

# Village of Canton, New York

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## VILLAGE BOARD MEETING

Meeting Minutes: July 18, 2011

### **Present:**

Charlotte Ramsay, Mayor  
Mary Ann Ashley, Trustee  
Jesse Coburn, Trustee  
Gerald Ducharme, Village Attorney  
Alan Mulkin, Police Chief

Sylvia M. Kingston, Trustee  
Joseph Frank, Trustee  
Brien Hallahan, Superintendent  
Sally Noble, Village Clerk

### **Absent:**

**7:00 PM** – The Mayor called the meeting to order. The following changes/additions were made to the agenda:

**5c.** Discussion of fines for noise violations, public nuisances and disorderly conduct

**6f.** Resolution – Deferred Compensation

### **ORDER OF BUSINESS:**

**Minutes** – Trustee Ashley made a motion to accept the minutes of the June 14, 27 and July 11, 2011 meetings. The minutes of May 31 and June 20, 2011 will be added to the next agenda for approval. Trustee Coburn seconded the motion. All voted in favor. The motion carries.

**DEPARTMENT HEAD REPORTS:** – Trustee Coburn made a motion to accept the department head reports as submitted. Trustee Frank seconded the motion. All voted in favor. The motion carries.

**Village Supt. Report (DPW, Water & Sewer)** – A written report was submitted. Brien informed the Board the DPW crew is working on paving the cart paths at the Golf Course this week.

Mayor Ramsay said she spoke to Nancy Catalina, NYSDOT regarding the Safe Route to Schools project today. It is moving much slower than the Mayor would like.

The Mayor asked Brien if he had a quote from Tisdell Associates for their engineering work on the pavilion roof. Brien said yes it was a time and material quote with a not to exceed between \$5,500 and \$6,500.

**Code Enforcement Report** – A written report was submitted. CEO, Rusty Lawrence was not present.

**Code Compliance Technician** – A written report was submitted. Not present.

**Police Report** – Chief Mulkin submitted his written report. Nothing to add.

**Village Attorney Report** – Attorney Ducharme's items are addressed throughout the agenda.

**Recreation Director Report** – A written report was submitted. (arrived at 7:10, left at 7:18 PM) John had nothing to add to his report.

**Assessor Report** – A written report was submitted. Not present.

**Historian Report** – A written report was submitted. Not present.

**Treasurer Report** – A written report was submitted. Nothing to add.

**Director of Economic Development Report** – A written report was submitted. Linda McQuinn said her office is in the process of updating the business guide which will be included in the information packets for new students at both colleges.

**Animal Control Officer Report** –A written report was submitted. Not present. Jim Pipher had knee replacement surgery July 11 and Sue Siedlecki is covering for him during his recovery.

**Golf Course Manager** – No report was submitted by Kevin or Skip. Kevin arrived late. He said the cart paths look nice and they are having the usual problems with goose droppings.

### **COMMUNICATIONS AND INFORMATION:**

**Public Comments** – Tom Jenison of Goodrich Street stated he lost a tenant due to the burned out homes on Gouverneur Street. He also said he likes the Potsdam registration law because every building in Potsdam has to register whether it is a rental or not.

Mayor Ramsay let everyone know that the Town Hall meeting with Dierdre Scozzafava has been canceled but will be rescheduled. Senator Patricia Richie is holding an open house for her new office in the basement of Ogdensburg City Hall, July 19 at 4:30 – 6:00 pm, everyone is invited. The Mayor received a letter from NYSDOT estimating the Village's cost for the Main Street reconstruction at \$1.3M.

### **COMMITTEE REPORTS:**

**Planning Board** – minutes were submitted.

**Recreation** – The recreation committee minutes were included with John Tallion's report. John reported that they've had 68 kayak rentals through yesterday. Trustee Ashley asked if the Town was on board with the pavilion roof. Mayor Ramsay answered no, they have agreed to pay a not to exceed amount of \$3,250 for the engineering study from Tisdell Associates. The Town Board did not commit to making a contribution to the repair of the roof. They need to see what the numbers look like before moving forward. Trustee Ashley asked if we ready to accept donations toward the roof repairs. Clerk Noble answered yes.

