

**TOWN OF CANTON REGULAR BOARD MEETING**  
**THURSDAY, JANUARY 13, 2022**  
**ZOOM @ 6:00 PM**

**Present:** Supervisor Mary Ann Ashley, Council member Bob Washo, Council member Jim Smith, Council member John Taillon and Council member Bob Santamoor.

**Also present:** Town Clerk/Tax Collector Heidi Smith, Deputy Town Clerk Leanna Moquin, Confidential Secretary/Bookkeeper Dylan Barringer, Justice Michael Morgan, Town Attorney Eric Gustafson, Assessor Cindy Brand, Code Enforcement Officer Michael McQuade, Historian Linda Casserly, Highway Superintendent Steven Smith, Recreation Director Meghan Richardson, CPA John Gray, Economic Developer Leigh Rodriguez

**Public Attendance:** Lyne Soulia, Toby Irven, Dave Bradman, North Country This Week Paul Mitchell, Watertown Daily Times Tom Graser, John Casserly, County Legislator Kevin Acres, County Legislator Dan Fay

**A. Call Meeting to Order/Welcome**

The meeting was called to order by Supervisor Mary Ann Ashley at 6:04 pm. Supervisor Ashley added a new item to the agenda under new business number six, Appointment of Highway Motor Equipment Operator.

**B. County Legislator Representative(s) Update(s)**

County Legislator Kevin Acres reported that the County Budget has been passed for \$260 million dollars. Construction is taking place at two of the highway outposts one in Russell and the other in Lisbon. The County has hired BanDeal Group for the DSS Investigation into allegations of mismanagement, concerning foster parents, biological parents and caseworkers. These investigations are taking place right now. Acres also shared that schools have reached out to have a Sheriff Resource Officer in their schools. This would be paid 100% by the schools. Acres is the chairman for the ARPA Funds, the County has gotten almost 21-million-dollars. the ARPA committee has met and has tasked Ruth Doyle County Administrator with looking for projects that have a countywide benefit and take care of those needs first. There are plans for 18-million-dollars, leaving 3-million-dollars that could be for cultural. Initially the ARPA Funds were to replace cost that incurred for COVID.

**C. Approval of Minutes**

A motion was made by Council Member Bob Santamoor and seconded by Council Member Bob Washo to approve the Regular Board Meeting 12/9/21 and Special Year End Board Meeting 12/30/21 minutes. Supervisor Mary Ann Ashley, Council Members Bob Washo, Jim Smith and Bob Santamoor all in favor. Council Member John Taillon abstains. Motion carried.

**D. Correspondence**

Supervisor Mary Ann Ashley reported that the town received the 2021 Annual Report for revenues and expenditures for Foreign Fire Insurance. All fire departments get this notice

from the New York State Comptroller's Office. Supervisor Ashley will follow up with all fire departments to remind them they need to complete the paperwork.

Supervisor Ashley reported that the town received an updated return to work isolation guidance sent from NYS Department of Health. It is an advisory on shortening isolation period for fully vaccinated health care workers and other critical workforce. The board and council will look over for consideration. The town's goal is to keep everyone safe and healthy.

Supervisor Ashley reported the town received a memo on the Town and County charge backs. This is an addition added on the tax bill. This covers the workers compensation allocation, real property charges, board of election charges, and community college tuition charges. The Town of Canton total charge back for 2022 for the Canton taxpayers is \$189,278.73, this is an increase from 2021.

Supervisor Ashley reported that the town has received several notices from Senator Schumer and the Associations of Towns on the ARPA Funds final rule funding and guidelines. Supervisor Ashley is hoping to start discussion on the ARPA funds starting next month.

#### **E. Town Finances Reports**

Town Clerks Office report will be tabled until next month.

John Gray reported on the Town budget.  
*Report filed in the Town Clerks Office.*

#### **F. Audit Committee**

A- Town General Funds - \$19,088.83  
B- Town Outside Funds - \$2,497.13  
SF/SL- NA  
DA Highway - \$19,713.48  
DB Highway - NA

A motion was made by Council Member Jim Smith seconded by Council Member Bob Washo for the approval of year end expenditures.  
All in favor. Motion carried.

#### **G. Acceptance of Department Reports**

Steven Smith, Highway Superintendent reported the smooth transition into newly elected position as Highway Superintendent. Calvin Rose and crew have been helpful in the transition. Smith reported they have filled the Motor Equipment Operator Position, starting January 24, 2022. Smith reported the scan tool is working great and was a good purchase.

Supervisor Mary Ann Ashley bumped new business item number six up in the meeting, **Appointment of Motor Equipment Operator** is Steven Smith's appointment. Bryant

Durham will be starting January 24, 2022, at a rate of \$24.62. Durham has highway experience and has three seasons of plowing experience.

