

Village of Canton, New York

VILLAGE BOARD MEETING Meeting Minutes: February 18, 2020

Board Present:

Michael Dalton, Mayor
Beth Larrabee, Trustee
Klaus Proemm, Trustee

Carol Pynchon, Trustee
Anna Sorensen, Trustee

Others Present:

Gerald Ducharme, Village Attorney
Brien Hallahan, Superintendent
Cara Adams, Deputy Clerk

Sally Noble, Clerk/Treasurer
Jim Putman, Recreation Director
James Santimaw, Police Chief

PUBLIC HEARING:

Mayor Dalton opened the Public Hearing at 6:25pm and read the following Legal Notice.

Legal Notice

PLEASE TAKE NOTICE that the Canton Village Board of Trustees will hold a public hearing on Tuesday, February 18, 2020, commencing at 6:25pm, in the Court Room of the Municipal Building at 60 Main Street, Canton, New York, 13617. At that time, the Board will receive public comment concerning two proposed local laws which would amend Canton Village Code Chapter 289 (“*Taxation*”), as follows:

- A. The first local law under consideration would amend Article I of said Chapter (“*Senior Citizen Exemption*”) as follows: (1) the title of §298-1 is amended; (2) references in the Article to “*husband*” and “*wife*” are replaced by “*spouse*”; (3) real property owned by siblings would qualify for the exemption; (4) the annual income levels for the exemptions are increased (5) the exemption provisions are deemed subject to *RPTL* §467; (6) §298-2 is deleted, and the final two sections of the Article are re-designated; and (7) the taxable status date is changed from January 1st to March 1st.
- B. The second local law under consideration would amend Article V of said Chapter (“*Exemption for Improvements to One- and Two-Family Dwellings*”) as follows: (1) §289-27 is re-titled and reworded; (2) the exemption limit is increased from \$50,000 to \$80,000.

A copy of each local law may be obtained from the Canton Village Clerk (60 Main Street, Canton, New York; 315-385-2871) and is posted on the Village’s website.

Kevin Feuka asked for brief explanation of the amendment?

Mayor Dalton stated they are changing the exemption limit from \$50,000 to \$80,000 for improvements.

Attorney Ducharme stated the exemption allows for an 8-year sliding scale reduction. Previous law allowed an exemption for one- and two-family dwellings when they were improved or reconstructed/alterd and that increased the assessed valuation up to \$50,000 would be off set for a period of time. The Real Property Tax Law for the State of New York is the basis for this law. Ours is being amended to allow for an increase from \$50,000 up to \$80,000. The proposal amends the local law to say that any increase in assessed valuation that results in an improvement or an alteration made to a one- or two-family dwellings up to \$80,000 of the increase of assessed valuation are exempt from taxation, on a sliding scale that reduces, by a percentage each year for 8 years. The homeowner will need to apply for the exemption.

Trustee Pynchon stated that she was happy that he asked the question. People need to be made aware of this, since it is not often used or requested.

Mr. Kevin Feuka thanked the Board and he plans to do renovations to his home.

Public Hearing closed at 6:29pm.

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

- a. **Approve minutes of January 21, 2020** - Trustee Pynchon made a motion to approve the minutes of January 21st, 2020; seconded by Trustee Sorensen. All voted in favor. Motion carries.

ACCEPTANCE OF DEPARTMENT HEAD REPORTS:

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

Treasurer Report- Clerk Noble added that everyone should be aware of the County Sales Tax, since this is a big budget item for the upcoming budget year.

Mayor Dalton stated that Clerk Noble is working on the Budget Calendar and it will be available soon.

Superintendent Report- Superintendent Hallahan had two things to add to his report.

1. Brandon Wood successfully completed his training for water operator.
2. Henry Keller has marked the trees in the Uplands. The project will be completed this year. This will be revenue for the Village.

Trustee Sorensen asked Superintendent Hallahan about the River Crossing project.

Superintendent Hallahan stated that he is waiting to hear from the Army Corp. of Engineers. He is expecting a response soon and then it will go out to bid.

Economic Development Report- Economic Developer Rodriguez was not in attendance.

Police Report- Nothing to add.

Historian Report- Not in attendance.

Code Report- Not in attendance.

Recreation Report- Recreation Director Putman added the following to his report.

1. Lost compressors over the weekend. There was a glitch in the system.
2. Part-time worker Johnathan Carls quit Sunday evening.

