

VILLAGE OF CANASTOTA  
MINUTES  
February 6, 2017

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 and Trustees Bill Haddad and Rosanne Warner; Village Administrator Larry Carpenter; Lenox Town Councilman Anthony Palamara; Residents Margaret Peters and Ron Vaccaro; Bruce Burke of PAC 99.

ABSENT: Trustee Jeff Carpenter

Motion by Trustee Haddad, seconded by Trustee Warner, to approve the minutes of the previous meeting. Passed 4 to 0.

Motion by Trustee Warner, seconded by Trustee Haddad, to approve the following budget transfers: move \$3,200.00 from 19904.01 (Contingency) to 35104.01 (Animal Control Contractual). **Discussion:** Trustee Warner asked what this is for. Administrator Carpenter advised that it is for pigeon control. Passed 4 to 0.

Motion by Trustee Haddad, seconded by Trustee Rapasadi, to approve the General Fund Abstract in the amount of \$36,675.05. Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Warner, to approve the Sewer Fund Abstract in the amount of \$24,362.31. Passed 4 to 0.

Motion by Trustee Haddad, seconded by Trustee Rapasadi, to approve the Capital Fund Abstract in the amount of \$61,877.23. Passed 4 to 0.

Motion by Trustee Warner, seconded by Trustee Rapasadi, to approve payments totaling \$2,978.97 from the General Fund to MBI to health insurance debit card transactions from January 1, 2017 through January 31, 2017. Passed 4 to 0.

Motion by Trustee Warner, seconded by Trustee Rapasadi, to approve a credit in the amount of \$28.26 against the sewer charges assessed to Beverly Tornatore on the March 31, 2016, OCWA bill for property located 221 West Hickory Street, representing 30% of the total sewer charges of \$94.20. (Note: OCWA gave a credit representing approximately 30% of the water charges. The reason for the high consumption was reported as a possible toilet leak. OCWA advises that an adjustment was also made to the 6/30/16 water bill for this customer.) Passed 4 to 0.

Motion by Trustee Warner, seconded by Trustee Rapasadi, to adopt the attached Resolution Establishing Energy Benchmarking Requirements for Certain Municipal Buildings. **Discussion:** Administrator Carpenter gave an overview on this Resolution. He advised the Board that this is regarding a State Grant available with no matching funds. This resolution is required, along with

a ½ day of training to make the Village eligible for a \$100,000 grant, but not guaranteeing that we will receive the grant. Mayor DeShaw - Aye; Trustee Rapasadi - Aye; Trustee Warner - Aye; Trustee Haddad - Aye; Trustee Carpenter was absent. Motion carried 4 to 0.

Motion by Trustee Warner, seconded by Trustee Haddad, to appoint Michael J. Thomas as a part-time police officer effective February 7, 2017, based upon the attached request and recommendation of Chief Zophy. **Discussion:** The Mayor advised that these next few motions are in response to our losing 2 part-time officers so Chief can fill in the gaps. Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Warner, to appoint Robert T. Marriott as a part-time police officer effective February 7, 2017, based upon the attached request and recommendation of Chief Zophy. Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Warner, to change Officer Danielle Deep's employment status to part time competitive effective February 7, 2017, based upon the attached request and recommendation of Chief Zophy. Passed 4 to 0.

### **Delegations.**

Margaret Peters presented the Board with a letter signed by her and 2 of her neighbors on West Hickory Street regarding a tree that had been marked for removal, has not been taken down and is dropping large branches on the sidewalks. Administrator Carpenter will check on this tomorrow and follow-up with Mrs. Peters. Mrs. Peters also informed the Board that another neighbor, Darren Ball, at 214 West Hickory Street, is having a problem with a tree that is preventing him from having his sidewalk replaced as the tree roots are raising the sidewalk.

### **Correspondence.**

None.

### **Administrator.**

Administrator Carpenter advised that National Grid has been looking at our DPW property regarding the clean up. There will be a meeting with National Grid about this within the next few days. The Mayor stated that the meeting will be in March. Administrator Carpenter further advised that the last he knew National Grid was working on a 2018 date and looking at alternatives.

Administrator Carpenter received a call from Matt Kaczmiwski of the DEC advising that the DEC will be requiring disinfection of all treatment plants that discharge into a body of water. He further

advised that there will be grants available and the DEC wants us to apply. OMI believes that it will be about \$1 million to disinfect. Administrator Carpenter noted that we are very low on the DEC's list of facilities that must disinfect. The Board talked about what this will mean and how it will be done. Administrator Carpenter advised that New York is one of the last states that are requiring this to be done.

Administrator Carpenter provided the Board with a quote in the amount of \$3,200.00 from Captor Wildlife Services, Inc. and asked the Board for a motion to approve Captor Wildlife Services, Inc. for pigeon control. So moved by Trustee Warner and seconded by Trustee Rapasadi. **Discussion:** The Mayor advised that we have had many complaints and have done a lot of research. She stated that this is the best way to do this so that the pigeons won't return. Mayor DeShaw stated that we have spoken with other communities that have used this agency. Passed 4 to 0.

