

Village of Canton, New York

VILLAGE BOARD MEETING

Meeting Minutes: November 18, 2020

Board Present:

Michael Dalton, Mayor
Beth Larrabee, Trustee
Klaus Proemm, Trustee

Carol Pynchon, Trustee
Anna Sorensen, Trustee

Others Present:

Gerald Ducharme, Village Attorney
Cara Adams, Deputy Clerk
Jeff Murray, Code Officer
Linda Casserly, Historian

Sally Noble, Clerk/Treasurer
Leigh Rodriguez, Economic Developer
Cindy Brand, Assessor
Marty Miller, Superintendent

PLEASE TAKE NOTICE that the Canton Village Board of Trustees will hold its regular monthly meeting on Wednesday, November 18, 2020 at 6:30pm. The meeting will be conducted by use of Zoom video-conference, as authorized by Governor Andrew Cuomo's Executive Order 202.1 (*extended by Executive Orders 202.14, 202.28, 202.38, and 202.48*) and Executive Order 202.15 (*extended by Executive Orders 202.29, 202.39, 202.49, 202.55, 202.60, 202.67 and 202.72*). The public is invited to view or listen to the meeting, and to comment at the appropriate time:

Prior to the regular meeting, the Canton Village Board of Trustees will hold a public hearing on Wednesday, November 18, 2020, commencing at 6:20pm, to consider variance requests for signs proposed for the McDonald's Restaurant, to be constructed at 111 East Main Street (*Tax Parcel #88.036-4-2.1*) in the Village of Canton, New York. The property is located in the C-2 (*General Commercial*) District.

PUBLIC HEARING:

Mayor Dalton opened the Public Hearing at 6:22pm.

Mayor Dalton stated the Public Hearing is concerning a sign variance for new construction for McDonald's. Variance is asking for a larger sign than our code which is not unusual. Planning Board can only approve things that are allowed by code. If the code does not allow then it would come to the Village Board for approval.

Mayor Dalton stated that there are three pieces to the variance request that was referred by the Planning Board:

1. Free standing sign- 68 square feet sign with 25 feet above the ground level.
2. Wall signs on the building.
3. Size of the arch on the building.

Toby Irven asked how the request compares to other requests that were brought to the Board in that area?

Mayor Dalton stated the sign at the Mountain Mart Variance was for 74 ½ square feet with 21 feet off the ground. Other signs in that area vary with some signs that followed the code. He stated that this one compares to the sign variance that Mountain Mart submitted.

Toby Irven stated that several of the requests were all in excessive of the code and he asked if anyone would really miss the arches and not know it was a McDonalds.

Mayor Dalton stated that the massive arches are not going to be on the sign. He stated that the signs have become more subdued and the arches have been added on the building. He stated that the sign is about 10 square feet smaller than the competitor next door.

Toby Irven stated that if a code is in place that the code needs to be adhered to and that the stretch of road is not out of control with signs at this point but every additional variance will make it. He encouraged the Board to hold back on some portion of the square foot.

Tim Danehy stated that he was the former Chair on the Planning Board and wanted to add some history. He stated that part of the Village is very unique, speed limit has increased and buildings are further back from the road. What seems appropriate in a C-2 District in the center of the Village does not match up out there. He stated that this request is not inconsistent with what has been granted before. He suggested having this reviewed during the code review.

Trustee Pynchon stated that this is being reviewed in the Code Review along with the Sign Variances coming to the Board for approval.

Toby Irven stated that considerable effort was made at the Sunoco on the corner of Stiles Ave. He stated it was tailored with a lot of negotiations. He asked if it was because that is a transition into a residential zone?

Mayor Dalton stated he could not comment on that but knows it is in excess of what is required in the code. He stated that he did not measure the sign but he is sure that the sign is larger than what is proposed by McDonalds.

Mayor Dalton closed the Public Hearing at 6:32pm.

Mayor Dalton mad the following changes and additions to the agenda.

Order of Business:

- a. Mayor Dalton removed the approval of November 9th minutes, as they have not been given to the Board.

