

Town of Canton Regular Board Meeting
Wednesday, May 11, 2022
Hybrid-In Person & Zoom (view only) @ 6:00 PM
Minutes

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, Highway Superintendent Steven Smith, Economic Developer Leigh Rodriguez, CPA Angela Gray, Attorney Eric Gustafson, Confidential Secretary/Bookkeeper Dylan Barringer (zoom), CPA John Gray (zoom)

Absent: Historian Linda Casserly

Public Attendance: North Country This Week Paul Mitchell, Watertown Daily Times Tom Graser

A. Call Meeting to Order/Welcome

The regular monthly meeting was called to order at 6:00 p.m. by Supervisor Ashley. Three changes to the agenda; move up Old Business #1 SOLAR Projects right after approval of minutes, Old Business #2 the title of the Resolution is changed to Alternate Energy Systems Permit Fees, and Old Business #3 purchase of 12 Stiles Avenue Property.

B. Public Comment

Veigh Mehan of Irish Settlement Road, presented a petition with 28 signatures requesting the speed limit be reduced to 45 mph on the Irish Settlement Road, Canton. This request is based on the speed that people drive on the road and the recent fatal car accident. The request is for the whole road, if not at least the sections of the road where the houses are. The town will forward the petition to the County.

See attached petition.

Bill Myers of Canton, spoke that the National Grid and Power Authority projects have been destructive to home and property. Mr. Myers asked the Town Board to look carefully at the usage of herbicides and pesticides in the Town. The board will add this to next month's meeting for further discussion.

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

None

D. Approval of Minutes

A motion was made by Council Member Bob Santamoor and seconded by Council Member John Taillon to approve the Regular Board Meeting April 13, 2022, minutes. All in favor. Motion carried.

E. Correspondence

None

F. Town Finances Reports

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

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

G. Audit Committee

A General - \$28,049.59
B Town Outside - \$1,101.45
DA Town Wide Highway - \$12,441.83
DB Highway - \$11,727.21
"SF" Special Fire - \$3,958.00
"SL" Special Lighting - \$271.74
"TA" Trust & Agency - \$20,364.25

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

H. Acceptance of Department Reports

Department Reports are submitted to the Town Council prior to the board meeting. Department reports are also located on the Town Website.

Heidi Smith, Town Clerk/Tax Collector reported on decals, records management, FOIL meeting, online payments, in house training, NYSTCA Conference. Heidi added to her submitted report that she was invited by the NYSTCA executive board to participate in a retreat in Syracuse on June 2nd-4th for rebranding education for New York State Town Clerks. This is an all paid for retreat. Heidi also reported that she was awarded a scholarship at the Conference she attended in April, and the Town would be reimbursed \$640.00.

Cindy Brand, Assessor reported that grievance day is coming up, May 24, 4 p.m.-8 p.m. There will be three BAR members present for grievance.

Meghan Richardson, Recreation Director added to her report that the Zamboni was put up for auction and sold for \$4,250. The ADAK Launch was delivered April 30th. The bathhouse at Taylor Park exterior was painted April 1st. The Recreation Department also finished installing bucket seats and fixed broken lights at Taylor Park and Buck Street Playground. The swings were paid for by a Stewart Holiday Match Grant.

Michael McQuade, Code Enforcement Officer reported that April was a busy month with sixteen building permits throughout the month and two new homes being built in the Town. Demolition permit was permitted to a home that burned down. Inundation of Solar projects. McQuade is working with Bill Buchan, Esq Buchan Law and John Condino, Barton & Loguidice on these projects.

Steven Smith, Highway Superintendent reported that spring cleanup is underway, with one route left to go. Smith reported that asphalt prices are increasing.

Leigh Rodriguez, Economic Developer reported on Priority Planning, Projects to consider for Grants, LWRP, Willow Island Grant, NY Main Street Grant, CBG Cares Act, Community Forest Grant, Secondary Water Source-Village. NY Forward Plan and Restore NY.

