

November 21, 2019

Regular Town Board Meeting

Present: Supervisor Edward Bender, Councilman Marty Mason, Councilman Dan Wiley, Councilman Alan Wood, Highway Superintendent Bill Pond, Water/Recreation Park Superintendent Keith Brass and 6 visitors.

Absent: Councilman Paul Aubertine, excused

Supervisor Bender called the meeting to order with the Pledge of Allegiance at 6:30PM.

Privilege of the floor:

Donna Essegian – Donna said that she would like to thank Bill Pond and his crew for their help in lighting the lighthouse. She also thanked the board for the town's financial help. She invited everyone to the hay ride and talked about the other Christmas holiday events the Christmas committee has planned.

The minutes of October 17, October 22 and November 7, 2019 were accepted by Councilman Mason and seconded by Councilman Wiley. All members present voted AYE.

Water - Keith Brass- Keith said that they have been doing water shut offs and have serviced their trucks. He said that the Halloween wind storm had no effect on the water, however there was a surge at the tower and he lost 2 battery backups. Keith told the board that a sleeve has been bored under the Constance Rd. for a water line to be placed under the road. Keith also stated that the water line at the Millen's Bay construction site is buried and passed the Dept. of Health inspection. He said that the proposed 12E opening at Millen's Bay is December 4.

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Recreation Park – Keith said that the elections were held in the building as well as the regular meetings. He said that the tennis nets are down and the scoreboard has been covered for the winter.

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Councilman Wiley said that if it has been done in the past he finds it hard not to continue. Councilman Wood said that he would like to talk about this; he said he would consider splitting the difference. He said that he does not want to make a decision about this in 10 minutes. Councilman Wiley again said he finds it hard not to continue the past practice and Supervisor Bender said that he would be in favor of keeping it going, as in the past.

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Councilman Wiley made a motion to continue the past practice and pay new employees with their CDL license the same rate of pay as the other CDL license holders after they have gone through their probationary period in which they will be paid \$1.00 less, seconded by Councilman Mason. All members present voted AYE.

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DANC – Councilman Mason reported that the next budget meeting would take place on January 8, 2019.

LWRP- Councilman Wiley stated that the last round of information was being reviewed and when completed would go to the State. Supervisor Bender said that they need a report on the volunteer hours and have this turned in. Councilman Wiley said that they were currently \$3000 over budget and Supervisor Bender said that the contract language says it is an estimate and he is not in favor of working from estimates.

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Councilman Wiley made a motion that the board move forward with the SEQR process for the zoning law, as the board feels the comments would not lead to significant changes, seconded by Councilman Mason. All members present voted AYE.

Supervisor Bender Board Review of Part 2 of the SEQR for the Club street project was discussed. Councilman Wiley made a motion to accept answers on Part 2 of the Club Street SEQR process, seconded by Councilman Mason. All members present voted AYE.

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Tim White gave a report on the ambulance and stated that the fund drive had reached \$101,356 to date. He reviewed the fund raisers. Tim said that they had a meeting to discuss what they want for budget items. He said that they are discussing the purchase of a rig and are looking at options. He said that he has spoken to the bank regarding a loan for this. Tim reviewed some of the features that they would like in the new ambulance. He told the board that the current ambulance has a value of less than \$10,000.00.

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There was no discussion. Roll call vote was taken: Supervisor Edward Bender, AYE; Councilman Marty Mason, AYE; Councilman Daniel Wiley, AYE; Councilman Alan Wood, AYE.

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Councilman Wood said that he feels it is not right to bring on a new employee and give them the same pay as someone who has been there for ten years. He said that he is not in favor of making the decision on pay tonight, but if the other members want to do this, ok. The board discussed this and Bill said he would like the board to tell him what to do. Councilman Mason said that he would be ok with paying the same rate.

Councilman Wiley made a motion to continue the past practice and pay new employees with their CDL license the same rate of pay as the other CDL license holders after they have gone through their probationary period in which they will be paid \$1.00 less, seconded by Councilman Mason. All members present voted AYE.

Bill told the board that he and Supervisor Bender had a meeting with FEMA and it was regarding the flooding in 2017. Bill said that he told them that everything they repaired as a result of the flooding was destroyed this year. He said that he told them the roads are washed out and they are trying to rectify the situation. He told the board that the town can receive \$150,000.00 from Joe Plummer, but he has not heard anything yet.

## Reports

Supervisor's financial Report-Supervisor Bender stated that the finances were fine.

Councilman Wiley made a motion to accept the Supervisor's Financial Report, seconded by Councilman Mason. All members present voted AYE.

DANC – Councilman Mason reported that the next budget meeting would take place on January 8, 2019.

LWRP- Councilman Wiley stated that the last round of information was being reviewed and when completed would go to the State. Supervisor Bender said that they need a report on the volunteer hours and have this turned in. Councilman Wiley said that they were currently \$3000 over budget and Supervisor Bender said that the contract language says it is an estimate and he is not in favor of working from estimates.

LDC- Councilman Wiley said that the LDC was meeting twice a month and there were 2 interested parties.

#### Supervisor's Report

Supervisor Bender said that the comments on the towns revised zoning law, from the Jefferson County Planning Department, were not substantial and he asked the board how they felt. The board discussed the comments and it was agreed that these comments would not lead to significant changes.

Councilman Wiley made a motion that the board move forward with the SEQR process for the zoning law, as the board feels the comments would not lead to significant changes, seconded by Councilman Mason. All members present voted AYE.

