

VILLAGE OF CANASTOTA  
MINUTES  
June 19, 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 Jeffrey Carpenter and Rosanne Warner; Village Administrator Larry Carpenter; Fire Chief Lyle Chafee; Recreation Director Steve White; William Buchan, Esq. and Dean Merrit from Operations & Maintenance, Inc.; Butch Miller and Don Landry from Queensboro Farm Products, Inc., Dale Vollmer from Plumley Engineering; Lenox Councilman Anthony Palamara; Recreation Board Members Allison Forth and Sarah VanDusen.

ABSENT: None.

Motion by Trustee Haddad, seconded by Trustee Carpenter to approve the attached budget transfers for the 2016-2017 General Fund Budget totaling \$10,198.66 and the 2016-2017 Sewer Fund Budget totaling \$7,835.53. Passed 5 to 0.

Motion by Trustee Warner, seconded by Trustee Haddad, to approve the May 31, 2017 General Fund Abstract in the amount of \$71,238.29. Passed 5 to 0.

Motion by Trustee Carpenter, seconded by Trustee Rapasadi, to approve the May 31, 2017 Sewer Fund Abstract in the amount of \$36,867.29. Passed 5 to 0.

Motion by Trustee Warner, seconded by Trustee Haddad, to approve the May 31, 2017 Capital Fund Abstract in the amount of \$325.50. Passed 5 to 0.

Motion by Trustee Carpenter, seconded by Trustee Haddad, to approve the June 19, 2017 General Fund Abstract in the amount of \$24,696.26. Passed 5 to 0.

Motion by Trustee Warner, seconded by Trustee Haddad, to approve the June 19, 2017 Sewer Fund Abstract in the amount of \$4,701.52. Passed 5 to 0.

**Delegations.**

None.

**Department Heads.**

Recreation Director Steve White reported that the Rec Board will have a meeting next week. At their last meeting they had a bunch of people coming in to talk about programs. Steve discussed some of the ideas that those people presented. The Mayor asked for an explanation of what events

were being discussed regarding the Farmers' Market. Steve will have more details after the next meeting. The Mayor thanked the Rec Board for all of their work.

Fire Chief Lyle Chafee asked about advertising the old ladder truck to be sold and stated that the new truck will be here in the first or second week of August. Mayor DeShaw asked about the plans for Community Day. Chief Chafee reported that the plans are going well and stated that they should be able to make it work. Chief Chafee also reported that four (4) firemen participated in a tower climb at Turning Stone and one team made it in full turnout gear with air packs - Firemen Matt Freund, Tim Cowan, Travis Wheatley and Mike Barker. They all climbed 18 flights 5 times - one team completed it in 1 hour and the other in 2 hours. The Mayor thanked the Fire Department for their participation in the Boxing Hall of Fame Parade and noted that she received a lot of compliments. She also thanked the Police Department for a good job.

Trustee Haddad reported that at the Codes Committee meeting they talked about the Solar Farms Moratorium and they are letting that go for right now. Trustee Haddad talked about other codes that the committee is currently reviewing. The Mayor noted that solar farms are a priority to the New York revitalization initiative and asked if these will be brought to the Board for discussion. Trustee Haddad stated that the next Codes Committee meeting is on July 17, 2017, at 4:00 p.m.

**7:15 p.m. Public Hearing regarding the proposed local law to amend Chapter 163 of the Village of Canastota Code to provide for a surcharge on conventional industrial wastes discharged into the Village sewer system.**

The Mayor opened the public hearing at 7:15 p.m. and read the Notice of Public Hearing aloud. Mayor DeShaw then turned the public hearing over to William Buchan, Esq., of Operations & Maintenance, Inc., the contractors running the Waste Water Treatment Plant for the Village, who gave the history of the local law revisions. Mr. Buchan stated that this is something that has been in discussions for some time. The prior local law was based on the EPA's recommended law. The new law will focus on 5 variables and a per-pound charge because it is easier to understand and is in keeping with how other communities bill their industrial users. The debt service charges are not being affected. Mr. Buchan advised the Board that they looked at historical data and tried to come up with a formula that would keep things the same which should make things easier for the Village. Mayor DeShaw asked if anyone would like to speak for or against the proposed local law.

