

VILLAGE OF CANASTOTA
MINUTES
July 16, 2012

Mayor DeShaw called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

PRESENT: Mayor Carla M. DeShaw; Deputy Mayor Scott Rapasadi; Trustees Margaret Peters, Bill Haddad and Rosanne Warner; Village Administrator Larry Carpenter; Police Chief James Zophy; DPW Foreman/1st Assistant Fire Chief Antonio Tornatore; Canastota Fire Company President Anthony Palamara; Kathy Stagnitti, Sena Clarke; and PAC 99.

ABSENT: None.

Motion by Trustee Rapasadi, seconded by Trustee Peters, to approve the minutes of the previous meeting. Passed 5 to 0.

Motion by Trustee Peters, seconded by Trustee Haddad, to approve the General Fund Abstract in the amount of \$37,197.35. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Rapasadi, to approve the Sewer Fund Abstract in the amount of \$29,616.16. Passed 5 to 0.

Motion by Trustee Peters, seconded by Trustee Warner, to approve payments totaling \$1,435.92 from the General Fund to MBI for health insurance debit card transactions from June 29, 2012 - July 11, 2012. **Discussion:** Mayor DeShaw asked if these charges were for the monthly fees. Clerk/Treasurer Williams explained that these are the reimbursements to our employees. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Haddad, to authorize the Mayor to execute the Artist Performance Contract with Smoking Loons for the Village Recreation Program's Summer Concert Series in the amount of \$500.00, and to authorize Clerk/Treasurer Williams to issue payment to said performer in said amount pursuant to the terms of said Artist Performance Contract. **Discussion:** Trustee Haddad noticed an error in one of the contracts. Clerk/Treasurer Williams has already corrected the error. Passed 5 to 0.

Motion by Trustee Peters, seconded by Trustee Haddad, to authorize the Mayor to execute the letter from Gustafson & Co. accepting the Agreed-Upon Procedures regarding the audit of the Justice Court for fiscal year 2011-2012 at a cost not to exceed \$1,000.00. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Haddad, approving the request for a corrected tax roll for parcel owned by Stephen and Christine Perry, bearing Parcel No. 36.63-1-4.2, located at 145B Center Street, reducing the sewer debt unit charge to .25 units or \$23.75 as this parcel is not serviced by the sanitary sewer system, resulting in a corrected tax owed of \$63.35. **Discussion:** Trustee Peters asked DPW Foreman Tornatore how far the sewer goes - it goes all the way down East Center Street. Administrator Carpenter explained that there are two (2) parcels that have

connecting buildings. The residential building is connected to the sewer system - the warehouse on the adjacent parcel is not. Passed 5 to 0.

Motion by Trustee Warner, seconded by Trustee Haddad, to authorize the Mayor to execute the Contract with the International Boxing Hall of Fame, Inc. for the use of the activity pavilion on Tuesdays and Thursdays beginning on July 5, 2012 and continuing through August 28, 2012, for the Summer Concert Series. **Discussion:** Trustee Peters asked if the insurance certificate is for all events that are taking place at the Hall of Fame. Administrator Carpenter advised that our insurance company provides a certificate to the Hall of Fame that covers all of our events at the Hall of Fame. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Peters, to authorize the Mayor to execute the Contract with the International Boxing Hall of Fame, Inc. in the amount of \$8,000.00, for publicity for fiscal year June 1, 2012 - May 31, 2013, and to authorize Clerk/Treasurer Williams to issue payment in said amount upon receipt of a fully-executed Contract. **Discussion:** Trustee Haddad is concerned about the publicity contracts, noting that the \$8,000.00 is in addition to the cost of services that are put forth during Hall of Fame Weekend. He expressed concern that the Village is supporting organizations that employ people and it costs the Village approximately \$8,000.00 for the weekend, bringing the approximate total cost to the Village to \$16,000.00. Trustee Haddad asked what the Village gets in return for the \$8,000.00 that it donates. Mayor DeShaw discussed with the Board the overall impact of the return on investment to the Village of this event and on the other events. It is the Mayor's opinion that the Village has a lot to provide from assistance for tourism. The benefit to the businesses and residents of the community as a result of the publicity to the Village from the local events was discussed. Trustee Rapasadi discussed the benefits of having the Hall of Fame in the community such as the concerts that are held annually at the Hall of Fame. Mayor DeShaw has spoken with the Executive Director of the Hall of Fame, Ed Brophy, and has asked him to come in and discuss the financial benefits of supporting the Hall of Fame. Trustee Warner talked about the accountability policy that she has proposed. All of the Trustees are in favor of the accountability policy for all contracts to follow. Trustee Peters would like to have a report for the \$8,000.00 before the contract can be signed.

