

June 15, 2023

Regular Town Board Meeting

Present: Supervisor Marty Mason, Councilman Dan Wiley, Councilman Alan Wood, Councilman Tim Maloney, Councilman Paul Aubertine, Keith Brass, Highway Superintendent Bill Pond, Attorney Jim Burrows, and approximately 12 visitors.

Supervisor Mason opened the meeting at 6:30pm with the pledge of allegiance.

Privilege of the floor:

Mike Couglar – Mike introduced himself as the President of the Tibbetts Point Historical Society. He thanked the board for their co-operation by fixing the lights and sweeping the driveway. He asked the board when NYS Parks would be taking over the lighthouse property.

Supervisor Mason said that there are many steps to take yet and that the property has not been declared surplus yet. He also said that they are moving forward with a survey of the property, and the shoreline needs to be finished.

Mike said that he knows the Coast Guard had looked over the lens in the lighthouse. Supervisor Mason said that he and Butch Cullen are trying to determine who owns the lens.

They also discussed the decommissioning of the lens for a LED bulb. All agreed that if this happens, they want the lens to stay in Cape Vincent.

Mike asked about the fence replacement and Supervisor Mason said that they will ask for bids on a black aluminum fencing.

Bill Blake – Bill said that he lives on Stony Point Road and he was in attendance to check on the status of the petition for water he submitted last fall.

Matt Cooper, Barton and Lodguice, said that the area of Stony Point and Lisa Drive were part of a town wide study. He said that the town has started WD 7, and are waiting for funding. Matt also told him that after they receive funding the board could start the process for a new district and they should know by the end of the year. Bill thanked him for the information.

Councilman Wood made a motion to accept the minutes of the May 18, 2023 meeting, seconded by Councilman Wiley. All members voted AYE.

Councilman Aubertine made a motion to approve of the Supervisor's Financial report, seconded by Councilman Maloney. All members voted AYE.

Bills: Gen Fund, \$12,487.78; Highway, \$59,365.21; Capital Water Project, \$912.50; WD #1, \$9,270.43; WD #3, \$242.64; WD #4, \$549.28; WD #5, \$12,161.03; WD #6, \$581.13.

Councilman Wiley made a motion to approve of the payment of the vouchers, seconded by Councilman Wood. Councilmen Wiley, Wood, Maloney, Aubertine voting AYE; Supervisor Mason abstain as he hadn't reviewed the vouchers.

Matt Cooper, Barton and Loguidice, gave an update on the proposed sewer district. He said that the WQIP grant application was submitted. He told the board that it was submitted to include the entire

project, not in stages as previously done. He also talked about the Bipartisan Infrastructure Law, (BIL) and the list of qualifications. Matt said that the town would qualify using Hardship from the list and this would be through the Environment Hardship Grant which is on that list.

Councilman Wood asked if the TI High School was to be included in district and Matt told him it was.

Councilman Aubertine asked if 50% of the grant is only BIL money. Matt said it was but the town could still apply for more funding, and he said that WIAA could provide up to 25% of the project costs.

Councilman Aubertine asked if they did pursue the WIAA grant for the sewer project, would it compete with water district 7 if they did both and Matt said it wouldn't.

Councilman Maloney made a motion to move forward with the sewer project and grant application, seconded by Councilman Wiley. All members voted AYE.

WD #7 – Matt Cooper said that the WIAA grant application will be submitted in July. Supervisor Mason asked if letters of support for the project would help and Matt said it would. Matt said that the award announcement would be in December.

Supervisor Mason said that they have received bids for the pumps at the booster pump station, and Matt said that they will solicit contractors for installation. He said that July 10<sup>th</sup> is the due date for the cost proposals.

#### Reports

Highway – Bill Pond said they have completed the paving on County Rte. 6, but they still have the shoulders to do. He said they have replaced a culver on Merchant Road and surface treatment on the Burnt Rock Road. He said the treatment will last for 12 years.

Bill said that they will be restarting the Tibbetts Point Rd, County Rte.6 shoreline rebuild next week. Bill said that he has ordered the signs for French Festival and if the electronic sign is available, he will be able to use it too

Bill reported that Kevin Jackson, Jr. is doing well at the transfer site, and that Nina is happy.

Water – Keith Brass reported that they have done 3 new water installs. He said that the chlorine pump had to be repaired. Keith said that a water pit had to be raised and Core & Main helped him with the job.

Keith said that he has a quote for 61 new radios for water district #6 and the mag meter has arrived and will be installed.

Councilman Wiley made a motion to purchase the radios for water district 6 from Core and Main in the amount of \$9,753.97, seconded by Councilman Maloney. All members voted AYE.

Recreation Park - Keith Brass said they have had the usual clubs and meetings; birthday parties and the ball games have started. He said that the lines on the pickleball court need to be repainted. Keith said that there will be a tree planted at the pickle ball court in memory of Audrey Lawrence.

Attorney Jim Burrows spoke to the board about the BAN for Club Street.