New Business:

- k. MOU- Canton Island Park
- l. DANC Broadband Resolution

ORDER OF BUSINESS:

- a. **Approve minutes of October 19, 2020-** Trustee Pynchon made a motion to approve the minutes of October 19, 2020 seconded by Trustee Sorensen. All voted in favor. Motion carries.

ACCEPTANCE OF DEPARTMENT HEAD REPORTS:

Economic Development Report- Economic Developer Rodriguez stated that the Chamber of Commerce has received the Small Business Swag and will start to distribute them. She added that they received an extension to July 2021 on the Empire State Empire Grant for \$235,000 for

the water extension to Maple Hill Subdivision. The information has been relayed to the Contractor. She stated that the work needs to be completed prior to then to complete the paperwork for reimbursement.

Police Report- Chief Santimaw was not in attendance.

Historian Report- Historian Casserly added that she has started her blog page. She is happy to be writing again.

Animal Control Report- Dogs were returned back to their owners.

Code Officer Report- Nothing to add.

Assessor Report- Assessor Brand stated that the Data Collector from the County will be helping her again. She pulled record property cards and will be going out next week. She stated that they are waiting to hear back from Governor Cuomo to allow the Senior Exemptions to not have to be renewed this year due to Covid.

Superintendent Report- Superintendent Miller informed the Board the NYMIR has suggested that master switches be installed on 8-10 trucks. He stated that he has received quotes that range from \$200-\$400 per truck. He suggested having the master switch installed on a couple of trucks a month. He explained that the master switch alleviates a fire hazard. After further Board discussion they were in favor for removing this from the NYMIR list and for the safety of the staff. Superintendent Miller will prioritize the install with the trucks that will be stored inside and used for ice and snow removal.

Superintendent Miller stated that he needs to speak with Rev. Mike regarding the fountain. He heard that the fountain will need to be sent to Alabama. He will update the Board.

Superintendent Miller informed the Board that the signage for the charging station is installed on Hodskin Street. He stated that if the Board would like signs on Main Street a letter from the Board could be sent to NYDOT stating that there will be no charge for charging to any citizens. DOT will install signs on Main Street. He stated that he was not sure what the plans are in the future if the charging would be free or if that would change?

Trustee Proemm stated that the Board decided that the first year there would be no charge. He stated that the signage on Main Street is not crucial since the charging station is on the Map, Charging Hub. He stated it would be nice but not a necessity.

Mayor Dalton stated that he would like to know the expense on the rapid charge before making a decision. Trustee Proemm will check with Charge Point and report back.

After further Board discussion the Board decided to wait to see what the expense is before making a decision.

Superintendent Miller informed the Board that the transformer for the charging station is in a bad location and will not make it through the winter with the snow. He stated that they will work on putting up a shield to protect the transformer.

Superintendent Miller stated that the water connection was completed and the testing was being done today. If the pressure test is good, the line should be charged by the end of the week. He stated that there will be water and they are doing some site restoration. Trustee Pynchon suggested doing a ribbon cutting. Economic Developer Rodriguez suggested working with Community Bank to receive a press statement.

Superintendent Miller gave an update on the Rec Department, he stated that the main Zamboni is down but the backup is working. He stated thanked DPW who has come forward with trying to get the machines to run. He stated that they are working on narrowing down the issues with the Zamboni. He stated that they are doing maintenance, which has not been done for the last two years.

Superintendent Miller made a recommendation to give the two full time employees at the Pavilion, Ken Planty and Ryan Hughes a 2% pay increase.

Trustee Larrabee made a motion to approve the 2% pay increase for Ken Planty and Ryan Hughes. Trustee Proemm seconded the motion. All voted in favor. Motion carries.

Mayor Dalton called attention to the issue in the Municipal Building with one of the heat exchangers in the Boiler that will need to be replaced under warranty. He stated that there might be some expense in the amount of \$1,300 with replacing a board.

Treasurer Report- Treasurer Noble stated that the Retention Schedule has changed and a Resolution will need to be adopted later in the agenda. She informed the Board that the Office is currently disposing records in the basement.