Motion by Trustee Rapasadi, seconded by Trustee Peters, to rescind the previous motion. Passed 5 to 0.

Motion by Trustee Peters, seconded by Trustee Rapasadi, to authorize the Mayor to execute the Contract with the International Boxing Hall of Fame, Inc. in the amount of \$8,000.00, for publicity for fiscal year June 1, 2012 - May 31, 2013, and to authorize Clerk/Treasurer Williams to issue payment in said amount upon receipt of a fully-executed Contract, and shall include submission of a financial report accounting for the \$8,000.00 allowed within this in writing to the Canastota Village Board. **Discussion:** Mayor DeShaw would like to see suggestions for changes to the Clerk/Treasurer prior to the agenda. Passed 5 to 0.

Trustee Peters asked again about the insurance for the concerts, wanting to know if it was for 12 months or solely for the use of the facility for the concert events. Administrator Carpenter advised that typically the insurance would be for the duration covered by the contract. Trustee Peters asked what the cost was to the Village. Clerk/Treasurer advised that there was no additional cost to the Village.

Motion by Trustee Peters, seconded by Trustee Haddad, to authorize the Mayor to execute the Agreement with the Canastota Canal Town Corporation in the amount of \$10,000.00 for maintenance of the museum and promotion of its programs for fiscal year June 1, 2012 - May 31, 2013, and to authorize Clerk/Treasurer Williams to issue payment in said amount upon receipt of a fully-executed Agreement, and to include submission of a financial report accounting for expenditures within this contract. **Discussion:** Trustee Haddad asked who actually owns the Canal Town Corporation. Administrator Carpenter noted that it is a 501(c)(3) corporation with a board of directors. Passed 5 to 0.

Motion by Trustee Peters, seconded by Trustee Rapasadi, to authorize the Mayor to execute the Agreement with the Canastota Canal Town Corporation in the amount of \$2,000.00 for publicity and promotion of its programs for fiscal year June 1, 2012 - May 31, 2013, and to authorize Clerk/Treasurer Williams to issue payment in said amount upon receipt of a fully-executed Agreement, and to include submission of a financial report accounting for the expenditures within this contract. **Discussion:** Trustee Haddad asked why the Canal Town agreements are combined into one contract for \$12,000.00. The Mayor explained that there are two (2) separate laws under which the Village is authorized to support the museum. Passed 5 to 0.

Motion by Trustee Peters, seconded by Trustee Warner, to authorize the Mayor to execute the Agreement with the Canastota Children's Council in the amount of \$10,000.00 for supplies and materials benefitting the children participating with the Children's Council for fiscal year June 1, 2012 - May 31, 2013, and to authorize Clerk/Treasurer Williams to issue payment in said amount upon receipt of a fully-executed Agreement, and to include submission of a financial report accounting for the expenses associated and within this contract. **Discussion:** Trustee Peters asked if we need to specify that this is to include all children. The Mayor advised that because the school also participates in the program, this is taken care of. Trustee Haddad asked why we paid for this and the school pays for this. Mayor DeShaw stated that this is a joint program between the Village and the school. Trustee Haddad asked why we couldn't pay for the expenses through the Clerk/Treasurer's Office, noting that \$20,000.00 is a lot of money when the participants pay for the programs. Trustee Rapasadi asked if the groups could come in and give a presentation to the Board. Trustee Peters asked if the groups have to file a 990 tax return and why they don't give a copy of it to the Village. Mayor DeShaw asked the Board what it is that they are looking for from these organizations. Do we want an accounting or a copy of their 990? The Mayor would like the request to be consistent among all of the contracts. The Board discussed the possibility of requesting more documentation from the groups. Trustee Peters would like us to address this specifically with the auditors. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Warner, to authorize the Mayor to execute the Agreement with the Canastota Kid's Day Corporation in the amount of \$2,000.00 for food and educational materials/exhibitions that benefit the youth of the communities serviced by the Village of Canastota Recreation Department for fiscal year June 1, 2012 - May 31, 2013, and to authorize Clerk/Treasurer Williams to issue payment in said amount upon receipt of a fully-executed Agreement. Passed 5 to 0.

