

June 16, 2016

Regular Town Board Meeting

Present: Supervisor Debra Suller, Councilman Marty Mason, Councilman Ed Bender, Councilman Dan Wiley, Dave Croft, Highway Superintendent Dan Hubbard and approximately 10 residents

Absent: Councilman Paul Aubertine

Supervisor Suller opened the meeting at 7pm with the pledge of allegiance.

Privilege of the floor

Bernard Kasby- Bernard spoke about a situation he was involved with regarding his neighbors. He explained that he met a group of fishermen that he had known for years and his neighbor misunderstood the conversation. He said that he was assaulted over this misunderstanding. He explained that he has a deeded right of way to the water and the neighbor is prohibiting him from using the right of way. He said he would like to know who owns Martin Drive.

Michelle Oswald-Michelle spoke about her concerns with zoning and the zoning enforcement officer. She said that she feels that he is acting out of the scope of his authority. She said that 3 citizens are in court now because he sent them there. Michelle said that she has read the law and she reviewed the steps outlined in the law. She asked why violations are being pursued without written complaints. She said that court actions are supposed to come before the town board. She said that sending residents to court does not entice families or businesses to come to Cape Vincent.

John Lawrence-John said that he lives on Hell Street and he would like water hooked to his home. He explained that there is a hydrant near his residence and he wondered what he needed to do to hook into it. Supervisor Suller said that he should address the situation with Dave Croft the water superintendent. She also encouraged him to attend a meeting with Rachel Bernatt from BC&A on June 22.

Tim White-Tim said that he was there representing the water committee and he wanted to give an update. He said that they are focusing on developmental and the physical parts of the system, and water district extensions. He said that at their June 29 meeting they will be discussing EDU's and flat charges. He said that they should be done by the end of Aug. if not sooner.

The minutes from the May 19, 2016 meeting were accepted by Councilman Mason, seconded by Councilman Wiley. All were in favor.

The Minutes from the June 2, 2016 meeting were accepted by Councilman Bender, seconded by Councilman Wiley. Supervisor Suller, Councilmen Bender & Wiley in favor. Councilman Mason abstained as he did not attend the meeting.

The minutes from the June 7, 2016 meeting were accepted by Councilman Mason, seconded by Councilman Wiley. All were in favor.

Supervisor Suller gave reports from the Zoning Officer and the Assessor.

Recreation Park-Dave Croft reported that there have been the usual meetings, a wedding reception and a tricky tray event in the building. He said tennis and pickle ball are still going on. He said that they will be taking the benches to the elementary school next week and the kids will decorate them. He said that he would like to have training on the AED system and in turn show others, that use the building how to use it. Dave reported that to date there are 37 teams signed up for the Willie Putnam tournament. Councilman Wiley said that he has had a couple of mothers complain to him that the playground is not safe and that they are taking their children to Clayton. Dave said that the playground is made of wood and it is in need of an upgrade. He said that NYMIR did an inspection and the only thing they wanted fixed was to remove the swings. He said that he uses a special chemical to treat the wood that is safe. He and Councilman Wiley talked about when the playground was put in and it will be hard to get people to help with upgrades.

Water-Dave Croft reported that they have fixed a few leaks. He said the tower at the Correctional Facility is still not up, and he would like to get going on it, so that at peak season, the water will have good pressure for all the extra visitors that will be in Cape Vincent.

Highway-Dan Hubbard said that he has signed the new salt contract for the winter. He said that the MSHA training is done and the mining permit is done. Dan reported that they have been helping the village with paving and new windows have been installed at the town office building. He said they have also fixed a hole in the floor at the museum. Dan said that they are mowing and have mowed and trimmed at the transfer station. The panel boxes at the Hostel houses were hit by lightning and have been repaired. Dan said that he has checked into filling the backhoe tires at the transfer site with foam. He said that he had asked Nina to get approval for this to be done in the fall. Dan spoke to the board about the use of the transfer site to blow up flares that have been dropped by the Canadian military doing training. They are washing up on shore, and it is written on them to call authorities if found. The Sheriff's department calls Dan and they use the transfer site as it is a safe place to detonate. Dan said he was not sure if it is up to the town to help them, but it does protect the public. Dan said that he would like to have a Deputy Superintendent and would like the board to consider this. Councilman Mason said that it would be up to Dan, and he should choose who he wants to be the deputy.

Dave Croft said that the water filtration system at Tibbets Point, now that they have municipal water, should be removed and he asked the board what they would like to do with it. He said that it is a nice system. The Board talked about different ideas to get rid of it. They will look for a potential buyer for the system, and the board decided that it should stay in place so the potential buyer can see how it is set up.

Supervisor's financial report-Supervisor Suller gave the financial report. She said that the loan for water district 1 was paid off. Supervisor Suller reviewed the expenditures. Councilman Bender made the motion to accept the Supervisor's financial report, seconded by Councilman Mason. All were in favor.

Village-Councilman Mason reviewed the events of the village meeting.

Councilman Mason said that he attended the Tri-County Energy meeting. He said that there are 33 members and he said that National Grid said not to expect anything from them until July of 2017.

LWRP-Councilman Bender said that the latest information that he received from Jane Rice is complete and very complex. He said EDR is ready to submit the information for the grant, but needs pictures and an updated resolution.

Planning Board-Councilman Bender reviewed the minutes of the Planning Board meeting.

LDC-Councilman Bender said that he missed the last meeting because of his surgery, but knows the building is staked out. Councilman Mason said the clerk of the works will be Gary Swartz. Councilman Bender said his term on the LDC board will be up in September, and he does plan to step down at that time.

