

VILLAGE OF CANASTOTA  
MINUTES  
May 17, 2021

Mayor Warner called the meeting to order at 7:07 p.m. The Pledge of Allegiance was recited.

PRESENT: Mayor Rosanne Warner; Deputy Mayor Jeffrey Carpenter; Trustees Jeffrey Watkins; Bill McDade (via Webex) and Douglas Gustin; Village Administrator Jenn Farwell; Village Historian David Sadler; Dan Cunningham of NWT; DPW Foreman Mark Maxwell; Sgt. Sean Barton; Fire Chief TJ Tornatore; Jacob Cornell; Resident Mark Taylor; and Bruce Burke of PAC 99.

ABSENT: None.

Motion by Trustee Watkins, seconded by Trustee Carpenter, to approve the minutes from the May 3, 2021, meeting. Passed 5 to 0.

Motion by Trustee Carpenter, seconded by Trustee Gustin, to approve the following budget transfers: \$23.14 from 19904.01 (Contingency) to 11304.01 (Court Contractual); \$2,441.25 from 19904.01 (Contingency) to 14204.01 (Attorney). **Discussion:** Trustee Watkins asked what attorney fees they are. The Board discussed the attorney bills. Passed 5 to 0.

Motion by Trustee Watkins, seconded by Trustee McDade, to approve the General Fund Abstract in the amount of \$63,622.05. Passed 5 to 0.

Motion by Trustee Gustin, seconded by Trustee Carpenter, to approve the Sewer Fund Abstract in the amount of \$23,910.99. Passed 5 to 0.

Public Comments - none.

Presentation by Jacob Cornell regarding prospective new business. Mr. Cornell gave an outline of what he is discussing tonight. He is here about the changing regulations on the sale of marijuana. He is operating in the City of Oneida currently selling hemp. He would like to consider a second location possibly in the Village. Mr. Cornell is waiting for more regulations from the State. Mr. Cornell reviewed the outline with the Board. Trustee Carpenter asked about the need for an armed security guard. Mr. Cornell advised that his customers have asked for it. He is doing it for the comfort of his customers. Mayor Warner asked about problems that other states have had. Mr. Cornell knows of problems in Colorado and California where this was first legalized. He talked about some instances in those other states. Fire Chief Tornatore asked if these facilities have sample rooms. Mr. Cornell does not have that currently. Trustee Watkins asked about the ID check and who has access to it. Mr. Cornell discussed this process with Trustee Watkins. Trustee Watkins brought up the Colorado report and talked about some of the statistics from that report. Mark Taylor asked about the Village voting on this matter. The Mayor explained that she asked Mr. Cornell to come in and talk to the Board after he inquired into the Village. Trustee Carpenter asked about the community involvement currently. Mr. Cornell stated that he works with community watch groups and is involved in replacing the food pantry that was recently damaged. Sgt. Barton is also

concerned about the Colorado study. He asked about how product would be received - what are the delivery routes. The type of product and delivery was discussed.

### **Department Heads.**

Dan Cunningham of New Water Technologies reviewed the monthly report with the Board. He noted that the high flows in May were likely due to the rainy weather. They will be meeting with DEC this month. Mr. Cunningham spoke about the clarigester and issues with the process. He thinks that there may be more dairy being processed.