Supervisor Mary Ann Ashley added that the LWRP resubmission needs to go through the Economic Committee and the Recreation Committee before moving forward.

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

I. Committee Reports

Sustainability Committee-Council Member Bob Santamoor reported that there is consideration of an ED station in the Village. An Organic Pollinator Garden is going out on the corner of Boyden Road and Farns Road. The Joules Energy Program is going well. A report was done by three St. Lawrence University students on the Finance Committee.

Recreation Committee-Council Member John Taillon reported the committee has met and the Village has provided an up-to-date expenditure for Recreation. Elizabeth Burke will be doing swim lessons. Discussion is being had on summer programs, pickle ball courts, and the Pavilion's need for block work. Taillon added the bathhouse painting was done by volunteer Greg Howe.

Negotiations Committee-Council Member Jim Smith reported that there is a meeting

scheduled for May 23rd.

Communications and Technology Committee-Council Member John Taillon reported the committee is working on creating a procedure for room reservations and the technology needs from outside groups. Discussion on the Wi-Fi access in the courtroom.

Zoning and Code Committee-Council Member Bob Washo reported they have been meeting regularly and making great progress. Monica will work on draft and hoping to hear back in a month.

J. Old Business

1. Solar Projects

William Buchan, Esq Buchan Law went over the solar projects happening within the Town. The solar projects that are in the primary stage are Grasse River LLC (Cyber Creek Renewables, EDF Renewable, SolAmerica Energy LLC, TJA Clerk Energy LLC, and US Light Energy. Mr. Buchan went over the projects location, acres, megawatts, and dollar amount of escrow for each project. This list was shared on the screen during the meeting.

John Condino, Barton & Loguidice has a team that is dedicated to review solar projects. Mr. Condino commended the town board and planning board for the solar law that was enacted.

Supervisor Ashley thanked Eric Gustafson for his leadership and council to get the Town to this point.

2. Alternative Energy Systems Permit Fees

The Solar Committee presented a permit fee schedule for Solar Projects. There is no Solar fee schedule at this time.

A motion was made by Council Member Bob Washo and seconded by Council Member Jim Smith to amend the fee schedule for issuance of a Building Permit for Solar Generators as follows: Minor-Residential Solar (rounded up) \$15.00 per KW/AC, Major-Residential Solar (rounded up) \$10,000 per MW/AC, and Tier 2 Battery storage system (rounded up) \$10,000 per MC/AC. All in favor. Motion carried.

See attached Resolution.

3. Purchase of 12 Stiles Avenue Property

Supervisor Ashley reported the Town has closed on 12 Stiles Avenue Property.

The final cost was \$249,343.67.

4. BCA New Municipal Building Concept Design Proposal

At the last Joint Town/Village Meeting it was agreed upon to get a conceptual design proposal for a potential new municipal building. A quote of \$17,900 from the same architects that did the original one in 2019. The Town and Village agreed on the cost. This cost will be split between the Town and Village.

A motion was made by Council Member Bob Santamoor and seconded by Council Member Bob Washo for the agreement of \$17,900.

All in favor. Motion carried.

K. New Business

1. Cyber Security Insurance

Supervisor Ashley reported when the Town met with NYMIR to renew the liability insurance policy the Town also included Cyber Security Insurance with an additional cost of \$1,302.40.

2. Technology needs for Board Members

Discussion was had to purchase computers for the board members to conduct town business. Making these purchases would help separate personal business vs town business.

A motion was made by Supervisor Mary Ann Ashley and seconded by Council Member Bob Washo to purchase two computers for board members.

All if favor. Motion carried.

3. St. Lawrence County Youth Bureau Funding

Council Member John Taillon and Supervisor Ashley have been looking into Division for Youth Funding through the NYS Division for Youth. This is a three-year program that you apply for and then receive funding throughout the three years. The Town just missed the three-year cycle however, it was advised to still submit an application in case someone who has been approved for funding drops out. There is also a possibility for available funding for sports-based programs. This will need to be discussed further.

