

VILLAGE OF CANASTOTA

MINUTES

August 19, 2013

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

PRESENT: Mayor Carla DeShaw; Deputy Mayor Scott Rapasadi; Trustees Bill Haddad, Margaret Peters and Rosanne Warner; Code Enforcement Officer Mike Adsit; DPW Foreman/1st Assistant Fire Chief TJ Tornatore; Village Historian David Sadler; Lenox Councilman Tom Bush.

ABSENT: None.

Motion by Trustee Haddad, seconded by Trustee Peters, to approve the minutes of the July 15, 2013, meeting. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Haddad, to approve the minutes of the August 12, 2013, meeting. **Discussion:** Trustee Warner believes that the Chamber of Commerce one should be pulled out. She disagrees about submitting a grant on private property when the owner was not notified. Trustee Peters asked if the owners were notified of this. Chief Chafee believes that there was notification made by mail. Trustee Peters would like the minutes revised to note, as she stated that evening, that her abstention was for not having the opportunity to review the draft that day. The Mayor stopped by to pick up a copy at 3:30 on the 12th and the draft was not available. Passed 5 to 0.

Motion by Trustee Warner, seconded by Trustee Peters, to authorize a loan from the General Fund to the Capital Fund in the amount of \$7,000.00 to cover expenses incurred in the Canal Corridor Project awaiting reimbursement through the grant. **Discussion:** Trustee Warner asked what this was for. Clerk/Treasurer Williams advised that it is for the park part of the project. Trustee Peters asked why we were doing \$7,000.00 when the abstract is only \$6,000.00. Clerk/Treasurer Williams explained that we are moving the full amount of the grant so we do not have to do it again with the next abstract. Passed 5 to 0.

Motion by Trustee Peters, seconded by Trustee Warner, to approve the following budget modification: Move \$6,535.00 from 19904.01 (Contingency) to 34104.01 (Fire Department Contractual) for the purchase of the Keri Access Control System for the Fire Department. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Rapasadi, to approve the General Fund Abstract in the amount of \$149,113.32. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Warner, to approve the Sewer Fund Abstract in the amount of \$56,594.19. **Discussion:** Trustee Peters has questions about the diesel fuel - she asked if we furnish Lou Demario with fuel for the hauling. Clerk/Treasurer Williams stated that we do not. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Haddad, to approve the Capital Fund Abstract in the amount of \$6,419.55. Passed 5 to 0.

Motion by Trustee Peters, seconded by Trustee Haddad, to approve the WWTP Capital Upgrade Abstract in the amount of \$169,928.93. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Rapasadi, to approve the following modification to the WWTP Capital Budget:

	<u>FROM</u>	<u>TO</u>
A.1. Bond Counsel	\$19,600.00	\$11,713.54
A.2. Legal Fees	\$20,000.00	\$ 0.00
A.3. Fiscal Coordination	\$18,300.00	\$ 7,810.00
A.6. Misc. Admin	\$20,000.00	\$11,830.79
A.7. Single Audit	\$15,000.00	\$ 5,500.00

(The USDA is recommending this modification as these Administrative Fees will not be utilized for the completion of the project. The adjustments will increase Contingency.) **Discussion:** The Board discussed the reason for the changes to the budget. Passed 5 to 0.

Motion by Trustee Warner, seconded by Trustee Haddad, to authorize the Mayor to execute the attached Lease Agreement with Madison County for use of the courtroom on March 18, 2014, for the Village election. **Discussion:** The Board discussed the dates for the upcoming elections and asked Clerk/Treasurer Williams to confirm the dates with the Board of Elections. Passed 5 to 0.

Motion by Trustee Peters, seconded by Trustee Rapasadi, to allow Clerk/Treasurer Williams to attend the NYCOM Fall Training School in Saratoga, New York, from September 9, 2013 - September 13, 2013, at a cost of \$260.00 for registration fees, \$1,148.00 for hotel and meals (Wednesday dinner is not included in hotel cost), \$40.00 for parking, plus dinner Wednesday evening at the per diem rate of \$30.00, mileage at the approved rate of \$.565/mile and tolls as charged. **Discussion:** The cost of the training was discussed and clarified. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Peters, to approve the following budget modification: Increase 2089.01 (Recreation Income) by \$730.00; Increase 73104.01 (Recreation Contractual) by \$511.00. (Note: This is to accommodate the income and expense from the 2nd session of Zumba.). **Discussion:** The Board discussed the change in location to the Fire House and the success of the program. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Peters, to authorize Clerk/Treasurer Williams to issue payment in the amount of \$511.00 to Julie Reksch from 73104.01.146 (Zumba) for the 2nd session of Zumba. Passed 5 to 0.

