

**TOWN OF CANTON REGULAR
BOARD MEETING BY ZOOM**

6:00 PM

December 10, 2020

Minutes

Present: Supervisor Mary Ann Ashley, Deputy Supervisor Bob Washo, Council members James Smith, Tim Danehy and Karin Blackburn.

Also, in Attendance: Town Clerk/Tax Collector Lisa Hammond, Deputy Town Clerk/Tax Collector Heidi Smith, Supervisor Confidential Secretary/Bookkeeper Susan Huntley, Attorney Eric Gustafson, Assessor Cindy Brand, Code Enforcement Officer Jeffrey Murray, Historian Linda Casserly, Judge Michael Morgan, Justice Clerk Marc Armstrong, Economic Development Director Leigh Rodriguez, John Gray of Gray and Gray, Linda Curry, Richard Dudley, Adam Atkinson and Ellis Giacomelli, Moderator Carol Pynchon, Toby Irvén, John Taillon and Debra Hannan

Absent: Appointed Highway Superintendent Calvin Rose, Justice Rosemary Philips

A. Call Meeting to Order

Supervisor Mary Ann Ashley called the meeting to order at 6:02 PM and held a moment of silence for anyone that has been impacted by COVID

B. Recognition of Town Clerk Lisa Hammond and Justice Rosemary Philips

Supervisor Mary Ann Ashley and Council members thanked Retiring Town Clerk Lisa Hammond for her service.

Supervisor Mary Ann Ashley and Council members thanked outgoing Justice Rosemary Philips for her service. Justice Mike Morgan noted that Philips taught him a lot when he came on as Justice. Both Morgan and Court Clerk Marc Armstrong stated that they will miss working with Philips.

C. Public comment:

Lynn Soulia wished Clerk Lisa Hammond for her service and stated that Hammond will be missed. Soulia asked how it will work with Hammonds seat being vacant and how the trickle down will work with Deputy Heidi Smith? Clerk Lisa Hammond stated that it is the Town Board members appointment. Hammond noted that while in the seat it is her appointment.

Historian Linda Casserly stated that Clerk Lisa Hammond have been a team for over thirty years and she's going to miss her.

D. County Legislature Representative(s) Update(s)

None

E. Approval of Minutes

Regular Meeting	11/12/2020
Special Meeting	11/18/2020

Motion to approve minutes made by Council member Karin Blackburn, seconded by Council member Bob Washo. All in favor. Motion carries.

Council member Tim Danehy suggested moving item #1 under Old Business up for discussion at this point in the agenda. 2021 Health Insurance Contributions.

The Town Board members discussed and proposed a resolution increasing the premium contributions for retirees and the supplemental insurance that it provides for its retirees and their survivors from 20-25 percent range to 35 percent for 2021 and 50 in 2022

Richard Dudley a Town of Canton retiree argued that he worked for the Town of Canton for twenty-nine years and he was promised this benefit. Dudley also noted that the Town of Canton is not holding up to their end of the bargain. Dudley stated he expected the Town to honor this benefit.

Council member Tim Danehy stated that the State is telling the board that they are not collecting what they are supposed to be collecting from the retirees and the Town can amend these agreements. Danehy noted that he has discovered agreements that are in writing and agreements that are not in writing. Danehy stated he wished that the notices to the retirees had gotten out earlier because of the enrollment date deadline, as it did not work out very well and he is sensitive to that.

Dick Dudley said he does not want to start a lawsuit, noting that the State won't have to defend it. Dudley stated that the retirees should have been contacted, and discussions held prior to this short notice of increase.

Council member Bob Washo stated that a similar conversation was held last year about the increase and the board decided not to act at that time. Washo stated he beg to differ that this letter did not come out of the blue and this is the second time to have this discussion. Washo noted that the board is talking about supplemental insurance that these are supplemental plans. Washo asked Dick Dudley how this increase differs from other

increases that you have agreed to over the years? Dudley responded that this increase is significantly more, the other increases were designed to keep us at the same percentage, we were at and agreed to with the previous administration and now suddenly, its increasing to fifty percent. Council member Bob Washo said the State come to them and said the previous administration handled it wrong and the State wants us to correct it.