Butch Miller, President of Queensboro Farm Products, spoke on behalf of Queensboro Farm Products. He gave a history of the company and their business in Canastota. Mr. Miller stated that Queensboro pays \$290,000 a year in sewer use charges and \$88,000 in capital charges. He is concerned that the proposed changes will result in higher fees for Queensboro and asked for lower rate charges in the beginning. Mr. Miller gave the Village information on Queensboro's financial

contributions to the community during the year 2016. Dale Vollmer of Plumley Engineering spoke on behalf of Queensboro Farm Products. He is their engineer. Mr. Vollmer agrees with moving to the surcharge formula as it will make things simpler. He stated that there were problems with the old formula. Mr. Vollmer discussed how the formula worked prior to the upgrades to the pump station and what happened to the charges after the new pump station came on line. The concern they have is not with the local law but with the rates that we are charging. Queensboro would like the rates to be based on the lower historical charge before the formula didn't work any more. They are asking that the rates be used from the letter that they sent to the Village as they think that this would be a better place to start. Mr. Vollmer is concerned that they will need to ask for a rate reduction if we use the current rate as proposed. Mayor DeShaw thanked Mr. Vollmer for his comments.

Mayor DeShaw asked Mr. Buchan to follow up on Mr. Vollmer's comments and discuss how the rates were determined. Mr. Buchan explained that we looked at the more recent data rather than the historical data that Queensboro used. Mr. Buchan added that it was our intention to keep Queensboro at the status quo with what is currently being charged. Mr. Buchan also explained that there are changes in the flows and what is being produced and that with the new law, the Village now has the ability to review the rates if we feel the need to make changes. Mr. Buchan reiterated that they tried to keep Queensboro in the same financial position. The Mayor talked about the allocation that is reserved for Queensboro at the plant. Mayor DeShaw asked if the Board members had any questions. Trustee Haddad asked about the letter sent to the Board. Mr. Miller noted that Queensboro was asked to pay \$100,000 in advance every quarter, which they complied with. Mayor DeShaw talked about the collection and sharing of data and the discrepancies in interpretation of that data. The Mayor talked about the reasons for going to this new formula and how the rate was developed.

Mayor DeShaw asked if anyone else would like to comment. Lenox Councilman Anthony Palamara asked about a current rate structure and a proposed rate and if we compared the actual bill and the new bill with the new rate structure. William Buchan advised that they are the same.

Mayor DeShaw asked for a third time if anyone else would like to speak for or against the proposed local law. She received no response.

The Public Hearing was closed at 7:43 p.m.

**7:43 p.m. Public Hearing regarding the proposed local law to amend the Zoning Map of the Village of Canastota to change the zoning district classification of the premises located at 1 Leland G. Wright Avenue off Canal Street Northeast and 424 Canal Street Northeast from an R1 Residential District to an IN Industrial District.**

The Mayor opened the Public Hearing at 7:43 p.m. and read the Notice of Public Hearing aloud. Mayor DeShaw asked three (3) times if anyone would like to speak for or against the proposed local law. Canastota Fire Chief Lyle Chafee asked about the information for the revised law. Mayor DeShaw explained the reasons behind the requested zone change - National Grid is cleaning the contamination on the property and is requiring the Village to change the zone so that no residential use would be possible. Administrator Carpenter explained that the contamination is a tar-like substance that is not moving anywhere. Chief Chafee asked about interference with the Fire Department training tower on the DPW property. Administrator Carpenter does not believe that it is a problem. The Mayor closed the public hearing at 7:48 p.m.

Motion by Trustee Warner, seconded by Trustee Carpenter, to approve payments totaling \$3,580.21 from the General Fund to MBI for health insurance debit card transactions from May 1, 2017 through May 31, 2017. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Warner, to approve the attached Resolution closing the Village parking lot at the southeast corner of the intersection of Canal and Peterboro Streets between the hours of 1 p.m. and 8 p.m. every Monday beginning July 10, 2017 - October 17, 2017 for the Farmers' Market. **Discussion:** Trustee Warner thought that we weren't doing this. Administrator Carpenter advised that we are and gave an overview of the decision to delay opening of our market. The Mayor stated that we are doing this with the hope that we will have enough farmers to start on July 10, 2017. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Carpenter to approve the attached Resolution approving a local law amending Chapter 163 of the Village Code. **Discussion:** William Buchan, Esq., explained why we changed the agenda and revised the resolution removing the SEQR resolution. Trustee Warner asked if the application went to the County for GML review. Clerk/Treasurer Williams advised that it did not as it was not required. Trustee Haddad explained why he is concerned and what he still does not understand about this formula. The Mayor asked William Buchan to provide the information that Trustee Haddad is requesting. Dean Merrit explained that Queensboro is in agreement with the new law, just not the new rates. William Buchan explained how the rate was determined - they looked at the budget, took the figures and divided it to determine the rate. He explained that when comparing our rate to other communities, we took the actual figures where possible and when we couldn't we used our budget. Mr. Buchan explained that our rate is actually lower than other communities. Trustee Carpenter asked if it was the new plant that is causing the increased charges. Mr. Buchan advised that there are many fewer overflows with the new system and perhaps more of the waste is getting to the plant instead of overflowing into the creek. He stated that we are just trying to have Queensboro pay their fair share of the costs. Dean Merrit explained that the industry is moving towards this formula for control of the rate. Mayor DeShaw asked Dean Merrit if he could provide the information that Trustee Haddad is requesting.