COMMITTEE REPORTS:

Recreation Committee- Trustee Pynchon stated they had a Recreation meeting and discussed safety issues and corrections/improvements will be completed.

A Stakeholder meeting is coming up with the ice users. They will discuss what has worked, suggestions, what needs to be completed over the summer and receive ideas for major improvements to the Pavilion.

COMMUNICATIONS AND INFORMATION:

None

PUBLIC COMMENT:

Brooke Rouse, resides at 8 College St. and is the business owner of 45 Main St. shared with the Board that they are looking for a roadway that could be blocked off and used for pedestrians only to help bring people downtown in the summer to support businesses. She suggested Hodskin Street to be used on the weekends only due to not impacting the businesses on Hodskin Street during the week. She has spoken with some businesses and this is in the discovery stage. She is looking for other areas throughout downtown for spaces that could be used during the week.

Trustee Pynchon asked Ms. Rouse if she has had any interaction with the Canton Chamber regarding the ideas. Ms. Rouse stated she has spoken with business owners and Canton Farmers Market but has not yet spoken with the Canton Chamber. Trustee Pynchon stated that she would hope the Canton Chamber would hop on Board.

Ms. Rouse stated that they are looking for more venues for summer opportunities.

OLD BUSINESS:

- a. **Zoning Code Update-** Trustee Pynchon stated that Monica from River Street meet with her and Attorney Ducharme to discuss the zoning code update and then met with Economic Developer Rodriguez.

Attorney Ducharme stated that they will be back in touch in March.

Trustee Pynchon stated that they are updating the zoning portion of the code. If there are any suggestions/issues to please let them know.

- b. **Approve Contract with River Street for Zoning Update Work-** Trustee Pynchon made a motion to authorize Mayor Dalton to sign the River Street for Zoning Update Work Contract. Trustee Proemm seconded the motion. All voted in favor. Motion carries.
- c. **Information & Technology Use Policy-** Trustee Pynchon said she distributed the policy to everyone and it was worked on by the joint committee. She stated that the

comptroller recommends this and the intent is basic and expects good judgement of the users.

Trustee Sorensen made a motion to approve the Information & Technology Use Policy with the required password change for email to be once a year. Trustee Pynchon seconded a motion. All voted in favor. Motion carries.

- d. Miner Street Project- Complete Streets Presentation-** Toby Irving asked the Board if he could add the Remington Trail Signage Project to the agenda. The Board agreed. Mr. Irving is part of the Complete Streets Task Force.

Mr. Irving showed plans that were completed by Brooks Washburn (engineer) of the Miner Street Project. The plans showed changing the alignment of the roadway starting at Clark Street down towards the bridge.

Mr. Irving stated he is asking for the concept to be put in a more concrete form and to be in the budget for the next fiscal year. He stated that a discussion will need to take place with St. Lawrence University.

Ethan Townsend, member of Complete Streets Task Force added that the road is used by athletes from St. Lawrence University. He stated the road is dangerous after 3:30pm.

Trustee Pynchon added that the road is used by community members, students and athletes.

Remington Trail Signage Project-

Mr. Irven stated that the committee has come with up a concept to put signage on the trails. He would like the concept to move forward and have the funds come out of the Complete Streets budget line. The project would identify the trails throughout the Village and Campuses. He stated the design work will need to be completed.

After Board discussion, they agreed to have Mr. Irven move forward with the trail signage concept. Mr. Irving did not need approval for the funds since it is in the budget.

Mayor Dalton stated that they need to have a sit down and speak with St. Lawrence University about the Miner Street Project.

Trustee Pynchon suggested having the facility people, athletics, student life/affairs present and would like the meeting to be open to everyone that will understand it and help make the decisions.

- e. Discuss and Take Action on a Local Law that would Amend Article I (“Senior Citizen Exemption”)-** Trustee Pynchon made a motion to approve the Local Law that would Amend Article I (“Senior Citizen Exemption”). Trustee Larrabee seconded the motion. All voted in favor. Motion carries.

