

**Town of Canton
Public Hearing/Regular Board Meeting
Wednesday, October 11, 2023
In Person and Video Conferencing
Minutes**

Present:

Mary Ann Ashley	----	Town Supervisor
Jim Smith	----	Council Member
John Taillon	----	Council Member
Bob Santamoor	----	Council Member
Randy Brown	----	Council Member

Also Present: Town Clerk Heidi L. Smith, Assessor Cindy Brand, Highway Superintendent Steven Smith, Code Enforcement Officer Michael McQuade, Town Attorney Eric Gustafson, Solar Attorney Bill Buchan

Absent: Recreation Director Meghan Richardson, Historian Linda Casserly, Economic Developer Leigh Rodriguez

Public Present: Dan & Lyne Soulia, Paul Mitchell-North Country This Week, Tom Graser-Watertown Daily Times, Margaret Mauch, Leslie Clark

Zoom Attendees: Confidential Secretary Shelby Bacon, John Gray, CPA, Toby Irven, Deb Bridges, Jonathan Geldard

Public Hearing to Override the tax levy at 5:55 P.M.

Supervisor Ashley opened the public hearing at 5:55 pm and read the legal notice out loud.

Ashley stated that the Town passes this local law each year as a safeguard when preparing the budget, should it be needed.

No public comment.

A motion was made by Council Member Bob Santamoor and seconded by Council Member John Taillon to close the public hearing at 5:58 p.m.

All in favor. Motion carried.

A motion was made by Council Member John Taillon and seconded by Council Member Bob Santamoor to pass the local law to override the tax levy established in General Municipal Law-3-c.

All in favor. Motion carried.

A. Call Meeting to Order/Welcome

Supervisor Ashley called the regular meeting to order at 6:00 p.m.

B. Public Comment

None

C. Approval of Minutes

Supervisor Ashley added the Special Budget Meeting 10/3/23 to the agenda for approval.

A motion was made by Council Member Bob Santamoor and seconded by Council Member Randy Brown to approve the September 13, 2023 Regular Meeting, September 21, 2023 Special Budget Session Meeting, and October 3, 2023 Special Budget Session Meeting minutes.

All in favor. Motion carried.

D. Correspondence

1. Adoption of Equalization Rates from the St. Lawrence County Real Property Office

St. Lawrence Real Property sent over the equalization rates. In the packet it shows every municipality and their equalization rates as far as assessments. Canton is at 74%.

2. 2 Bids for 364 Main Street-Site Plan Approval

Supervisor Ashley stated that two bids were received for the 64 Main Street-Site Plan Proposal from BAC Architects & Engineers for a total of \$5,400 and Barton & Loguidice for a total of \$9,700. This will be put on the Joint Board Meeting agenda for further discussion.

3. MJ Engineering Comp Plan Update Committee

Supervisor Ashley stated that the Town/Village have a contract with MJ Engineering for the Comprehensive Plan Update Committee and that Council Member Smith and Ashley will have a conference call with Jackie on Monday to discuss the structure and how to move forward.

E. Town Finances Reports

John Gray, CPA, gave the Town Financial report year to date. A copy of the financial report was given to the board prior to the meeting.

Supervisor Ashley added that she will be meeting with Angela and Danielle (Gray & Gray) to reconcile the SM account.

John Gray, CPA, gave the Town Clerk's Financial Report year to date. A copy of the town clerk's financial report was given to Clerk Smith and the board prior to the meeting.

Clerk Smith added that there is still an outstanding check of \$6.00 in the tax account from Town & County Tax Collection.

F. Audit Committee

"A" General Fund	----	\$39,294.95
"B" Town Outside Fund	----	\$72,569.46
"DA" Townwide Highway	----	\$6,508.33
"DB" Town Highway	----	\$77,843.93
"SF" Special Fire	----	\$4,588.83
"SL" Special Lighting	----	\$0.00
"T&A" Trust & Agency	----	\$21,932.16

A motion was made by Council Member Randy Brown and seconded by Council Member Jim Smith to accept the October expenditures.
All in favor. Motion carried.

G. Acceptance of Department Reports

Town Clerk

Clerk Smith reported that September was a busy month. The office started collecting Canton Central School taxes on September 1st and as of October 6th, the office has collected \$8,507,369.69. Smith attended the SLCMCA Meeting, NYSTCA Regional Meeting and attended a De-Escalating Techniques webinar. The clerk's office should receive the Vital Record book that was sent out for preservation on Thursday. Smith has been busy with multiple FOIL requests and working with other departments to fulfill those requests if possible.

Highway Superintendent

Hwy Superintendent Smith reported that the department has finished the bulked of spot paving, the crew has started setting up the trucks for the winter, and they will be making the last round with the roadside mower. There is a crew in Rensselaer Falls completing the construction projects that were agreed upon. The Mayor of Rensselaer Falls may want to make a couple changes to one project, Smith is waiting to hear back. The heating system for 12 Stiles Ave was delivered. Route 11 plumbing will be installing the heating system.