**Street** – The committee recommendation was to not allow right-on-red from Park Street onto Main. The majority of people the committee spoke with would prefer to leave it as is. They believe right-on-red would cause a pedestrian safety issue. It has gone back and forth over the last 20 years. NYSDOT does not want to keep changing back and forth.

### **OLD BUSINESS:**

**Discuss and schedule a public hearing to amend Section 248 of the Code Book** – Attorney Ducharme distributed a draft that was put together from the information gathered at the July 11 public hearing. The draft law follows Potsdam's law. Attorney Ducharme spoke with the Potsdam code officer today. They do inspect hotels and motels. Potsdam requires all properties to be registered.

Mayor Ramsay said she would rather start with the focus on rentals. She shares the concern a lot of people have about staffing. Trustee Coburn and Frank agreed that we should concentrate on rentals. Trustee Kingston asked what the focus of the last meeting was. Were they against registering? It was the feeling of those present that most felt a registration process would be beneficial. Trustee Ashley asked if anyone can rent their home in an R1 zone. Attorney Ducharme answered you can rent to a single family in an R1 zone.

Trustee Kingston objected to any registration. We are asking for too much information. She is against registration all together. It is totally wrong. Mayor Ramsay asked what information Trustee Kingston thought was unreasonable. Trustee Kingston felt we are going to drive people out of the Village. This is too much work for landlords. She is currently the only landlord on the Board.

Trustee Frank said the Board has listened to many complaints; they seem to be primarily violations of various zoning laws. He feels there has to be some type of registration but does not feel we should be charging a registration fee. We should fine people that do not register. You can't have control unless you know where the rentals are.

Trustee Ashley said this was brought to light when a number of residents came to a Board meeting to complain about nuisance issues. She does not feel every property owner needs to register, she supports registration every (3) three years with no fees for registration. She was concerned about the time line. There should be more than 30 days given to register and it will not be possible to do those inspections within 5 days of registration. She also felt that it was not necessary to receive a copy of the deed with the registration.

Trustee Coburn was in favor of all changes put forth. He would support a 90 day time to register and 15 days to issue the permit.

Mayor Ramsay summarized that she felt the consensus of the Board was not to charge a registration fee, to offer a more generous time frame for registrations and a 3 year inspection. The Board would like the exception for short term rentals for events such as parent's weekend put back in the next draft. There was discussion about the definition of a group and why it was important to leave it as it is. Right now the definition is any collective body of two or more persons, not constituting a family.

Mayor Ramsay asked if the Board was ready to set a public hearing. It was decided to move ahead with the public hearing to allow public input on the changes that have been made.

Trustee Coburn made a motion to set a public hearing at 6:30 PM on August 22, 2011 to amend Section 248 of the Code Book. Trustee Ashley seconded the motion. All voted in favor. The motion carries.

**Update of 3-5 and 26 Gouverneur Street** – The Mayor reported the Betty Wright, co-owner of 26 Gouverneur St., has contacted Gibson's for a quote to tear down the building and bury it on site. The Mayor has received a fax copy of the quote. It is under \$7,000. The deadline given to Ms. Wright to clean up the property was July 15. The Mayor asked how the Board would like to proceed. There was a consensus on the Board to move ahead with serving Betty and the co-owner, Earline Dunmore, with appearance tickets. The court date would not be until August 30. If the property is cleaned up before that date the Judge will take that under consideration.

Mayor Ramsay has spoken to Bob Ramsay of KMA Construction regarding 3-5 Gouverneur Street. Bob has offered to tear down the building within one month and develop the property within two years if the Village takes title to the property from Mrs. Stebbins and pays the back taxes and then turns the property over to KMA.