DPW Foreman Maxwell noted that with the nicer weather people are putting more stuff out to the curb. Foreman Maxwell would like it addressed in the newsletter letting people know what can be put out there. He also noted that lots of people are cutting down trees and this is not what the program was intended for. They are spending two (2) days on bags and brush. Foreman Maxwell would like to let the community know so it can be controlled. His department is busy with grass mowing and the sweeper has been running 2 ½ days a week. Our mechanic has been busy. The sidewalk at the pool has been finished and they are working on opening and cleaning the pool. Foreman Maxwell advised that there are some other things that they have to address, so the pool may have to wait. They need to go to the spring house because they are having a problem. They also need to camera a couple of sewers to determine if it is our problem or the homeowners'. Foreman Maxwell has talked with vendors regarding paving - he has prices for micro paving, but those numbers could be changing soon. The other roads for hot mix were discussed and Foreman Maxwell explained what he is proposing. Mayor Warner noted that we will not be getting the stimulus money anytime soon and there is no guidance on how it may be spent. Foreman Maxwell noted that he could put more roads on the list and that the figure he gave included CHIPS money. He also noted that none of the repair figures that he gave the Board includes any structural repairs that need to be made. The DPW will be making those repairs as they did last year. Trustee Watkins would like us to use all hot mix. Trustee Carpenter asked if there is anything that we could or should do to keep the roads from deteriorating. Foreman Maxwell stated that water is a problem and crack sealing should be done. He talked about the cold mix process and why we do that. He also described the difference in the type 3 mix that we are using now and why we did it. The County used process of mill and fill was discussed as was the future repair of Main Street. Foreman Maxwell stated that cold mix is "more bang for your buck" and lasts longer unless you use hot mix and go deeper. Fire Chief Tornatore noted that with the process the Town trucks can do the hauling and that helps with the cost. Foreman Maxwell recommends the cold mix and we can do more roads. It is not as pretty, but it lasts longer. Trustee Watkins asked about the 3" process. Foreman Maxwell noted that this will increase the cost by about 1/3. The Mayor will send the list of roads that Foreman Maxwell provided at budget time so we can put it out to bid. Foreman Maxwell noted that Suit Kote and Callanan are already on the County bid. If we start over, we will need to do engineering which will add to the cost. He stated that we have followed the County bid in the past. Fire Chief Tornatore advised that the Town is doing a cold mix and if we schedule this together and work together, it may

save some money. Trustee Watkins asked for a copy of all the roads and when they were paved and what was used on them. Foreman Maxwell can go back to 2010 in his records and has some of that information tonight. He will email the requested information to Administrator Farwell. Trustee Carpenter asked about the funding and manpower for maintaining the roads. Foreman Maxwell advised that to do the repairs, we do a much better job because we can spend more time on it where vendors need to get in and get out. As for maintenance, Foreman Maxwell advised that he purchased asphalt tape and is using that when we make repairs. We need to do some crack sealing. Trustee Watkins asked if we can rent the asphalt pots. Foreman Maxwell has spoken with 4 vendors and they do not rent the pots. Mayor Warner asked if anyone spoke to Foxy - Deputy Foreman Taylor spoke to him and told him where the problem was. He needs to get someone in there - it does not seem to be our problem as the main is open and his line likely needs to be cleaned out.

Foreman Maxwell reported that he has meet with the engineer, Tim O'Hara, on several occasions regarding the headworks - they are working together to try to bring some things in presentable form to bring back to the Board. Foreman Maxwell has enjoyed working with him - the project is moving forward and they need to start cleaning out pump stations. Administrator Farwell believes that Tim O'Hara will be attending our June 7, 2021, meeting.

Fire Chief Tornatore reported that they had 30 calls last month - he reviewed his report with the Board. Truck 124 is still out of service. Chief Tornatore is going there tomorrow to check on it. He called the painting contractor and is waiting for a call back. The Mayor asked Administrator Farwell to give the painting contractor a call. Trustee Watkins would like an update by June 7. Chief Tornatore reported that the missing turnout gear has been found.

Sgt. Barton advised that his department answered 518 calls for service and he reviewed his report for the Board. Mayor Warner asked if this amount of calls was normal and Sgt. Barton advised that it is in between. The Mayor asked about the Facebook bullying behind the Peterboro Street School. Sgt. Barton spoke with the Chief about this today and explained what they are doing to prevent this.

Village Historian Sadler has nothing to report tonight.

Motion by Trustee Watkins, seconded by Trustee Gustin, approving a credit in the amount of \$300.66 against the sewer charges on the March 31, 2021, OCWA bill for property owned by Shareefeh Marji and located at 301 Roberts Street, Canastota, New York. (Note: The reason for the excess water consumption was due to multiple leaks that were fixed during this billing cycle.) **Discussion:** The Mayor thinks that this is not the first time for this property owner. Passed 5 to 0.