*Village of Canton, New York
Local Law 1 of the year 2020*

*A LOCAL LAW
Amending Provisions of the Senior Citizen Exemption
Canton Village Code Chapter 289, Article I*

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

- A. Pursuant to authority stated at RPTL §467, the following amendments are made to Article I (“Senior Citizen Exemption”) of Chapter 289 (“Taxation”) of the Canton Village Code.
1. The title of §298-1 is changed from “Property Exempt from Taxation” to “Exemption”.
 2. §298-1(A) is amended as follows:
 - a. In the first sentence of the paragraph:
 - i. The words “husband and wife” are deleted, and the word “spouses” is substituted therefore.
 - ii. In the first sentence of the paragraph, the following words are added “or by siblings (whether related through whole or half blood or by adoption)”.
 - b. The annual income levels are revised as follows:

<i>Annual Income</i>		<i>Percentage of Exemption</i>
\$11,700.00 or less	\$20,000.00 or less	50%
\$11,700.01 to \$12,700.00	\$20,000.01 to \$20,999.99	45%
\$12,700.01 to \$13,700.00	\$21,000.00 to \$21,999.99	40%
\$13,700.01 to \$14,600.00	\$22,000.00 to \$22,999.99	35%
\$14,600.01 to \$15,600.00	\$23,000.00 to \$23,899.99	30%
\$15,600.01 to \$16,500.00	\$23,900.00 to \$24,799.99	25%
\$16,500.01 to \$17,400.00	\$24,800.00 to \$25,699.99	20%
\$17,400.01 to \$18,300.00	\$25,700.00 to \$26,599.99	15%
\$18,300.01 to \$19,200.00	\$26,600.00 to \$27,499.99	10%
	\$27,500.00 to \$28,399.99	5%
	\$28,400.00 or higher	0%

3. §298-1(B) is amended as follows:
 - a. In the second sentence of the paragraph:
 - i. The words “the husband or the wife” are deleted, and the word “spouse” is substituted therefore;

- ii. The word “*their*” is deleted, and the words “*the spouses*” are substituted therefore.
 - iii. The following words are added at the end of the sentence: “*except where a spouse or ex-spouse is absent from the property as provided in New York Real Property Tax Law §467(3)(d)(ii), then only the income of the spouse or ex-spouse residing on the property shall be considered.*”
 - b. The last two sentences of the paragraph are deleted, and are replaced with the following sentence: “*Income shall be defined as stated at New York Real Property Tax Law §467(3)(a).*”
 - 4. A new Paragraph “C” is added to §298-1, which shall read as follows: “*Any exemption provided by this Article shall be computed after all other partial exemptions allowed by law, excluding the school tax relief (STAR) exemption, have been subtracted from the total amount assessed, and shall be subject to all other limitations or requirements stated at New York Real Property Tax Law §467.*”
 - 5. A new Paragraph “D” is added to §298-1, which shall read as follows: “*The income levels stated at Paragraph “A” of this section may be amended by resolution of the Village Board of Trustees providing therefor, after public hearing, to the extent provided by New York Real Property Tax Law §467.*”
 - 6. §298-2 (“*Exceptions*”) is deleted, including Paragraphs “A” and “B”.
 - 7. §298-3 (“*Application Requirements*”) is amended as follows:
 - a. §298-3 is re-designated as §298-2.
 - b. References to the “*first day of January*” are replaced by the “*first day of March*”.
 - 8. §298-4 (“*Penalties for Offenses*”) is re-designated as §298-3.
- B. With the foregoing amendments, Article I of Chapter 289 shall read as follows:

*Article I
Senior Citizen Exemption*

§ 289-1: Exemption

- A. *Real property owned by one or more persons, each of whom is 65 years of age or over, or real property owned by spouses or by siblings (whether related through whole or half blood or by adoption), one of whom is 65 years of age or over, shall be exempt from taxation by the Village of Canton, St. Lawrence County, New York, to the extent of a percentage of the assessed valuation thereof, which percentage shall be determined according to the income of the owner or combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption. The percentage of exemption shall be as follows:*

<u>Annual Income</u>	<u>Percentage of Exemption</u>
\$20,000.00 or less	50%
\$20,000.01 to \$20,999.99	45%
\$21,000.00 to \$21,999.99	40%
\$22,000.00 to \$22,999.99	35%
\$23,000.00 to \$23,899.99	30%
\$23,900.00 to \$24,799.99	25%
\$24,800.00 to \$25,699.99	20%
\$25,700.00 to \$26,599.99	15%
\$26,600.00 to \$27,499.99	10%
\$27,500.00 to \$28,399.99	5%
\$28,400.00 or higher	0%