Assessor

Assessor Brand reported she attended the Assessors Conference in Saratoga Springs, and it was very informative. Brand also took a Public Relations with Barn Wealer on How to Be Nice and attended the SUNY Potsdam Local Government Conference. Brand also stated that the small claims case between Snyder vs the Town of Canton was held yesterday, and we should expect a decision in roughly two weeks. Brand stated that the waterfront properties are not coded properly and would like to go to each one and properly measure the properties and correct those errors.

Code Enforcement Officer

CEO McQuade reported that September was a good month and issued 15 building permits. McQuade attended the United Energy Solar Supports webinar that discussed NYISO's planning process. McQuade reported that the Planning Board met on the Grasse Groove, 310 Solar Project for SEQRA 1. The Public Hearing for SEQRA 2 & 3 is scheduled for November 6th. The Frazer site demolition permit was issued, the foundation plan was received but McQuade is waiting for the framing packet to do it all as one. The structure will be 40 x 70 with a full basement. McQuade also stated that the CR 27 Solar Project has started.

McQuade gave a look back on how the rezoning of the Town started dating back to 2018 and the hours spent in meetings with Monica Ryan, River Streets from 2020-2023. McQuade did a history look back on his system showing that the Comprehensive Plan was done in 2018, River Street did a Memorandum with the Town in January of 2020. The Town of Canton Zoning Law Analysis Town Board Meeting was January 13, 2020. From January 1-December 31st, 2020, 2 hours were spent in meetings with Monica Ryan. January 1-December 31, 2021, 2.5 hours were spent in meetings with Monica Ryan. January 1-December 31 2022, 64.8 were hours spent in meetings with Monica Ryan and January 1-December 31, 2023, 39.7 hours were spent in meetings with Monica Ryan. This does not include emails and back and forth phone calls. Those hours are meeting hours for the committee. McQuade wanted to put in perspective the amount of hours spent on this project and that it has been a work in progress.

Council Member Smith questioned one part of the Economic Developers report stating that the road paving for the Miner Street Project does not go out to bid as stated in the report. The Highway Superintendent will work with the County on paving.

Supervisor Ashley also stated that she wishes she there was something in the Economic Developers report about the DRI. Ashley would have liked to see what projects were included.

A motion was made by Council Member Bob Santamoor and seconded by Council Member John Taillon to accept the department reports that were submitted. All in favor. Motion carried.

H. Committee Reports

Highway Committee

Jim Smith reported that the committee met twice and discussed the Miner Street Project.

Economic Development Committee

Bob Santamoor reported that the committee met and talked about the update on the DRI and 12 or 13 projects were planned as part of that. The other item that was mentioned was

the St. Lawrence County Chamber of Commerce. There is going to be an effort to have local businesses have a spending challenge meaning the local businesses will buy locally.

Mary Ann added that she contacted the County Chamber Director, Ben Dixon, to inform him that that either Bob or Randy would be reaching out to them and let him know it was put in the budget and discuss an agreement.

Complete Streets

Randy Brown reported that the bike racks and covered bike racks have been ordered. There was a good turnout with the Pop-Up Project on Court Street. The committee is waiting for the survey data to come back to see what the public thought of it.

Mary Ann asked that the Town needs to be added to the Complete Streets agenda under the parking lot at 64 Main Street because it is owned by both the Town and Village.

Recreation Committee

John Taillon stated that Recreation Director Richardson is going to be submitting a application grant through the Youth Bureau. The grant funding has to do with sports teams. Richardson believes that there are some projects around Bend and the River Park and the Pavilion that may qualify for that grant.

CGI

John Taillon reported that the proof of the video is back. The committee will meet tomorrow to go see if they like the footage and make recommendations if needed.

Court Committee

Mary Ann Ashley reported that the committee met and discussed the J-Cap Grant. They are requesting funds for records management and cameras.

I. Old Business

1. Volunteer Firefighter and Volunteer Ambulance Work Tax Exemption

Tabled

2. Non-Contract Policy

Council Member Santamoor and Taillon submitted a couple of suggestions. Supervisor Ashley gave feedback on a few of the items. Council Member Brown will submit his recommendation through email. This will be put back on the agenda at a later date for future discussion.

3. Liberty Utilities Easement Stile Ave Property

Attorney Gustafson stated that he does not have any objections to the easement that was submitted by Liberty Utilities.

A motion was made by Council Member Jim Smith and seconded by Council Member Bob Santamoor to finalize the Liberty Utilities Easement for the Stile Ave Property. All in favor. Motion carried.

4. Barton and Loguidice, DPC Professional Services Agreement-Stiles Ave Strategic Site Plan

Attorney Gustafson has concerns with the agreement. Supervisor Ashley submitted those concerns to John Condino. Any further discussion on this item would need to take place in executive session.

5. Falcon Recovery Service Agreement

Tabled

J. New Business

1. Tax Cap Override Law

This item was voted on right after the public hearing.

See attached Local Law.

2. Set 2024 Budget Public Hearing Date

The 2024 Budget Public Hearing is set for November 2, 2023, at 6:00 p.m.

3. Justice Court Assistance Program Grant

A motion was made by Council Member John Taillon and seconded by Council Member Bob Santamoor to authorize the Canton Town Court to apply for a JCAP grant in the 2022-2023 grant cycle up to \$30,000.

