

**TOWN OF CANTON BOARD
REGULAR MEETING**

Wednesday August 9th 2017

4:30 pm

Minutes

Present: Supervisor David T. Button, Council members Paul Backus, James Smith, Bob Washo and Phil LaMarche

Also in Attendance: Attorney Charles Nash, Town Clerk/Tax Collector Lisa Hammond, Economic Developer Leigh Rodriguez, Historian Linda Casserly, Highway Superintendant Terry Billings, Code Officer Russell Lawrence, Sue Mende, Jim Gibson, Klaus Proem, Toby Irven and members of the Township of Canton

Absent: Assessor Steve Teele and Recreation Director Caitlin Boreyko

4:30 PM Supervisor Button opened the Town Board Meeting

Supervisor Button added to the Agenda - Special meeting minutes of July 24th and 28th, 2017 for approval

Many members of the public attended the board meeting to share in the scheduled Public Hearing on LL #1 2017. For the purpose of adjusting the Town Supervisors 2017 Salary

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1. **Approval of minutes of Previous Meeting(s):** The minutes of July 12th, 2017 regular board meeting were approved:

Motion: Paul Backus

Seconded: Bob Washo

Vote: unanimous

Minutes of the July 24th 2017 and July 28th, 2017 Special Joint Meetings were tabled to September's Regular meeting because not all board members had the chance to read them

2. **Audit Committee:** The following bills for Abstract #8-2017 were approved for payment:

General "A".....	\$4,035.70
Town Outside "B".....	\$1,714.91
Special Lighting "SL"	\$271.21
Joint Activity "SM".....	\$957.11
Highway "DA".....	\$3,061.75
Highway "DB".....	\$124,552.97
Special Fire	\$21,000.00

Committee approval

3. Director of Economic Development/Community Director: Leigh Rodriguez's written report was submitted and approved:

Motion: Paul Backus Seconded: Jim Smith Vote: unanimous

4. Assessor: Steve Teele's written report was submitted and approved:

Motion: Jim Smith Seconded: Bob Washo Vote: unanimous

5. Historian: Linda Casserly's written report was submitted and approved:

Motion: Bob Washo Seconded: Phil LaMarche Vote: unanimous

Discussion was held on purchasing a monument as a tribute to the six hundred or more people buried at the County House Cemetery. Ideas were floated on possible fund raisers.

6. Code Enforcement Officer: Russell Lawrence's written report was submitted and approved:

Motion: Bob Washo Seconded: Paul Backus Vote: unanimous

7. Recreation Director: Caitlin Boreyko's written report was submitted and approved:

Motion: Bob Washo Seconded: Jim Smith Vote: unanimous

Supervisor Button reported that there are now four seats open for the upcoming Yankees bus trip if anyone is interested

8. Highway Superintendent: Terry Billing's written report was submitted and approved:

Motion: Paul Backus Seconded: Jim Smith Vote: unanimous

9. Town Supervisor: David Button's written report was submitted and approved:

Motion: Phil LaMarche Seconded: Bob Washo Vote: unanimous

10. Town Clerk: Lisa Hammond's written report was submitted and approved:

Motion: Paul Backus Seconded: Jim Smith Vote: unanimous

11. Tax Collector: None

12. Legislators: Joe Lightfoot was present and gave a report on current activities at the County level. Lightfoot reported that the foreclosure auction will be held on

September 9th, 2017. Lightfoot reported that a recent audit was done and the County now has a positive fund balance of almost \$5,000,000 at the end of 2016 and that in 2014 the fund balance was a negative \$3,000,000. The County recently received a half million dollar grant from Northern Board of Regional and Commission; this will help cover costs of demolition and cleanup of additional properties at the former J&L site.