Trustee Pynchon asked about the Clearing House? Treasurer Noble stated that the Federal Clearing House notifies us if anyone has any mark on their license and does random drug testing. There was additional new paperwork that anyone with a CDL had to sign a waiver and consent form. It was a process but has been completed. St. Lawrence County BOCES will administer the drug testing.

Trustee Pynchon agreed that the Holiday Cards was a nice idea and she will put it on Facebook.

Trustee Pynchon asked if she needed any help with the Youth Bureau? Treasurer Noble informed her that it was completed today.

Trustee Pynchon made a motion to approve the Department Heads Report. Trustee Proemm seconded the motion. All voted in favor. Motion carries.

COMMITTEE REPORTS:

Trustee Proemm stated he shared information with the Board on Community Solar. He stated that there are new statewide benefits and it is something to think about. He is working with Louise Guava. He stated it is similar to the Community Aggregated Energy. There are new credits and benefits in making this available. He stated that Louise can do a presentation if they are interested.

Recreation Committee- Trustee Larrabee stated that they are now allowing one spectator per child into the Pavilion. She stated that the interest in the Reimaging Canton Rec has been a great success.

Communication & Technology Committee- Trustee Sorensen thanked Clerk Noble for ordering the Owl Pro. Once received they will begin to text out the equipment.

COMMUNICATIONS AND INFORMATION:

Trustee Pynchon suggested that a letter be sent to the Legislator informing him that they changed their meeting. She suggested having an Update from the Legislator as a standard topic on the agenda

OLD BUSINESS:

- a. **Executive Order 203 Update-** Trustee Larrabee informed the Board that the next meeting will be held on December 2, 2020.
- b. **Chamber of Commerce Contract-** Mayor Dalton stated that the Chamber of Commerce is still in the budget this year. He stated that a letter was received from Carol Spadacini. He stated that the Town of Canton is in the middle of discussions.

Trustee Sorensen stated that the letter received was requesting the funds and noted that they are many months into their fiscal year and they had budgeted the Village amount. She stated that they have been having ongoing discussions to understand their current efforts and planned efforts benefit the businesses in the community to see the value the taxpayers are getting for the money that the Village provides. She stated that the conversations have not been satisfactory. She stated we should have had those conversations during the budgeting times but not after the fact. She stated that the money is in the budget. She stated that she believes that as a sign of the desire to work with the Canton Camber and for the benefit to the Community and not limit anything that they could do for the businesses in the Community. She stated that she would like to go ahead and pay it but with a caveat that we have a contract in place before the next Village adopted budget. She stated that since there is no contract this year there is no method of accountability. She stated in the future she would like to speak with people to that them know where their money is spent and the value that they are getting.

Trustee Pynchon added that they want to have a robust Chamber of Commerce that is supporting the local businesses, which is needed more than ever. She said that there is a breakdown in expectations. She stated in the letter from Carol Spadacini the Chamber feels that they are doing what their bylaws indicate but the bylaws do not have anything to do with the contract/agreement with what the Village expects them to do. She stated that they need a lot of clarity on what the public expect with the \$6,500 investment from the Village. She stated that the Chamber thinks they are doing what is expected of them but the Village needs to be clear what is expected. She stated she wants to have a good relationship with them and work positively moving forward. She suggested paying them for this year but to have a clear understanding of what the expectations are before the budget of 2021.

After further Board discussion, the Board agreed to pay the Chamber of Commerce the \$6,500 but clarify expectations for the 2021 Budget.

- c. **St. Lawrence County State Snow & Ice Contract-** Mayor Dalton stated that this is the standard contract except the contract term is for 5 years. Trustee Pynchon made a motion to approve the St. Lawrence County State Snow & Ice Contract. Trustee Sorensen seconded the motion. All voted in favor. Motion carries.

NEW BUSINESS:

- a. **Authorize payment of vouchers & transfer of funds** – Trustee Larrabee made a motion to authorize payment of vouchers & transfer of funds for abstract # 6 of 2020-2021. Trustee Sorensen seconded the motion. All voted in favor. Motion carries.