Motion by Trustee Peters, seconded by Trustee Rapasadi, to authorize Clerk to the Justice DiGeorge to attend the NYS Association of Magistrates Court Clerks 2013 Annual Conference in Albany, New York from October 6, 2013 - October 8, 2013, at a cost of \$40.00 for registration fees, \$716.00 for hotel and meals, plus mileage at the approved rate of \$.565/mile and tolls as charged. **Discussion:** Trustee Peters asked if lunches were covered. The Mayor stated that they were. Passed 5 to 0.

Motion by Trustee Warner, seconded by Trustee Haddad, to approve the Application for Corrected Tax Roll regarding parcel 35.16-1-33, owned by Richard and Diane Poppleton and known as 608 State Street, decreasing the Sewer Debt Unit Charges from \$285.00 to \$95.00. (Note: On June 17, 2013, the Board approved the request of the owners to have the Sewer Debt Unit Charges reduced. This is for finalization of that request.) **Discussion:** Trustee Haddad asked if this (trailer park) was no longer allowed in the Village. Clerk/Treasurer Williams clarified that a trailer park was never allowed in that location. The Board reviewed the reason for and history of the request. Passed 5 to 0.

Motion by Trustee Warner, seconded by Trustee Rapasadi, to approve the attached Application for Corrected Tax Roll for parcel 35.8-1-8.-1, eliminating the taxes owed due to an error in essential fact. (Note: Upon research by the County it was found that the billboard is not in use or accessible and, therefore, no tax is due. This is a follow-up from the July 15, 2013, meeting.) **Discussion:** Trustee Warner has spoken with the owner, Tom Bush, and he received a letter from the County. The billboard has been removed from the tax roll. The Mayor asked Trustee Warner if she was satisfied and if her questions had been answered. Trustee Warner indicated that she spoke with the assessor and she is all set. Passed 5 to 0.

Motion to authorize the closure of Canal Street, from Souther Street west to South Main Street, on August 25, 2013, from 9:30 a.m. to 11:00 a.m. for the 6th annual Nirelli Cancer Ride with Upstate University Hospital. (Note: Clerk/Treasurer Williams has verbally confirmed this closure with Chief Zophy.) **Discussion:** The Mayor asked Chief how many people are expected. The Chief believes there will be between 75 - 100 riders. The Mayor asked if they were from the Village. Chief Zophy stated that most are from outside the Village. The Board discussed the event. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Peters, to authorize the Mayor to execute the following annual contracts and authorize the Clerk/Treasurer to issue payment as indicated therein: International Boxing Hall of Fame in the amount of \$8,000.00 (Publicity); Canastota Canal Town Corporation in the amount of \$2,000.00 (Publicity); Canastota Canal Town Corporation in the amount of \$10,000.00 (Historical Property); Canastota Children's Council in the amount of \$9,500.00; Canastota Kid's Day Corporation in the amount of \$1,900.00; Canastota Pop Warner Association in the amount of \$2,375.00; Canastota Running Club in the amount of \$500.00; and The Canastota Community Band in the amount of \$1,425.00. **Discussion:** Trustee Peters asked if this was in keeping with the budget. The changes in what was budgeted for these organizations was discussed. Trustee Haddad is concerned that he does not have information from the organizations on what the money is used for. The Mayor noted that we are authorizing the payment of the money that was already authorized in the budget - she obtained this information and provided it to the Trustees in their budget packets back in March. The Board discussed exactly what it is they would like from the organizations and having them come in to talk with the Board about how they are using the money that is being requested from the Village. Trustee Peters wants to make sure that we are getting this information so that we are in compliance with the Comptroller's Office guidelines for money that we spend. Mayor DeShaw advised that she did that when she became Mayor. Trustee Haddad suggested that we make sure that these organizations don't have large fund balances. He would like the groups to do a letter and justify their request for money. The Mayor again noted that

she met with each of these organizations during budget season and they already did this. Trustees Haddad and Peters withdrew their motion. Trustee Rapasadi doesn't believe that we should table this matter. He does not think we need a personal appearance first. Trustee Haddad just wants a letter - not a personal appearance. He does not want to set a precedence for other groups to request money from us without justification.

Motion by Trustee Peters, seconded by Trustee Haddad, to table this matter until next meeting.