**Mayor.**

Mayor DeShaw emailed tree reports to the Board members. The Mayor stated that both reports recommended that the trees be taken down and replaced. The Mayor advised that with all of the cost in the budget to try to save the trees and the construction that is being proposed, the trees will not survive or they will be unhealthy and will cost more money to maintain. It has been determined that it will be better to put in new trees. There is a date that the existing trees must come down before (end of March) because of an endangered bat species. The Mayor noted that there may be some trees that will be able to be saved but that is to be determined at a later date. Mayor DeShaw would like to have a conversation with the Board about the trees if they have any questions. The Mayor has spoken with about ½ of the downtown business owners who would like new trees. She is waiting for the DOT arborist to get back to her with a the list of potential trees. The Mayor will be having a business owners meeting sometime in the next few weeks to talk about the trees and give them an update on the project. Trustee Haddad suggested that we buy mature trees. The Mayor noted that there are larger trees that can be planted that will survive. The Board would like pictures of the trees so that they can make a decision.

The Mayor has been traveling around this past week looking at stamped concrete. It will be installed in the area between the sidewalk and the granite curbs along both sides of Peterboro Street. Doug Hazen's company will be doing the work. The Mayor advised that they have recommended that we go with the herringbone pattern and she showed the Board a picture. Mayor DeShaw and Administrator Carpenter are working with the landscape architect to determine what color they should be using. The Mayor stated that many municipalities use the herringbone pattern between the sidewalk and curb. Trustee Haddad is concerned about ADA compliance. The Mayor advised that we must comply and our design must be approved by DOT. She noted that this is an approved design. The Mayor will be checking with the designers to see how easily this can be matched if we

need to cut into this in the future. The Board talked about how this area will work with the sidewalk plow and the salt that we use in the winter. Trustee Warner would rather see just a plain concrete slab in that area. The Mayor believes that the color will be similar to what is in the sample in the Mayor's office. Mayor DeShaw has asked Code Enforcement Officer Mike Adsit to begin figuring out the cost to the property owners over the next couple of weeks. She stated that they will be going down Peterboro and around the corners with the sidewalks. The Board discussed where the sidewalks will end and how this will be paid for with the grant and cost to the property owners. Mayor DeShaw advised that the pole on the corner of Peterboro and Canal Street will need to be moved north on Peterboro Street by Verizon and will require a lot of work in the manhole to accomplish this. The area will look a lot nicer after the pole is moved. The Mayor noted that with the pole replacement there will be new updated wire installed and improved service in the area from Verizon. Trustee Haddad asked what they are doing to secure the pole until it is replaced. Administrator Carpenter advised that the pole replacement is a priority and will be done first. Administrator Carpenter gave an updated on the gas line - CCI will come out next week to do test holes to determine if it is active or abandoned. National Grid will test the line hoping that it is empty. The Mayor will keep everyone posted. Traffic on Canal Street at Peterboro will be affected by the pole replacement for about 8 - 12 weeks. Trustee Haddad wants to make sure that we communicate that to the school. The Mayor advised that they are already talking with Chief Zophy. The Mayor commented that DOT has been very supportive over the last couple of weeks helping us to work with Verizon and National Grid.

The Mayor passed out a packet of papers to the Board. She has been working on this for the last month or so. The Mayor explained that until the flow study was done in 2006, there was not any information that could be used making it difficult to determine what allocation was given to the Town of Lenox for sewer usage. The Mayor gave an overview about what is our role and responsibility in the Town sewer process. She will be meeting with Supervisor Pinard after this meeting. The Mayor reviewed the documents in the packets and discussed with the Board how a property would come into the sewer system from within the study and outside of the study. The Mayor believes that if a property in the district is subdivided, the property should be allowed to hook into the sewer system and the allocation should be updated to reflect the subdivision. The Mayor explained that it will be up to the Town to decide if allocation within a sewer district should be taken from one owner and given to another. The Mayor explained that if a property not in a district or not contiguous to a district wants to come into the sewer system, the Village would have the right to negotiate in a consistent manner in the best interest of the Village tax payers. If the property is not in a district and is not contiguous, it is up to the Town how they want to do this and then the Village can decide what to do. Mayor DeShaw advised that the next step will be to determine if all parcels on the spreadsheet that are not part of the flow study are there because of a subdivision or if they should not have been added because they were not part of the flow study. The Mayor added that the paperwork will need to be updated after it comes to the Board for approval. Mayor DeShaw thinks

that this will be a good experience for the Town and Village because it gives us information that neither the Village nor the Town had and it gives us a good foundation for moving forward. She advised the Board that the 2006 study will be updated. Mayor DeShaw will meet with Supervisor Pinard this week to go over the information. The Board talked about what to do with the information that is determined from the research. The Mayor asked the Board to call Clerk/Treasurer Williams or Administrator Carpenter if they have questions. Mayor DeShaw talked about how the unit charge is assessed to a parcel. She is working with Code Enforcement Officer Adsit regarding the forms that the Town uses - it does not have a place on the form that would indicate what town sewer district the new parcel is from. The Mayor asked Councilman Palamara if the town is moving forward with an application from the church. Councilman Palamara has not heard.