4. SOLAMERICA Energy, LLC/90 Judson Street Escrow Account Set Up

A motion was made by Council Member John Taillon and seconded by Council Member Bob Santamoor to authorize the Town Supervisor to create an escrow account for authorized expenditures related to the SOLAMERICA Energy, LLC/90 Judson Street Solar Project.

All in favor. Motion caried.

See attached Resolution.

5. 2022 CHIPS/PAVENY/EWR Apportionments

The NYSDOT sent the Highway Superintendent a letter with the apportionments for CHIPS \$289,163.33, PAVNY \$76,338.18 and EWR \$66,206.49. To expend those monies the Town needs to amend the budget. The total state funding is \$431,708.

A motion was made by Council Member Jim Smith and seconded by Council Member Bob Santamoor to amend the budget for the 2022 CHIPS/PAVENY/EWR Apportionments.

All in favor. Motion Carried

See attached Resolution.

6. New 2022 POP (Pave Our Potholes) Highway Funds

Supervisor Mary Ann Ashley stated for the record the Town is targeted to get an additional \$50,891.12 in POP funds. Nothing will happen until the Town has received an official letter of the funds.

7. Posting of Town Roads

Highway Superintendent is looking for permission for posting three roads. There is a need for some control over the roads to protect them. Attorney Eric Gustafson did some research and there are a few options the town can take that give the Highway Superintendent control over the roads in terms of damage to the roads and safety. Attorney Gustafson will put together a resolution allowing the Highway Superintendent flexibility on the roads to present at the next board meeting.

8. Highway Construction Projects

The recommendation from the Highway Superintendent for road construction on the Pyrites Russel Road is 6500 ft x 20 ft in the amount of \$261,964. Pink School House Road 1730 ft x 18 ft in the amount \$74,851. Crusher Road 4700 ft x 20 ft in the amount of \$203,042 total amount of \$539,857. Irish Settlement Road installation of pipes needed to elevate future flooding issues.

A motion was made by Council Member Bob Washo and seconded by Council Member John Taillon to approve road construction. With an amendment of now therefore, been resolved to approve.

All in favor. Motion carried.

See attached Resolution.

L. Public Comment

None

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 John Taillon to go into executive session for [D] litigation, [E] contract negotiations and [F] matters pertaining to employment history of a particular person. All in favor. Motion carried.

A motion was made by Council Member Bob Washo and seconded by Supervisor Mary Ann Ashley to come out of executive session at 8:50 pm. All in favor. Motion carried.

A motion was made by Council Member John Taillon and seconded by Council Member Bob Santamoor to adjourn meeting at 8:51 pm. All in favor. Motion carried.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Heidi L. Smith", with a stylized flourish at the end.

Heidi L. Smith, Town Clerk

COPY

Petition to Town of Canton

| | | |
|---------------------------------|--|--|
| Petition summary and background | Residents of the Irish Settlement Road ask the following: | |
| Action petitioned for | Post the speed limit on our road at 45 miles per hour. We are requesting this change for the safety of our children, pets, pedestrians and cyclists, and the wildlife sanctuary. | |

| Printed Name | Signature Phone # | Address | Comment | Date |
|------------------|------------------------------|--|---------|--------|
| BRENDAN G BOITS | 315-244-6751 | 284 IRISH SETTLEMENT RD CANTON NY 13617 | | 5/2/22 |
| Joe Conlin | 315-834-0145 | 235 Irish Settlement Rd Canton NY 13617 | | 5/2/22 |
| Gerold K. May | 315 296 2759 | 243 Irish Settlement | | 5-2-22 |
| Andrew Barker | 315 212 8259 | 246 Irish Settlement | | 5-2-22 |
| Roland Renard | 315 834 2616 | 244 Irish Settlement Rd | | 5-2-22 |
| Shirley Renard | 315 834 2616 | 244 Irish Settlement Rd | | 5-2-22 |
| Kathryn Ott | 315 854 1456 | 280 Irish Settlement Rd | | 5-2-22 |
| SARA OTT | 315 - 386 - 3168 | 286 Irish Settlement Rd | | 5-2-22 |
| Doreen M. Woods | 315-261-2834 | 286 Irish Settlement Rd | | 5-2-22 |
| Rick SIBBETTS | 315 - 386 - 3373 | 444 IRISH SETTLEMENT RD | | 5-2-22 |
| SHIRLEY SIBBETTS | 315-244-9571 | 414 IRISH SETTLEMENT RD | | 5-2-22 |
| Travis Quicke | 315 323 5610 | 440 Irish Settlement Rd | | 5-2-22 |