Mayor DeShaw asked Richard Rossi, President of Canastota Kid's Day Corporation, to give an overview of what happens at their Kid's Day event. Mr. Rossi went over the activities associated with Kid's Day, noting that about 750 kids are served and that no one in the organization is paid. Mr. Rossi informed the Board that through the generosity of the community, the event is paid for every year and they are able to provide free food and rides for about 100 children in the community who otherwise would not be able to participate. Mr. Rossi discussed the expenses associated with that day. The Town of Lenox also donated \$4,000.00 and he provides them with a budget which he will also provide to us.

Motion by Trustee Peters, seconded by Trustee Warner, to authorize the Mayor to execute the Agreement with the Canastota Community Band in the amount of \$1,500.00 for supplies and materials that benefit the musicians and spectators of the Community Band for fiscal year June 1, 2012 - May 31, 2013, and to authorize Clerk/Treasurer Williams to issue payment in said amount upon receipt of a fully-executed Agreement, and to include submission of a financial report accounting for expenses relating to and with this contract. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Warner, to authorize the Mayor to execute the Agreement with the Canastota Pop Warner in the amount of \$2,500.00 for equipment or uniforms that benefit the football players and cheerleaders playing for Canastota during fiscal year June 1, 2012 - May 31, 2013, and to authorize Clerk/Treasurer Williams to issue payment in said amount upon receipt of a fully-executed Agreement, and to include submission of a financial report accounting for all expenses related and within the contract. **Discussion:** Trustee Peters asked if with their report, should we require some kind of determination that the Title IX is being practiced. Mayor DeShaw is not sure that compliance with Title IX is our role. Trustee Peters believes that we receive assurances that the money is being split between the players and cheerleaders. She does not know what regulatory agency Pop Warner reports to. The Mayor discussed with the Board the benefit of support these community groups providing programs for our residents. Trustee Haddad asked about the equipment for Pop Warner - does it belong to the Village? The Mayor believes that some of it did once, but that was from many years ago and may not be here any more. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Haddad, to authorize the Mayor to execute the Agreement with the Canastota Running Club in the amount of \$500.00 for supplies and materials that benefit the participants with the summer conditioning program during fiscal year June 1, 2012 - May 31, 2013, and to authorize Clerk/Treasurer Williams to issue payment in said amount upon

receipt of a fully-executed Agreement. **Discussion:** Trustee Peters asked where this item was in the Budget. Passed 5 to 0.

Motion by Trustee Peters, seconded by Trustee Warner, to authorize Clerk/Treasurer Williams to attend the NYS Government Finance Officers Central Summer Seminar on August 9, 2012, in Geneva, New York, at a cost of \$135.00, which includes lunch and dinner and the cost of the seminar, plus mileage at the approved rate. Passed 5 to 0.

Motion by Trustee Peters, seconded by Trustee Warner, to authorize Clerk to the Justice Debra DiGeorge to attend the NYS Association of Magistrates Court Clerks 2012 Annual Conference from September 30, 2012 - October 3, 2012, in Albany, New York, at a cost of \$40.00 for the conference and \$716.00 for overnight accommodations and meals, for a total of \$756.00, and to include mileage at the approved rate. Passed 5 to 0.

Correspondence.

- Letter from the North Eastern Intertribal Spiritual Counsel regarding Native American Ceremonies requiring a fire to be held every Wednesday, Saturday and Sunday in July, August, September, October and November at 449 New Boston Street. Mayor DeShaw asked Chief Zophy about the fire laws. Chief Zophy noted that this group has been having these fires for three (3) years now. The Mayor asked about the recent burning ban. Chief Zophy advised that the ban is only on burning brush. Administrator Carpenter has spoken with Code Enforcement Officer Adsit who indicated that they are small fires used for heating stones.

- Notice from The Rusty Rail that they are renewing their liquor license.

Administrator.

Administrator Carpenter checked with the Assessor regarding the Cold War Veterans Exemption. The County and the Town currently have this. There are currently 20 residents that this could impact. The lost revenue to the Village would be \$1,511.73. We would have to pass a local law. The Mayor asked if other villages have this exemption. Administrator Carpenter does not know what other villages offer this exemption. Trustee Haddad believes that there could be other people who would qualify for the exemption. Trustee Peters asked what era this covers. The Mayor asked if we could look into this. Sena Clarke advised the Board that when the Village gave up its assessing rights, it agreed to accept the Town's exemptions. She is not certain how that affects exemptions that were adopted subsequent to that time.