Youth Commission-Councilman Wiley said that he had some concerns with the President of the Youth Commission. Councilman Wiley said that he will be getting notices to the schools for anyone interested in heading up the T-ball program. He also said that he thinks they should look for alternatives for the playground upgrade.

School-Councilman Wiley said the school had signed to join the energy consortium.

Supervisor Suller told the Board that she has talked with the Clayton Town Supervisor and they wanted to know what our town was going to pay to get out of the CAP program. She said she told him that Cape Vincent was not paying to get out of the program.

Supervisor Suller said that she is trying to locate the Verizon lease. She said that she has contacted Verizon and they cannot help her.

Supervisor Suller ask the board to take action on the LDC vacancy. Councilman Bender made a motion to appoint Carole Jinks as the town's representative to the committee, seconded by Councilman Mason. Supervisor Suller said that she and Mayor Maloney met with Tom Carman from Samaritan Medical Center. She said that the Health Center will stay open. She said that Samaritan is happy with the clinic here, and they are interviewing for staff. Councilman Bender said that he would like the clinic to accept walk ins. Supervisor Suller said that they have a two hour open time slot, but they want people to call as this would avoid the problem of people coming and sitting in the waiting room for two hours. She said that they discussed primary care Physician, and knows that seasonal residents can't be turned away, and should be able to be seen at the clinic.

The Board reviewed a letter to be sent to Ron and Toni Trottier. Councilman Wiley said that he feels that if the town and village remove the telephone poles, it may keep things moving forward to get the marina area cleared. Councilman Bender made a motion to send the letter to the Trottier's, seconded by Councilman Mason. It was recommended that once the boats are moved, the fence could be started. All were in favor.

The Board discussed the Cyber Security Policy. The board felt it needed to be in place. Councilman Wiley made a motion to accept the policy, seconded by Councilman Bender. All were in favor.

The Board discussed the Fund Balance Policy. Councilman Bender said that he understands it and he reviewed a few sections of the policy. He said that if there was a large problem, money would be there to cover, and taxes would not need to be raised.

Supervisor Suller reviewed the Cash Disbursements policy. The board reviewed and Supervisor Suller said that the procedures outlined are being followed now, but this would provide a few new details. She said the board would have to make sure the accounts are not going over budget. She said that the second check stub should be attached to vouchers. Supervisor Suller discussed with Dan Hubbard the payroll process. She said the employees should do their own time cards and sign them. Dan said he will see what other towns are doing. He suggested a time clock.

Supervisor Suller said that she received a letter from BC&A regarding the village dock expansion project. The letter states the village is finishing the SEQR process, and is requesting to be the lead agency. She said that if the town has no objections, she will sign the letter stating the town is in favor of the village being the lead agency. Councilman Bender made a motion to have the Supervisor sign the letter, seconded by Councilman Wiley. All were in favor.

Councilman Wiley asked if the board should address Michelle Oswald's concerns. Supervisor Suller said that she needs to review the zoning law and the board agreed to do the same. Councilman Wiley said that he would like to know if the zoning law is being followed correctly.

#### Resolution #63

Resolution #63 was moved by Councilman Wiley, seconded by Councilman Bender. Resolution #63 is to agree to hold a joint meeting with the village of Cape Vincent to consider the formation of a joint fire district. There was no discussion. All members voted AYE.

#### Resolution #65

Resolution #65 was moved by Councilman Mason, seconded by Councilman Wiley. Resolution #65 is to declare the Recreation Park utility trailer surplus and to be disposed of. There was no discussion. All members voted AYE.

#### Resolution #66

Resolution #66 was moved by Councilman Bender, seconded by Councilman Mason. Resolution #66 is the adoption of the Fund Balance Policy. There was no discussion. All members voted AYE.

#### Resolution #67

Resolution #67 was moved by Councilman Mason, seconded by Councilman Wiley. Resolution #67 is to authorize the Supervisor to transfer \$250.00 from the General Fund to A8989.41 for the purpose of budget amendment. There was no discussion. All members voted AYE.

#### Resolution #68

Resolution #68 was moved by Councilman Bender, seconded by Councilman Wiley. Resolution #68 is to agree to support the joint town and village waterfront revitalization plan (LWRP) and commit to pursuing funding not to exceed \$40,000.00. The funding will be split with the town giving 60% and the village giving 40%. There was no discussion. All members voted AYE.

#### Resolution #69

Resolution #69 was moved by Councilman Bender, seconded by Councilman Mason. Resolution #69 is to authorize the Supervisor to sign a contract with Aire Serv for the HVAC system for the Recreation Park Building in the amount of \$25,688.38. There was no discussion. All members voted AYE.

Resolution #70

Resolution #70 was tabled. Resolution #70 is the cash disbursement policy.

Resolution #71

Resolution #71 was moved by Councilman Bender, seconded by Councilman Mason. Resolution #71 is to set a public hearing date of Aug. 18, 2016 at 6:45pm in the Recreation Park Building for the dissolution of the Cape Vincent Fire Protection District. There was the following discussion. Councilman Mason said that he felt the public hearing should be at 6:45pm. Resolution was amended. All members voted AYE.

Supervisor Suller advised the Board that the income surveys regarding water district #7 are coming in. They need 70% back and to date have received 40 surveys back.

Bills: WD 1-6, \$5271.80; Capital Project, \$2315.60; Highway, \$14314.04; General Fund, \$30597.72. Councilman Bender made a motion to approve the payment of the vouchers, seconded by Councilman Wiley. All were in favor.

Supervisor Suller made a motion to adjourn at 8:50pm.

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Michelle Bouchard, RMC – Town Clerk