

VILLAGE OF CANASTOTA  
MINUTES  
June 3, 2024

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

PRESENT: Mayor Rosanne Warner; Deputy Mayor Doug Gustin (8:17); Trustees Jeff Watkins, Lori Torrey and Bill Haddad; Village Administrator Jeremy Ryan; Sarah Murdie, Dustin Murdie, Julie Koelsch, Cynthia Julian, Diane Philo, Kerry L. Brown, James Reed, Patty Wells, Mark Taylor, Debra Golden, Peggy LeClair, Arron LeClair, Steve Williams, Elizabeth Roberts Ackerman, Ron Vaccaro, Tom Congden, Rachel Elder, Patty Wells; Bruce Burke of PAC 99.

ABSENT: None.

Motion by Trustee Watkins, seconded by Trustee Haddad, to approve the attached Home Rule Request to the New York State Senate and Assembly to allow Officer Richard Johnson to take the competitive civil service examination for the position of full-time police officer with the Village of Canastota, and be placed on the eligible list for employment as such. Passed 4 to 0.

Motion by Trustee Torrey, seconded by Trustee Watkins, to approve the attached minutes of the previous meeting. Passed 4 to 0.

Motion by Trustee Haddad, seconded by Trustee Watkins, approving the following budget transfers in the 2023-2024 Budget: move \$18,657.17 from 97307.02 (Interest on BAN) to 99019.02 (Interfund Transfer); move \$2,000.00 from 80201.01 (Planning Board Personal Services) to 14101.01 (Village Clerk Personal Services); move \$19,526.98 from 90158.01 (Fire & Police Retirement) as follows: \$145.49 to 11301.01 (Court Personal Services), \$25.00 to 11304.01 (Court Contractual), \$.04 to 12101.01 (Mayor Personal Services), \$970.44 to 14204.01 (Attorney), \$6,432.21 to 16204.01 (Village Hall Contractual), and \$11,953.80 to 31201.01 (Police Personal Services). Passed 4 to 0.

Motion by Trustee Torrey, seconded by Trustee Haddad, to approve the attached May 24, 2024, General Fund Abstract in the amount of \$22,626.97. Passed 4 to 0.

Motion by Trustee Haddad, seconded by Trustee Torrey, to approve the attached May 24, 2024, Sewer Fund Abstract in the amount of \$19,046.89. Passed 4 to 0.

Motion by Trustee Watkins, seconded by Trustee Haddad, to approve the attached June 3, 2024, General Fund Abstract in the amount of \$38,109.97. Passed 4 to 0.

Motion by Trustee Torrey, seconded by Trustee Haddad, to approve the attached Sewer Fund Abstract in the amount of \$.1,991.48. Passed 4 to 0.

**Public Comments.**

Debra Golden gave the Board the noise ordinance and highlighted the areas that she believes pertain to the vote on the zone change. The Mayor reviewed what was handed out to the Board. Debra Golden asked about the problem with the parking on James Street. Steve Williams talked about the problems with the U-haul truck that the new owner of the property parks on the street. Trustee Watkins recommends that they contact the 911 center non-emergency number and file a complaint when it is happening.

Public comments were paused for the public hearings.

**7:10 p.m. Public Hearing on Local Law No. C of 2024, A Local Law Authorizing Purchasing Based on Best Value.**

The Mayor opened the public hearing at 7:13 p.m. and read the Notice of Public Hearing out loud. Mayor Warner asked three (3) times if anyone is here to speak for or against Local Law C of 2024 and received no response.

Motion by Trustee Watkins, seconded by Trustee Haddad, to close the public hearing at 7:14 p.m. Passed 4 to 0.

**7:15 p.m. Public Hearing on Local Law No. D of 2024, A Local Law Amending Article XIA of Chapter 230 of the Code of Incorporated Village of Canastota Regarding Multifamily Dwelling Units.**

The Mayor opened the public hearing at 7:15 and read the Notice of Public Hearing out loud. Mayor Warner asked three (3) times if anyone was here to speak for or against the proposed local law. Clerk/Treasurer Williams advised the Board that the GML was not returned by the County so we cannot vote on this tonight. The Mayor received no response.

Motion by Trustee Watkins, seconded by Trustee Haddad, to close the public hearing at 7:18 p.m. Passed 4 to 0.

**Public Comments cont'd.**

Debra Golden asked for clarification on where the Downtown is. Trustee Watkins asked Debra Golden if she is having issues in her parking lot. He suggested a sign that the cars can be towed at owners' expense. She has no turn around signs. Steve Williams does not think that the signs work. The Board discussed with Steve Williams the problems with the parking on his street.