Council member Jim Smith stated that the Town of Canton had an agreement with retirees for them contribute twenty five percent to their health insurance and that has not been happening. Smith noted that the open enrollment date was missed. Smith proposed amending proposed resolution to say thirty five percent in 2021 and fifty percent in 2020. Smith noted the Town has people asking why you are supplementing retiree's health insurance on the back of the taxpayers and the State is writing us up for it.

Linda Curry criticized the timing of the increase and expressed her concerns over not having a chance to talk it over with the board and having more of a notice. Curry stated that cuts could have been made in other areas instead of taking from the retirees. Supervisor Mary Ann Ashley stated that the State cited the Town for this, and they put in a corrective action plan to address it. Council member Jim Smith noted that this was discussed a year ago and no action was taken and that the Auditors were not happy about it. Smith added this is our job, it is not easy at times but it's our job.

Council member Bob Washo stated for the record no decision have been made yet, even though folks are saying they should have been notified, no decisions have been made, that is what we are talking about tonight.

Dick Dudley stated he could live with the thirty five percent increase, but not with the fifty percent increase.

Motion made by Council member Jim Smith to amend resolution to thirty five percent in 2021 and fifty percent in 2022 and beyond, seconded by Council member Bob Washo. All voted in favor. Motion carries.

Motion to pass resolution made by Council member Jim Smith, seconded by Council member Bob Washo. All voted in favor. Motion carries.

See attached resolution

Item #2 under Old Business as moved to this portion of the agenda. Consider amending current non-contract policy Article VI. Supervisor Mary Ann Ashley read the resolution aloud. Supervisor Mary Ann Ashley will amend the resolution to mirror the first resolution regarding retirees to say thirty five percent in 2021 and fifty percent in 2020

Motion to approve resolution by Council member Bob Washo, seconded by Council member Karin Blackburn. All voted in favor. Motion carries.

Court Clerk Marc Armstrong asked why such a large increase and has the Board inquire changing the policy. Armstrong stated his co pays are going up along with his premiums. Supervisor Ashley said she has been researching other plans with Council member Blackburn. Armstrong pleaded with the board requesting steps for increase instead of doing it all at once. Armstrong feels that non contractual employees are being penalized for not being in a union and he assumes the Highway got a larger raise in 2021, then the non-contractual employees that received a one percent raise.

#3 Consider Elected Official Health Insurance Contributions

Supervisor Mary Ann Ashley read the resolution aloud. Council member Bob Washo stated that this resolution should also mirror the initial resolution and suggested adding in a paragraph that mentions retirees and that were clarify eligible elected officials. Council member Tim Danehy asked for more clarity on the resolution. Discussion was held and it was decided to table the resolution for language clarification that the board is comfortable with.

F. Supervisor Report

John Gray read over the monthly report which was sent to the Town Council prior to the meeting. Gray stated that the Town had a deficit for eleven months of \$25,0004.83. All Supervisor reports are on file in the Town Clerks Office.

Council member Jim Smith asked if both mortgage tax checks have been received from the County. Susan Huntley stated that the seconded check has not been received as of yet. Discussion was held on PILOTS. Supervisor Mary Ann Ashley noted that the Justice Court is down in revenue due to the Court shut down from the COVID

G. Correspondence

Supervisor Mary Ann Ashley stated that North Country This Week sent a packet indicating that they can now do legal notices and have asked the Town of Canton to consider them as a legal newspaper going forward. This will be considered at the January Organizational meeting.

Supervisor Mary Ann Ashley stated that the NYS DEC sent a notice of violations, failure to register POSS for the spark. POSS stands for publicity owned sewer system. Ashley is working on this matter and has called to tell them that the Town does not own such sewer system. This is a result of a NYSDEC being audited by the Comptroller's Office.