General Fund	\$134,797.78	Golf Course	\$27,960.17
Water Fund	\$15,238.13	Joint Activity	\$10,825.67
Sewer Fund	\$51,376.09		

- b. **Approve New Fire Department Members: Malyssa Shenko-** Trustee Larrabee made a motion to approve new Fire Department Members Malyssa Shenko. Trustee Sorensen seconded the motion. All voted in favor. Motion carries.

- c. **Discuss and Approve the Sign Variance for New McDonald's-** Mayor Dalton asked the Board if they had anything to discuss. Trustee Pynchon stated that she would like the Planning Board to handle the Sign Variances. Mayor Dalton agreed and they have the opportunity, as they go through the code review. He stated that the McDonald's sign is low key than it used to be and it is smaller than the other surrounding signs. He stated that he is comfortable with approving the variance.

Trustee Larrabee added that she appreciated the comments during the Public Hearing and the context in terms of the surrounding area of the signs that have had variances approved. She stated that McDonald's theme is more sophisticated and a bit more muted than the past. She stated she is comfortable in moving forward.

Trustee Proemm stated that he agreed with Trustee Pynchon in looking at this in the code update but stated that he would approve the variance.

Trustee Larrabee made a motion to approve the Sign Variance for the New McDonald's. Trustee Proemm seconded the motion. All voted in favor. Motion carries.

- d. **Discuss Golf Course Cart Lease-** Trustee Pynchon stated that the goal is to end the cart lease a year early since they have been having issues with the batteries. Golf Pro Maginn's recommendation is to go ahead a year earlier and replace the 15 carts this year. He is working with a new supplier, who he feels good about. The old supplier has become less attentive. She stated it is a routine lease, which is a year earlier. It does not change the budget number. Trustee Pynchon stated that she is in favor of this but they have not received the lease yet.

Trustee Sorensen asked how this is in the budget when this is a year earlier? Trustee Pynchon stated that the payment is built into the budget every year.

Trustee Pynchon made the motion to authorize the new lease agreement pending Attorney Ducharme's review of the lease. Trustee Larrabee seconded the motion. All voted in favor. Motion carries.

- e. **Discuss Street Light Conversion Options-** Mayor Dalton sent proposals from NYPA and National Grid. He stated that there are 366 streetlights currently in the Community that are provided by National Grid and there are a bunch of lights that the Village owns. He stated that there is a push to convert to LED lights throughout the State. The state has provided some funding to help enhance the lights. Mayor Dalton stated that there are a few options; ask National Grid to do it and will give the Village how much it would cost for them to convert to LED. Also, there is an associated incentive and the difference between the incentive and the cost would be \$3,000. The other option would be to purchase the lights and have a contractor change the lights over, then the streetlights would be owned by the Village. If there is a problem the Village would have to take care of it by the Electrician or by a contractor. He stated that he is opposed with putting this on the Village Electrician. He suggested if the Village purchases the LED lights to engage a contractor to take care of the maintenance.

Mayor Dalton stated that there is a side by side proposal that was submitted by a rep from NYPA, which explains budgetary portion and the costs involved for purchase of the conversion.

Superintendent Miller suggested having National Grid handle the LED lights. He stated that it is a lot of extra work for the Village Crew plus with putting someone up in the truck in the danger zone.

Mayor Dalton agreed with Superintendent Miller. He stated that the NYPA piece would be a contract and National Grid would do the change over to LED.

Trustee Pynchon stated that switching to LED is the right thing to do environmentally. She stated that they will save money by switching to led to make a good environmental decision and a good financial decision. She stated that she appreciated not putting the burden on the Village Staff or having to contract out to someone. She stated that this is what National Grid does and she is inclined to get them to do the switch over and have National Grid does. She stated that it is not a cost question.

Trustee Proemm stated that he agrees to have National Grid do the changeover. They know what they are doing and have the equipment.