Motion by Trustee Gustin, seconded by Trustee Watkins, approving a credit in the amount of \$48.22 against the sewer charges on the March 31, 2021, OCWA bill for property owned by United Church of Canastota and located at 144 West Center Street, Canastota, New York. (Note: The reason for the excess water consumption was due to unknown high consumption.) **Discussion:** The Board

discussed this request. No further credits will be given on this property - this is a one and done - the owner needs to fix the problem and not make any other requests. Passed 5 to 0.

Motion by Trustee McDade, seconded by Trustee Watkins, approving the appointment of Nicholas Weber as a summer laborer assigned to the DPW effective May 19, 2021, at a salary of \$12.50/hour. **Discussion:** Trustee Watkins asked how many kids Foreman Maxwell normally has for the summer. Foreman Maxwell advised that he has had 3 in the past but has 2 currently. Passed 5 to 0.

Motion by Trustee Carpenter, seconded by Trustee McDade, approving the following street closures based on the attached request from Chief Zophy: 7:45 a.m. - 12:00 p.m. June 12, 2021 - N. Main Street @ Thruway Bridge south to Rasbach Street; Stroud Street @ Port Street to James Street; Bellview Drive, Pleasant Street, West Hickory Street and James Street from Stroud to South Main Street; Wilson Avenue from North Main Street to North Peterboro Street; Lamb Ave from Wilson Avenue to West Lewis Street; New Boston @ Taylor, West Park Street, Caroline Street, Lamb Avenue and Catherine Street. **Discussion:** Trustee Watkins asked if this is the normal times. This is the normal time since they started the 12K race. Mayor Warner reminded the Board about the craft fair at the Greystone and the opening of the pool on the same day. Parking for Greystone will be at the pool parking lot. Passed 5 to 0.

Motion by Trustee Watkins, seconded by Trustee McDade, to approve payments totaling \$1,248.77, from the General Fund to MBI for health insurance debit card transactions from April 1, 2021 - April 30, 2021. Passed 5 to 0.

Motion by Trustee McDade, seconded by Trustee Gustin, confirming an ACH transfer in the amount of \$16,242.50 by USDA-Rural Development from the Sewer Fund for principal in the amount of \$11,000.00 (97106.02 Debt Service) and interest in the amount of \$5,242.50 (97107.02 Interest on Debt Service) owed on the 1999 Phase II bonds. Passed 5 to 0.

Motion by Trustee Watkins, seconded by Trustee Carpenter, confirming an ACH transfer in the amount of \$3,195.00 by USDA-Rural Development from the Sewer Fund (97107.02 Interest on Debt Service) for interest owed on the 1998 Serial A bonds. Passed 5 to 0.

Motion by Trustee Gustin, seconded by Trustee Watkins, confirming an ACH transfer in the amount of \$1,035.00 by USDA-Rural Development from the Sewer Fund (97107.02 Interest on Debt Service) for interest owed on the 1998 Serial B bonds. Passed 5 to 0.

Review of 2020-2021 Budget Update. The Mayor asked if anyone had questions about the update. The Board reviewed the update.

The Mayor read the Resolution Establishing Significant User Surcharges.

Motion by Trustee Watkins, seconded by Trustee Gustin, to adopt the attached Resolution Establishing Significant Industrial User Surcharges for 2021 Pursuant to Chapter 163-107 of the Village Code. **Discussion:** Trustee Carpenter noted that even though these are increasing, they are still very reasonable and lower than any other county and community around us. The Mayor noted that it has been over 20 years since these rates have increased. Passed 5 to 0.

**Correspondence.**

- Invitation from the Town of Lenox for their Veteran's celebration scheduled for Memorial Day.
- Letter from Madison County regarding Worker's Compensation pool participation refund. The Mayor reviewed the distribution of the funds refunded.
- Tree letter from 104 High Street - a copy has been provided to the DPW.
- Letter of resignation from Chief James Zophy as of July 6, 2021, at 4:00 p.m. The Mayor noted that Chief Zophy has been here for nearly 30 years and will be sorely missed.