Supervisor Mary Ann Ashley noted that the Town board received a response from the President of the Canton Chamber of Commerce to their request for more financial information.

H. Audit Committee

Approval of Expenditures

A: \$33,545.49
B: \$98,926.31
SL: \$336.14
TA: \$16,656.38
DA: \$5,438.59
DB: \$8,424.57
SF: N/A

Council member Bob Washo noted that there no invoice for Dog Control in the A account attached to the voucher. Washo wants the purchase of stamps in the future to have a note attached stating that the receipt will be attached after the purchase, and that it is a pay it forward to be able to go purchase the stamps.

Washo stated that the funding for the Oswegatchie Waterfront Revitalization Plan has been charged to the B account and it should be charged to the A account. Discussion was held with Supervisor Mary Ann Ashley adding that she will contact the Comptroller's Office about it. Council Member Jim Smith agreed with Washo that this should be in "A" Account and not B account. This is a \$24,000.00 grant with full reimbursement and there are no MOU's with it.

Motion made by Council member Jim Smith to approve expenditures, seconded by Council member Karin Blackburn, all voted in favor. Motion carries.

I. Acceptance of Department Reports

Economic Developer Leigh Rodriquez stated that another round of the New York Main Street grant, which is most relevant to the Village of Canton. In 2016, a grant was awarded to Canton, which helped owners of 7 building renovate. Rodriquez is looking for a letter of support from the Town of Canton Board. The Oswegatchie Blue Way Trail plan is moving along as well. Rodriquez said that the St. Lawrence County Chamber and partnership with Anchor Space in Potsdam are putting on a QVC like shopping channel, called the St. Lawrence County Shopping Channel.

Justice Michael Morgan stated that the Town Board and the public need to be made aware of the Governor has put protocols in place where if someone does not pay their fine, the Court has no recourse. Morgan talked to the Judicial committee about this problem. The Towns and Villages should be writing letters to the Governor. The Court is now gone virtual here and across the State. Morgan stated that the Court needs two cameras for desktops in the office, along with stamps, envelopes which is going to be an additional cost. Morgan requested keeping the courts second court officer after the first of the year and or when the court gets back to in person appearances. Supervisor Mary Ann Ashley will contact Association of Towns to inquire on a resolution to address the issues of revenues implemented by the Governor.

Code Enforcement Officer Jeff Murray stated that Commercial Solar projects are a whole new game for him. Murray said it is a big learning curve. Supervisor Mary Ann Ashley

asked Murray to contact the Solar Committee if he is contacted about Solar. Committee member Jim Smith stated that he and Committee member Bob Washo are not enough and that its overwhelming to us. Smith stated that they are educating themselves on it. Committee member Bob Washo agreed with Smith. Attorney Eric Gustafson will get names of people that Washo and Smith can reach out to with questions.

Town Clerk/Tax Collector Lisa Hammond reported that the Clerk's Office is working on year end items getting ready for 2021 with tax collection right around the corner. Hammond stated that even though she did not get the help that she wanted while the Deputy Clerk was on leave, she has been handling it with ease. Hammond congratulated Appointed Highway Superintendent Calvin Rose on his recent appointment by the Town Board to finish Terry Billings term. Hammond stated that that was successful planning on their part.

Historian Linda Casserly stated she is thinking of doing a 1980's calendar. Casserly in working on a Village walking tour.

Motion made by Council member Bob Washo to accept department reports as presented, seconded by Council member Karin Blackburn, all voted in favor. Motion carries.

J. Committee Reports

Committee member Bob Washo reported on the Solar Committee. The OORS comment period is over and the OORS citing law is going to replace Article Ten with is going to expedite energy project across the State, including right here in Canton. The St. Lawrence Planning Office offered very good comments, as did the Farmland Protection Board along with Richard Grover. This new law is going to rekindle Wind across New York State.