**Discussion of fines for noise violations, public nuisances and disorderly conduct** – Attorney Ducharme suggested revising the disorderly conduct section of the code, Chief Mulkin agreed. It was agreed that the fine structure would be a minimum of \$250 going to \$500, \$1,000 and then \$1,500. Everyone also agreed that there should be a minimum of \$100 fine for parking on lawns. Attorney Ducharme will draft the changes. Trustee Coburn made a motion to set a public hearing for 8/22/11 at 6:55 PM to address the fine changes. Trustee Ashley seconded the motion. All voted in favor. The motion carries.

#### **NEW BUSINESS:**

**Authorize payment of vouchers & transfer of funds** – Trustee Frank made a motion to authorize the payment of vouchers. Trustee Ashley seconded the motion. All voted in favor. The motion carries.

**Canton Fire Department Request to name driveway "Emerson Forbes Drive"** - Trustee Ashley made a motion to approve the request. Trustee Frank seconded the motion. All voted in favor. The motion carries.

**Change date of August meeting** - The Mayor asked the Board if they would consider changing the meeting date to the 22<sup>nd</sup> of August because she is going to be away. Trustee Kingston made the motion to change the meeting date to August 22. The motion was seconded by Trustee Coburn. All voted in favor. The motion carries.

**Parks and Recreation grant possibility** – Director of Economic Development, Linda McQuinn, prepared a resolution for the Board’s approval regarding a grant opportunity for the Remington Trail through the office of NYS Parks and Recreation. One of the emphases of this year’s grant is to upgrade and repair neglected facilities. Mayor Ramsay explained that it could be used for enhancements such as a bathroom, a small children’s playground or a viewing platform not just reconstruction and restoration. It is a 75/25 local match.

Another possibility would be to continue the partnership we did with United Helpers. They are focused more on better trail connections between Maplewood and the school and Maplewood and the Village and a pavilion at Maplewood that could be used by the community and a little playground the daycare center could use. One of the discouraging things about that grant is that it took an enormous amount of work and only scored 62 out of 120 points.

Given that the DPW is going to be pretty busy with the Route 11 reconstruction in the next couple of years and it’s not going to be in a position to do as much in kind work Mayor Ramsay would like to apply for the grant for the Remington Trail. We can still offer support to the United Helpers grant. She believes they are going to apply also. We need the Village Board to endorse the Village applying for the grant for the Remington Trail. Trustee Frank made a motion to approve the resolution. Trustee Coburn seconded the motion. All voted in favor. The motion carries.

**Discuss a second option for Health Insurance** – Clerk Noble asked for Board permission to move ahead with the paperwork to offer a dual option for Health Insurance to active employees effective 1/1/12. This date was chosen because it is the Village’s renewal date. The Board met with and received information from our insurance broker, Tish Biesemeyer of Burnham Financials, regarding an option for an HRA (Health Reimbursement Arrangement). Burnham Financial will provide educational meetings for employees to explain the plan. At this point it will have appeal to only those employees that are paying a portion of their health insurance.

There is a cost of about \$500 for the third party administrator to set up our account. We would use Primepay for the third party administrator. It is a flat fee whether we have one person or 25 people choose that option.

Trustee Coburn made a motion to authorize Clerk Noble to move ahead with the paperwork to offer a dual insurance option (HRA) effective 1/1/12. Trustee Ashley seconded the motion. All voted in favor. The motion carries.

**Resolution – Deferred Compensation** – Trustee Coburn made a motion to approve the resolution authorizing a one-year extension of our agreements with Security Benefit Group for administration of Village of Canton Deferred Compensation Plan. Trustee Ashley seconded the motion. All voted in favor. The motion carries.

Trustee Frank made a motion to enter into executive session at 9:05 PM. Trustee Kingston seconded the motion. All voted in favor. The motion carries.

Trustee Frank made a motion to come out of executive session at 9:55 PM. Trustee Coburn seconded the motion. All voted in favor. The motion carries.

Trustee Kingston made a motion to adjourn the meeting at 9:56 PM. Trustee Ashley seconded the motion. All voted in favor. The motion carries.

Respectfully submitted,

Sally Noble  
Village Clerk