All in favor. Motion carried.

See attached Resolution.

4. Budget Amendment USLE Meade Road Solar Project Phase 2 Escrow Agreement

A motion was made by Council Member Bob Santamoor and seconded by Council Member Jim Smith to authorize and direct the Town Supervisor to establish an escrow account for USLE Meade Road Solar Project and approving an escrow agreement between the parties.

All in favor. Motion carried.

See attached Resolution.

K. 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)

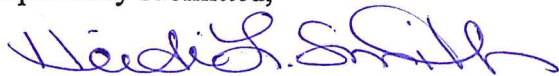
A motion was made by Council Member John Taillon and seconded by Council Member Randy Brown to go into executive session for the purpose of [D] discussions regarding litigation and [F] matters pertaining to employment history of a particular person at 6:51 p.m.
All in favor. Motion carried.

Solar Attorney Bill Buchan was invited into the executive session.

A motion was made by Supervisor Mary Ann Ashley and seconded by Council Member Randy Brown to come out of executive session at 8:06 p.m.
All in favor. Motion carried.

A motion was made by Council Member John Taillon and seconded by Council Member Bob Santamoor to adjourn the regular board meeting at 8:06 p.m.
All in favor. Motion carried.

Respectfully submitted,



Heidi L. Smith
Town Clerk

TOWN OF CANTON

Local law # 5 2023

A local law to override
the tax levy established in
General Municipal Law-3-c

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Canton, County of St. Lawrence pursuant to General Municipal Law 3-c, and to allow the Town of Canton, County of St. Lawrence to adopt a town budget for (a) town purposes, (b) fire protection districts and (c) any other special or improvement district governed by the Town Board for the fiscal year 2024 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Canton, County of St. Lawrence is hereby authorized to adopt a budget for the fiscal year 2024 that requires a real property tax levy in excess of the limit specified in General Municipal Law, 3-c.

Section 4. Severability

If in any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm, or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

10/11/2023

Date

Wendy R. Smith

Town of Canton

Town Clerk

TOWN OF CANTON
RESOLUTION 32
October 11, 2023

**Town Board Support of
Justice Court Assistance Program Grant up to \$30,000**

WHEREAS, for several years the Canton Town Board has supported the Canton Justice Court to apply for Justice Court Assistance Program grants enhancing the operations of the Court and supporting municipal building projects; and

WHEREAS, the Justice Court for the Town of Canton has a heavy caseload because of the presences of two colleges, the St Lawrence County jail within its jurisdictions, and the Village Court dissolving in December 2012, merging with the Town; and

WHEREAS, the Canton Justice Court System operates at a high degree of efficiency despite the constraints faced by a community where 65% of its property is tax exempt; and

WHEREAS, the Canton Justice Court System could improve its efficiency by using a grant through the Justice Court Assistance Program that would upgrade space, operations, supplies and equipment; and

WHEREAS, the Canton Justice Court is directed to share the grant application with the Town Supervisor to share with the Town Board prior to submission and for approval with the understanding that the Canton Justice Court will continue to stay within the parameters of the grant; and

NOW THEREFORE BE IT RESOLVED, the Town of Canton authorizes the Canton Town Court to apply for a JCAP grant in the 2022-2023 grant cycle up to \$30,000.

10/11/2023
Date

Heidi R. Smith
Town Clerk

TOWN OF CANTON
RESOLUTION 23

October 11, 2023

2023 BUDGET AMENDMENT
ESTABLISHING AN ESCROW ACCOUNT FOR
USLE MEADE ROAD SOLAR PROJECT
AND APPROVING AN ESCROW AGREEMENT BETWEEN THE PARTIES

WHEREAS, NY USLE Canton Meade, LLC ("USLE") has presented to the Town of Canton its plans to develop a 5-megawatt solar generator located on leased lands off Meade Road, and

WHEREAS, the Town of Canton Planning Board approved USLE's application for Site Plan Approval and a Special Use Permit and such approval requires the establishment of an escrow fund to reimburse the Town for engineering and site inspection services required to periodically inspect the project in an ongoing basis and the Town Solar Counsel has approved an "Agreement For the Payment of Municipal Engineering and Site Inspection Expenses" ("Agreement") between the parties establishing the scope, schedule and cost of the engineering services, and

WHEREAS, the Town desires to create a separate escrow account to hold the funds in a non-interest bearing account from which to disburse funds as approved by the Town Board, and

WHEREAS, the funding is provided in accordance with the Agreement between the Town and USLE pursuant to this Resolution, and

NOW THEREFORE BE IT RESOLVED, the Town Supervisor, as Chief Fiscal Officer, is hereby authorized and directed to establish the proper escrow account and audit tracking systems; and

BE IT FURTHER RESOLVED, that the Canton Town Board hereby authorizes and directs the Town Supervisor to execute An Escrow Agreement For the Payment of Municipal Engineering and Site Inspection Expenses in substantially the same form as is on file with the Town Clerk.

10/11/2023
Date

Wendy R. Smith
Canton Town Clerk

