

VILLAGE OF CANASTOTA
MINUTES
July 16, 2018

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

PRESENT: Mayor Carla DeShaw; Trustees Jeff Carpenter, Rosanne Warner and Bill McDade; Village Administrator Larry Carpenter; Police Chief Jim Zophy; Code Enforcement Officer Michael Adsit; Recreation Specialist Sarah Forth; Recreation Leader Allison Forth; Fire Chief Frank McFall; CVFC President Doug Chandler; Residents Mary O'Donnell, Annette Bargabos, Marty Bargabos, Alan Williamson and Kelly Williamson; and Bruce Burke of PAC 99.

ABSENT: Deputy Mayor Bill Haddad

Motion by Trustee McDade, seconded by Trustee Carpenter, to approve the minutes from the May 21, 2018, regular meeting. Passed 4 to 0.

Motion by Trustee McDade, seconded by Trustee Warner, to approve the minutes from the June 4, 2018, regular meeting. Passed 4 to 0.

Motion by Trustee Warner, seconded by Trustee Carpenter, to approve the following modifications to the 18-19 General Fund Budget for the 17-18 Encumbrance Carryovers: Increase 13204.01 (Audit) by \$16,120.00; increase 16204.01.46 (Village Hall Parts & Repairs) by \$3,555.78; increase 34102.01.84 (Fire Department Turnout Gear) by \$14,591.90; increase 34104.01.91 by \$3,417.60; increase 39894.01.75 (Code Enforcement Contractual) by \$1,819.00; increase 51104.01.40 (DPW Supplies) by \$56.97; increase 73104.01.112 (Swimming Pool) by \$2,136.95; 81204.01.120 (Trash Removal - Dumpsters) by \$237.00; increase 81604.01.138 (Trash Removal - Contract Hauler) by \$11,371.88; increase 85104.01 (Beautification) by \$450.00 for a total of \$59,357.86. (See the attached Encumbrance Report for details.) Passed 4 to 0.

Motion by Trustee McDade, seconded by Trustee Carpenter, to approve the following modification to the 18-19 Sewer Fund Budget for the 17-18 Encumbrance Carryovers: Increase 81204.02.47 (Sewer Contractual) by \$139.66; increase 81304.02.46 (WWTP Contractual) by \$3,860.53; increase 81304.02.132 (WWTP Contractual) by \$125.00 for a total of \$4,125.19. (See the attached Encumbrance Report for details.) Passed 4 to 0.

Motion by Trustee McDade, seconded by Trustee Carpenter, to approve the General Fund Abstract in the amount of \$138,874.92. **Discussion:** Trustee Warner asked if the Children's Council was going to use the money this year. The Mayor discussed the Children's expenses and reports for the year. Passed 4 to 0.

Motion by Trustee Carpenter, seconded by Trustee McDade, to approve the Sewer Fund Abstract in the amount of \$47,070.79. Passed 4 to 0.

Motion by Trustee McDade, seconded by Trustee Warner, to approve the Economic Development Fund Abstract in the amount of \$300.00. Passed 4 to 0.

Motion by Trustee McDade, seconded by Trustee Warner, to approve payment from the General Fund for the following 17-18 encumbrance carryovers: \$2,019.90 to A&J Fire Sales and Service from 34102.01.84 for PO No. 8933 and 8934; \$450.00 to Amazon.com from 85104.01 for PO 8874A; \$234.00 from 81604.01.120, \$45.00 from 440.01, \$11,371.88 from 81604.01.138 for a total of \$11,653.88 to Bliss Environmental for PO 8942; \$1,819.00 from 39894.01.75 to Integra Consulting, Inc. For PO 8861; \$3,555.78 from 440.01 and \$3,555.78 from 16204.01.46 to Johnson Controls for a total of \$7,111.56 for PO 8852; \$56.97 from 51104.01.40 to Lowes for PO 8881; \$279.60 from 34104.01.91 to Midstate Communications for PO 8805; \$136.95 from 73104.01.112 to Walmart Community for PO 8866. Passed 4 to 0.

