

Town of Canton Regular Board Meeting
Wednesday, April 13, 2022
Hybrid, In Person & Zoom (view only) @ 6:00 PM
Minutes

No zoom recording due to technical difficulty

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

Also Present: Town Clerk/Tax Collector Heidi Smith, Deputy Town Clerk Leanna Moquin, Assessor Cindy Brand, Code Enforcement Officer Michael McQuade, Town Justices Michael Morgan and Rachelle Foster, Highway Superintendent Steven Smith, Historian Linda Casserly, Economic Developer Leigh Rodriguez, CPA John Gray, Attorney Eric Gustafson

Absent: Recreation Director Meghan Richardson

Public Attendance: North Country This Week Paul Mitchell, Watertown Daily Times Tom Graser, Arlene Tyler, Peg McBath, Kathy Flanagan, Glenn DiMatteo, Wayne D. Moquin, Dave Curry, Toby Irven, Brooks Washburn

A. Call Meeting to Order

The regular monthly meeting was called to order at 6:02 PM by Supervisor Ashley. New item was added to the agenda under new business **#5 Change in Title of Bryant Durham from MEO to HEO.**

B. Public Comment

Glenn DiMatteo – 74 Calnon Rd. Mr. DiMatteo voiced his concerns of the conditions of the Calnon Road. He would like to see the road paved. Filing the potholes is not getting the job done. With the amount of traffic on the road the stone is coming out within days of the potholes being filed. Mr. DiMatteo understands the high cost to fix a road but hopes the board can find funding to have the road paved. Safety is also a concern.

C. County Legislator Representative(s) Update(s)

Supervisor Ashley read out loud an email sent from Legislator Kevin Acres and part of an email from Legislator Joseph Lightfoot. Both emails asking the Town Board on their opinions on how the County should spend the ARPA Funds and then provide feedback to the County ARPA Funds Committee. The board had no comment.

See attached emails.

D. 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 Minutes from March 9, 2022.

All in favor. Motion Carried.

E. Correspondence

A report was submitted to the Supervisor and Council Members from NYS Ag & Market for the Dog Control Officer Inspection completed on 4/8/2022. The report indicated that the Dog Control Officer's services were satisfactory.

F. Town Finances Reports

John Gray, Gray & Gray read over the highlights of the 2022 Town Financial Report. Financial report was sent to the Town Council prior to the monthly meeting.

John Gray, Gray & Gray read over the Town Clerk's financial report for the month of March 2022. The Town Clerk's Report was sent to Town Clerk Smith and Town Council prior to the monthly meeting.

G. Audit Committee

A motion was made by Council Member Bob Washo and seconded by Council Member Bob Santamoor to correct the records from 3/9/2022 meeting to add DB Account \$1,020 Approval of Expenditures.

All in favor. Motion carried.

A General - \$100,847.45

B Town Outside - \$2,737.46

DA Town Wide Highway - \$46,519.42

DB Highway - \$12,475.23

"SF" Special Fire - \$68,608.00

"SL" Special Lighting - \$292.75

"TA" Trust & Agency - \$20,364.25

A motion was made by Council Member John Taillon and seconded by Council Member Bob Washo for the approval of the March expenditures.

All in favor. Motion carried.

H. Acceptance of Department Reports

Linda Casserly, Historian reported on the 60th Rushton Canoe Races, Anna McKenna Interview, Doreen Radway Village Scavenger Hunt, and James Clearwater Ruston Map. March has been a busy month for the historian's office.

Cindy Brand, Assessor reported that Grievance Day will be May 24th from 4:00 pm – 8:00 pm and the informal hearings are not required to make an appointment. Cindy also reported on Star IVP Enrollment Proposed Updates, NYS Star Disqualified

Removal Exemptions Report, Income Greater than \$250,000 Report Levy Year 2022, NYSDTF Enhanced Star IVP Enrollment Transaction Report, Voluntary Exemption Removal Report, and the Mobile Home Star Exemption Removal Report.