Discussion: Clerk/Treasurer Williams was asked to request from the organizations a letter that states what they are using their funds for or have used them for. Passed 4 to 0 to 1. Trustee Rapasadi abstains.

Motion by Trustee Peters, seconded by Trustee Haddad, to authorize payment in the amount of \$21,840.00 from the General Fund (45404.01 Ambulance) to Greater Lenox Ambulance Service, Inc. for 2013-2014 support. **Discussion:** Trustee Warner asked if they submitted anything as a request for payment. Clerk/Treasurer Williams advised that we piggyback from the Town of Lenox contract. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Haddad, to authorize payment in the amount of \$2,800.00 from the General Fund (13204.01 Staff Auditor) to Milliman, Inc. For GASB 45 OPEB Compliance Audit for August 2013 - July 2015. **Discussion:** Trustee Peters asked what this is. Clerk/Treasurer Williams explained that GASB 45 requires that we prepare a valuation of the post-employment benefits that we offer to employees. This information is used by our auditors when preparing our financial statements and AUD. Passed 5 to 0.

Correspondence.

- Letter from the Recreation Commission regarding Zumba. Trustee Haddad asked about any parking issues. Chief Chafee stated that there were no problems. He had a discussion with them before the class and the participants are using the municipal parking lot.
- Email from Jean Mackay regarding the event for the murals. The Mayor thanked Trustee Haddad and Administrator Carpenter for attending. She has heard great responses from the community.
- Letter from the Office of the State Comptroller granting an extension of 60 days to file the AUD.
- Notice from Grazianos regarding the renewal of their liquor license.
- Tree letter from Robert Smith of 205 Lamb Avenue. This has been turned over to the DPW - Foreman Tornatore has a copy of the letter. It is on his list - he will have an arborist check the tree.

- Tree letter from Tom and Justine Alicandro at 203 Lamb Avenue. Foreman Tornatore has this letter also - he will have the tree looked at.

Trustee Peters asked how many trees were on the list. Foreman Tornatore is not sure. He explained how he determines which trees are on the list.

- Letter from Penny Pickard of 210 Lewis Street regarding a concern about dogs at large. She is concerned about unleashed dogs. The law does not require dogs to be on a leash as long as they are under the control of their owner. The Mayor would like to do some research on what other communities have for dog laws. Chief Zophy stated that the communities around us all have the same as us and it is based on the Ag and Markets Law. The Mayor understands what Mrs. Pickard is saying and has seen it happen. Chief Zophy stated that it is up to the Village Board to change the ordinance - there is no leash law in Madison County that he is aware of. Trustee Peters asked if this dog ever comes down to the pool. Chief said that this was not the same dog and explained the prior incident to the Board. Trustee Peters asked if there were any complaints in the pool area. Chief Zophy said not since we confined the other animal. He will research what is out there locally. The Mayor would like the information before the next meeting.
- Letter from BRIDGES regarding a new law prohibiting smoking on playgrounds effective October 10, 2013. DPW Foreman Tornatore noted that he has already requested some of the free signs. Our recreation facilities are already non-smoking. The Mayor would like TJ to let her know when the signs come in.

Department Heads.

Chief Zophy is all set.

Code Enforcement Officer Adsit is all set.

Mayor DeShaw commented that CEO Adsit and DPW Foreman Tornatore are doing an excellent job on sidewalks. She has received a lot of compliments lately.

DPW Foreman Tornatore advised the Board that things are going pretty good. They are done with the project at Canal Park. The Mayor likes the green light.

Chief Zophy noted that the repair men that National Grid contracts to replace the street lights can't seem to find the lights that are out even though the PD provides them with a list indicating the location of the pole and the pole number. The Mayor asked for the contact information for National Grid and she will contact them.

Trustee Haddad asked CEO Adsit for an update on the Tuttle Street property. CEO Adsit advised that the County took the property for back taxes. They are taking the property on EN Canal Street

also. The auction is September 28, 2013. Trustee Warner noted that the County cut the tree and mowed the lawn on EN Canal Street - it looks like a new house.

Trustee Peters advised DPW Foreman Tornatore that she received an anonymous letter about the DPW picking up rugs and other items from a private residence on Galavotti Place. DPW Foreman Tornatore advised that these items were picked up as part of the Bulk Pick Up Program - the people paid for the service. Trustee Peters does not know who sent the letter to her.