The Administrator spoke to the Board about the Waste Water Treatment Plant Project. It was originally approved at \$14 million and came in at \$11 million. Last year we realized that we would be under budget and talked with the funding sources about using the left over money. We used the

0% interest money first and the grant money was used last. We do not want to turn down grant money so we submitted a list of about 15 projects to utilize the grant funds. Five (5) projects were approved that were within the scope of our project: a generator for the Waste Water Treatment Plant for \$250,000; an automatic wash down for the tank at the Recreation Park; a large capacity gas boiler; a new dump truck; and a new utility truck will use about \$535,000.00 in grant money. Trustee Peters asked if the funds have been committed. Administrator Carpenter stated that we are working on getting bids for these items now. The Mayor thanked Administrator Carpenter for his persistence noting that without an experienced person behind the scenes, we would not have gotten there - very good job!

Administrator Carpenter advised the Board that with the delays and problems that we experienced with the first clarigester, we are behind schedule by about six (6) months. Trustee Peters asked what it was that caused these problems. Administrator Carpenter advised that it was the unknowns - for example there was a plugged line that is operating now the way that it should be. We are working on the south clarigester. Construction work should be done by the first of the year - we will start the stabilizers after that and it should take until about April 1, 2013 to do the work. We will need to go to DEC to extend the time and Administrator Carpenter does not expect that there is going to be a problem with that extension. Trustee Peters asked if the contractors will request a release from their performance bonds. Administrator Carpenter stated that the contractors and funding agencies are on board with the extension.

Administrator Carpenter advised that American Arborist is taking a look at the Robothom tree. The newsletter should be to the Mayor by the end of the week. Administrator Carpenter asked for other submissions by tomorrow.

Trustee Haddad asked if there was something at the pump station that turns on at 6:30 that would cause an odor at the Recreation Park. Administrator Carpenter advised that there is an exhaust fan that goes on when the gas builds up in the building. The hot weather can be an issue. He also noted that previously the grit has been dumped once every two (2) months - we are now dumping every week. There is also sewage in the old pump station.

Department Heads.

DPW Foreman Tornatore is all set this evening. Trustee Peters thanked Foreman Tornatore for taking down Mrs. Ball's tree and asked if his department would be completing the rail on Railroad Street this week. Foreman Tornatore stated that was his plan. Trustee Peters asked when the fence would go up. Foreman Tornatore is hoping tomorrow.

Chief Zophy reported that the EVOG training required by our new insurance went well. He has received eight (8) portable radios from the County and is waiting on the mobiles. The traffic study came in on Friday on Wilson and Main - he will get back to the Board. Trustee Haddad asked Chief Zophy if the Village needed to make any laws on bath salts. Chief advised that the County has done

a law. He thinks we should use the Federal Law. The State will carry over the Federal Law and Chief believes that we are better off leaving it to the State and Federal governments. Trustee Haddad just wants to make sure Chief has the tools he needs to take care of these matters. Trustee Peters asked Chief if he had all of the equipment that he needed. Chief replied that he does not need any equipment, he needs manpower. His department will continue to train as necessary.

Mayor.

The Mayor noted that on Friday, the Board held a special meeting to approve the support letter for a grant. She passed the letter around that was sent to Upstate Food Hub with the grant application. This is for all three (3) groups and the project on Barlow Street. Mayor DeShaw informed the Board that Barlow Street and Canastota were the first choice of nine (9) locations and communities. This is just a grant application and does not mean that we need to start planning with the Planning Board or answer questions about sewers. The application needs to go through a competitive process with the State. The Mayor added that this is a great project - it cleans up the area, bring in jobs and utilizes our Restore New York Grant.

Mayor DeShaw encouraged the Trustees to attend the concerts and invited them to announce a concert. Attendance at the concerts has been 100 - 200 people. Ed Brophy and his staff at the Boxing Hall of Fame do a great job.

Trustee Comments.

Trustee Rapasadi asked Administrator Carpenter to look into the flooding matter that was discussed at the Joint Meeting the other night. Administrator Carpenter reported that he found some information the other day, but has not spent a lot of time on it yet. He will get back to the Board. Trustee Rapasadi asked Administrator Carpenter if there were any chance that we could clean up the area near the treatment plant on Main Street - it doesn't look as presentable as it had in the past. Administrator Carpenter will take a look at it. Trustee Rapasadi asked about the purchase of a phone from Walmart for recreation. Administrator Carpenter noted that this was to put an answering machine at the Recreation Field so that the leagues could be advised of games that we being canceled due to weather. The Mayor noted that there will be a Recreation Commission meeting on July 23. Trustee Rapasadi asked if the paper that we purchase from Quill is at the state bid price. Clerk/Treasurer Williams advised that it is cheaper than the state bid price and that we do shop the sales for purchases of supplies to try to get the best prices.