Heidi Smith, Town Clerk/Tax Collector reported that the clerk's office has seen some issues with people making online payments, using their credit cards, without submitting any type of paperwork for such payment. There is consideration of taking the online payment feature off the website if it continues to be an issue. Customers would still be able to pay with a credit card over the phone. Smith also reported that the Town Clerk's Office will be closed April 25th-27th for the clerks to attend a NYSTCA Conference in Albany.

Leigh Rodriguez, Economic Developer reported on Priority Planning, Local Government Efficiency Grant (Stiles Avenue), Housing Task Force, the New York Main Street Project, CDBG Cares Act, the Community Forest Management Plan and Canton Housing Authority.

Steven Smith, Highway Superintendent reported that they have started spring cleanup starting at the Pyrites end of Town and started the process for gravel road maintenance for spring. Smith reported that the prices for salt are going to be increasing next year. Smith also reported that he met with the Mayor of Rensselaer Falls to discuss work the Village of Rensselaer Falls is looking to have done.

Michael McQuade, Code Enforcement Officer reported seven new permits were issued for the month of March, two are new homes. Issued eight violations, three for working without permits and five violations for property maintenance.

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

Reports are located on the Town Website.

I. Committee Reports

Bob Washo reported that the Zoning Board Committee has been meeting regularly and things are looking good.

Bob Washo reported that Complete Streets is working on language to codify Complete Street into the Town code, for road and safety improvement.

Bob Washo reported the Highway Committee is meeting regularly, finalizing projects for the spring, and the committee will be bringing a resolution to the next board meeting for approval of expenditures.

John Taillon reported that Recreation has met twice since the last board meeting. The regular meeting discussed the spring and summer programs and found out the Olympia Ice-resurfacers have been ordered. Most of the regular meeting was discussion of the rental rates for the pavilion. The special meeting was to discuss the Canoe/Kayak Handicap Boat Launch at Taylor Park. Mark McKenna came to the committee to change the original design that was for one wheelchair at a time and the plans needed to be changed to allow for two wheelchairs at a time. The Village also provided numbers for the Recreation budget that were reviewed during the meeting.

Mark McKenna added that the ADK Canoe/Kayak Launch needs room for two wheelchairs past the transfer bench, 9 ft of space was added to make this possible. Council Member Bob Washo added that fundraising exceeded the expectations and because of this it allowed for the expansion.

John Taillon reported that the Broadband Committee intends to have a report for the Joint Village and Town Board Meeting.

Jim Smith reported that negotiations need to be discussed in executive session.

Bob Santamoor reported for the Sustainability Committee that the new Village Superintendent will be starting tomorrow.

J. Old Business

1. Deputy Town Clerk Waiver of Residency Local Law

A motion was made by Council Member Bob Washo and seconded by Council Member John Taillon to Waive the Residency Requirement for the Deputy Town Clerk Position using the language in the original Local Law that was presented in the Public Hearing on 2/9/2022.

All in favor. Motion carried.

Supervisor Ashley stated for the record that she heard from many people, and it was balanced. It is in the best interest in the Town to have the best person for the job.

See attached Local Law

2. 2022 Budget Amendment – Change of Part time Court Clerk to Full-Time

A motion was made by Council Member Bob Santamoor and seconded by Council Member John Taillon to pass budget amendment to change the part time court clerk to full-time.

All in favor. Motion carried.

See attached Resolution

3. 2022 Budget Amendment – Authorize Use of ARPA Funds

A motion was made by Council Member Bob Washo and seconded by Council Member Jim Smith to pass budget amendment to authorize use of ARPA funds. All in favor. Motion carried.

See attached Resolution

4. Revised Ice Re-surfacer MOU

There was a revision made on the original Ice Re-surfacer MOU due to an error on the price of duty & brokage fee and shipping & handling fee the new total amount is \$121,690.00. ARPA funds will be used for the down payment and the rest will be budgeted in next year's budget.

A motion was made by Council Member John Taillon and seconded by Council Member Bob Santamoor to support change in Ice-resurfacer MOU. All in favor. Motion carried.

5. Town of Canton Resolution #1-2022-Error on Spectrum Public Hearing Date

For the record there was an error on resolution #1-2022 on Spectrum for the date of the public hearing. An official letter what send for correction of error.