**Administrator.**

Administrator Farwell advised the Board that we will be interviewing on Wednesday for the Police Clerk. Our clerk moved on to a full-time job for the Town of Lenox. Trustee Carpenter is waiting on times for the interviews.

There is a new conceptual design being presented for the Canal Revitalization project - Administrator Farwell will send it to the Board. The next step will be a public meeting for the community. The plan does include Rotary Park as it is right now and making it larger. Administrator Farwell noted that it will be a nice addition to the community. With the CFA, Administrator Farwell asked if we can apply for this round of funding to do one of the first phases of this project. She talked about the possibilities and will let the Board know what we will be moving forward with.

Administrator Farwell advised that the Governor made an announcement regarding masks today - government buildings do not appear to be included in the areas that are forced to wear masks. She also advised that the County will not be requiring masks and they are not asking if you have been vaccinated. Trustee Watkins suggests that we go with the County recommendations. Trustee Gustin would like to go with the County.

Administrator Farwell talked about the marihuana legislation stating that we cannot put this on the ballot for the November election because we cannot meet the 60-day requirement for the permissive

referenda. Administrator Farwell spoke with NYCOM and we will need to do a special election. She read to the Board the response that she received from NYCOM and explained the process for permissive referenda. Administrator Farwell talked about introducing a survey to the community prior to adoption of the law. The Board discussed how to get the information to our residents. The Board would like to get some prices from Canastota Publishing for post card options.

Administrator Farwell updated the Board about the creek on the south side of Main Street - she met with Steve Lorraine from Soil and Conservation and Lenox Supervisor DiVeronica - Soil and Conservation did the assessment. They walked the entire creek from Route 5 to Maple Ave and measured each bridge and determined the capacity. They believe that the Canal may be leaking. Administrator Farwell is working on a draft letter to Canal Corp. with the Town and County to ask the Canal Corp. engineers to look at the problem. Trustee Watkins asked if we know who owns the creek. Administrator Farwell knows that it is not us; however, if we make changes in the creek, we own those changes and are now liable for those changes causing any issues going forward. Administrator Farwell discussed the capacity of the bridges from Route 5 going north and advised that we are doing further analysis. She also advised the Board that the no name creek is the responsibility of the property owners.

Administrator Farwell heard from National Grid today - they are moving forward with a public comment period. She asked National Grid for the fact sheet for the Board's review before it is made public and noted that there are no major changes just a couple of small ones and she reviewed those changes with the Board. The work is anticipated to be done in 2024, possibly 2023.

Administrator Farwell reminded the Board that the Bike Rodeo that was canceled has been rescheduled for this Saturday. They will be at the fire barn if the weather is inclement.

Administrator Farwell sent the Board an email about the Planning Board recommendation regarding Special Use Permits - the Planning Board supports this. The Planning Board did not recommend the Site Plan Review law change. Administrator Farwell asked the Board what it wanted to do with these proposed laws. The Mayor would like the Special Use law to come to the next Board meeting and the other to go back to the Codes Committee.

**Mayor.**

The Mayor asked if everyone was okay with the newsletter.

The Mayor had a meeting with PBA today. She is waiting on an email back and noted that probably at the next meeting we will need executive session for an update.

Mayor Warner advised that Administrator Farwell get in touch with the DOT to ask about putting tables outside of our restaurants on Peterboro Street. The Mayor noted that The Three Pines was

interested and she gave an application to the Erie Canal Brewery. The State DOT will come out and assess this if there are interested businesses on a state DOT road. The Mayor talked about other businesses that might be interested - she has extra forms.

**Trustee Comments.**

Trustee Gustin has nothing tonight.

Trustee Watkins in all set.

Trustee McDade has nothing this evening.

Trustee Carpenter has nothing more.

**Adjourn.**

Motion by Trustee Watkins, seconded by Trustee Gustin, to adjourn at 8:58 p.m. Passed 5 to 0.

Respectfully submitted,

*Catherine E. Williams*

Catherine E. Williams  
Clerk/Treasurer