

# VILLAGE OF CANTON, NEW YORK

## BOARD OF TRUSTEES MEETING

### MINUTES

The regular monthly meeting of the Canton Village Board of Trustees was held on June 20, 2011, in the Municipal Building.

**PRESENT:** Mayor C. Ramsay  
Trustee J. Frank                      Trustee J. Coburn  
Trustee M. Ashley                  Supt. B. Hallahan  
Attorney G. Ducharme              Chief A. Mulkin  
Clerk/Treasurer S. Noble          Deputy Clerk G. Vesper

**ABSENT:** Trustee S. Kingston

#### 1. Order of Business

**Approve Minutes of Previous Meeting** – Trustee Coburn made a motion to approve minutes of May 16, 2011 as presented, seconded by Trustee Ashley. All in favor. Carries.

**2. Department Head Reports** – Trustee Frank made a motion to approve Department Head Reports as circulated, seconded by Trustee Coburn. All in favor. Carries

**a. Supt. Report – Paving** –Supt. Hallahan reported they will be paving next week on June 27, 28 on University, upper College, and the north end of Court St and Die St.

• **Leachate** – The County is going to start hauling leachate at the end of this week.

• **Recycling Equipment** – Supt. Hallahan is looking at a recycled piece of equipment. It takes up to 4 ton of old milling and melts it down to useable asphalt that could be used for patching instead of cold patch, The price is between \$15 -\$25,000. He is working on getting a firm proposal and he will be getting back to the Board. He would like the Board to think about it, he feels he can justify owning one.

**b. Code Enforcement Report** – Nothing to add.

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

**c. Police Report** – Nothing to add. Al is on vacation, Sgt. Cheney is in charge. Chief Mulkin issued the Canton Police Department Merritt Award to Officer Chris Flint for his exemplary service on three different cases including the disposal of the methamphetamine lab at the Housing Authority dumpster, catching some shop-lifters and he has been working on the St. Lawrence County Drug Task Force and is responsible for bringing in approximately \$70,000 in asset forfeiture seizures. He also commends Sgt. Basil Cheney, Dispatcher Debra Crawford and Officer Andrew Dow for their work on the methamphetamine lab seizure.

**d. Village Attorney Report** – Items will be addressed throughout the agenda.

**e. Recreation Director's Report** – John reported that the annual July trip to Toronto baseball game is sold out.

**f. Assessor's Report** – Not present, written report submitted.

**g. Historian Report** – Linda has a follow-up letter from Kay Peggs who went to France to the ceremony for the WW II veterans. Her brother was one of the veterans buried over there. She came back with a lot of pictures and history she is going to share.

Linda has been going to Glens Falls for years and in this village the shop keepers purchase Adirondack chairs and local artists paint them. She had pictures of some of the chairs.

**h. Treasurer's Report** – Nothing to add.

**i. Economic Developer** – Linda reported on the OPRHP grant work shop is June 23 in Watertown.

**j. Animal Control Officer Report** - Not present, report submitted.

**k. Golf Course Manager** – Not here, no report

### **3. Communications and Information**

**Public Comment** – No public comment.

Tom Jenison asked about 3-5 and 26 Gouverneur St. If the procedure is the Village takes over and cleans up the property, there are X amount of dollars taxed on to those properties. If they don't pay the taxes and it goes to the County, will the County reimburse the Village for those taxes and add-ons?

Mayor Ramsay told him the County has in the past, but there could be a chance that they would go to the tax sale before the clean-up costs were added on. Mr. Jenison asked them if someone doesn't pay his taxes this year, and it is turned over to the County, will they pay the Village this year or wait for three years? Clerk Noble responded that we have to turn all our unpaid taxes over to the County in October and they reimburse us the March of the next year.

Mayor Ramsay told him that his other questions should be answered later in the agenda.

**a. Letter** – Mayor Ramsay asked the Board members if they received a copy of the NYCOM information concerning the Tax Cap proposal that's now in the Assembly. The Mayor thought the 2% cap was on the tax rate but it is on the tax levy. It is a very different matter, but it says that there is an override; if 60% of the governing body approves it. That would mean three board member votes could override the tax cap.

**a. Letter** – National Grid – Mayor Ramsay asked the Board if they remembered their concern about National Grid raising the cost for SLIC for using their poles for the Broadband access. She received a letter in response to the letter she wrote on behalf of the Board. The charges are under review by the staff of the Department of Public Service the staff of National Grid and the staff of SLIC it is hoped that they can come to a reasonable resolution for all parties and the commission. The letter will be added to the record of proceedings

### **4. Committee Reports**

**a. Planning Board Minutes** – Accepted as presented.

**b. AMP** – Trustee Coburn summarized some of the history. Legislation was passed last year and so the North Country Power Authority was formed. Legislation allows for nine members of the Board, five of which have been selected, five being the number needed for a quorum to take place. Those five members of the Board have not always seen eye-to-eye and one has stepped down. Everything has come to a halt in the North Country Power Authority. There are other delegates waiting for appointment, but at the Governors level there is a back log. AMP had a meeting to discuss the current situation. You may have read in the paper about the law firm that was handling the proceedings for AMP, Howrey. Howrey is disbanding and there has been disagreement in the North Country Power Authority how they should proceed. Howrey said they were going to do the work to pass legislation and if it didn't work they wouldn't get a penny.