Cindy Brand, Assessor added to report that there is a class being offered on Solar Evaluation that Brand will be taking.

Heidi Smith, Town Clerk/Tax Collector reported it is a transitional period into the newly elected position. Working on updating programs in the office, familiarizing self with changes that have been made. Meeting with John Gray, Gray & Gray to go over contract with the clerk's office. The clerk's office has been busy distributing KN95 masks. Smith made a change to original submitted report, that to date the Town Clerk's office has collected 11% of Town and County Taxes of \$633,944.53. Smith reported she appointed a Deputy Town Clerk, Leana Moquin. Moquin started on January 4, 2022. Moquin has caught on quickly to collecting taxes and the program.

Supervisor Mary Ann Ashley added that there is another shipment of masks coming from the county. Supervisor Ashley stated they are also looking for COVID-19 home tests.

Leigh Rodriguez, Economic Development reported that Canton did not receive the 10-million-dollar grant. Rodriguez was able to talk with a REP from Empire State Development with feed back from the application, and things to work on. Rodriguez also reported the town did not get the Local Waterfront Revitalization Program Grant for the REC assessment, debrief was had and the application was well received. Rodriguez stated this was a planning project instead of an implementation project, points were automatically lost due to this. Rodriguez noted that the town has had a Local Waterfront Revitalization Program for the Grass River since 2010 which is the basis for these projects and applications to be submitted through this program. Rodriguez stated there is a difference between a Waterfront Revitalization Plan and a Local Front Revitalization Plan, there is consideration to looking at this because the town is not formally recognized by the State at this point, the town does not have a formal waterfront revitalization area and because of this, points are lost on applications. A date has been set for a presentation with the Department of State to figure out what is needed to take the next step. The Town of Canton did receive the Local Government Efficiency Grant for Stiles Avenue. Rodriguez also mentioned the CDBG Act Funding – Community Development Block Grant Funding for assistance for low to moderate income. There has been a joint public hearing with the Town and Village and an application was not submitted. A release of new notice of funding was available at the beginning of the year so there would need to be a new public hearing. Rodriguez is working on the application at this time. Plans to set a public hearing at the next Joint Town/Village meeting.

Supervisor Mary Ann Ashley added the Town has received the final reimbursement of \$7,900.00 on the Oswegatchie River Plan.

Judge Michael Morgan, Justice reported there is expected to be more COVID rules coming down from the Office of Court Administration because of the high numbers in cases. Morgan expects to have interviews for hiring a part time court clerk.

Michael McQuade, Code Enforcement Officer reported for the month of December there was three new building permits, four or five violations. McQuade is still receiving multiple emails from solar developers for projects that have been in the works as well as new projects. McQuade will be attending service training.

Linda Casserly, Historian reported in the next three years she would like to see something happen with the sheriff's house, it's an ongoing project.

Meghan Richardson, Recreation Director reported an update on the ADA Canoe Kayak Launch driven by Mark McKenna's volunteer efforts. They are close to reaching their donation goal of \$46,000. Richardson reported she received a notification that she was approved for a general donation application to Stuarts Shop they are going to donate \$2,500 to the ADA Canoe Kayak Launch. Richardson also submitted a Stuarts Holiday Match Application for playground improvements for the summer and is hoping that will go through. Grooming at Partridge Run will unfortunately not happen this year, lack of necessary resources to make happen. Richardson is keeping this on her list to expand recreational opportunities but first they need to find the resources to make it happen. The new recreation committee met, committee members for the town are Mary Ann Ashley and John Taillon, members from the village are Beth Larrabee and Carol Pynchon. Meeting went well and new members were brought up to speed. The pavilion is running full force and staff is doing fantastic.

A motion was made by Council Member Bob Washo and seconded by Council Member Bob Santamoor to accept department reports. All in favor. Motion carried.

#### **H. Committee Reports**

Council Member Bob Washo reported that the Solar Committee and Planning Committee continues to meet. Washo reported that a week ago they were notified about the fourth proposed five-megawatt project for the Town, just went outskirts of the Village. Washo is concerned that New York State created a green energy light for the North Country without fully getting the municipalities up to speed as to what it means to handle these projects. There is a lot of research and moving parts involved and unfortunately the planning boards are not equipped to deal with these size projects all at the same time. These are multimillion dollar projects. Washo wants to have a serious discussion as to what the extra work means for a volunteer planning board and volunteer planning board chairman.

Toby Irven reported on the nature of the broadband committee. The committee adopted a principle to say they are looking for universal access or universal coverage for the Town of Canton. The Town is working with MC Fibers as professional services to enhance the planning efforts that were done last spring. There is no blueprint for action and with the help from MC Fiber the committee is hoping to they can help with that endeavor. There will be another introductory meeting including Rensselaer Falls so that both municipalities inside the Town of Canton are up to speed.