Trustee Warner asked why Queensboro is so concerned that this is going to be a rate increase. Trustee Carpenter noted that Queensboro is asking for us to look at prior pump station data before the overflows were corrected. The Mayor talked about the history of billing to Queensboro and how it relates to the allocation for Queensboro. Mr. Buchan offered to provide the Board with the information on the new formula so that the Board members can run the calculation themselves to see. Dean Merrit advised that the Village would have the third cheapest rates in the industry. The Mayor called for a vote on the motion. Passed 5 to 0.

Mayor DeShaw thanked Mr. Buchan and Mr. Merrit from OMI for all of their help on the rate.

Motion by Trustee Haddad, seconded by Trustee Carpenter, adopting the attached Resolution establishing significant industrial user surcharges for 2017 pursuant to Chapter 163-107 of the Village Code. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Warner, approving the attached Resolution adopting a Local Law to amend the Village of Canastota Zoning Map. Mayor DeShaw - aye. Trustee Rapasadi - aye. Trustee Warner - aye. Trustee Haddad - aye. Trustee Carpenter - aye. Carried 5 to 0.

Trustee Warner believes that the Notice of Public Hearing must be published 10 days before the public hearing when the public hearing concerns a zone change. Clerk/Treasurer Williams will check with Village Attorney Stokes.

Motion by Trustee Warner, seconded by Trustee Carpenter, approving the attached Agreement between the Village of Canastota and the Canastota Central School District for the School Resource Officer covering the period September 1, 2017 until the end of the 2017 - 2018 school year, and authorizing the Mayor and Police Chief to execute same. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Warner, to adopt the attached Resolution awarding the contract for garbage and recyclable collections services to Bliss Environmental Services, Inc. Passed 5 to 0.

Motion by Trustee Warner, seconded by Trustee Haddad, to approve the request of the Canastota Fire Department to allow Enid Lewin the use of the Firemen's PoleBarn on June 24, 2017, from 2 p.m. - 8 p.m. for a graduation party. (Note: Proof of insurance has been received.) Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Carpenter, to approve the ACH transaction to USDA Rural Development in the amount of \$10,000.00 from the Sewer Fund (97106.02 Debt

Service) and interest in the amount of \$8,887.50 from the Sewer Fund (07107.02 Interest on Debt Service) owed on the 2003 Interceptor Pipe Bond. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Rapasadi, approving the attached Artist Performance Contracts for the 2017 Summer Concert Series, authorizing the Mayor to execute same and authorizing payment to the Artists named and in the amounts specified therein. **Discussion:** The Mayor thanked Ed Brophy for organizing and selecting the artists this year. Passed 5 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Carpenter, approving the attached Resolution authorizing the Mayor to enter into a contract with OMI for SPDES permitting technical services and grant writing. **Discussion:** Trustee Warner asked for an explanation of this contract. William Buchan advised that the State gives the Village a new SPDES permit every 5 years. This year we received an application indicating that we have to disinfect the effluent that is discharged from the plant. Mr. Buchan advised that we talked about this when we did the upgrade to the pump station and treatment plant and we thought that there would be grants when the requirement came into play. Mr. Buchan stated that we are in the planning stages now and will be applying for some grants - this requires some engineering and a local engineer will be working with OMI to do the grant application. Trustee Warner asked if we are going for the next grant of \$30,000.00. The Mayor confirmed that this is what the motion is about. Dean Merrit confirmed for the Board that OMI is not charging anything to the Village for their portion of the work and that this is just for the engineering that they are hiring out. Mayor DeShaw stated that disinfection will be a very expensive process to implement. William Buchan is hoping that we can do this without having to build a building. They are trying to find a way to do it without a building to save some cost. Dean Merrit talked about another option and advised that May 1, 2022 is the date that everything must be up and running. Passed 5 to 0.