The question is would AMP be responsible for legal bills if they decided to back out. The bill to date would be about \$3.2 million. This would be split based on population between the stake holders.

**b. Recreation Committee Report** – Trustee Ashley reported that they met three or four times. The Pavilion needs a new boiler and roof. She believes the boiler is covered, but they need to discuss the roof. She believes that we are looking at partnering with the Town at the tune of \$70,000 each. She feels that we need to move forward on this.

Mayor Ramsay had a meeting with Dan Fay and Dave Button and the Town concurs that we need to move forward and get this done this construction season. They would like to see a community fund raising effort that would raise \$20-\$30,000 of the \$140,000 and then the remainder would be divided between the Town and Village.

She told them it was time for the Board to decide whether to commit to \$75,000 over a three (3) year period and Clerk Noble suggested financing it through the use of the fund balance in the general fund in fact borrowing from ourselves and paying it back.

Trustee Ashley asked if the Town has voted on it. They have not. It will be brought to their Board's next meeting. Dan Fay feels strongly about having one boiler instead of two furnaces.

Trustee Frank made a motion to approve the repair of the roof up to \$72,000 and the purchase of a new boiler not to exceed \$8,000, seconded by Trustee Coburn. All in favor. Carries.

Trustee Ashley reported that the kayak project is moving forward. She will be purchasing six kayaks to be used at Taylor Park. Mayor Ramsay said this program is possible through the generosity of Trustee Ashley.

## **5. Old Business**

### **a. Friends of the Canton Trails Request – Street Committee Recommendation –**

Trustee Coburn made a motion to appropriate a \$5,000 match from the general fund contingency toward the Canton Trail request to be matched by Friends of the Canton Trail for this budget year, seconded by Trustee Ashley. All in favor. Carries.

Linda Maquinn suggested that maybe the Rotary Club might give toward this endeavor.

**6c. Request for Resolution in Support of SLC Climate Action Plan** – Ann Heidenreich was present to answer any questions. Trustee Ashley asked why the County didn't pass it. Ann wasn't sure but she thinks it is because of a misunderstanding. SLC Legislators will be voting on July 11, 2011. It is very much in line with what we want.

Tom Jenison told the Board that to correct Ann the County Planning Board had nothing to do with it. Ann apologized and said the County Planning Office. He attended that meeting and the questions that were asked were very good. You are telling the County they have to do certain things by passing this. This is also telling the County they have to take on the cost to do these things.

The Mayor agreed with Tom's comments and she referred to the summary guide and what he says is true. Mayor Ramsay read off some of the things that are suppose to be done. True, some of them are probably being done, but there are some that aren't and there would be a cost to put them in place.

Ann told the Board that she as a taxpayer would hope that we as a Government office are doing most of these things.

Jane Semple asked where these guide lines came from. They came from the County Planning Office. They were mandated by the Board of Legislators to draft this up. If there had been any changes they would have sent them to the County Planning Office. There were no changes.

Trustee Ashley thinks it is important and agrees with energy savings, however we just got this and she would need more time to think about it and she agrees with Tom this is a County issue and we need to

listen to the County's position and she's just not comfortable with it at this time. Therefore she will be voting "no".

Trustee Coburn moved a more general Resolution drafted by the County Chamber of Commerce that urges the St. Lawrence County Board of Legislators to implement a plan to reduce local greenhouse gas emissions, adapt to current climate changes, and mitigate the effects of peak oil, seconded by Trustee Frank. Motion passes 3-1. Trustee Ashley voted no. Carries.

**5b. Ornamental Lights – Main Street** – The Mayor forwarded an e-mail from John Adams DOT Land Management Architect on the ornamental lights for Main Street. DOT will replace all existing and five (5) more at no cost to the Village. There are some who would like to see the lighting extended to Park Place. We will need six (6) more lights at a cost of \$79,000.

Trustee Coburn told the Board that every Village resident he spoke to didn't want to extend. So he says no. Trustee Ashley didn't get good feedback either.

Trustee Ashley made a motion to go with DOT's offer and not to extend to Park Place, seconded by Trustee Coburn. All in favor. Carries.

