmental impacts for the subdivision on Miner Street, declaring a negative declaration. Trustee Proemm seconded the motion. All voted in favor. Motion carries.

Trustee O'Brien made a motion to approve the Subdivision on Miner Street. Trustee Proemm seconded the motion. All voted in favor. Motion carries.

- c. **Update on Judson Street Study-** Trustee Proemm stated that Eric Backus and the Clarkson students will beginning the study in June. Trustee Proemm will let Eric the know to include Pleasant Street along with Judson Street.

### **NEW BUSINESS:**

**Mayor Dalton moved the following item up on the agenda.**

- e. **Argent Development Request for Annexation of Sullivan Drive Parcel-** Kenny Moore stated that the Argent Development property has not be annexed into the Village. Attorney Ducharme informed Mr. Moore that a procedure needs to be followed for the annexation. A petition has to be submitted to the Town of Canton with a copy to the Village. Attorney Ducharme has informed Mr. Moore's attorney Mr. John Collins. He sent him the section of the code that he needs to review with what needs to be done for the annexation.

Mr. Moore stated that they plan to do a subdivision on the property. He is here to mimic what Mr. Fay wants to do.

Attorney Ducharme informed Mr. Moore that the property needs to be annexed into the Village before the subdivision. Attorney Ducharme stated that the petition needs to be filed and a Joint Public Hearing with the Town and Village will need to be done.

Mr. Moore stated that more people are coming to them looking for bigger homes. They are looking to do three other building lots to put ranch style homes on them with three bedroom/two bath.

Christopher Corriveay (other owner of Agent Development) included that they are looking to subdivide to build single family homes to sell. He stated that they already have the infrastructure.

They were advised to speak with an engineer regarding the run off.

Attorney Ducharme stated that a SEQRA will need to be completed and part 1 will need to be done by the owners. The Boards have ninety days after the close of the Public Hearing to make a decision. The Town and Village Boards will both need to pass a resolution.

Attorney Ducharme told the Board to think about taxable statues and the zoning for the property. The zoning information will be sent to the County Planning Board for review.

Mayor Dalton informed Mr. Moore and Mr. Corriveay the certified petition will need to be sent to the Town of Canton with a copy to the Village of Canton.

- a. Authorize payment of vouchers & transfer of funds** – Trustee O’Brien made a motion to authorize payment of vouchers & transfer of funds for abstract # **10 of 2018-2019**. Trustee Proemm seconded the motion. All voted in favor. Motion carries.

General Fund	\$134,305.79	Golf Course	\$4,199.91
Water Fund	\$17,324.69	Joint Activity	\$10,540.89
Sewer Fund	\$29,864.73		

- b. Approve Fire Department Members: Hayden Irish, Jacob Cunningham, Alexander Ketterson, Morgan Trimmerman-** Trustee Proemm made a motion to approve the Fire Department Members; Hayden Irish, Jacob Cunningham, Alexander Ketterson and Morgan Trimmerman. Trustee O’Brien seconded the motion. All voted in favor. Motion carries.
- c. Discuss and Possibly Take Action to Override Tax Cap-** Trustee O’Brien made a motion to take action to override the Tax Cap. Trustee Proemm seconded the motion. All voted in favor. Motion carries.

Village of Canton, New York  
Local Law    of the year 2019

A LOCAL LAW  
Authorizing the Adoption of Property Tax Levy  
For Fiscal Year Commencing June 1, 2019  
In Excess of the Limited Established by General Municipal Law §3-c

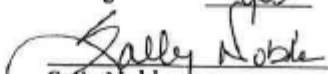
Be it enacted by the Board of Trustees of the Village of Canton, New York, as follows:

- A. Intent: It is the intent of this local law to allow the Village of Canton, New York to adopt a budget for the fiscal year commencing June 1, 2019 that provides for a tax levy which is greater than the tax levy limit as defined by General Municipal Law §3-c.
- B. Authority: This local law is adopted pursuant to Subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's body to override the property tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.
- C. Tax Levy Limit Override: The Board of Trustees of the Village of Canton, County of St. Lawrence, New York is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2019 that provides for a real property tax levy in excess of the amount otherwise prescribed by General Municipal Law §3-c.
- D. Severability: If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law, or its application to any person, firm, corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm, corporation, or circumstance directly involved in the controversy in which such judgment or order shall be rendered.
- E. Effective Date: This local law shall take effect immediately upon its filing with the Secretary of the State.

The votes are as follows (Yes or No):

Mayor Michael Dalton	voting	yes
Trustee Carol Pynchon	voting	Absent
Trustee Elizabeth Larrabee	voting	Absent
Trustee Sean O'Brien	voting	yes
Trustee Klaus Proemm	voting	yes

Date: 3/18/19

  
Sally Noble  
Village Clerk

d. **Contract Negotiations with CSEA and PBA-** Mayor Dalton informed the Board that negotiations with CSEA and PBA will begin shortly. Mayor Dalton will be meeting with the Labor Attorney. If there are any concerns please let m the Mayor know.

f. **CFA Process-** Economic Developer Rodriguez did not have anymore more to add.

**PUBLIC COMMENT:**

None

**Executive Session** -Trustee O'Brien made a motion to enter into executive session at 7:13PM for a purpose as identified in Public Officers Law §105(1) (d.). Trustee Proemm seconded the motion. All in favor. The motion carries.

Trustee Proemm made a motion to come out of executive session at 8:25PM. The motion was seconded by Trustee O'Brien. All voted in favor. The motion carries.

Trustee O'Brien made a motion to adjourn the meeting at 8:30PM. Trustee Proemm seconded the motion. All voted in favor. The motion carries.

Respectfully submitted,

Cara Adams  
Deputy Clerk