Mayor DeShaw gave the Board Members a copy of the town budget and asked them to review it. She explained that the A budget is for all town residents including the Village residents and the B budget is the town residents outside the Village. The Mayor gave the Board members a couple of hand outs from NYCOM regarding town budgets and annexations and also an article from a NYCOM publication regarding annexation. She asked Councilman Palamara about scheduling a joint meeting.

The Mayor reported that the Governor's Office will be calling back the Restore New York Grant. She reminded the Board that we have \$1.6 million for Barlow Street. The Mayor has been trying to use this money since she has been in office. She spoke with NYC ESDC - they are allowing us to clean the property up. The Mayor has told the fish company that they need to either move forward or we are moving forward with another company. We have the okay to clean up the site and to renovate the building - 8,000 to 12,000 square feet for future development. The Mayor stated that we do receive multiple calls for people looking for 8,000 - 12,000 square feet of space. She is looking to create some larger space for smaller businesses to come in and operate as the businesses in the incubator building do not seem to move. Mayor DeShaw thinks that this will fill a niche. The developer in Syracuse does get calls for space in Canastota. He is willing to move forward with buying the property, cleaning it up and developing the property. The Mayor will make a call to the fish company and again noted that ESDC has approved us to move forward. Trustee Warner asked if the fish company is buying the property. The Mayor advised that Lou Zupan owns the property. The fish company was going to lease the property from the developer who was purchasing the property from Lou Zupan. The developer was not going to close until he knew that he could use the Restore New York money. The developer has put in \$100,000 of his own money already. Mayor DeShaw stated that this is good news on that front. They will be starting in a couple of weeks and ESDC decided that we do not have to amend the application again - it will be an internal process for them.

The Mayor reported that she replied to an email that was sent to her requesting a tax lien settlement on the old Diemolding Building from the gentlemen from New York City that own the property. The Mayor gave an update on the history of this project. She advised that two (2) of the original owners have partnered with new investors who have imposed conditions on their investment. The remaining condition is that the original owners pay the property taxes. In an effort to meet the third item, they asked for a tax settlement. The Mayor explained that the Village is made whole by the County and the County holds the liens and she Mayor directed the owners to the County. Mayor DeShaw stated that once the project is under way, we would talk with the owners about a possible PILOT Agreement or grant possibilities. The Mayor heard from Supervisor Pinard that the County has extended their time to pay the taxes and is not putting the property in tax foreclosure right now.

#### **Trustee Comments.**

Trustee Rapasadi is concerned about James Street by the funeral home. He stated that once the frost comes out of the ground that we will have the same situation as on Stroud Street. Administrator Carpenter stated that he noticed that and will get together with DPW Foreman Tornatore.

Trustee Warner met with the fireman - she asked Administrator Carpenter if he received the quotes for flooring. Administrator Carpenter advised that there is a Purchase Order for that. Trustee Warner advised that the flooring in the big room is 30 years old and popping up and the bathrooms need a face lift. She noted that the fish fries will begin soon. Also, the firemen are looking to do the haunted house again this year and something in conjunction with Trunk or Treat. The firemen would like to replace the buntings that the hang outside. Trustee Warner thanked DPW Foreman Tornatore for the pot holes that they filled in on Maple and Peterboro Streets and Canal Street.

Trustee Haddad may not be here for the next meeting on February 21, 2017.

Mayor DeShaw opened up Delegations for resident Ron Vaccaro who arrived at the meeting after Delegations were closed. Mr. Vaccaro commented that the Village did a good job on Belleview Drive with the water problem, but he believes that it is a temporary fix and that what needs to be done is to have gutters and curbs installed to track the water and catch it in the proper catch basin. Trustee Rapasadi believes that the water problems occurred because of the development on Port Street. Administrator Carpenter advised that we looked at this about 5 years ago. At the time we looked for a grant to take care of the work - it is on our radar. Mr. Vaccaro does not want Belleview Drive to look like Stroud Street. Administrator Carpenter explained the current process for road repair and how the State changes in CHIPS reimbursement have affected the work that we did last year. The Board discussed the work that the contractor did last year regarding road repair and that the company is coming back this year to fix some of the roads that were not satisfactorily completed. Mr. Vaccaro addressed the Board about the lack of street lighting on his street (Belleview Drive)

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stating that there has been a lot of vandalism in the area. The Mayor asked Mr. Vaccaro if he has spoken with Chief Zophy. Administrator Carpenter asked for the address where Mr. Vaccaro would like the light. Mr. Vaccaro would like it in front of 112 Belleview Drive and stated that there is an existing pole at that location. The Mayor advised that we will request the light from National Grid. Administrator Carpenter stated that he will follow up with Mr. Vaccaro after he has spoken with National Grid.

Motion by Trustee Rapasadi, seconded by Trustee Haddad, to adjourn at 8:48 p.m. Passed 5 to 0.

Respectfully submitted,

*Catherine E. Williams*

Catherine E. Williams  
Clerk/Treasurer