Motion to approve payment from the Sewer Fund for the following 17-18 encumbrance carryovers; \$125.00 from 81304.02.132 (WWTP Contractual) to Bliss Environmental for PO 8943; \$139.66 from 81204.02.47 (Sewer Contractual) to Callanan Industries, Inc. for PO 8891; \$3,860.53 from 81304.02.46 (WWTP Contractual) to Shrier Martin Process Equipment for PO 8693. **Discussion:** Trustee Warner thanked Clerk/Treasurer Williams for all of the hard work on the carryovers. Passed 4 to 0.

Delegations.

None.

Department Heads.

Code Enforcement Officer Mike Adsit reported on the Barlow Street project - it is 99% complete. He gave the status of completed repairs and work to be done and explained that availability of the concrete did put them behind schedule. The Mayor spoke with Lou Zupan, Sr. about Barlow Street Development purchasing the parcel that was needed in order to take care of the drainage issues. CEO Adsit advised that he has sent a violation notice to the owners of the old Diemolding building - he does not know where they are at with their project. The Mayor advised that they are in Greece and should get their violation letters when they return. The Mayor brought the Board up to date regarding what is happening with this property. The Mayor will have an update on this project under her report. The Mayor and CEO Adsit talked about code violations and letters that have been sent. Mike stated that the Casler property is 99% complete and talked about getting it done.

Recreation Leader Allison Forth talked with the Board about programs that are in the works.

Public Hearing - 7:15 p.m. - to consider a proposed local law entitled "A local law to amend Chapter 230 (Zoning) of the Code of the Village of Canastota with respect to signs." The Mayor opened the public hearing and read the Notice of Public Hearing out loud. Mayor DeShaw asked if anyone wanted to speak for or against the proposed local law. Mary O'Donnell asked what it was about. The Mayor explained the changes and the purpose of the local law. The Mayor read the GML

recommendation report from the County Planning Department out loud: “The regulations will produce a positive impact on the Village, particularly the character of the historic downtown. Congratulations!” Mayor DeShaw asked again if anyone wanted to speak for or against the law. Annette Bargabos asked about how the garage sale signs would work. Chief Zophy explained that people will have to ask to have the sale and would be informed about the rules and restrictions. The Mayor asked for a third time if anyone would like to speak for or against the proposed law. Marty Bargabos asked about the sandwich signs for the Psychic Fair. The Mayor explained that the signs would have to comply with the law. Code Enforcement Officer Mike Adsit spoke about the discussions with the people from the Psychic Fair. Chief Zophy spoke about the liability issues for the signs. The Mayor closed the public hearing at 7:25 p.m.

Public Hearing - 7:27 p.m. to consider a proposed local law entitled “A local law to amend Chapter 230 (Zoning) of the Code of the Village of Canastota with respect to accessory sheds.” The Mayor opened the public hearing and read the Notice of Public hearing out loud. Mayor DeShaw read the GML recommendation report - it was returned for local determination. The Mayor asked if anyone wanted to speak for or against the local law. Allison Forth asked if a shed would be grandfathered if it is in existence right now. The Mayor asked if anyone else would like to speak. Marty Bargabos asked about a pavilion with no walls. CEO Adsit stated that that would be something that would have to be taken care of. The Mayor asked for a third time if anyone would like to speak for or against the proposed local law. The public hearing was closed at 7:30 p.m.

Public Hearing - 7:31 p.m. to consider a proposed local law entitled “A local law to amend Chapter 144 of the Code of the Village of Canastota with respect to parks.” The Mayor opened the public hearing and read the Notice of Public Hearing out loud. Mayor DeShaw noted that there was no GML requirement for this law. The Mayor asked three (3) times if anyone would like to speak for or against the proposed local law - she received no response. The public hearing was closed at 7:32 p.m.

The Mayor thanked the Codes Committee on these amendments to local laws. She expects this to become a regular occurrence during meetings over the next few months. Mayor DeShaw commented that the Committee is doing a great job!