Council Member Bob Santamoor reported that the Canton Sustainability Committee met, and the Village of Canton is looking to contract with Jewel Power, a power organization that offers cheaper power to the communities. They would like the Town to be part of that and Santamoor wants to Town to be ready for that response and have further discussion with the Village. Discussion was had to have item added to the joint agenda with the Village.

Council Member Jim Smith reported on the negotiation committee. For a lack of hearing back from CSEA negotiator they are at a stand still and working on an expired contract.

Supervisor Mary Ann Ashley reported on the Recreation Committee and the roles of the committee. There is an advisory committee and a board committee and understanding the roles of each committee. There was discussion on summer programs for Pyrites, Morley and Rensselaer Falls. Ashley also added that when volunteers come forward there needs to be a process and paper trail of proposed projects by citizens. There needs to be a plan of action.

## **I. Old Business**

### **1. Charter Communications Agreement Resolution**

Supervisor Mary Ann Ashley stated there was a public hearing held on November 11, 2021. The agreement was brought down from ten years to eight years, Supervisor Ashley believes this is a big accomplishment.

A motion was made by Council Member Bob Washo and seconded by Jim Smith to approve Charter Communications Agreement Resolution.  
All in favor. Motion carried.

*See attached Resolution.*

*Resolution filed in the Town Clerks Office.*

### **2. Non-Contract Policy**

Supervisor Mary Ann Ashley stated that the policy committee will be reviewing what the last policy committee worked on and will bring it to the February meeting for official action.

### **3. Local Government Efficiency \$25K Grant-Shared Highway and Public Works Strategic Plan**

Supervisor Mary Ann Ashley stated the town did get official notification and the next step will be signing the contracts.

## **J. New Business**

### **1. Deputy Town Clerk Appointment**

Heidi Smith, Town Clerk appointed Leanna Moquin as Deputy Town Clerk.

### **2. Town of Russell MOU North Woods Road**

Supervisor Mary Ann Ashley stated this is an Annual Memorandum between the

Town of Canton and the Town of Russell for the plowing and maintenance of the North Woods Road for \$4,500.

A motion was made by Council Member Bob Washo and second by Council Member Bob Santamoor to authorize Supervisor Mary Ann Ashley to sign memorandum of understanding between the Town of Canton and Town of Russell. All in favor. Motion Carried.

3. Justice Court Annual Board Financial Audit

Supervisor Mary Ann Ashley stated a letter was received from both Justice Michael Morgan and Justice Rachelle Foster regarding audit. This audit is done every year. A letter was also received from the State of New York Unified Court System indicating an audit needs to be done by the town board and needs to be done by March 1, 2022. Once the audit is completed by the court committee it needs to come back to the board, then voted on for approval.

4. 2022 Shared Service Agreements

Supervisor Mary Ann Ashley stated the shared service agreements are shared services between the Town and Village of Canton. Two agreements need to be sent back to committee for review, the Recreation Agreement and the Canton Senior Citizens.

There are six shared service agreements that are set, which include:

- Office of Assessor, the Town is responsible for 2/3 of the cost and the Village reimbursement is for 1/3 of the cost.
- Town Constable/Peace Officer Agreement is between the Town Court, Village of Canton and the Town of Canton.
- Intermunicipal Agreement on the municipal building and grounds, this is a shared cost.
- Historian's Office, the Historian is a Town employee, and the Town sends an invoice to the Village for 50% of costs.
- Economic Development Services, the Town appropriates \$20,000 a year towards the Economic Development Program.
- Canton Town Court agreement between the Village and the Town of an amount of \$1,000 reimbursement.

*Agreements filed in the Town Clerks Office.*

A motion was made by Council Member Bob Washo and seconded by Council Member John Taillon to pass the six shared agreements. All in favor. Motion carried.

5. St. Lawrence County Hold Harmless Resolution

Supervisor Mary Ann Ashley stated this is an annual resolution with the County.

A motion was made by Supervisor Mary Ann Ashley seconded by Council Member Bob Santamoor to pass resolution



All in favor. Motion carried.

*See attached Resolution.*

*Resolution filed in the Town Clerks Office.*

6. Motor Equipment Operator Position  
Steven Smith, Highway Superintendent appointed Bryant Durham as Motor Equipment Operator at \$24.62.

**K. Public Comment**

Lyne Soulia, Canton thanked whoever did all the leg work on getting the department reports online to be read before board meetings. Lyne also thanked that the minutes are all up to date, so the public can view them and be informed.

Linda Casserly, Canton thanked Lyne Soulia for all her help with the Historians office. Linda also thanked Mark McKenna and Meghan Richardson for all their work with the kayak launch.