- B. *The term "income tax year" shall mean the twelve-month period for which the owner or owners filed a federal personal tax return, or, if no such return is filed, the calendar year. Where title is vested in either spouse, the spouses' combined income shall be used to determine the exemption, except where a spouse or ex-spouse is absent from the property as provided in New York Real Property Tax Law §467(3)(d)(ii), then only the income of the spouse or ex-spouse residing on the property shall be considered. Income shall be defined as stated at New York Real Property Tax Law §467(3)(a).*
- C. *Any exemption provided by this Article shall be computed after all other partial exemptions allowed by law, excluding the school tax relief (STAR) exemption, have been subtracted from the total amount assessed, and shall be subject to all other limitations or requirements stated at New York Real Property Tax Law §467.*
- D. *The income levels stated at Paragraph "A" of this section may be amended by resolution of the Village Board of Trustees providing therefor, after public hearing, to the extent provided by New York Real Property Tax Law §467.*

§ 289-2: Application requirements.

- A. *Application for such exemption must be made by the owner, or all of the owners of the property, on forms prescribed by the State Board to be furnished by the Assessor of the Village of Canton and shall furnish the information and be executed in the manner required or prescribed in such forms, and shall be filed in such Assessor's office on or before March 1 in each year.*
- B. *At least 60 days prior to the first day of March, the Village of Canton Assessor shall mail to each person who was granted exemption pursuant to this section on the latest completed assessment roll an application form and a notice that such application must be filed on or before the first day of March in each year and be approved in order for the exemption to be granted. Failure to mail any such application form and notice or the failure, of such person to receive the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.*

§ 289-3: Penalties for offenses.

Any conviction of having made any willfully false statement in the application for such exemption shall be punishable by a fine of not more than \$100 and shall disqualify the applicant or applicants from further exemption for a period of five years.

- C. Effective Date: This local law shall take effect immediately upon its filing with the Secretary of State.

The votes are as follows (*Yes or No*):

Mayor Michael Dalton	voting	<u>Yes</u>
Trustee Carol Pynchon	voting	<u>Yes</u>
Trustee Elizabeth Larrabee	voting	<u>Yes</u>
Trustee Klaus Proemm	voting	<u>Yes</u>
Trustee Anna Sorensen	voting	<u>Yes</u>

Date: February 18, 2020


Sally Noble, Village Clerk

- f. **Discuss and Take Action on a Local Law that would Amend Article V (“Exemption for Improvements to One- and Two- Family Dwellings”)-** Trustee Proemm made a motion to approve the Local Law that would Amend Article V (“Exemption for Improvements to one and two-family dwellings”). Trustee Larrabee seconded the motion. All voted in favor. Motion carries.

*Village of Canton, New York
Local Law 2 of the year 2020*

*A LOCAL LAW
Amending Provisions for Exemption for Improvements to
One- and Two-Family Dwellings
Canton Village Code Chapter 289, Article V*

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

A. Pursuant to authority stated at RPTL §421-f, the following amendments are made to Canton Village Code Chapter 289 (“Taxation”) at Article V thereof (“Exemption for Improvements to One- and Two-Family Dwellings”).

1. §289-27 of said Article is re-titled “Eligibility”. The words “Three Thousand Dollars (\$3000)” are added, and the figure “\$3,000” is removed. The word “per” is removed, and is replaced by “pursuant to”. The words “such abatement not to exceed \$50,000” are removed. With these changes, the paragraph shall read as follows:

In accordance with §421-f of the New York State Real Property Tax Law, and subject to meeting the requirements of this article, reconstructions, alterations or improvements to one- and two-family residential buildings occurring subsequent to the effective date of this article resulting in a change in the assessed valuation of at least Three Thousand Dollars (\$3,000) shall be, upon application, eligible for an exemption of Village of Canton property taxes pursuant to the terms of this article.


2. At §289-30 of said Article (“Amount of Exemption”), Paragraph “A(2)” is amended, by removing the figure “\$50,000”, and replacing same with the words “Eighty Thousand Dollars (\$80,000)”. With these changes, the paragraph shall read as follows:
 - (2) *Such exemption shall be limited to Eighty Thousand Dollars (\$80,000) in increased market value of the property attributable to such reconstruction, alteration or improvement, and any increase in market value greater than such amount shall not be eligible for the exemption pursuant to this article.*
3. At §289-31 of said Article (“Requirements for obtaining exemption”), Paragraph “A(2)” is amended, by removing the figure “\$3,000”, and replacing same with the words “Three Thousand Dollars (\$3,000)” in the first sentence, and by removing the figure “\$50,000”, and replacing same with the words “Eighty Thousand Dollars (\$80,000)” in the second sentence. With these changes, the paragraph shall read as follows:
 - (2) *The value of such reconstruction, alteration or improvement must exceed Three Thousand Dollars (\$3,000). The maximum exemption permitted under this article is Eighty Thousand Dollars (\$80,000); and*