Trustee Haddad left the meeting at 8:35 p.m.

### **Correspondence.**

None.

### **Administrator.**

Administrator Carpenter advised the Board that he is having a problem with the leaking at the pool - the work that they did slowed the leak down a little bit, but had very little affect. We found the plans for the pool and are now thinking that it is leaking around the floor drain - we lost 80,000 gallons over a 4 day period. The DPW will try dye testing to find the leak. Administrator Carpenter talked about how we determined the amount of water that we are losing per day. The Mayor asked about

the cost of the water loss. Administrator Carpenter advised that we are on a fixed quarterly cost for water at the pool until next spring.

Administrator Carpenter advised that the ladder truck and the fire boxes will be before the Board at the next meeting for surplus. Administrator Carpenter talked about how we are going to get rid of the boxes as we have many firemen and residents who would like one of the boxes. The Board talked about options for auctioning the boxes. Administrator Carpenter will come back to the Board next month with more information. The Mayor would like to see if we can offer the boxes to the closed district first before we go outside the local community.

**Mayor.**

Mayor DeShaw advised that we are still waiting on the contract from New York City for Barlow Street. She saw a rendering of the building and stated that it is a beautiful building. She described the building for the Board. Mayor DeShaw made another call to New York City. The developer is ready to go and will be doing another SEQR because of the change as they are now taking the building down.

Mayor DeShaw gave an update on the Downtown Project - the lift bridge will be here in mid-July and it will probably be the first week of August by the time it is installed. The Mayor spoke with National Grid and they can't find our lights - they have been looking for them. The Mayor believes that they either lost them or gave them to another community. The benches, receptacles and bike racks have started to be installed and will be adjusted if they need to be. Mayor DeShaw advised that she has continued to get very positive feedback on the project. The Mayor has not heard anything negative. She has heard that many people like the look of downtown without the trees. Mayor DeShaw and Administrator Carpenter are working on a grant for facades - it is a Main Street New York Grant. The Mayor has reached out to the downtown property owners and will have a meeting tomorrow night at 6:00 p.m. Most of the owners on Peterboro Street are interested. Madison County Planning will be helping us write the grant. The Mayor is excited about the revitalization prospects with mixed use buildings. The grant needs to be in by July 26, 2017. The Mayor noted that the owners will really have to move on this to be ready. Mayor DeShaw talked about the plantings that will need to be replaced. The Mayor is not pleased with the work that was done by the landscape architects. She has been working with Delta and they have agreed to redo the landscaping at their expense. The Mayor has asked Chris Patane to do the design - he is working with the Rotary Club on the design for the area. Trustee Warner is concerned about the placement of snow with regard to the plantings in the area. The Mayor stated that she has also been concerned about that and the snow plan for next winter will need to be discussed before winter. Mayor DeShaw talked about damage to the Rotary Park stones and pavers. Mayor DeShaw asked Administrator Carpenter to follow up with Rotary regarding the replacement of the bricks and the cost.

Mayor DeShaw thanked the Boxing Hall of Fame and all of the volunteers. She talked about the events of the weekend and advised the Board that she received many compliments from people who have returned year after year. The Mayor advised the Board that the Express Mart was sold to the Oneida Indian Nation - she has reached out to them but has not yet heard back.

**Trustee Comments.**

Trustee Rapasadi is all set.

Trustee Warner asked for a date that Suit Kote is coming back to fix the roads. Administrator Carpenter advised that DPW Foreman Tornatore has talked with them and does not have a date yet. The streets that will be redone by Suit Kote were discussed. Trustee Warner asked for an update on the roof. Administrator Carpenter spoke with the roofer on Friday and does not have a date yet. We are waiting on a contract from Village Attorney Jim Stokes. Trustee Warner had people talk to her about the concern with the slopes in the sidewalks and the snow and ice removal. The Mayor had this discussion this week and Administrator Carpenter explained why the slope was used. The Board discussed this concern.

Trustee Carpenter is all set as all of his questions have already been answered.

The Mayor and the Board talked about canceling the July 5, 2017 meeting.

Motion by Trustee Rapasadi, seconded by Trustee Warner, to cancel the July 5, 2017, meeting. Passed 4 to 0.

Motion by Trustee Rapasadi, seconded by Trustee Carpenter, to adjourn at 9:05 p.m. Passed 4 to 0.

Respectfully submitted,

*Catherine E. Williams*

Catherine E. Williams  
Clerk/Treasurer