Public Hearing - 7:32 p.m. to consider a proposed local law entitled “A local law to amend Chapter 200 of the Code of the Village of Canastota” to regulate the use of unmanned aircraft systems in the Village of Canastota. The Mayor opened the public hearing and read the Notice of Public Hearing out loud. Mayor DeShaw asked if anyone would like to speak for or against the proposed local law. Alan Williams asked about the reason behind the local law. Chief Zophy gave the background for the law and why the Village chose to regulate this activity. He also spoke about the exceptions to the law. Chief explained permitted uses. Alan Williams advised that he has an FFA license but does not have a business license and does not know if they would be allowed to use their drone in the Village. Chief discussed the use of the drone with Mr. Williams. The Mayor asked if anyone wished

to speak for or against the proposed local law. Marty Bargabos asked that the section of the law regarding exceptions be read out loud. Trustee Warner read the requested section. Mr. Bargabos asked how to give notification to the Village that a videographer will be using a drone. Chief Zophy discussed notification with Marty and Annette Bargabos. He asked that any person who will be using a drone at any of the functions held at Greystone Castle let the PD know just once and give their schedule. The Mayor asked for a third time if anyone wanted to speak for or against the proposed local law. Mayor DeShaw asked if the Committee took into consideration that a business in the Industrial Park does business with drones. Chief Zophy reiterated that the intent was not to regulate that kind of use. The Mayor asked again if anyone would like to speak for or against the local law. The Mayor closed the public hearing at 7:47 p.m.

Public Hearing - 7:47 p.m. to consider a proposed local law entitled "A local law to amend Section 56-15 of the Code of the Village of Canastota" with respect to penalties for certain offenses. The Mayor opened the public hearing and read the Notice of Public Hearing out loud. The Mayor noted that there was no GML requirement for this law. The Mayor asked two (2) times if anyone would like to speak for or against the proposed local law. Mary O'Donnell asked for the reasons behind the local law. Trustee Warner stated that it was just to address penalties for certain laws. The Mayor explained that some of the fines and penalties are under codes matters and are intended to make the fines such that they increase daily and work to add up for repeat offenders. Chief Zophy talked about the reason for the fines to be assessed. The Mayor asked for a third time if anyone would like to speak for or against the proposed local law. She received no response. The public hearing was closed at 7:54 p.m.

Mayor DeShaw thanked the Codes Committee again.

Allison Forth, Recreation Specialist, is hoping for the date of November 17, 2018, for the Craft Fair at Theodore's. Sarah Forth asked for approval to use the pole barn on October 27, 2018, for Trunk or Treat. The Mayor asked about approval from the Fire Company.

Motion by Trustee McDade, seconded by Trustee Carpenter, to approve the 2018 Trunk or Treat on October 27, 2018, at the Canastota Fire Barn pending approval by both the Fire Company and the Fire Council. Passed 4 to 0.

The Mayor explained that once the Company and Council approvals are given, Recreation can move forward.

Community Day will be held on August 11, 2018, from noon to 4:00. Allison Forth reported that Recreation is working with the Fire Company. The Mayor asked about how the Rec Field usage is going. Allison reported that it is going great - no problems.

Chief Zophy reported that he lost another part-timer. Officer Knapp is going to the Syracuse Police Department. The Mayor noted that she and Chief Zophy are working on the SRO Contract with Superintendent June Clarke. Chief Zophy gave an update to the Board about the status of SROs in our state. He advised that a Special Police Officer position would be filled by an SRO. The governor's office has created this position. The Chief talked about what this means for the salary for this position and what we are doing about this position locally. Chief Zophy would like the Board to move Officer McCormick into the Special Officer position. Chief would like us to be competitive on this position to avoid losing the SRO. The Chief talked about the SRO training that we do in our district and with our teachers. The Mayor stated that she and Chief Zophy had a conference call with Superintendent Clarke on Friday. The school is supportive and does not want to lose our SRO. The school pays the salary and fringe for this position and this year they are also paying for the vehicle because we would not need this vehicle if we did not have the SRO. The Mayor stated that the Agreement is being worked on. The Board discussed the salaries of the SRO compared to other districts and compared to other police officers. Trustee Warner asked to see the costs of the officer. The Board discussed the cost of the officer position and how the position is filled and who would be qualified to take the position. Chief Zophy and the Board talked about the possibility for an officer to be in the other school buildings. Chief Zophy explained that a police officer is there for security as we cannot discipline a student. The Chief talked about what the SRO does. Trustee McDade stated that he would be in favor of putting SROs in each school even if there was a cost to do so. Chief talked about recent incidents at the school. The Mayor advised that the SRO contract will be on the agenda for the next meeting and asked that the figures go to Trustee Warner.

Chief Zophy reported that Officer Carr will be back working for us on weekends again. Trustee Carpenter asked why there is such a shortage of SROs. Chief Zophy explained that it is a specialty position and gave the history of the position and what is needed in order to do the job. He also talked about our authority in the school. The Mayor offered for the Board members to have a conversation with the Chief if they wanted more information.

Fire Chief Frank McFall sent the Fire Department's monthly report to Clerk/Treasurer Williams. The Fire Department attended 23 calls last month - 13 in the Village and 10 outside. Chief McFall talked about the structure fire on Lewis Street. Chief McFall asked about the repairs to their pickup. Administrator Carpenter advised that there was structural damage to Truck 128. The Mayor stated that a Fire Council member advised her that the Fire Company and the Fire Council were talking about fixing the truck. There was also talk about purchasing a new truck. Chief McFall stated that the Fire Department and Fire Council are not buying a new truck and they want the truck to be fixed. Mayor DeShaw asked what the truck is being used for. Chief McFall advised that it is the only vehicle that can be taken off the road for a brush fire. Administrator Carpenter asked who is paying for the repair. Chief McFall would like the cost of the repairs to come from the budget. He would like to know what needs to be done. Administrator Carpenter will send the estimate. The Mayor asked Chief McFall to work with Administrator Carpenter on how the Fire Department wants to

move forward. The Mayor asked if the Council was giving permission to move forward. The Mayor stated that the Fire Barn reservation system is not working as smoothly as it was. The Mayor stated that she would like to meet with Chris Hannan and Chief McFall to go over the process, the lead time in the process and she spoke about the problems that we have had with the process. Mayor DeShaw would just like to get it to work efficiently for people who would like to use the pole barn.

Motion by Trustee McDade, seconded by Trustee Warner, to approve the attached amendment to Section 806 of the Employee Handbook regarding health insurance for non-union retirees. Passed 4 to 0.

Motion by Trustee Carpenter, seconded by Trustee McDade to approve payments totaling \$4,137.33 from the General Fund to MBI for health insurance debit card transactions from June 1, 2018 to June 30, 2018. Passed 4 to 0.

Motion by Trustee McDade, seconded by Trustee Warner, authorizing payment of the attached invoice from Software Techniques in the amount of \$480.00 for the renewal of our annual time keeping software using the Village credit card. Passed 4 to 0.

Motion by Trustee McDade, seconded by Trustee Carpenter, authorizing Clerk/Treasurer Williams and Deputy Clerk/Treasurer Galavotti to attend the Alumni Meeting of the CNY Village Clerk/Treasurer's Association on Thursday, August 16, 2018, at the Orchard Vali Golf Course and approving payment in the amount of \$30.00 to CNYVCTA. **Discussion:** The Mayor thanked Clerk/Treasurer Williams and Deputy Clerk/Treasurer Galavotti for going. Passed 4 to 0.

Motion by Trustee McDade, seconded by Trustee Carpenter, approving payment in the amount of \$12,064.05 to Janata, Lacap & Hazen, LLP, from the General Fund pursuant to the attached Consent order and Judgment. **Discussion:** The Mayor asked if everyone understood this. The Mayor explained that this is for the first payment that we are legally bound to make on this matter. Passed 4 to 0.

Motion by Trustee McDade, seconded by Trustee Carpenter, approving the attached resolution adopting the Plan for the voluntary participation of all eligible village employees to participate in the State of New York Deferred Compensation Plan. Passed 4 to 0.

Correspondence.

- Letter and copies of advertising from Ed Brophy regarding Boxing Hall of Fame Weekend.
- Letter from Code Enforcement Officer Mike Adsit regarding a zone change for the Erie Mill property.

- Letter from CSEA regarding collecting agency fees from non-members.

Trustee Warner asked about the letter from Code Enforcement Officer Adsit regarding zoning - should we be sending it to Village Attorney Jim Stokes? The Mayor stated that we have done that.

Mayor.

The Mayor advised the Board that Administrator Carpenter is retiring on August 6 and taking some vacation after that.

Mayor DeShaw reported that Dutchland is in the final stages of construction. They are moving in the first or second week of August. She reported that they had a hard time finding some contractors regionally. They will move in the first part of August and do some test runs. The Mayor has discussed with the Governor's Office that an event will be done because of the EFC monies. Mayor DeShaw reported that the event should be around Labor Day - she will let us know how it goes. Dutchland is excited - the first new hires will be in September and October. The Mayor reported that the Greeks are moving very slowly forward. They are in Greece speaking with the engineers about the machinery. The Mayor has spoke with them about their request for a reduction in their assessment - there is more to come on that. Mayor DeShaw noted that Code Enforcement Officer Adsit did say that a letter was sent to them about cleaning up their property.

Mayor DeShaw is working with the owner of Erie Canal Brewery about the CFA that is due July 27, 2018. This will be for Canastota to become the home of the bottling and production for some craft breweries. They are looking for 7,000 - 8,000 square feet in the Business Park - they are considering building or purchasing a building. The Mayor is working with them on their application.

Mayor DeShaw reported that the facade grant is on its way. A meeting was held a couple of weeks ago. The Mayor met with the property owners - they are very excited. The Mayor talked about the meeting and what was accomplished with the architect. The owners need to get the applications back to the committee for review. Mayor DeShaw advised the Board that we have \$300,000 and we are not going to be able to award everyone. The County has a rubric that will be used.

Administrator.

Administrator Carpenter met today with the DPW and DEC engineering firm and National Grid about the contamination at the DPW site that was caused by the former coal to gas plant in the 1800s. The contamination is not spreading - holes have been drilled. Most of it is on the Canal Street side and under the DPW building. Administrator Carpenter does not know yet if the building will have to be taken down. If it does, National Grid will have to build us a new building. Administrator Carpenter explained the process for working through the determination for

contamination and what we will have to do if contamination is found. He advised that we will have to be out of that building when it starts and it won't start until 2021.

The Mayor advised that the attorneys are reviewing a shared services agreement with regard to DPW supervision and the Town Highway Department. They have been discussing the options for having the Village supervising the Town Highway until the election. Mayor DeShaw and Supervisor Diveronica have had discussions about the Town reimbursing the Village for a part of the salary, fringe and vehicle. This is in the very early stages of discussions - should it go forward, the Mayor will bring a Memorandum of Agreement between the Village and Town. The Mayor stated that DPW Foreman Tornatore is very interested in helping out. Mayor DeShaw reported that she and Supervisor Diveronica are also talking about some other shared services - the Municipal Building, recreation, beautification, etc. The Mayor stated that in her opinion and based on her experience at the college, this is a great way to take this short time frame and see if a co-supervisor could work between the Town and Village. Trustee Warner asked about an update on the basketball courts on State Street and at the Rec Field. Administrator Carpenter will get information to Trustee Warner - concrete was decided to be used at State Street.

Mayor DeShaw advised that the Beautification Committee is meeting tomorrow at 6:00 p.m. They are working on the memorial Tree Program, swimming pool and Rec Field. The Mayor asked the Board to thank the committee members.

Trustee Comments.

Trustee McDade has no comments tonight.

Trustee Warner asked about an incident at the Rec Field. Chief Zophy stated that kids have damaged the picnic table at the Rec Field and kicked the door at the storage garage. It was witnessed by one of our employees. This was the same group of kids that Chief Zophy has spoken about before. Chief talked about putting some wireless cameras and an alarm system at the Rec Field. Chief Zophy explained that it is a lack of parent supervision.

Trustee Warner congratulated Administrator Carpenter. She gave an update about planning an Italian Heritage Festival in the Village next August and working with the Fire Department and the church. She will reach out to the Boxing Hall of Fame. Trustee Warner is meeting with Attorney Peter Finocchiaro about raising money to do this festival and how it will work. Trustee Warner talked about the possibility of using Canal Street and shutting it down for the day. The potential impact on the local business was discussed.

Trustee Carpenter congratulated Administrator Carpenter on his retirement.

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Motion by Trustee McDade, seconded by Trustee Warner, to adjourn at 8:55 p.m. Passed 4 to 0.

Respectfully submitted,

Catherine E. Williams

Catherine E. Williams
Clerk/Treasurer