Highway Committee member Bob Washo reported that Leaman Anson started work to fill Calvin Roses spot. Washo noted that about 30 applicants applied for the position with three interviews held. Washo asked on behalf of Calvin Rose if the second hire to replace Joe Conklin could start work in mid-December, two weeks early. Supervisor Mary Ann Ashley stated she has two other items to add to the agenda and prefers to add it later.

Highway Committee member Bob Washo Highway Committee, Complete Streets Committee reported that the topped-out trees in Fairview Cemetery will start coming down tomorrow December 11th, 2020, this is part of the Miner Street improvements.

Committee member Tim Danehy reported on Recreation stating that the Pavilion is operating with our partners Canton Minor Hockey and St. Lawrence County Figure Skating and doing a good job with all the requirements on safety. Danehy noted that there was a great response from the Community on the reimagining recreation and a kickoff meeting will be held with the people that signed up.

K. Old Business

Supervisor Mary Ann Ashley added an item under Old Business

7. Miner Street Road Grant MOU with the Village of Canton

1. 2021 Health Insurance Contributions

Discussed above and approved with amendments

2. Consider Amending Current Non-Contract Policy Article VI

Discussed above and approved with amendments

3. Consider Elected Officials Health Insurance Contributions

4. Discussed above and tabled to December 31, 2020 meeting

5. Canton Chamber 2020 Funding

Supervisor Mary Ann Ashley stated that the Town has budgeted \$5,500.00 for the Canton Chamber of Commerce and that discussion has been held by committee.

Motion made by Council member Tim Danehy to fund the Chamber in the amount of \$5,500.00, seconded by Council member Bob Washo. All voted in favor. Motion carries.

6. VFW 2020 Funding

Supervisor Mary Ann Ashley stated that the VFW submitted a bill in the amount of \$2,311.70

Council member Bob Washo made a motion to approve the expense in the amount of \$2,311.70, seconded by Council member Karin Blackburn. All voted in favor. Motion carries.

7. Board Committee Audit of Supervisor's Office

Audit Committee members Bob Washo and Tim Danehy did an audit of the Town Supervisors Office on December 9th, 2020. Danehy noted that he does not like the term audit, but does find that it is a useful exercise to do a internal review. Danehy would like to see improvement on some record keeping in terms of property records, receivable control accounts, and the in-debt deftness records. Danehy stated things are in good shape. Washo added that based on previous experiences, it was very positive. Supervisor Mary Ann Ashley received the property records from Assessor

Cindy Brand after the audit. A brief discussion was held on working on Town inventory.

8. Miner Street Road Grant MOU with the Village of Canton

Supervisor Mary Ann Ashely stated that the board has received and reviewed the MOU. Council member Bob Washo suggested calling this grant the Waterfront revitalization grant instead of having the title be so wordy.

Council member Tim Danehy made a motion to approve the MOU, seconded by Council member Karin Blackburn. All voted in favor. Motion carries.

L. New Business

1. Consider/Adopt Ethics Financial Disclosure Statement

Council member Bob Washo stated that he and Village Trustee Carol Pynchon met with the municipal attorneys to discuss getting the Ethics Board up and running. Washo noted that both the Town and Village boards will have to adopt a disclosure form.

Council member Bob Washo made a motion to adopt the disclosure form as is, seconded by Council member Jim Smith. All voted in favor. Motion carries.

Supervisor Mary Ann Ashley commented that she has supported the Ethics Law all along through the process.

2. Fire Department 2021 Contracts

Supervisor Mary Ann Ashley stated that all four Fire Department Contracts were sent out to the Town Board members, along with a MOA with Canton Fire Corporation for Engine #7 payment, which goes to the year 2023. Ashley noted that in 2020 the Department received \$39,206 and the amount is increasing to \$45,000 for the smaller departments, Rensselaer Falls, Pyrites and Morley. Canton Fire Department will remain the same as it was in 2020 in the amount of \$117,300.00. The Town of Canton will pay Canton Fire their annual payment of \$6,000.00 in which they have an agreement. Council member Jim Smith pointed out that the Town of Canton is no longer paying on the Canton Fire Station and that the three smaller departments got a significant increase. Supervisor Mary Ann Ashley noted that this is the third year for increases. Council member Karin Blackburn asked Supervisor Mary Ann Ashley if the Town plans to divide the funds between the departments once Engine #7 for Canton is paid off. Ashley stated she could not answer because its years out and it would be up to the board members to decide. Council member Bob Washo noted that these are four departments that the municipality have contracts with, and they are independent of the Town. They are not Town "our" departments.