6. Board Reviews of Supervisor, Town Clerk and Tax Collectors Finances 2021

Council Member Jim Smith and Council Member Bob Santamoor reviewed the Supervisor's Office Finances for 2021 and found no issues. Added a line that Gray and Gray does the reconciliations. Council Member Bob Washo and Council Member John Taillon reviewed the Town Clerk and Tax Collectors Finances for 2021 and found no issues. Reports filed in the Town Clerk's Office.

K. New Business

1. SEQRA Review Miner Street Road Trail Connector Project

Brooks Washburn was in attendance and spoke to the board about the updates on the project and went through the SEQRA review process.

A motion was made by Council Member Bob Washo and seconded by Council Member Bob Santamoor to approve the negative declaration as an unlisted action pending changes to the contact email and phone number. All in favor. Motion carried.

2. Zoning Board of Appeals Resignation

A resignation was submitted by Jonathan Pickney from the Town of Canton Zoning Board of Appeals as an Alternate effective March 14, 2022. The board

thanked

Mr. Pickney for all his work.

3. Grass River Solar/Cypress Creek Renewables Escrow Account Set Up

A motion was made by Council Member Bob Santamoor and seconded by Supervisor Mary Ann Ashley to establish an escrow account for the Cypress Creek Renewables/Grass River Solar funds.

All in favor. Motion carried.

See attached Resolution

4. Recreation Rental Rates Spring 2022-Spring 2023

After much discussion with the Recreation committee there is a list of Recreation Rental Rates for Spring 2022-Spring 2023.

5. Change in Title of Bryant Durham from MEO to HEO

Highway Superintended Steven Smith promoted Bryant Durham from MEO to HEO at \$24.62/hour to \$25.24/hour, effective 4/18/2022.

L. Public Comment

Linda Casserly, Canton, thanked the board for their decision on waiving the residency requirements for the deputy position. Casserly also thanked Mark McKenna for all his work with the ADK Canoe/Kayak Launch.

Kathy Flanagan, Canton, thanked the board for making the right decision to waive the residency requirement for the deputy clerk position. Leanna is a good complement for Heidi, she is friendly and funny. Kathy also thanked Mark McKenna for all his work with the ADK Canoe/Kayak Launch and Wounded Warrior Projects, and thanked Bob Washo for all his help working with Mark.

Arlene Tyler, Canton, agrees that the Calnon Road needs attention and believes the Town is throwing money away by filing the potholes instead of paving the road. There must be another solution than using stone. The stone comes up within days of it being put in. The conditions of the road cause damage to vehicles. Glen DiMatteo of the Calnon Road added that it is also a safety issue for the kids on school buses.

Toby Irven, Canton, would like to see a study and plan put together of the town roads that need work done. As Complete Street Task Force Chairperson safety is also a concern on these roads, we want to encourage tourism and cycling. With the condition of the roads, we do not talk about tours anymore, we go outside the Town of Canton.

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

identifies as proper by Public Officers Law 105(1)

A motion was made by Council Member Bob Santamoor and seconded by Council Member Jim Smith to go into executive session for [E] Collective Negotiations, [F] Matters pertaining to the employment history of a particular person, and [H] Acquisitions of real property.

All in Favor. Motion Carried.

Highway Superintendent Steven Smith was invited into executive session.

A motion was made by Council Member Bob Santamoor and seconded by Council Member Bob Washo to adjourn executive session at 8:44 pm.

All in favor. Motion carried.

A motion was made by Supervisor Mary Ann Ashley and seconded by Council Member Jim Smith to adjourn meeting at 8:44 pm.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Heidi L. Smith". The signature is fluid and cursive, with the first name "Heidi" and last name "Smith" being clearly legible.

Heidi L. Smith, Town Clerk



Mary Ann Ashley <mashley@cantonny.us>

COPY

Tonight's meeting

1 message

Acres, Kevin (Hon.) <KAces@stlawco.org>
To: Mary Ann Ashley <mashley@cantonny.gov>

Wed, Apr 13, 2022 at 5:18 PM

Hi Mary Ann,

I will be unable to attend tonight's Canton Town meeting as I will be attending in person at the Town of Madrid's meeting.