**7:20 p.m. Public Hearing on Local Law No. A 2024, a Local Law to Add a New Article XII of Chapter 163 of the Code of the Village of Canastota to Prohibit Illicit Sump Pump Discharge.**

The Mayor opened the public hearing at 7:21 p.m. and read the Notice of Public Hearing out loud. The Mayor asked three (3) times if anyone wanted to speak for or against the proposed Local Law A 2024 and received no response.

Debra Golden asked what people are supposed to do with sump pump discharge. The Mayor stated that they are not supposed to put it in the road. It can freeze and cause problems for other people. Village Administrator Jeremy Ryan read from the Local Law stating where the discharge should go.

Motion by Trustee Watkins, seconded by Trustee Haddad, to close the public hearing at 7:24 p.m. Passed 4 to 0.

**Public Comments cont'd.**

Trustee Haddad noted that he had the Codes Officer come in on a Saturday in April and talk to them. He suggests that it go back to Codes. Steve Williams thinks that the Board talked to him the last time but now it is worse than before. He noted that he has had conversations with the owner about the U-haul truck. Trustee Watkins talked about the fact that we have been dealing with this for too long and suggests that we have the police department start writing tickets. Steve Williams believes that it should be a ticketing issue. He asked about the no parking here to corner and its proximity to the fire hydrant. The Board talked about what can be done. Village Administrator Ryan will go in and talk to the owner this week and he will talk with the Police Chief. The Mayor noted that we want people to come in to our businesses. The Board talked about parking options in the area. The Mayor talked about the allowable uses in the Commercial Zone. They talked about painting the curb yellow. The Mayor advised that we will talk with the Police Department and also talk with the DPW to see what else we can do. Steve Williams noted that the U-haul is also causing problems with site when he has to back out of his driveway.

Sarah Murdie asked about the noise ordinance information that the Mayor read which was submitted by Debra Golden. The portion that Sarah is questioning was hand-written by Debra Golden which read that there were no exceptions for kennels. Sarah Murdie noted that Wanderer's Rest is not a kennel.

Tom Congden is concerned about dogs getting loose.

Rachel Elder is here to support Wanderer's Rest.

Patty Wells is in favor of the zone change.

James Reed lives at 317 Port Street and stated that the lot is in his backyard. He noted that they already have a lot of vehicles in the morning and noise from the backup noise of the trucks. The Mayor asked how long James has lived there - he has lives there 25 years and he doesn't believe that the noise will be buffered by the hedge that is there now. He also has property that connects to the trail. The Mayor asked about the noise buffer that the Village was supposed to put up.

Kerry Brown is here to support the zone change. He spoke about the noise concerns and noted that the building is going to be constructed to prevent noise from being heard outside He also spoke about the 3 barriers to dogs getting out - kennels, the building, 2 leashes and the fence. Trustee Watkins asked about the number of dogs that they will take from the City of Utica. Kerry Brown advised that the most dogs they will take is 6. Julie Koelsch, the VP of Wanderer's Rest, stated that she understands the community concern. She noted that the new building and their property must follow Ag and Market regulations. They will not get dogs that are overly-aggressive. Sarah Murdie and Trustee Watkins discussed the contract with the City of Utica. Trustee Watkins wishes that he knew about the contract from Wanderer's Rest. Sarah Murdie talked about the other contracts that Wanderer's Rest has. Mayor Warner asked why it mattered where the dogs come from. Sarah Murdie advised that Ag and Markets asked them directly to take the dogs. She explained that they only work with Article 7 animals. The Mayor asked how many dogs they get from other places and Sarah advised that they have 5 this month. Julie Koelsch noted that they want to work with the community and have Sarah Murdie work with the community and talked about some of the things that they want to do. She talked about the benefit of having the children come in to visit the center. She also talked about the program where home-schooled children come in to read to the cats. Trustee Haddad asked if their funding is 100% in place to build their facility and when it will happen. He asked if there was enough funding to get this done. Sarah Murdie advised that their goal is 24 months. They have enough money to get this off the ground and get started while seeking other funds. Sarah Murdie asked if the Board would ask these questions of other purchasers. Trustee Watkins responded that the Village's concern is that if the project does not go through, this is now a commercially-zoned property that could have anything else there. Julie Koelsch stated that they have people that are waiting to write checks and grants that they can apply for but until they have the land, they cannot have access to this money. They wanted to have it here and work with the community.

Ron Vaccaro stated that he loves dogs and would love for them to get a new facility but he has concerns. He is afraid that the Village Board has already made up its mind.

Diane Philo is here to support Wanderer's Rest and talked about her experience as their receptionist and the people that come in.

Cindy Julian is a Board Member for Wanderer's Rest and is here to support them. She noted that there will be a community room for use. They think that they can prove that their concerns will be okay. The Mayor asked what she can tell the residents to make it better. Julie Koelsch noted that there are homes near their facility right now and they have not had any complaints about noise. Debra Golden asked about Micron and how that will be affected. The Board and Debra Golden discussed the potential for Micron to bring in business to the Business Park.

Motion by Trustee Haddad, seconded by Trustee Watkins to close the public comments at 7:55 p.m. Passed 4 to 0.

Motion by Trustee Watkins, seconded by Trustee Haddad, approving the attached Resolution enacting Local Law 5 of 2024, A Local Law Authorizing Purchasing Based on Best Value. (Note: A roll call vote is required.) Trustee Haddad - Aye; Trustee Torrey - Aye; Trustee Watkins - Aye; Mayor Warner - Aye. Passed 4 to 0.

Motion by Trustee Haddad, seconded by Trustee Watkins, approving the attached Resolution enacting Local Law 6 of 2024, A Local Law to add a New Article XII of Chapter 163 of the Code of the Village of Canastota to Prohibit Illicit Sump Pump Discharge. (Note: A roll call vote is required.) Trustee Haddad - Aye; Trustee Torrey - Aye; Trustee Watkins - Aye; Mayor Warner - Aye. Passed 4 to 0.

Motion by Trustee Watkins, seconded by Trustee Torrey, to approve the attached Agreement between the Village and the Over the Hill Gang in the amount of \$1,000.00, and authorizing the Mayor to execute the same. Passed 4 to 0.

Motion by Trustee Haddad, seconded by Trustee Watkins, approving the attached Request for the Use of a Village Facility from the Canastota Children's Council for use of the Firemen's Pole Barn Mondays through Thursdays beginning July 8, 2024 and continuing through July 31, 2024, from 12:30 - 4:30 and on August 1, 2024, from 12:30 - 8:00 p.m. for a Summer Theater Program. Passed 4 to 0.

Motion by Trustee Haddad, seconded by /Trustee Torrey, approving the attached Request for the use of a Village Facility from the American Legion Post #140 for the use of the Recreation Ball Field on July 28, 2024 from 11:00 a.m. - 3:00 p.m. for a Charity Softball Game. Passed 4 to 0.

Motion by Trustee Watkins, seconded by Trustee Haddad, approving the attached Agreement between the Village and the Canastota Children's Council in the amount of \$6,000.00 and authorizing the Mayor to execute the same. Passed 4 to 0.

Motion by Trustee Torrey, seconded by Trustee Watkins, authorizing an ACH payment to USDA Rural Development in the amount of \$20,975.00 from Sewer Fund as follows: \$14,000 from 97106.02 (Debt Service) and \$6,975.00 from 97107.02 (Interest on Debt Service) for principal and interest owed on the 2003 Interceptor Pipe Project. Passed 4 to 0.

Motion by Trustee Haddad, seconded by Trustee Torrey, to approve the attached Change Order #001 in the amount of \$312.00 for MEID, LLC to drill a hole in the server room wall to provide access for additional communication wiring. (Note: This is to facilitate the proposed office telephone project with Madison County.) **Discussion:** Trustee Watkins asked about the other change orders that we already talked about. Administrator Ryan noted that they are out of order and the others were discussed at the last meeting. Trustee Watkins just wanted to make sure that they Town was on board. Passed 4 to 0.

The Mayor and the Board reviewed the proposal from EDR. The Mayor will go back to EDR. There will be no action on this matter this evening.

Motion approving the attached Task Order No. 1, as Amended for Additional Services Listed in the Attached Exhibit K-1, between the Village and Timothy P. O'Hara, P.E., PLLC, for engineering services to prepare and submit a Post-Construction Control Monitoring Plan (PCCMP) in the amount of \$3,500.00 and authorizing the Mayor to execute the same. Passed 4 to 0.

Trustee Gustin joined the meeting and the Mayor advised him of the discussions that were previously had this evening with regard to the zone change pending legislation.

Motion by Trustee Haddad, seconded by Trustee Watkins, approving the attached Resolution enacting Local Law 7 of 2024, A Local Law Amending the Zoning Map of the Village of Canastota to Change the Zoning Designation of Certain Property Zoned Industrial Park Development District B (INP-B) to Commercial District (CM). (Note: A roll call vote is required.) **Discussion:** Trustee Haddad is going to support this because a plan was presented that met the community concern that will be safe, noise restricted and did the things that they needed to do. He is still concerned about the property and the ability to make it happen but many of the concerns are covered by laws and can be taken care of with our laws. Trustee Torrey also supports the zone change and noted that Trustee Haddad said it beautifully. She stated that they gave us everything that we asked for and this will benefit the community and she thinks it is a great project. Trustee Watkins stated that he opposes the zone change because it is unclear about the funding and he feels that we should keep the Business Park as a whole. He is concerned strictly about the zone change. Trustee Gustin has a lot of concerns about the funding and changing the zone. The Mayor noted that this is a difficult decision as a Mayor with it being 2 to 2. She understands everyone's point on this. The Mayor stated that she has 20-25 years of experience in planning and zoning and she is concerned if we change the zone and their project does not go through, what happens with the parcel. She also understands the

concerns regarding the noise but believes that the architect did a good job on this and that there are things that we can do to make it better. The Mayor also understands the plight of Wanderer's Rest and noted that their building has outlived itself. She understands why they want to be in the Village. The Mayor addressed the suggestion that she made to Sarah Murdie that there is a second option for Wanderer's Rest on the other side of the Business Park. The Mayor noted that there are no utilities right now and it is not cleared. The Mayor advised that the land can be offered at a cheaper price to help with the cost of putting in the utilities. Sarah Murdie stated that they have not discussed it yet but they are waiting to see what happens with option "A". She noted that it will cost more money to clear the lot if the Board is concerned about fund raising. Mayor Warner noted that she is not concerned about Wanderer's Rest ability to raise the money needed for the project. The Board talked about the history of this zone change request and other options. Sarah Murdie noted that they have talked to the owner about the building that he owns adjacent to the lot in question and stated that he is not ready to sell the building. Trustee Gustin - Nay; Trustee Haddad - Aye; Trustee Torrey - Aye; Trustee Watkins - Nay; Mayor Warner - Nay. Motion defeated 2 - 3.

Motion by Trustee Haddad, seconded by Trustee Torrey, approving the attached Annual Software Support Contract with Williamson Law Book Company in the amount of \$908.00 for Building & Codes enforcement software from June 1, 2024 through May 31, 2025, and authorizing the Mayor to execute the same. Passed 5 to 0.

Motion by Trustee Watkins, seconded by Trustee Gustin, approving the attached Annual Software Support Contract with Williamson Law Book Company in the amount of \$748.00 for Tax Collection with TaxGlance software from June 1, 2024 - May 31, 2025, and authorizing the Mayor to execute the same. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Watkins, approving a credit in the amount of \$191.62 against the sewer charges on the March 31, 2024, OCWA bill for property owned by Gary Heffron and located at 107-109 Barlow Street, Canastota, New York. (Note: The reason for the excess water consumption was due to a broken water heater that has been corrected.) **Discussion:** Trustee Watkins asked Clerk/Treasurer Williams if we checked the list for this property. Clerk/Treasurer Williams noted that this owner was on the list but not this property. Passed 5 to 0.

Motion by Trustee Watkins, seconded by Trustee Torrey, approving the following Summer Sports Clinics to be run by the Recreation Commission:

- A. Field Hockey, July 8 - 11, Grades 3 - 6, 4:30 - 5:30
- B. Soccer - July 15 - 18, Grades 1 - 6, 4:30 - 5:30
- C. Lacrosse or Baseball/Softball, July 22 - 24, Grades 1 - 6, 4:30 - 5:30
- D. Football, July 25 - 27, Grades 2 - 6, times vary
- E. Lacrosse or Baseball/Softball, July 29 - August 1, Grades 1 - 6, 4:30 - 5:30

Passed 5 to 0.

Motion by Trustee Gustin, seconded by Trustee Watkins, approving the following requests from the Recreation Commission:

- A. \$100 for supplies for Pickelball League from Program Development;
- B. Appointment of Christine Perry to a one-year term on the Recreation Commission to fill the vacancy created by the resignation of Emily Sorbello.

Passed 5 to 0.

Motion by Trustee Watkins, seconded by Trustee Haddad, to approve the attached Application for Corrected Tax Roll concerning parcel 36.69-1-13, located at 213 James Street. Passed 5 to 0.

Motion by Trustee Watkins, seconded by Trustee Torrey, to accept the LETECH Program grant from DCJS in the amount of \$106,014.00 and to authorize the Mayor to execute the DCJS Law Enforcement Technology Program 24-25 Grantee Attestation. Passed 5 to 0.

#### **Discussion regarding Ball Avenue engineering.**

The Mayor noted that we have issues with Ball Avenue - it is still caving and the residents are still getting water in their basements - this area is not separated. The Board talked about the problems that they have had in that area and noted that we have to do something. Trustee Watkins asked who we use as an engineer. The Board discussed who we use and what to do. The possibility of putting out an RFP for engineering service was discussed. The Board talked about the problems that they had when the recent sewer main break occurred.

Motion by Trustee Watkins, seconded by Trustee Gustin, to do an RFP for an engineer. Passed 5 to 0.

#### **Correspondence.**

- Letter from National Grid regarding Upstate New York rate case filing.

#### **Administrator's Comments.**

Administrator Ryan reported that the DPW and PD are ready for this weekend. There was a New York Forward meeting last Thursday - 20 people came out. There will be another meeting this Thursday. The Open call for projects begins next week. Trustee Torrey asked if the public can attend this meeting. Administrator Ryan advised that they can attend and he believes that there is a comment period at the end.



Administrator Ryan advised that Pristine Painting will be doing the painting work on the bridges and he sent them a contract to look over. He is waiting for a response. There has been discussion regarding repainting the bridge over the Canal on Main Street. Administrator Ryan is reaching out to see who has the authority over the bridge. The Board talked about who we need to contact for permission. The Village pool is scheduled to open June 15 and swim lesson sign ups are this week. The DPW is working on the building. The Board discussed the lifeguards. Chief Barton is concerned about fights happening in and around the playground noting that many teenagers are congregating there.

Administrator Ryan met this week with the engineer and contractor for a status update. The request to swap the window and door has been send to MEID and he will get back to the Board when he has the amount from them. Trustee Haddad asked if we have signs where we have cameras announcing that this is a surveillance area. Administrator Ryan is not sure - he will check. He noted that the black fence that surrounds the playground is getting abused - we may need to rethink this. They talked about other options. The Mayor asked about the ages of the kids doing the damage. Administrator Ryan believes that they are 15 - 18 year olds.

#### **Mayor's Comments.**

The Mayor put in a payment request of 538,000 to FEMA for the air pack grant. The majority of the stuff is here for the SCBAs with the exception of Lincoln - their bottles are still on backorder. The Mayor will check tomorrow to see if it was approved. The Board discussed this with Arron LeClair - he noted that the fire district will need an invoice for their costs. The address is 7224 Old County Road, Canastota, New York 13032. The Mayor noted that we are trying to get things ready for Wampsville, too.

The Mayor advised that the truck committee is still trying to figure out what to buy. She talked about the trip to East Syracuse. Steve Williams was not really impressed with that they saw last week. The Mayor noted that she talked with Doug Chandler about the old American LaFrance - it is a '98 and the truck will be over 30 years old in 3 years - does this mean that we could get a FEMA Grant since FEMA is not looking at any replacements less than 30 years. The Mayor thinks that she could get Doug Chandler to write one more grant and offered him an administrative fee. The Mayor told Doug that he needs to find someone to do these grants because he won't be here forever. Mayor Warner suggested Isaac Smith would be a good idea. The FEMA cutoff is \$1 million and anything over that would be the Village's responsibility. Steve Williams noted that the cost is being quoted at \$1.2 million - \$1.3 million. The Board discussed cost and the new requirements coming in 2026. Arron LeClair talked about the cost of equipment since COVID. Steve Williams noted that Seagrave was willing to hold a contract price. The Mayor is aware of other companies that stated that they would hold a price, as well. The Mayor asked Arron LeClair to bring back to the Lincoln Board to get back into the Recreation Program. The Mayor talked with Peggy LeClair about the price for Rec and asked her to talk to her Board and ask what they believe the contract price should be.

**Trustees Comments.**

Trustee Gustin has nothing tonight.

Trustee Watkins has nothing tonight.

Trustee Haddad wanted to compliment the DPW - Clark Park looked great for Memorial Day. The mowing of area around the OCWA building was discussed.

Trustee Torrey is good tonight.

Motion by Trustee Watkins, seconded by Trustee Gustin, to enter Executive session regarding personnel at 8:47 p.m. Passed 5 to 0.

Motion by Trustee Gustin, seconded by Trustee Watkins, to exit executive session at 9:28 p.m. Passed 5 to 0.

Motion by Trustee Haddad, seconded by Trustee Watkins, to adjourn at 9:28 p.m. Passed 5 to 0.

Respectfully submitted,

*Catherine E. Williams*

Catherine E. Williams  
Clerk/Treasurer