| Printed Name | Signature | Phone # | Address | Comment | Date |
|------------------|---------------|---------|---------------------------|---------|--------|
| Kristie Quirk | 315-212-1837 | | 440 Irish Settlement Rd | | 5/2/22 |
| Bob Woodward | 261-8142 | | 448 Irish Settlement Rd | | 5/2/22 |
| Marshall Decker | 315-2844 2779 | | 456 Irish Settlement Rd | | 5/2/22 |
| Johanna Lee | 315-854-0402 | | 326 Irish Settlement Rd | | 5/2/22 |
| Mike Stuck | | | 250 Irish Settlement Rd | | 5/2/22 |
| Rylan Lee-Power | 315-566-5800 | | 326 Irish Settlement Rd | | 5/2/22 |
| M. Leigh Thibaut | 315-386-2016 | | 328 Irish Settlement Rd. | | 5/2/22 |
| Toby Irwin | 315-323-1823 | | 810 Irish Settlement | | 5/3/22 |
| Ron Hills | 315-286-9874 | | 1119 Irish Settlement | | 5/4/22 |
| Deanne Finco | 315-854-6084 | | 1125 Irish Settlement | | 5/4/22 |
| Danah Finco | 315-854-6594 | | 1125 Irish Settlement | | 5/4/22 |
| Richard Grayson | 315-323-5345 | | 1090 Irish Settlement Rd | | 5/4/22 |
| Angela Corbett | 315-383-2106 | | 1030 Irish Settlement Rd. | | 5/4/22 |
| Lakeisha Davis | 315-386-4041 | | 11011 Irish Settlement | | 5/4/22 |
| Byrd Davis | 11 11 | | 11008 Irish Settlement | | 5/4/22 |
| Rebecca Simpson | 315-262-5206 | | 1008 Irish Settlement | | 5/4/22 |

| Printed Name | Signature | Phone # | Address | Comment | Date |
|--------------------|--------------|--------------------------|---------|---------|--------|
| Stephanie Kennedy | 315-854-5493 | 1004 Irish Settlement Rd | | | 5/4/22 |
| Jim Vallance | 315-244-1330 | 1002 Irish Settlement Rd | | | 5/4/22 |
| Joy Meyer | 315-386-1081 | 945 Irish Settlement Rd. | | | 5/4/22 |
| Bob Meyer | 315-261-8721 | 912 Irish Settlement Rd. | | | 5/4/22 |
| Beverly Wilbath | 315-382-4829 | 228 Irish Settlement | | | 5-4-22 |
| Alexis Shelton | 269 806 1924 | 380 Irish Settlement Rd | | | 5-4-22 |
| William Ramsey | 914-490-6832 | 380 Irish Settlement Rd | | | 5-4-22 |
| Frank Davis | 264-1616 | 30 Irish Settlement Rd. | | | 5-4-22 |
| Barb Davis | 212-2960 | Same | | | 5-4-22 |
| Charlene Severance | 315-854-7795 | 379 Irish Settlement Rd | | | 5-9-22 |
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RESOLUTION 8
Town of Canton
May 11, 2022

COPY

ALTERNATIVE ENERGY SYSTEMS PERMIT FEES

WHEREAS, the region has experienced unprecedented growth in the number and scale of development of renewable energy facilities including multiple utility scale solar energy facilities proposed for development within the Town of Canton; and