Council member Jim Smith made a motion to approve contracts, seconded by Council member Bob Washo with gratitude. All voted in favor. Motion carries.

3. Resolution urging SLC Legislature to contract with DANC for comprehensive broadband assessment.

Supervisor Mary Ann Ashley stated that the board members have a copy of resolution and that County Legislator Dan Fay said the County will be moving forward on the resolution.

Council member Bob Washo made a motion to approve resolution, seconded by Council member Jim Smith. All voted in favor. Motion carries.

4. Workplace Violence Prevention Policy

Supervisor Mary Ann Ashley stated that the policy had to be updated, training has been provided and that the board members have received a copy of it. Ashley will be meeting with each department. Business hours have been established for the municipal building being 8-4 pm. At that time the door will be locked. Ashley recommends taking out the language of signing in at the door, under workplace security measures.

Council member Jim Smith made a motion to approve Policy with amendment, seconded by Council member Karin Blackburn. All voted in favor. Motion carries.

5. Highway Motor Equipment Operator Appointment

Supervisor Mary Ann Ashley stated that Leaman Anson has been selected to become our next motor equipment operator effective December 14, 2020. Council member Bob Washo added that Anson comes to the Town of Canton from County where he was a operator and mechanic.

6. Set year end meeting

After discussion it was decided to hold the year end meeting on December 31, 2020 at 10:00 am.

Supervisor Mary Ann Ashley added Solar Law amendment to the agenda

Town Attorney Eric Gustafson stated that there is a provision of the Real Property Tax Law that generally exempts Solar and Wind project by the value being added by the projects from being taxed for a period, it is 15 years from when they are installed operational. Gustafson went over two different methods of getting around this and proposed adopting a Local Law opting out of section 487 and impact on the assessed value as one and demanding a Pilot Payment from the project coming in. Gustafson recommends passing a resolution as that generically

it authorizes the Town to notify the projects that there will need to be a pilot payment to locate in the Town of Canton.

Supervisor Mary Ann Ashley read over the proposed resolution

Council member Bob Washo made a motion to pass amended Solar Law Resolution, seconded by Karin Blackburn. All voted in favor. Motion carries.

Council member Bob Washo asked if the board would be amenable if the second Highway Candidate were available prior to the first of the year, can he come on early. Council member Jim Smith stated Calvin Roses position has been vacant and no pay going to anyone. Council member Tim Danehy would like to see this happen to have adequate time to train.

Supervisor Mary Ann Ashley stated there has not been an extra position created yet and a lot of details need to be worked out. Discussion was held and it was decided that Supervisor Mary Ann Ashley will contact Human Resources about the position.

M. Public Comment

Executive Session: Upon a majority vote upon a motion that identifies the subject to be considered, the Council may conduct an executive session to discuss any of the issues identified as proper by Public Officers Law 105(1) H the proposed acquisition of sale and lease of real property.

8:56 PM Council member Karin Blackburn made a motion to go into Executive Session for the purpose of (H), seconded by Supervisor Mary Ann Ashley. All voted in favor. Motion carries.

9:49 PM Council member Supervisor Mary Ann Ashley made a motion to come out of Executive Session, seconded by Council member Bob Washo. All in favor. Motion carries.

9:49 PM Council member Tim Danehy made a motion to adjourn the meeting, seconded by Council member Jim Smith. All in favor. Motion carries.

Respectfully Submitted,

Lisa Hammond
Town Clerk/Tax Collector