Supervisor Bender Board Review of Part 2 of the SEQR for the Club street project was discussed. Councilman Wiley made a motion to accept answers on Part 2 of the Club Street SEQR process, seconded by Councilman Mason. All members present voted AYE.

Supervisor Bender reported to the board that there are terms that will expire on the Planning Board, Zoning Board and the Board of Assessment Review. There was a discussion on the upcoming vacancies, such as the terms and training. The board instructed the Town Clerk to advertise the positions, with a cutoff date of Dec. 16. The board will interview prior to the December 19 meeting and have changed the time of the meeting to begin at 6:00PM to allow for interviews.

Supervisor Bender said that the town has been notified that the County will now be charging a \$50.00 fee to dispose of the recycling. The town will now have to assess what to charge for recycled waste.

Supervisor Bender said that he wanted the board to decide if they want to keep the program through PIVOT. He said that it costs the town \$338.00 per year and is for full time employees only. He also told the board that no one has used it in three years. The Board felt it was a good idea to keep the service but as they feel it is a good option for employees.

#### Councilman's Discussion

Councilman Wood said that he would like the board to know that he will be selling his house and his legal residence will be changed from McKeever Road to Baird Point. He wanted everyone to know that he will be in Cape Vincent for three more years.

Tim White gave a report on the ambulance and stated that the fund drive had reached \$101,356 to date. He reviewed the fund raisers. Tim said that they had a meeting to discuss what they want for budget items. He said that they are discussing the purchase of a rig and are looking at options. He said that he has spoken to the bank regarding a loan for this. Tim reviewed some of the features that they would like in the new ambulance. He told the board that the current ambulance has a value of less than \$10,000.00.

Councilmen Mason asked about a current report from Scott Burto and Cody Higgins. He said that he would like to see one each month. Supervisor Bender said that he will contact them to start giving reports. Councilman Mason said that he and the Supervisor attended the IJC meeting in Ogdensburg

and reported no change or improvement in the water level situation. They were told that the water level in the spring could be 2 feet higher this coming spring, 2020.

#### Resolutions

Resolution #67 was moved by Councilman Mason, seconded by Councilman Wood. Resolution #67 is to authorize the Supervisor to sign the NYS Municipal Snow and Ice Agreement for the period of July 1, 2019 through June 30, 2024.

There was no discussion. All members present voted AYE.

#### Resolution #68

Resolution #68 was moved by Councilman Wiley, seconded by Councilman Wood. Resolution #68 is to agree to an amended bond, authorizing the issuance of serial bonds or statutory installment bond of the town of Cape Vincent in an amount not to exceed \$1,000,000.00, the proceeds of which are to be used for acquisition of Real Property known as parcel numbers 39.81-1-65.1, 39.81-1-64.1 and 39.81-1-64.2, demolition of structures located thereon and installation of a public restroom and docks.

There was no discussion. Roll call vote was taken: Supervisor Edward Bender, AYE; Councilman Marty Mason, AYE; Councilman Daniel Wiley, AYE; Councilman Alan Wood, AYE.

#### Resolution #69

Resolution #69 was moved by Councilman Wiley, seconded by Councilman Mason. Resolution #69 is the Negative Declaration for the Club Street Project. The board has determined that the action will not have a significant effect on the environment, and will not cause a significant impact on the environment.

There was no discussion. Roll call vote was taken. Supervisor Edward Bender, AYE; Councilman Marty Mason, AYE; Councilman Daniel Wiley, AYE; Councilman Alan Wood, AYE.

#### Resolution #70

Resolution #70 was moved by Councilman Mason, seconded by Councilman Wood. Resolution #70 is to authorize the Supervisor to move funds for budget amendments; \$9,295.06 from DA5144.1 to DA5130.1; \$17,694.01 from DB5112.1 to DB5112.4; \$710.11 from A1620.46 to A1620.44; \$27,885.00 from A599 to A1620.4.

There was no discussion. All members present voted AYE.

#### Resolution #71

Resolution #71 was moved by Councilman Wiley, seconded by Councilman Wood. Resolution #71 is to authorize the Supervisor to sign the revised Bond Council agreement.

There was no discussion. All members present voted AYE.

Councilman Mason made a motion to adjourn to Executive Session at 7:35pm to discuss a pending litigation, seconded by Councilman Wood.

Councilman Mason made a motion to come out of Executive Session and resume the regular meeting at 7:43pm, seconded by Councilman Wood.

Councilman Wood made a motion to allow the gazebo to remain on the Aubertine property based on a permit that was issued by the Zoning Officer and that the Board members feel that because the permit was issued, they do not have the right to have it removed, seconded by Councilman Mason.

All members present voted AYE.

Bills: General Fund, \$87,146.62; Highway, \$83280.67; Capitol Water Project #7, \$475.00; WD 1, \$50,046.58; WD 2, \$2,091.13; WD#3, \$1,571.59;WD #4, \$2,707.22; WD#5, \$2,000.16;WD #6, \$1,331.11. Councilman Wiley made a motion to approve the payment of the vouchers, seconded by Supervisor Bender. All members present voted AYE.

The Town Clerk, Michelle Bouchard shared an email that she received from Rob Fargo, an inspector with Samaritan Family Health Systems. It addresses a few concerns that he had and would like to discuss it with the board. Councilman Mason said he would look into these matters and that he would like to talk with Rob Fargo.

Councilman Wiley made a motion to adjourn at 7:55pm.

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Michelle Bouchard, RMC – Town Clerk