Trustee Peters asked Foreman Tornatore about the stone for drainage on First Street - there were 54 yards purchased and she asked if it all was used between Slivinski and Leibl's properties. Foreman Tornatore acknowledged that it was. Trustee Peters asked about the machine - we had it for three (3) days and she wanted to know if we could have done it in two (2). Foreman Tornatore said that it could not have been done in two (2) days as it was almost 500 feet.

Trustee Peters asked if we received any prices from Fred Bragan after our joint meeting with the Town. The Mayor has not received any prices yet. Trustee Peters asked if the footage price for the sidewalks had been set yet. Administrator Carpenter wants to look at it again.

Trustee Warner asked if it were legal to use the Restore New York Grant for matching funds. The Mayor noted that according to the EFC, it is, but only because of the property that was chosen. Trustee Warner had been asked to check into the warranty on the new radios after the expiration of the two-year period - she spoke with Joe DeFrancisco who noted that the County has talked about doing something so that all of the fire departments could be included to keep the cost down. She was told by Joe DeFrancisco that the Canastota Fire Department was not in favor of this. Trustee Warner will follow-up with Fire Chief Massarotti. Trustee Warner asked about Planning Board meetings. Clerk/Treasurer Williams advised that they are held on the first and third Wednesdays at 7:30 p.m. if there are items for the agenda. Trustee Warner spoke about the accountability forms that she proposed - she decided to do it as a generic form to be applied to all contracts. She would like to see the Board look at it and "tweak" it. Trustee Warner believes it will help us say to the taxpayers that we know about how our money is being used. Trustee Warner asked about a master plan for sidewalks. Mayor Deshaw wants to get information out in the newsletter. She believes that we can do a 5, 6 or 7 year plan - we need to decide what we want to continue to put in the budget. After this project, we will be able to determine how much we can do and how much it will cost. Mayor DeShaw discussed the plan for how the improvements will take place. Administrator Carpenter informed the Board that the DPW will need to have the tools to do this project. There may be additional expenses - \$1,600.00 for an additional 100 feet of forms.

Trustee Warner asked about the Village website. The Mayor advised that we are looking into this. Trustee Peters asked if we were still looking for grant money for sidewalks. The Mayor confirmed that we are. Trustee Haddad noted that while looking at the website, he was looking at having a Facebook page for the Village. The Mayor would like him to check with other municipalities. Trustee Haddad stated that the Facebook page would be to disseminate information only - no comments would be able to be left. He suggested that we could post things such as concert information and other things. The Mayor would like us to do some research on this first. What Trustee Haddad would like to do is link the Facebook page to our website.

Delegations.

Kathy Stagnitti would like to see the minutes on the website. She likes the request for a financial report.

Sena Clarke complimented the Board and has heard really good things. She noted that being a former Clerk/Treasurer she must commend the Board as she likes the way the Board worked tonight adding that this was a good example of how government works. Mrs. Clarke asked if the construction on the house next to the parking lot of St. Agatha's Church gets inspected by our Code Enforcement Officer. Administrator Carpenter confirmed that Mike Adsit does inspect this. Mrs.

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Clarke also noted that she does not believe that the Board will need the 990 from the organizations but she likes the idea about getting the financial report.

Trustee Peters noted that she was down to the Recreation Park the other night and the water was running. Trustee Haddad stated that there has been a problem with water - someone has been putting the water in the dugout and flooding it out into the field.

Mayor DeShaw updated the Board on the Firemen's Park. The previous Mayor did promise the firemen that the park could be at the triangle near the Greystone. There was a meeting on Wednesday to discuss this. They are redesigning the memorial so that the structure is not so large for the area. She is looking for someone to help. This still needs to be voted on by the firemen. It will be discussed by the firemen in September. The Mayor discussed the plan for the Founders' Park at the triangle area.

Motion by Trustee Rapasadi, seconded by Trustee Peters, to adjourn at 9:05 p.m. Passed 5 to 0.

Respectfully submitted,

Catherine E. Williams/s

Catherine E. Williams
Clerk/Treasurer