5: 00 P.M. Supervisor Button asked if there was a motion to withdraw LL#1 Public Hearing

Motion: Paul Backus

Seconded: Jim Smith

Vote: unanimous

Roll call vote

Councilman Phil LaMarche	YES
Councilman Jim Smith	YES
Councilman Paul Backus	YES
Councilman Bob Washo	YES

Supervisor David Button abstained from voting

Supervisor Button then asked the people in attendance if they would like an explanation and went on say that in the last couple days there has been discussion on how we could come to some resolution on this issue of the Supervisors Salary that has been going on for the last couple months. Button stated that discussion won't be on the LL #1 as it has been removed from the agenda. Button stated that a couple days ago an idea was floated that he would return the amount of monies that he had received over the past two plus years that he received for being the book keeper and in turn that money would be paid to the former book keeper (Denice Button) less a discount because of her retirement status. Button stated that he delivered a check to the Town Attorney in the amount of \$73,794.16 on August 8th and therefore there will not be a public hearing held. Supervisor Button stated that questions on the LL 1 will not be heard because the board has voted to remove it from the agenda. Members of the public requested being heard and asked to have questions answered. Button explained that LL 1 would have adjusted the Supervisors' Salary for the year 2017 only.

Attorney Charles Nash stated that this has not been a good couple months for the Town of Canton and that he hopes tonight will make it better and that people will start saying hello to people on the street again.

Nash stated that negotiations have been going on without the use of email or meetings. It took a lot of time but Nash made one by one, individual phone calls to the board members to come to the agreement that David Button, Town Supervisor would write a check to the Town of Canton in the amount of \$73,794.16 which represents the funds that he received as book keeper from April 1, 2015 to December 31st, 2015, all of 2016 and 2017 through August 8th, 2017. Supervisor Button

delivered a check to Attorney Nash's office and Nash held the check in his hand at the meeting to show the public that he indeed did receive the check.

Nash reminded everyone that the LL 1 would only deal with 2017 and board wants to correct all three years in question. Nash said calculations were done on what the book keeper would have earned pursuant to what was budgeted adding that the work was done during these time periods, which is the amount of \$58,857.62, Nash said later in the meeting this will be discussed to figure out how to get these funds back into the Towns budget. The difference in these figures is about \$15,000.00 because the book keeper agreed to take less than what was budgeted for those years for her position. In ending Nash said this is a better outcome then what we could have accomplished with this purposed LL 1.

Amendments will be made to the W2's and retirement

Brad Mintener asked about the Public Hearing procedure. Attorney Nash stated that the board has the right to withdraw a LL and reminded everyone that this action gets all the money put back into the Town budget.

Mintener also stated that he is having trouble finding a current copy of the Code of Ethics and that there appears to be two different copies and Mintener feels that it has been changed in the past four years.

Supervisor Button informed the people that he has hired John Gray a certified public accountant to do the book keeping from September 1st, 2017 through December 31st, 2017 at a rate of \$4,150.00 a month. Councilman Jim Smith stated that in the coming year if he is still on the board that he will push for the book keeping services to be done out of house.

Councilman Phil LaMarche stated that there were not going to be enough votes to pass the purposed LL 1 and that being said the law would not go to public referendum. An impasse would have continued in this matter. LaMarche stated that this restores the money where it was budgeted to go, and he felt (personally) that this is the path to go.

Councilman Bob Washo stated that the only thing he has agreed on and voted on was to have the LL removed and to have discussion on where and how the funds get returned to the Town coffers. Washo said it is and was his impression that Denise Button was the Book Keeper during 2015, 2016 and part of 2017 and she should be compensated for doing the job.

Barb Beekman commented on that the lack of transparency is what got us to this point and feels like it is still continuing. Beekman asked how this pat practice can be better going forward. Supervisor Button stated John Gray has only been hired through 2017 and in the future the Town has decided that all employees' salaries will be listed to the public, not just the elective officials. Beekman asked when the comptroller was coming and Attorney Nash stated that a letter dated August 1st received in his office from the Comptroller on August 7th, 2017 and it read "thank you for your request to have an audit done and this request is under consideration".