B. Effective Date: This local law shall take effect immediately upon its filing with the Secretary of State.

The votes are as follows (*Yes or No*):

Mayor Michael Dalton	voting	<u>Yes</u>
Trustee Carol Pynchon	voting	<u>Yes</u>
Trustee Elizabeth Larrabee	voting	<u>Yes</u>
Trustee Klaus Proemm	voting	<u>Yes</u>
Trustee Anna Sorensen	voting	<u>Yes</u>

Date: February 18, 2020



Sally Noble, Village Clerk

NEW BUSINESS:

a. **Authorize payment of vouchers & transfer of funds** – Trustee Larrabee made a motion to authorize payment of vouchers & transfer of funds for abstract # **09 of 2019-2020**. Trustee Sorensen seconded the motion. All voted in favor. Motion carries.

General Fund	\$98,478.79	Golf Course	\$10,577.93
Water Fund	\$17,826.09	Joint Activity	\$7,824.05
Sewer Fund	\$14,251.21		

b. **Discuss and Take Action on Annual SLC Hold Harmless Agreement-** Trustee Proemm made a motion to approve the Annual SLC Hold Harmless Agreement. Trustee Larrabee seconded the motion. All voted in favor. Motion carries.

c. **Discuss and Take Action on Resignation of Garrett Fries-** Trustee Pynchon made a motion to accept the resignation of Garrett Fries from the Police Department. Trustee Sorensen seconded the motion. All voted in favor. Motion carries.

d. **Authorize the Search for a Police Officer-** Trustee Larrabee made a motion to authorize the search for a Police Officer. Trustee Sorensen seconded the motion. All voted in favor. Motion carries.

e. **Authorize hiring of Jeni Reed as Part-Time Ed/Code Clerk-** Trustee Pynchon introduced Jeni Reed as Part-Time Ed/Code Clerk. Trustee Pynchon stated that Ms. Reed will do the ZBA, Planning Board and Economic Development Steering Committee minutes for the Village and Town.

Trustee Pynchon made a motion to authorize hiring Jeni Reed as part-time ED/Code Clerk effective February 14, 2020 at a rate of \$17.00 an hour. Trustee Sorensen seconded the motion. All voted in favor. Motion carries.

f. Discuss and Take Action on Constable/Peace Officer Agreement with the Town of Canton- Tabled

g. MOA with Steel Workers for Health Care- Mayor Dalton stated that an employee was interested in the Bronze 4 insurance plan, the MOA is adding the health plan to the Steel Works Union Contract.

Trustee Proemm made a motion to approve the MOA with Steel Workers for Health Care. Trustee Larrabee seconded the motion. All voted in favor. Motion carries.

h. Golf Course Concession- Trustee Larrabee met with the owners of GT's who have locations in Ogdensburg, Russell and a food truck. They are interested in being a vendor at the Golf Course. Trustee Larrabee proposed to use the contract that was used last year with the monthly rent amount \$300.00.

Trustee Pynchon added that they acknowledge that the rent has gone down the last few years. The contract would be on a one-year trial basis. It is important to have a vendor at the Golf Course.

Trustee Larrabee stated that she will get the name for the contract to Attorney Ducharme.

Trustee Larrabee made a motion to approve the recommendation to move forward with GT's as the Golf Course Concession. Trustee Pynchon seconded the motion. All voted in favor. Motion carries.

PUBLIC COMMENT:

NONE

EXECUTIVE SESSION- Trustee Larrabee made a motion to enter into executive session at 7:26pm for a purpose as identified in Public Officers Law §105(1) (h). Trustee Proemm seconded the motion. All in favor. The motion carries.

Trustee Larrabee made a motion to come out of executive session at 8:13PM. The motion was seconded by Trustee Proemm. All voted in favor. The motion carries.

Trustee Pynchon made a motion to adjourn the meeting at 8:15PM. Trustee Sorensen seconded the motion All voted in favor. The motion carries.

Respectfully submitted,

Cara Adams
Deputy Clerk