WHEREAS, the Town has adopted new laws, retained experienced professionals to advise and assist with the regulation and permitting of proposed renewable energy facilities and implemented new fee structures to fund the Town's increasing costs for review and permitting of renewable energy facilities proposed for development within the Town; and

WHEREAS, throughout the region there has been a proliferation of solar arrays of all kinds that has caused local communities to adjust resources and increase fees to reimburse the costs associated with the increased burden of regulating the development of complex renewable energy facilities including the implementation of higher building permit fees for solar energy generators; and

WHEREAS, the Town of Canton code section 23-6(A) provides the Town Board with authority to amend the schedule of fees charged for building permits issued by the Town via resolution duly adopted by a vote of the majority of the members of the Town Board; and

NOW, THEREFORE, BE IT RESOLVED that the Town of Canton hereby amends the fee schedule for issuance of a Building Permit for solar generators as follows:

Minor-Residential Solar (rounded up) \$15.00 per KW/AC

Major-Commercial Solar (rounded up) \$10,000 per MW/AC

Tier 2 Battery storage system (rounded up) \$10,000 per MW/AC; and

BE IT FURTHER RESOLVED, that the Town of Canton Building Permit fee schedule shall be amended in accordance with this Resolution and take effect immediately.

5/11/2022
Date

Heidi Smith
Town of Canton

TOWN OF CANTON
RESOLUTION 9

May 11, 2022

2022 BUDGET AMENDMENT
ESTABLISHING AN ESCROW ACCOUNT FOR
SOLAMERICA ENERGY, LLC/90 JUDSON STREET SOLAR PROJECT

COPY

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. of 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 SOLAMERICA ENERGY, LLC/90 JUDSON STREET SOLAR PROJECT.

5/11/2022
Date

Heidi G. Smith
Canton Town Clerk

COPY

RESOLUTION NO. 10

DATED: May 11, 2022

CHIPS, PAVENY and EWR 2022 Budget Amendment

WHEREAS, the Town of Canton has received the New York State Department of Transportation 2022 funding letter to support the repair, rehabilitation, and modernization of local roads; and

WHEREAS, the Town of Canton 22/23 apportionments are \$289,163.33 in CHIPS funding, \$76,338.18 in PAVENY funding and \$66,206.49 in EWR funding for a total of \$431,708; and

WHEREAS, the Town of Canton budgeted \$550,000 for Highway Repair in the 2022 Budget; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Canton amend the 2022 budget as follows:

| | | | |
|------------------------|----------------|--------|-----------------------------------|
| <u>REVENUE:</u> | DB-3500-3501-1 | PAVENY | -add-\$76,338.18 |
| | DB-3500-3501-2 | EWR | -add \$66,206.49 |
| | DB-3500-3501-0 | CHIPS | -Increase budget line \$66,163.33 |
| | Total | | \$208,708 |

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Town Board of the Town of Canton may approve additional costs to be covered from the highway fund balance.

5/11/2022
Date

Wendy Smith
Canton Town Clerk

COPY

RESOLUTION NO. 11

DATED: May 11, 2022

TOWN BOARD APPROVAL OF TOWN ROAD REPAIRS

WHEREAS, the Town of Canton has received the New York State Department of Transportation 2022 funding letter to support the repair, rehabilitation, and modernization of local roads; and

WHEREAS, the Town Board fully supports enhancing the 100 miles of town roads to the maximum extent allowed financially; and

WHEREAS, Town Highway Superintendent requested, and Highway Committee supports, board approval for approximate expenditures for the following roads:

| | | |
|------------------------|-----------|-----------|
| Pyrites Russell Road | 5500'x20' | \$261,964 |
| Pink School House Road | 1730'x18' | \$ 74,851 |
| Crusher Road | 4700'x20' | \$203,042 |
| Total | | \$539,857 |

Irish Settlement Road Installation of pipes in needed areas to alleviate future flooding issues.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Town Board of the Town of Canton approves the town road repairs listed above.

5/11/2022
Date

Heidi Smith
Canton Town Clerk