Discussion was held on agendas not being posted in a timely manner before meetings. Councilman LaMarche stated that a new website is in the works and this will help with this process.

Supervisor Button informed the people that the town of Canton has hired Ben Budelmann to take a look at job description and duties

Dave Curry recommended that the Town Board hold their meetings later than 5 p.m. so the working people could attend. Supervisor Button stated that when the board met at 7:00 p.m. no one came. Button will take this suggestion into consideration.

Danny Thomas stated he has an issue with the way things were presented tonight and feels the Board should be more careful about presenting information. Thomas stated that he understands the individual phone calls about the agreement but wants the Board to be conscious of this type of transparency.

Attorney Nash stated that the intent was always that this was going to be discussed tonight. Supervisor Button reminded the people at (6:06 p.m.) that discussion has been held on this matter for over an hour this evening.

Leah Rodriguez stated that she feels the best solution to this issue is to compensate what was in the budget for a book keeper and the person who was doing the book keeping at the time. This is a solution to this error and going forward it will be done in the correct manner. Rodriguez feels that the word volunteer was said not in a literal way but perhaps had been taken literally

Supervisor Button thanked the public for their input and went back into the regular meeting at 6:10 p.m.

13. Justice Court: Justice Court written reports were submitted and approved:

Judge Rosemary Philips \$11,386.00 Judge Christopher Curley \$11,372.00

Motion: Jim Smith

Seconded: Paul Backus

Vote: unanimous

14. Committee Reports: Jim Smith asked for approval to move forward with comprehensive plan by hiring MJ Engineering and Land Surveyors to help develop a new Comprehensive Plan at the cost of \$54,500.00 to include a Taylor Park component, options for Riverside Drive and both the Villages of Canton and Rensselaer Falls A cost of 37,500.0 to the Town and Villages. A 17,500.00 grant has been secured for the project

This is a committee recommendation. All board members in agreement
Three bids were received, one was disqualified and the other was much higher.

Councilman Phil LaMarche stated that the current comprehensive plan is dated back to the 70's and this is very important to the vision and future of our community.

Jim Smith stated that the Highway committee met. Smith went over the five construction projects that were previously approved and stated that four are completed. All projects have come in under budget, therefore it is the recommendation of the committee to do recycling of the Old State Road in the amount of 4500 ft and also grind the Eddy Pyrites Road in the amount of 2200 ft. Approval was granted

15. NEW BUSINESS:

a. RFP's for Pump House Design

Discussion was held on hiring an engineer to locate and design pump houses at two sites in the Town of Canton to draw water from the river to fire trucks. Councilman Bob Washo stated that he wants to see the Village of Rensselaer Falls included. Motion was made to allow Supervisor Button to prepare the RFP to get a quote from an engineer for an estimate of what it will cost for both Rensselaer Falls and Pyrites. All board members were in agreement that the three fire departments should come together with the Town of Canton to have input to see if this project is something they are interested in and can also see if they could contribute monies toward the project.

Motion: Paul Backus

Seconded: Jim Smith

Vote: unanimous

b. 5: 00 p.m. Public Hearing re: Supervisor's Salary

See above beginning of minutes

8:46 p.m. meeting adjourned

Motion: Jim Smith

Seconded: Paul Backus

Vote: unanimous

Councilman Jim Smith made a motion allowing Supervisor Button to hire John Gray to do the accounting in the Supervisor's Office from September 1st, 2017 to December 31st, 2017 in the amount of \$4,150.00 a month. Smith's motion was seconded by Councilman Paul Backus. Councilman Bob Washo and Supervisor David Button in favor.. Councilman Phil LaMarche abstained from voting because he was recently informed of a second proposal from John Parcel CPA firm. (This proposal was submitted to the Clerk's office after the deadline).

Mary Ann Ashley asked that moving forward would the Town Supervisor do a better on the agenda. Ashley stated that the Town Board was discussing and taking actions on matters that were not on the agenda

Respectfully Submitted,

Lisa Hammond Clerk - Town Clerk