**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)

A motion was made by Council Member Bob Washo and seconded by Council Member Bob Santamoor to go into executive session for the following reasons: Collective Negotiations, Proposed Acquisition of Real Property and Matter Pertaining to Employment of a Particular Person.

All in favor. Motion carried.

Supervisor Mary Ann Ashley asked Town Clerk Heidi Smith to join in executive session.

Town Board came out of executive session at 8:59 pm to take action on one item.

A motion was made by Council Member Bob Washo and seconded by Council Member John Taillon to waive the residency requirements for the Deputy Town Clerk and set a Public Hearing to set a Local Law to consider waiving the residency requirement of the Deputy Town Clerk.

All in favor. Motion carried.

A motion was made by Council Member Bob Washo and seconded by John Taillon to adjourn meeting at 9:00 pm.

All in favor. Motion carried.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Heidi L. Smith". The signature is fluid and cursive, with the first name "Heidi" written in a larger, more prominent script than the last name "Smith".

Heidi L. Smith, Town Clerk



RESOLUTION NO.   1  

**TOWN OF CANTON**

**January 13, 2022**

**GRANTING OF A CABLE TELEVISION FRANCHISE HELD BY SPECTRUM  
NORTHEAST, LLC IN THE TOWN OF THE CANTON, COUNTY OF ST. LAWRENCE**

**WHEREAS**, An application has been duly made to the Board of the **Town of Canton, County of St. Lawrence**, New York, by **Spectrum Northeast, LLC**, an indirect subsidiary of Charter Communications, Inc. ("Charter"), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 6005 Fair Lakes Rd, East Syracuse, NY 13057, for the approval of a renewal agreement for Charter's cable television franchise for eight (8) years commencing with the date of approval by the Public Service Commission; and

**WHEREAS**, the franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings; and

**WHEREAS**, a public hearing was held in the Town of Canton, New York on November 11, 2021 at 5:45 P.M. and notice of the hearing was published on the Town Website, North Country This Week Newspaper and Watertown Times Newspapers.

**NOW, THEREFORE**, the Board of the Town of Canton finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

**BE IT FURTHER RESOLVED** that the Board of the **Town of Canton** hereby grants the cable television franchise of Spectrum Northeast, LLC and the **Town of Canton** for eight (8) years commencing with the date of approval by the Public Service Commission and expiring eight (8) years hence.

**BE IT FURTHER RESOLVED** that the Board of the **Town of Canton** hereby confirms acceptance of this franchise renewal agreement.

The foregoing having received a 5 vote was thereby declared adopted.

Dated: 11/13/2022

Wendy Smith  
Town of Canton Clerk

**TOWN OF CANTON**  
**RESOLUTION NO. 2**  
**HOLDING HARMLESS THE COUNTY OF ST. LAWRENCE**  
**FOR PROVIDING SERVICE FOR 2021**  
**JANUARY 13, 2022**

**WHEREAS**, the Town of Canton is desirous of St. Lawrence County Department of Highways providing shared services such as paving, signage, road stripping, blasting, and other routine maintenance activities to the Town, and

**WHEREAS**, both the Town of Canton and County of St. Lawrence are desirous of promoting partnering efforts for the safety of the traveling public in St. Lawrence County, and

**WHEREAS**, in this joint cooperative endeavor the Town of Canton and the County of St. Lawrence desires to be reimbursed for their expenditures, and

**WHEREAS**, the Town is aware that the County may incur liability in the providing of the services and wished to indemnify the County in this regard,

**NOW, THEREFORE, BE IT RESOLVED** that to the fullest extent permitted by law, the Town of Canton will indemnify and hold harmless the County, their officers, directors, partners, representatives, agents and employees from and against any and all claims, suits, liens, judgements, damages, losses and expenses, including legal fees and all court costs and liability (including statutory liability) arising in whole or in part and in any manner from injury and/or death of person or damage to or loss of any property relating to or arising out of any negligent or intentional acts and/or omissions of the Town of Canton or any of its directors, officers, employees, contractors, representatives, or agents.

**BE IT FURTHER RESOLVED** that the following request for General Liability (GL) coverage is as follows:

General Liability Insurance

On an "Occurrence" basis, with the following limits:

\$1,000,000 Each Occurrence	\$3,000,000 General Aggregate
\$1,000,000 Products Aggregate	\$1,000,000 Personal Injury
\$ 50,000 Fire Damages Legal Liability	\$ 5,000 Medical Payments Expense

**BE IT FURTHER RESOLVED** that St. Lawrence County shall be an additional insured on the GL Policy, via ISO endorsement CG 2026.

1/13/2022  
Date

Wendy Smith  
Town of Canton  
By: