

**Town of Canton Public Hearing/Regular Board Meeting  
Wednesday, August 10, 2022**

**Hybrid, In-person & Zoom (view only) @ 5:45 PM**

**Minutes**

*No zoom recording due to technical difficulties*

**PRESENT:**

Mary Ann Ashley	----	Supervisor
Bob Washo	----	Council Member
Bob Santamoor	----	Council Member
Jim Smith	----	Council Member
John Taillon	----	Council Member

**Also Present:** Town Clerk/Tax Collector Heidi Smith, Deputy Town Clerk Leanna Moquin (zoom), Assessor Cindy Brand, Code Enforcement Officer Michael McQuade, Highway Superintendent Steven Smith, Recreation Director Meghan Richardson, Attorney Eric Gustafson, CPA Angela Gray, Confidential Secretary/Bookkeeper Dylan Barringer (zoom), Justice Mike Morgan (zoom)

**Absent:** Economic Developer Leigh Rodriguez, Historian Linda Casserly

**Public Attendance:** North County This Week Paul Mitchell, Watertown Daily Times Tom Graser, Toby Irven, Jim Geddis (zoom)

**PUBLIC HEARING:**

Supervisor Ashley opened the public hearing at 5:57 PM due to technical difficulties for the purpose of considering a local law enacting a moratorium on all Anaerobic Digester development in the Town of Canton. Supervisor Ashley read aloud #2 of the Local Law: An Anaerobic Digesters shall mean a facility the main purpose of which is to use anaerobic digestion to convert livestock and poultry manure (primary catalyst) an feedstock into biogas, which is burned off site to produce electricity, heat and water as well as to manage livestock and poultry manure. Anaerobic digesters may include co-digestion in which the livestock and poultry manure may be mixed with other organic materials (secondary catalysts). Nothing herein shall prohibit a licenses load serving entity from conduction its regular and usual business of providing electrical distribution within its service territory as defines by its tariff with the New York State Department of Public Service. #3 This moratorium shall expire on the 28<sup>th</sup> of February 2023.

Attorney Eric Gustafson stated for the record, there are very few towns with anaerobic digesters law within in the State of New York. It is primarily covered by the DEC but there is indication that Canton is going to be a source of one of those facilities. Gustafson thinks they are going to be more popular as we look to diversative energy source over the coming years. The idea is to give the Town a chance to decide if there should be zoning regulations to cover this given what the DEC is doing.

No public comment.

A motion was made by Council Member Jim Smith and seconded by Council Member Bob Santamoor to close the public hearing.

All in favor. Motion carried.

A motion was made by Council Member Bob Washo and seconded by Council Member Jim Smith to enact the moratorium on all Anaerobic Digester development in the Town of Canton.

All in favor. Motion carried.

*See attached Local Law*

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

Supervisor Ashley called the meeting to order at 6:05 PM. Ashley added two new items to the agenda under new business **#10 Reed Virtual Solutions Agreement and #11 Acknowledge resignation of Dylan Barringer Confidential Secretary/Bookkeeper.**

**B. Presentation-Community Choice Aggregation-Joule Community Power**

Rescheduled for September due to technical difficulties.

**C. Public Comment**

None

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

None

**E. Approval of Minutes**

A motion was made by Council Member Bob Santamoor and seconded by Council Member John Taillon to approve May 13, 2022, regular board meeting minutes with the amendment of the spelling of Duane Curtis.

All in favor. Motion carried.

**F. Correspondence**

Supervisor Ashley shared a letter from the St. Lawrence County Self-Insurance Plan. The letter came from Steven Button the self-insurance plan administrator indicating the cost of workman's comp for the year of 2023. Ashley stated it will be going down from \$49,274 to \$47,059.

**G. Town Finances Report**

Angela 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.

Town Clerk Smith went over the financial report for the Town Clerks Office for the month of July 2022.

Marriage License – 10  
Certifies Copies – 8  
DECALS – 17  
Dog Licensing – 65  
Building Permits – 9  
**Total Revenue of \$4,736.00**

**Local Shares Remitted:**

Town of Canton, Supervisor (3 checks) total of \$2,072.88  
“A” Town Clerk Fee Account - \$317.88  
“A” Dog License Account - \$430.00  
“B” Building Permit Fee Account - \$1,325.00

**Non -Local Remitted:**

NYS Ag & Market for dog licensing - \$81.00  
NYS Environmental Conservation (DECALS) - \$2,357.12  
NYS Department of Health for marriage licenses - \$225.00

Clerk Smith also stated that a check was written to the Town of Canton Supervisor of \$2.19 for interest out to the tax account putting the account at a zero balance.

**H. Audit Committee**

“A” General Fund	----	\$40,925.27
“B” Town Outside	----	\$2,025.64
“DA” Town Wide Highway	----	\$7,305.44
“DB” Highway	----	\$31,090.11
“SF” Special Fire	----	\$13,116.82
“SL” Special Lighting	----	\$280.23
“TA” Trust & Agency	----	\$20,364.25

A motion was made by Council Member John Taillon and seconded by Council Member Bob Washo to approve the July expenditures.  
All in favor. Motion carried.

**A. Acceptance of Department Reports**

**ASSESSOR**

Assessor Brand reported that the State sent the new application for the enhanced STAR exemption for 2023-2024 school tax year. They raised the income from \$92,000 to \$93,200 which applies to anyone turning 65 years old as of December 31, 2023. This notice and application will be in the Clerk’s Office. Brand will be attending a meeting August 15<sup>th</sup> on solar. Brand also let the board know that Bob Blewett the BAR chairman of 30 years will not be coming back after his term ends at the end of September. Brand thanked Blewett for his service and all of his help during their time together. The BAR will be down two members.

Council Member Bob Washo suggested reaching out to real estate offices for any interest.

**CODE ENFORCEMENT OFFICER**

Code Officer McQuade issued ten new building permits, four compliance certificates, and five non-compliance: four for working without building permit and one for property maintenance issues. McQuade attended five planning board meetings for the Solar development. Solar continues to be busy for the Town.

### **HIGHWAY SUPERINTENDENT**

Superintendent Smith stated July was a busy month. The Finnegan Road construction is underway. Suit-Kote corporation came with a profiler machine to grind the road so it could be reshaped and widened by 20'. Smith hopes to have it done in September. The culvert pipes for the Irish Settlement Road have been delivered by Lane Corporation. Smith hopes to have those installed soon. The second round of roadside mowing has started. Smith thanked Clerk Smith for helping with the first round of CHIPS reimbursement. Smith also thanked his crew for all their hard work.

### **HISTORIAN**

Historian Casserly was unable to attend the meeting but asked Clerk Smith to let the board know there was an error in her report. There needs to be a correction from Debbie Gilson to Doreen Radway.

Council Member Bob Washo asked a question regarding the historian report that is mentioned she will be applying to the Canton Committee Fund for updated computer software. Washo asked as a municipality do we want department heads going directly to the Canton Committee Fund for financial appeals or should that go through the Supervisor Office or the Economic Development Office to coordinate it.

### **RECREATION**

Recreation Director Richardson reported that swimming lessons end tomorrow. Swim lessons served about 130 individuals this summer which is fantastic. Courts at Priest Field have all been resurfaced, there are now four full pickleball courts including two lines for tennis courts. This was done by Seal Pro out of Saratoga. Buck Street playground equipment has been repainted and the Taylor Park equipment has been primed. July 23<sup>rd</sup> & 24<sup>th</sup> there was a paddle board clinic at Taylor Park which was a great success. Richardson added that the new front door for the pavilion will be installed at the end of the month. Richardson is getting ready for the Rock & Mineral show at the end of the month.

Council Member John Taillon asked if the Olympia Ice Resurfacer has been looked at yet. Richardson responded that the monitor will be pulled next week and brought to Sticklings in Potsdam. Richardson also added that the new Ice Resurfacer is expected to be here sometime this fall, there is no specific date at this time.

### **TOWN CLERK/TAX COLLECTOR**

Clerk Smith reported that July was a busy month. Smith reported that hunting licenses went on sale August 1<sup>st</sup>. Smith continues to work on records management, organizing and creating reference binders for the office. Smith added that since the office will

remain open while working of records management it will take time. ABS came in and installed the Wi-Fi access point in the courtroom.

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

## **B. Committee Reports**

### **Sustainability Committee**

Bob Santamoor reported the sustainability committee tried to meet by Hybrid but there were technical difficulties and rescheduled the meeting for August 11<sup>th</sup> via zoom.

### **Economic Development Committee**

Bob Santamoor reported there was discussion on the oversight committee and who would be on it as well as where the oversight committee would be housed. The DRI grant was also discussed, the committee is in full agreement that Bob Santamoor will be the representative for the Town.

### **Communication and Technology Committee**

Bob Santamoor reported that the CT committee met, and the biggest discussion was the Wi-Fi. The town is 50/50 megabits in/megabits out. Meaning the town is considered un-served according to the broadband study. The normal megabits in/out is 100/100. There was a discussion on the number of lines coming into the municipal building. Right now, there are three lines coming in and it was discussed to change that to two lines. Court will have their own and the other would be a collaborate line to include the Town and Village. Each entity would have their own fire wall and the cost would be split. Village Clerk Noble did speak with someone at SLIC, and this transition is possible and would be easy. Supervisor Ashley would like to see something from SLIC that shows the process and change.

### **Judicial Committee**

Bob Santamoor reported that due to the time constraint the work that was supposed to be done upstairs in the court office and downstairs in the courtroom has been put on hold. There is a new JCAP grant that has already started and end in September. The justices will resubmit for that grant. The money will need to be sent back for the project that is being put on hold. Supervisor Ashley requested something in writing from the justices.

### **Negotiation Committee**

Jim Smith reported that himself and Mary Ann met with the union and labor attorney and discussion needs to be had in executive session about issues that were brought up. There is a tentative meeting scheduled for August 25<sup>th</sup>.

### **Solar Committee**

Bob Washo reported that the solar committee continues to meet on the EDF project,

there will be information shared in executive session about what was discussed. There is a follow up meeting Monday, Cindy and Mike have been invited to this meeting.

### **C. Old Business**

#### **1. Town Clerk 2022 Budget Amendment Request Resolution**

A motion was made by Council Member Bob Santamoor and seconded by Council Member John Taillon to approve the Town Clerk 2022 Budget Amendment Request Resolution.

All in favor. Motion carried.

*See attached resolution.*

#### **2. Tentative Budget Work Sessions-8/25 and 9/22**

Supervisor Ashley hopes there will be a preliminary budget for the August 25<sup>th</sup> meeting, that meeting will start at 5:30 PM.

#### **3. Preliminary Discussion of 2023 Budget**

Supervisor Ashley reported that department budget packets have been distributed and returned. Ashley has met with all but one department, that meeting will be next week. Council Members would like to see a balanced budget and stay under the tax cap. Supervisor Ashley recommends passing a Local Law to override the tax cap if it is needed.

### **D. New Business**

#### **1. Discussion Change to Open Meetings Law-Video Conferencing**

Attorney Gustafson reported that the change to open meetings law is going to allow and authorize video conference for members to be able to participate via video conference, if the municipality adopts the local law authorizing it. There are limitations but the most important thing is the public place still needs a quorum, but the members can still participate via video conference if the situation warrants it. Gustafson will do some more research and create a local law.

Gustafson believes this is a good option for the Town. The board is in favor in Gustafson creating a local law and reviewing it in October.

#### **2. Approve Final Payment of Canton Fire Engine #7**

A motion was made by Council Member Jim Smith and seconded by Council Member Bob Santamoor to approve final payment of Canton Fire Engine #7 in the amount of \$5,300.00 under the contingency account under Special Fire.

All in favor. Motion carried.

#### **3. Amendment to Anti-Harassment Policy**

Supervisor Ashley reported the Town got notified through the Governor's office that there is a new requirement that needs to be added to the Town's Anti-Harassment Policy and that is a 1-800 number for employees to call for free legal counseling if they experience any complaint of harassment in the workplace. This will be brought back to the September meeting.

4. Planning Board Membership Increase from 5 to 7 Member

Council Member Bob Washo reported that currently the planning board has five members and two alternates. With all of meetings and new solar projects coming in Washo would like to see an increase from five members to seven members. This would make sure there is a quorum at meetings, it would allow for more people to be engaged, and there would be more eyes and ears in the process.

Council Member Bob Santamoor asked if there has been conversation with the planning board to increase the membership. Washo stated there has been conversation between himself and the current and previous chairperson. There have been problems with filling the alternate seats and the problem with alternates is they don't have a vote and the concern is they will lose interest. Santamoor also asked if this is something the planning board asked for. Washo is requesting this consideration because the planning board is under an extreme amount of pressure and stated that this is a board level discussion at this point.

Code Officer McQuade stated all planning board meetings have been well attended. McQuade also added that extra eyes and ideas on are good. Making the move from five to seven would be a positive move. McQuade is okay with what the board decides.

Supervisor Ashley supports increasing from five to seven members. Supervisor Ashley asked Attorney Gustafson to look at the legality of compensation for the members.

The whole board supports the idea to increase the number. Washo will have a discussion with the planning board and report back to the board.

5. Appointment of Planning Board Alternate Ian MacKellar

A motion was made by Council Member Bob Washo and seconded by Council Member Jim Smith to appoint Ian MacKellar as a planning board alternate for a 5-year term 8/10/2022-8/9/2028.

All in favor. Motion carried.

6. Resolution-Interfund Loan Transfer

Supervisor Ashley reported with the need to pay off Styles Ave property this year, Ashley wants to know how the board feels about doing an interfund loan transfer. The Town has the ability to do a transfer from the "B" or "DB" account of \$250,000 to cover the cost into the "A" fund. Ashley stated it would be in the best interest to have this discussion. Council Member Santamoor stated his concern is that one of the OSC requirements is that it needs to be paid back by December 31<sup>st</sup>. Council Member Washo suggested borrowing it from "DB" funds because construction is almost over, and the "DB" account has a healthy fund balance. We can revisit the issue in December.



7. St. Lawrence County Supreme Court Cases-SLIC Network Solutions and Thorntree Hotel Corporation  
Supervisor Ashley reported that the Town was notified from the St. Lawrence County Supreme Court that there are two cases pending. The first one is SLIC Network Solutions vs the Town of Canton about their assessment which is scheduled for September 26<sup>th</sup> at 9:30 AM in Canton with Judge Mary Farley. The second is Thorntree Hotel Corporation vs the Town of Canton about their assessment which is scheduled September 2<sup>nd</sup> at 9:00 AM in Canton with Judge Mary Farley.

Attorney Gustafson added these are standard assessment complaints.

8. Discuss purchase of Town Vehicle  
Supervisor Ashley reported while working on the 2023 budget two departments requested a need for a town vehicle to do their jobs. Supervisor Ashley supports this request to have it for all departments. Ashley recommends using ARPA funds to purchase a vehicle this year. Council Member Bob Santamoor supports the request of purchasing a vehicle. Council Member John Taillon supports the vehicle but questions the purchase. Can the Town look into a lease? Council Member Washo suggested purchasing an electrical vehicle. Council Member Jim Smith suggested giving more money to the employee's vs buying or leasing a vehicle. Smith believes it could be problematic. Smith would like to talk with departments to come up with a figure that would be more helpful then purchasing a vehicle for the Town. Smith would like to look into the state contract if the Town is going to buy. Ashley and Washo support purchasing an electric car. Smith would like to see conversations had with the two departments before making a decision. This will be added to next month's agenda for further discussion.

9. Discuss Town Internet System Upgrade  
Supervisor Ashley stated the town internet system upgrade is a recommendation from the Communication and Technology Committee.

A motion was made by Council Member Bob Santamoor and seconded by Council Member John Taillon to partner with the Village to have one line and have that line be at least 100/100 broadband.

All in favor. Motion carried.

Supervisor Ashley requested to see an agreement with the Village.

10. Reed Virtual Solutions Agreement  
Tabled for further discussion in executive session.
11. Acknowledge Resignation of Dylan Barringer Confidential Secretary/Bookkeeper  
Supervisor Ashley reported that Dylan Barringer Confidential Secretary/Bookkeeper has put his letter of resignation in. His last day will be August 18<sup>th</sup>. Supervisor Ashley and Council Member Bob Washo thanked Dylan



for all his hard work.

A motion was made by Supervisor Ashley and seconded by Council Member Bob Santamoor to accept resignation from Dylan Barringer Confidential Secretary/Bookkeeper.

All in favor. Motion carried.

**E. 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 identified as proper by Public Officers Law 105(1)

A motion was made by Council Member Bob Santamoor and seconded by Supervisor Mary Ann Ashley to go into executive session for the purposes of [E] collective negotiations, [F] matters pertaining to the employment of a particular person and [H] the proposed acquisition, sale or lease of real property.

Town Clerk Smith was invited into executive session.

Clerk Smith left executive session at 8:33 PM.

A motion was made by Council Member Jim Smith and seconded by Council Member Bob Santamoor to come out of executive session at 9:25 PM.

All in favor. Motion carried.

Two actions were taken out of executive session.

A motion was made by Council Member Bob Santamoor and seconded by Council Member Bob Washo to terminate the current agreement and approve the new agreement with Reed Virtual Solutions-Jeni Reed.

All in favor. Motion carried.

A motion was made by Council Member Bob Santamoor and seconded by Council Member John Taillon to increase the Confidential Secretary/ Bookkeeper from a part time position to a full-time position at the prorated salary of \$41,000.

All in favor. Motion carried.

A motion was made by Supervisor Mary Ann Ashley and seconded by Council Member Bob Washo to adjourn meeting at 9:30 PM.

All in favor. Motion carried.

Respectfully Submitted,  
Heidi L. Smith, Town Clerk



**COPY**

**Town of Canton**

**Local Law No. 2 of the year 2022**

**Enacting a Moratorium on all Anaerobic Digester Development in the Town of Canton**

**WHEREAS**, the Town Board of the Town of Canton (the “Town”) desires to enact a Moratorium on all Anaerobic Digester (as defined herein) development within the Town;

**WHEREAS**, the Town Board intends to enact comprehensive regulations regarding Anaerobic Digesters in the Town;

**WHEREAS**, the Town Board believes that such a moratorium will protect the public interest and welfare of the residents of the Town until such comprehensive regulations are adopted; and

**WHEREAS**, there are currently no regulations relating to Anaerobic Digesters within the Town, but the Town Board believes that such regulations can be duly considered and adopted by the date set forth herein;

**NOW, THEREFORE, BE IT ENACTED AS FOLLOWS:**

1. There is hereby placed a moratorium on all Anaerobic Digester development in the Town of Canton, County of St. Lawrence, and State of New York. Current, grandfathered operations are excepted from the moratorium herein.
2. An Anaerobic Digesters shall mean a facility the main purpose of which is to use anaerobic digestion to convert livestock and poultry manure (primary catalyst) and feedstock into biogas, which is burned off site to produce electricity, heat and water as well as to manage livestock and poultry manure. Anaerobic digesters may include co-digestion in which the livestock and poultry manure may be mixed with other organic materials (secondary catalysts). Nothing herein shall prohibit a licensed load serving entity from conducting its regular and usual business of providing

electrical distribution within its service territory as defined by its tariff with the New York State Department of Public Service.

3. This moratorium shall expire on the 28th day of February, 2023.
4. This local law shall take effect upon filing with the Town Clerk of the Town, and upon filing the same with the Secretary of State of the State of New York.
5. The above local law was enacted by the Town Board of the Town on the 10<sup>th</sup> day of August, 2022.

A handwritten signature in black ink, appearing to read "Heidi S. Smith", written over a horizontal line.

Town Clerk  
Town of Canton

COPY

**RESOLUTION 110**  
**August 10, 2022**  
**Budget Amendment**  
**Need to Increase Town Clerk Contractual Expense**

**WHEREAS**, the Town Clerk's Office has incurred unanticipated expenditures this year; and

**WHEREAS**, the Town Clerk is in need of additional funds for the remaining of the year to cover the BAS software program cost from 2021, fixed costs, supplies and additional training; and

**WHEREAS**, the Town Clerk requested an increase in the contractual expense account;

**WHEREAS**, a budget amendment by full approval of the Town Board to transfer \$3500 from A-Fund Balance to A-1400-1410-4 Town Clerk Contractual Expense Account; and

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Canton Town Board approves the budget amendment to transfer \$3500 from A-Fund Balance to A-1400-1410-4 Town Clerk Contractual Expense Account.

8/10/2022  
Date

Wendy Smith  
Town of Canton