Village Historian David Sadler has been researching the bottling companies in Canastota. The Mayor met with the Food Hub - they are looking for information to put in the entrance way of their new facility. The Mayor is giving the group Historian Sadler's name to tie in with the project that they have going. Mayor DeShaw thanked Mr. Sadler for his research.

Chief Chafee advised the Board that the Fire Department had a new member graduate from Fire Fighter I class - David Coates. The Mayor congratulated Mr. Coates and thanked him for his service.

Mayor.

The Mayor has been on vacation - she has a couple of updates for the Board. There is a new retailer going into the old Rite Aid on Peterboro and Center Streets. It is a women's clothing shop - The Red Onion - they are an internet retailer. The Mayor has had several meetings with the Food Hub in the last 3 months. The Mayor facilitated a meeting to get the parties together and back on track. They are working through the problem with the one well that tested slightly positive for contaminants - it might actually be on another parcel. They are waiting for a second report. The parties have spoken with the DEC regarding the resolution. The Planning Board has had the review of the project. Clerk/Treasurer Williams updated the Board on the Planning Board progress. They have had a preliminary review of the plans and are waiting for the applicant to advise that he is ready to continue and to submit final plans.

The Mayor advised that the TEP Grant application was submitted by Elan this week. The Mayor would like electronic copies to be distributed to the Board members. She is not sure when we will hear on the application. Trustee Warner asked if our new lights will be the same as the light in the Canal Street park. The Mayor is not sure. Queensboro Farm Products submitted a REDC Grant application for updates to their plant. She met with the Regional Council - the application is in - we will know in December. The other applicant is a new property owner. They are a Greek company that is looking to purchase Diemolding and use it as a yogurt plant. They also submitted a grant application. This will be in conjunction with Queensboro Farm Products if successful. They first need the grant to purchase the property. There could be 35 jobs at first and after 2 years, there could be up to 90 jobs and could increase Queensboro production by 20% which could also increase employment. Trustee Peters noted that this could also mean additional monies for the Waste Water Treatment Plant. The Mayor stressed that this is a concept right now - they have put in an application. We are fortunate that they have selected Canastota.

Trustee Comments.

Trustee Rapasadi is all set.

Trustee Warner asked about Firemen's Park. The Mayor advised that a meeting is scheduled for a couple of weeks from now. Trustee Warner was asked by Sam Setticone about curbs. CEO Adsit noted that the curbs will be done when the curbs are done in front of the old Cerio's market - Sgarlata Concrete will do the work. Trustee Warner asked for an update on the beer business on South Canal Street. Trustee Rapasadi advised that they are in the Rick's Rags building. The owner made a presentation at the Canal event - it was very interesting. Everything that goes into the beer is from Madison County and he only sells in Madison County. The owner was discussing the malting with the Food Hub. Right now he is sending the barley out to be malted and he would like to start a company here to keep all of the business here. The Board discussed the Downtown Enhancement Plan and the conceptual ideas shown on the plan. Trustee Warner asked Chief Chafee about the Fire Council meeting for tomorrow. The meeting has been canceled so that the Department can attend the funeral of the mother of one of the members.

Trustee Peters commented that Sgarlata Concrete has done a wonderful job with the sidewalks and asked if it were possible to get them to seal the previous work that was done last year. DPW Foreman Tornatore has already talked with Sgarlata about that - he does not have a price yet. It is possible that some of the work may be done in trade as we have been helping Sgarlata with this project. Trustee Peters asked DPW Foreman Tornatore when the slurry work will be done. He advised that he spoke with Suit Kote last week - they are trying to put it on their schedule. The Mayor asked if we ran into this with them last year. Foreman Tornatore noted that last year it was too late in the season. Trustee Peters asked about a difference in price. DPW Foreman Tornatore does not know about the pricing and suggested that Trustee Peters speak with Administrator Carpenter for that information. Trustee Peters would like to make sure that Wilson Avenue between Peterboro and Spencer Streets gets done in the afternoon in case St. Agatha's has a funeral in the morning. DPW Foreman Tornatore has already made these arrangements with the contractor. Trustee Peters asked when the next joint meeting with the Town would be held. Clerk/Treasurer Williams believes that Administrator Carpenter put in a request to the Town and is waiting to hear back.

Trustee Haddad is all set.

Delegations.

None.

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Motion by Trustee Rapasadi, seconded by Trustee Haddad, to adjourn at 8:30 p.m. Passed 5 to 0.

Respectfully submitted,

Catherine E. Williams/s

Catherine E. Williams
Clerk/Treasurer