Supervisor Mason said that the original BAN to purchase the boat house and Swenson home was in the amount of \$300,000.00, and that was increased to one million. Supervisor Mason said that he would like to pay off the BAN and take \$130,000.00 from the fund Balance to do this.

Councilman Wiley asked if the BAN could be amended.

Jim said that they could pay off the interest only and he asked what the life of the Club Street project was. He said that the town could pay it off or at the end of the term, could borrow more, but, he said it could be amended.

Jim said that if the town pays it off and they need to borrow more, they must go through the resolution process. He said that there were three different types of Bonds; Temporary Bond Anticipation note, Statutory Installment note, and a Serial Bond.

Supervisor Mason asked if they pay off the BAN, could they take out another one for the purchase of Captain Jacks and one of the boathouses and the demolitions.

Jim said they could, but would have to go through the process from start. He said that the town will lose the interest rate they have though. He said that they would have to define the project very carefully.

Councilman Aubertine said that he is in favor of clearing the decks from what is owed now, pay it off and start over.

The board discussed the purchase agreements for the properties and Jim reviewed the steps that need to be taken. Jim said that New York State says most agreements can be made verbally, but property needs to be in writing. Jim said that it is good practice to get an appraisal.

The board discussed the Edgewater invoice in the amount of \$11,800.00 with Jim and asked if the town could pay the bill out of the LDC fund that the town budgets for them. Jim said that this would be allowed as it is a related expense.

Supervisor Mason asked if it could be taken from the grant funds. Councilman Wiley said he would ask Scott Burto and at this time, he called Scott.

Scott said that the answer would probably be no, but he will check on this and let Councilman Wiley know.

Mary Farrell, Chairwoman of the CVLDC asked the board to give them a letter as to why they want the money.

Councilman Aubertine said that the board never passed a resolution in favor of applying for the Boater Infrastructure Grant, and he would like to do that at the end of the meeting.

Supervisor Mason said that Wood Farms is applying for a mining permit for the corner of Wilson and Favret Roads. He said that he received a letter from DEC that they would like to be the Lead Agency, and Supervisor Mason said he agreed they should be the lead agency.

Councilman Aubertine made a motion to sign the letter from the DEC that the town of Cape Vincent declines as lead agency on the Wood Farm mining permit, seconded by Councilman Wiley. All members voted AYE.

#### Privilege of the Floor

Christine Stark – Christine said that she was there to speak to the board on behalf of the Club Street Steering Committee. She asked the board, moving forward, what their future visions are. She said that the last Edgewater plan has been upgraded. She said she had just attended a NY Forward meeting and

asked if the board wanted the grant money the program offers. She said that she would like to see the Edgewater plan. She said that the Steering Committee has not been invited to any meetings.

Councilman Wiley said that the town, village and LDC are meeting to decide what to do. Christine said that she doesn't know what is going on and New York State says that a Steering Committee is the balance between the boards and projects.

Councilman Wiley said that the plan has been the same for years. He said that their vision has not changed.

Town Clerk, Michelle Bouchard, shared with the board a new town logo that will appear on the new website and she asked for the board's permission to use it on the town letterhead. The board discussed and were all on board with the new logo for the letterhead and website.

#### Resolutions

##### Resolution #34

Resolution #34 was moved by Councilman Wiley, seconded by Councilman Wood. Resolution #34 is to approve of the expenditure of highway monies agreement, 284 agreement, in the amount of \$189,621.37 for repairs of 1.6 miles on the Burnt Rock Road leading to County Rt 8, and .9 miles on the Merchant Road to Dablon Point Road, and 3.4 miles on the Favret Road to Hell Street, a total of 5.9 miles of the town highway. AND it is further resolved that the town board agrees to sign the agreement. There was no discussion. All members voted AYE.

##### Resolution #35

Resolution #35 was moved by Councilman Wood, seconded by Councilman Aubertine. Resolution #35 is to authorize the town attorney, Jim Burrows, to prepare a purchase offer with an agreed upon price, for the purchase of Captain Jacks. AND the offer is to be contingent on receiving a clear title on the property.

There was no discussion. Supervisor Mason voting AYE, Councilmen Aubertine, Maloney and Wood voting AYE. Councilman Wiley abstain.

##### Resolution #36

Resolution #36 was moved by Councilman Aubertine, seconded by Councilman Wood. Resolution #36 is to authorize the town attorney, Jim Burrows, to prepare a purchase offer for the town to acquire the smaller boathouses owned by Ron Trottier. AND that the purchase offer is contingent on a survey and subdivision being done, AND that the offer will expire 30 days from the date received.

There was no discussion. All members voted AYE.

##### Resolution #37

Resolution #37 was moved by Councilman Aubertine, seconded by Councilman Maloney. Resolution #37 is to authorize Edgewater to apply for the Boater Infrastructure Grant on behalf of the town, with a fee not to exceed \$11,800.00.

There was no discussion. All members voted AYE.

Councilman Wood made a motion to adjourn at 8:15pm.

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Michelle Bouchard, RMC – Town Clerk