Trustee Larrabee agreed with Trustee Pynchon and Trustee Proemm.

Trustee Sorensen stated that she is in full favor of the environmental reason but she is trying to go through the documents. She asked what is the benefit of the other path?

Mayor Dalton stated that there is potential for greater savings but if there is a bad storm and the lines come down then there is a bigger burden for upkeep and repair that would fall on a contracting company or the Village crew. Mayor Dalton stated that he would be happy to discuss this further with Trustee Sorensen.

Trustee Sorensen stated that she would like to understand it better. She stated that the one thing that sways her is the savings down the road versus possible expenses if that follows on the Village Staff.

Mayor Dalton stated that he would not recommend that this falls on the Village Staff but with a contractor due to the safety concern.

Mayor Dalton stated that he will move forward and speak with National Grid and will spend sometime with Trustee Sorensen to make sure she feels comfortable. The decision will be based on when the final decision has to be made to NYPA and National Grid.

- f. Records Retention & Disposition Schedule Resolution-** Trustee Pynchon made a motion to approve the Records Retention & Disposition Schedule Resolution. Trustee Proemm seconded the motion. All in favor. Motion carries.

RESOLUTION

RESOLVED, By the Village Board of Trustee of the Village of Canton that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

1. only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;
 - b. only those records will be disposed of that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond established legal minimum periods.

- g. Annual Organizational Meeting-** Annual Organizational Meeting is scheduled for December 7, 2020 at 4:30pm.

- h. Planning Board Appointments** – Mayor Dalton stated he sent a name out to the Board that was recommended by the Planning Board. Trustee Proemm sent another name. He stated there might be room for two Planning Board Members. He stated that he will be speaking

with both of the individuals. He asked the Board if they had any additional names? Trustee Sorensen stated it would be helpful to have a little bit about why a person would want to serve and what they would bring to the table, to help with making a decision. Mayor Dalton stated he looks for balance on the Board.

- i. **Housing Board Appointments-** Mayor Dalton stated that Trustee Pynchon found a volunteer for the Housing Board. Trustee Pynchon stated that this person has expressed interest. She stated that this person is planning to attend a meeting.
- j. **Update Recreation Audit-** Mayor Dalton updated the Board about the Recreation Audit. The Comptroller Office will be doing an audit of the Recreation Fund. The audit began on Tuesday, December 17 with an interview to understand the fund works, controls in place, and questions on cash. He informed all of the names and email addresses from the Village and Town. The State Comptrollers Office might reach out to the Recreation Committee. He stated that a lot of information will need to be provided to the Comptroller's Office. Trustee Pynchon stated that the Recreation Committee received a letter from the Comptroller's Office with the process. Treasurer Noble went through some of the questions that they discussed in the first interview.
- k. **MOU- Canton Island Park-** Mayor Dalton stated that the Town is interested in getting this wrapped up to sign the completed grant application. He stated that there might be some changes or corrections but thinks it could be moved forward upon the changes from Attorney Ducharme. Economic Development Rodriguez stated this was written when the application was written, the tense will need to be changed, the title of the MOU and they now have received the contract number, and indicated that the Village would only be administering a portion of the Willow Island Portion but she stated that her office will be administering the entirety of the grant. She stated it should be clarified in the MOU. She stated that it needs to be more current to reflect the current situation.

Trustee Pynchon made the motion to authorize the signing of the Canton Island Park MOU with the suggested changes. Trustee Proemm seconded the motion. All voted in favor. Motion carried.

- l. **Broadband Resolution-** Trustee Pynchon stated that there has been an issue of affordable internet access and adequate internet access. She stated that this is been brought numerous times and mostly recently since the pandemic started. The Economic Development Committee took a look at this and spoke to some elected officials and this is a huge problem up here. The assessments from the State says 98% activity which is largely based on the Census Tract information. She stated that people rely on internet with their jobs, schools and telemedicine. DANC is working to survey the communities around the County to find out where the gaps are in service. She stated that Lewis and Jefferson County have both signed on with DANC. The cost would be shared with DANC. She stated the St. Lawrence County is pushing back. She stated that this is an expense that we should step up to share because all of our citizens need this. Trustee Pynchon stated that this is a partnership that is essential and has the potential to bring enormous benefits to our County residents. She encouraged the Board to attend the legislative Meeting and speak up about this.