As Chairman of the county's ARPA fund committee, we have received a request from county employees for a bonus from these monies. The request for the 839 employees is approximately \$3,000,000. That equates to about \$3,500 per employee.

The \$3,000,000 request would amount to over 14% of the total county monies of \$20.9 million.

I am not in favor of this. I have been trying to steer the ARPA funds toward benefiting everyone in this county of 108,000 and not to a select group of 839, who never lost their jobs, benefits or income.

I am asking you to poll the Town of Canton council members for their opinions and provide feedback to me.

Sincerely,
Kevin Acres



Mary Ann Ashley <mashley@cantonny.us>

COPY

ARP monies

1 message

Lightfoot, Joseph (Hon.) <JLightfoot@stlawco.org>

Tue, Apr 12, 2022 at 1:24 PM

To: "mashley@cantonny.gov" <mashley@cantonny.gov>, "townclerk@townofoswegatchie.com" <townclerk@townofoswegatchie.com>

Town Supervisor Ashley and Oswegatchie Town Clerk Thornhill,

Briefly, as one of the legislators that represent the town of Canton and the Town of Oswegatchie on the County BOL, I am asking that you bring forward to your respective boards, my request for their input concerning the request by the employees of St. Lawrence County, that they be granted a stipend (Work Incentive Program) from the ARP funding, for their work during the COVID pandemic and that those who chose to receive the COVID shots be granted an additional stipend. Their request was initially spawned by the grant by Franklin County to provide a stipend of \$3,300.00 to their employees who worked during the period 3/20/20 thru 6/26/21, and I am told an additional \$250.00 or \$300.00 to those who received the COVID vaccine shots. These are the amounts that SLC employees are asking for also. The cost estimate for Franklin County is \$1.2 million. The cost to SLC if the same amounts were distributed to employees would be approximately \$2.5 million, reason being the greater number of county employees here in SLC. During the pandemic, no SLC employees, whether working from home, or in the office were laid off, none lost a penny from their bi-weekly paychecks, their health insurance coverages were continued, their vacations, and other accruals continued uninterrupted.

Q. Should SLC consider granting its employees a stipend or Work Incentive such as offered by Franklin County or should those funds be spent in some other way so as to benefit the county as a whole?

Thank you in advance for your assistance in our board being able to gauge the feelings of the residents of the county as relates to this matter. JL

COPY

Town of Canton

Local Law NO 1 of 2022

St. Lawrence County, New York

A Local Law to Waive the Residency Requirements for the Deputy Town Clerk(s)

Title.

The title of this local law is "A Local Law to Waive the Residency Requirements for the Deputy Town Clerk(s)."

Authority.

This article is adopted pursuant to the Municipal Home Rule Law of the State of New York, which grants to local governments the authority to enact local laws regarding the qualifications of local officers. Furthermore, this article recognizes that the State Legislature amended Public Officers Law, § 3 expanding the residency requirements for any appointed public office thereby rendering Public Officers Law a special law.


Supersession.

This article shall supersede Public Officers Law §§ 3(1) and 30(1)(d) and Town Law, § 23(1), in its application to the appointed office of Deputy Town Clerk for the Town of Canton, County of St. Lawrence and State of New York.

Waiver of Residency Requirement

The person(s) holding the appointed office of Deputy Town Clerk for the Town of Canton, County of St. Lawrence and State of New York need not be a resident nor an elector of the Town of Canton, County of St. Lawrence and State of New York.

The above local law was enacted by the Town Board of the Town on the 13th day of April 2022.



Town Clerk
Town of Canton

COPY

TOWN OF CANTON
RESOLUTION NO. 5
April 13, 2022

**2022 BUDGET AMENDMENT
CHANGING PART TIME COURT CLERK POSITION TO A FULL TIME POSITION FOR
THE REMAINDER OF 2022**

WHEREAS, the Town of Canton Justices have requested the 2022 Budgeted Part time Court Clerk position become a full-time position due to the increased volume of workload the court has experienced since 2019; and

WHEREAS, the Town of Canton Justices indicated that, due to COVID, funding was an issue and were appreciative of a part-time position established for 2020; and

WHEREAS, the Canton Town Board has increased the Town Justice Budget for contractual services over the years and funded the additional part-time position beginning in 2020; and

NOW THEREFORE BE IT RESOLVED, the Town of Canton hereby approves the part time Court Clerk position be changed to a full-time position, 35 hours/week, effective May 1, 2022, with the annual salary of \$34,580, prorated, for the remainder of 2022 and additional benefits of health insurance, NYS Retirement and Social Security expenses to be adjusted by the Town Supervisor for the total of an additional \$4822.00 from the A-Fund Balance Account.