**5c. Discussion of Proposed Disruptive Tenant & Rental Legislation Law - Attorney Ducharme** reported that his drafts were taken from the E. Syracuse model that has been used to make properties and neighborhoods safe. It requires registrations, rental inspections. He covered some extras like temporary occupancy permits, required annual registration. It provides for change of ownership or tenant even if in the same year you need an inspection. Absentee landlord is covered; a name has to be provided of someone in the village responsible in the absence of the landowner. Fine structure is not consistent now, bring into consistency. It covers disorderly conduct law and fines, three strikes and you're out.

Tom Jenison feels there is no clear knowledge as to how many rentals we have in the village of Canton. Some in R-1 are not legal. What happens to those? There are exceptions, rentals, houses for sale that can't sell so they rent them; are they going to be exempt?

Do we have enough people working in the Code Office to do the work? If we don't have enough then there is no sense in doing it... if you can't enforce it. We need a public hearing to get those involved in the process together and see if it is enforceable.

Jane Semple, E. Main St. has heard of the E. Syracuse model. She told Attorney Ducharme he did a great job. However she agrees with Mr. Jenison, if you can't enforce it then why pass the law.

Moreen McGaw, Miner Street told the Board that we already pay taxes on the buildings now you want us to pay to have them registered every year; doesn't seem right. Let those responsible for disruption pay for it, why burden land lords with behavior of tenants. The police should be taking care of these people that are disruptive, let them. Landlords shouldn't have to be responsible for their tenants.

Attorney Ducharme went on to discuss some of the fees charged in E. Syracuse. They rate the properties A B C. A – Every 3 Years (Excellent conditions little or no infractions) B – Every two years (Good Condition a few minor infractions) C – Every year. ((Poor trouble). The rates are \$15 to register per unit and \$30 for inspection per unit.

Mrs. Nordberg asked if there was a limit to the number of people that could occupy a residence. Attorney Ducharme went over the occupancy requirements.

Mike Dalton agrees something needs to be done. The law needs to apply to everyone.

Trustee Ashley made a motion to schedule a preliminary public hearing to discuss the proposed disruptive tenant & rental registration laws at 6:30 July 11, 2011, seconded by Trustee Frank. All in favor. Carries.

**5d. Discussion of 3-5 and 26 Gouverneur Street** – The Mayor contacted two realtors, Pat Collins and Debbie Gilson to see if they felt the properties are marketable. They both said, “no”. She then contacted 5 contractors, 3 are guardedly interested. The Board agreed to start legal proceedings on 26 Gouverneur Street and the Mayor will pursue with developers for 3-5 Gouverneur Street.

## **6. NEW BUSINESS**

- a. Authorize Payment of Vouchers & Transfer of Funds** – Trustee Ashley made a motion to authorize payment of vouchers & transfer of funds, seconded by Trustee Frank. All in favor. Carries.
- b. Cerebral Palsy Association Request to Use Trail** – Trustee Coburn made a motion to approve Cerebral Palsy Association’s request to use the trail August 6<sup>th</sup>, seconded by Trustee Ashley. All in favor. Carries.
- c. Request for Resolution in Support of SLC Climate Action Plan** – Done earlier in agenda.
- d. Brush Pick-Up Wed – Friday, 6/22 - 6/24** – DPW will be picking up brush caused by the recent storm.
- e. Bill LaPierre – Refund of Golf Membership Request** - Trustee Coburn made a motion to refund golf membership to Bill LaPierre as he had surgery and can’t play golf this season, seconded by Trustee Ashley. All in favor. Carries. In the future the Board may want to look at giving a credit for next year in these types of cases.
- f. Appointment to Canton Central Athletic Advisory Committee** – Possible appointees John Taillon, Brien Hallahan, Mary Ann Ashley, Joseph Frank.

Trustee Ashley made a motion to appoint John Taillon as the Village representative, seconded by Trustee Frank. All in favor. Carries.

- g. Refer Bortnick Zoning Change Request to Planning Board** – Trustee Coburn made a motion to refer the Bortnick zoning request to the Planning Board, seconded by Trustee Ashley. All in favor. Carries.
- h. Schedule a Public Hearing to Amend Chapter 248-7 of the Code Book** – This item was tabled for right now.
- i. Approval of Ian Head for Fire Department Membership** – Trustee Frank made a motion to approve Ian Head as a Fire Department member, seconded by Trustee Coburn. All in favor. Carries.
- j. Appoint Part-time Golf Course Employee** -- This item was tabled.

Mayor Ramsay announced that she will not be running for Mayor in the upcoming election as she is going to be moving to New Hampshire to be closer to her grandchildren.

Trustee Coburn made a motion to go into executive session at 9:18 PM, seconded by Trustee Ashley. All in favor. Carries.

Trustee Coburn made a motion to come out of executive session at 9:37 PM, seconded by Trustee Ashley. All in favor. Carries.

Trustee Frank made a motion to adjourn at 9:38 PM. seconded by Trustee Ashley. All in favor. Carries.

Respectfully submitted,

Grace E. Vesper  
Deputy Clerk