Trustee Pynchon thanked Trustee Pynchon for all of the information. She supports this since technology is not going away and is increasing on all levels. She stated that they need to support people who do not have access.

Trustee Proemm stated that he was in support and DANC does a good job. He stated that St. Lawrence County should support this.

Trustee Sorensen stated that this is an Economic Development issue. If people can not come here to be able to work and go to school, then they will not come here. She stated that this should be a big priority.

Mayor Dalton informed the Board that once the Resolution is passed it will be shared with the Legislators.

Trustee Pynchon made a motion to approve the Resolution Urging The St. Lawrence County Legislature to Contract with DANC for Comprehensive Broadband Assessment. Trustee Proemm seconded the motion. All voted in favor. Motion carries.

RESOLUTION

Urging the St. Lawrence County Legislature To Contract with DANC for Comprehensive Broadband Assessment

WHEREAS, internet access has become integral to many people's daily lives, with St. Lawrence County and Canton residents relying on broadband internet for work, school, news, telemedicine visits, and communication; and

WHEREAS, more and more residents are working or learning from home as a result of the ongoing coronavirus pandemic; and

WHEREAS, areas of the County and Canton - not just outlying areas, but also villages and towns - remain unserved or underserved by adequate broadband internet service; and

WHEREAS, Town and Village residents have communicated about the lack of adequate and affordable internet and have requested attention to this issue from both Boards; and

WHEREAS, the joint Town/Village Economic Development Committee, charged with addressing broadband issues raised by residents, has found insufficient resources and information to help resolve problems; and

WHEREAS, the Development Authority of the North Country (DANC) oversees much of the fiber optic infrastructure development in the region, and

WHEREAS, DANC is proposing to partner with St. Lawrence County on a broadband survey to inventory and map current broadband internet infrastructure to identify and better understand broadband availability and affordability; and

WHEREAS, such a survey would offer a more complete assessment than currently exists, including more detailed and up-to-date data about where people don't have service, or have inadequate service, than is available now; and

WHEREAS, the information obtained from this survey would provide direct benefits to St. Lawrence County and Canton, including providing the necessary information for grant applications to build more high-speed infrastructure in unserved or underserved areas and providing data for planning infrastructure projects and targeted expansions of internet access across the region; and

WHEREAS, the Legislatures of Lewis and Jefferson Counties have already contracted with DANC to conduct surveys in their counties;

THEREFORE BE IT RESOLVED, that the Village of Canton Mayor and Board of Trustees urge the St. Lawrence County Legislature to contract with the Development Authority of the North Country to undertake a comprehensive survey of broadband internet services and needs of residents across St. Lawrence County.

PUBLIC COMMENT:

Eileen Raymond stated that she is pleased to hear about the Broadband discussion and the need to be assertive with the County Legislators. She stated with being a School Board Member, they have been dealing with this all year and have been taking the school buses out so kids can get WIFI. She stated she supports this and that the County needs to hear more from us. She added that she is on the Advisory Committee, she encouraged everyone to attend the December 21st Public Hearing with the Sheriff. She stated it is important to attend the meeting, since the other Police Agencies do get involved within our limits.

EXECUTIVE SESSION- Trustee Larrabee made a motion to enter into executive session at 8:15pm for a purpose as identified in Public Officers Law §105(1) (e). Trustee Sorensen seconded the motion. All in favor. The motion carries.

Trustee Pynchon made a motion to come out of executive session at 8:51pm. The motion was seconded by Trustee Larrabee. All voted in favor. The motion carries.

Trustee Proemm made a motion to adjourn the meeting at 8:51pm. Trustee Sorensen seconded the motion All voted in favor. The motion carries.

Respectfully submitted,

Cara Adams
Deputy Clerk