4/13/2022
Date

Wendy R. Smith
Canton Town Clerk

COPY

TOWN OF CANTON
RESOLUTION NO. 19
April 13, 2022

2022 BUDGET AMENDMENT(S) FOR AMERICAN RESCUE PLAN ACT (ARPA)
COVID 19 PANDEMIC FEDERAL FUNDS

WHEREAS, the Town of Canton received a total of \$217, 332.68 from New York State on July 22, 2021 and August 30, 2021 as part of the American Rescue Plan Federal COVID funds. The second installment is expected in July 2022; and

WHEREAS, the Town of Canton has determined the negative financial impact to the 2020 budget with loss of revenue in justice fees, state highway reimbursement, state revenue sharing, town clerk fees, and building construction fees; and

WHEREAS, the Town Board of the Town of Canton has conducted due diligence on the use of ARPA funds and approves:

#1-Broadband Study Expense - \$4000.00

#2-Recreation Ice Re-surfacer 2021 Down Payment- \$12, 169.00

NOW THEREFORE BE IT RESOLVED, the Town of Canton hereby approves the expenditure of a total of \$16,169.00 of ARPA funds listed above and the town board hereby authorizes the Town Supervisor to transfer and expend ARPA funds to and from the proper accounts.

4/13/2022
Date

Heidi R. Smith
Canton Town Clerk

COPY

TOWN OF CANTON
RESOLUTION 7

April 13, 2022

2022 BUDGET AMENDMENT
ESTABLISHING AN ESCROW ACCOUNT FOR
Cypress Creek Renewables/Grass River Solar, LLC FUNDS

WHEREAS, the Town of Canton passed local law three (3) of 2019 regulating solar energy facilities within the Town, and

WHEREAS, SECTION 1: Chapter 71 of the Town Code of the Town of Canton is created to add the following section: Solar Energy Facilities for the purpose to promote the accommodation of solar energy systems and equipment and the provision for adequate sunlight and convenience of access necessary therefore, and to balance the potential impact on neighbors when solar collectors may be installed near their property while preserving the rights of property owners to install solar energy systems without excess regulation. In particular, this legislation is intended to apply to free standing; ground or pole mounted and roof mounted solar energy system installations based upon certain placement. This legislation is not intended to override agricultural exemptions that are currently in place, and

WHEREAS, the Applicant for either state or local siting approval shall deliver to the Town Board, along with its application if local approval is sought, and concurrent with the filing of an Article 10 Application, if applicable, an amount equal to one percent (1%) of the estimated cost of the project (the "Initial Deposit"). This sum shall be held by the Town in a non-interest-bearing account, and these funds shall be available to the Town to pay consultants and attorneys engaged the Town to assist in application review if a local permit is sought, and to pay consultants and attorneys engaged by the Town to assist in review of an Article 10 Application should awarded intervenor funds be insufficient to fully participate in the Article 10 Process or should intervenor funds be otherwise exhausted. Following the grant or denial of the state or local application, the Town shall return to the Applicant any excess remaining in escrow. If the escrow account has been depleted prior to grant or denial of the application, the Applicant shall deposit such funds necessary for the Town to pay any outstanding fees to said consultants, and

WHEREAS, the Town Supervisor, as Chief Fiscal Officer, would set up the proper escrow account and audit tracking systems; and

NOW THEREFORE BE IT RESOLVED that the Canton Town Board hereby authorizes the Town Supervisor to create an escrow account for authorized expenditures related to the Cypress Creek Renewables/Grass River Solar, LLC.

4/13/2022
Date

Wendy R. Smith
Canton Town Clerk