

July 20, 2023

Regular Town Board Meeting

Present: Supervisor Marty Mason, Councilman Paul Aubertine, Councilman Tim Maloney, Councilman Dan Wiley, Councilman Alan Wood, Highway Superintendent Bill Pond, and approximately 3 visitors.

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

Privilege of the floor:

Gary Beaton – Gary spoke to the board about the proposed sewer district. He said that he doesn't understand where this idea is coming from and he said that if the resident's septic systems are failing, he would understand. He asked why the board is thinking of this project. Gary explained that he has lived in Cape Vincent along the river for 50 years and he does not want anything to happen to it. Gary also said that he feels if the septic systems were failing there would be evidence of it in the river. He told the board that the beach in his trailer park is inspected regularly and there is never a problem. He said that if it isn't broke, don't fix it. Gary asked where the sewer lines will be and he spoke of grinder pumps that will have to be installed, which would be another expense to the homeowner as it will use more electricity.

Councilman Wiley said that the board felt they should do their due diligence and look into this. He said that the board is just looking into now.

Councilman Wood said that a survey was done, and a majority was in favor.

Gary said that there has to be a better way of billing other than basing the sewer charge on your water use. He said that if he waters his lawn, he would be charged for this in his sewer bill, and the water doesn't even go in his sewer. Gary thanked the board for listening to him.

Councilman Aubertine made a motion to accept the minutes of the June 15 and July 6, 2023 minutes, seconded by Councilman Maloney. All members voted AYE.

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

Bills: Capital Water #7, \$753.45; Capital Project, \$3,422.50; WD #1, \$6,2239.40; WD 3, \$124.05; WD #4, \$7,581.63; WD #5, \$555.47; WD #6, \$10,372.52; Highway, \$42,998.77; Gen Fund, \$30,596.79.

Councilman Wiley made a motion to approve of the payment of the vouchers, seconded by Councilman Aubertine. All members voted AYE.

Reports

Highway – Highway Superintendent Bill Pond said that the County 6 shoreline repair is down because Kings Quarry has shut down for a few weeks. He said they have put the culvert in on Merchant Road and the shoreline job at Tibbetts Point is done. He will complete the paperwork for reimbursement of the job. Bill said that Suit-Kote was filling in road cracks. He told the board that truck #55 has a bad turbo that is not rebuildable and it would be \$10,000.00 for repairs. He said that he doesn't know if the new truck is done and the new mower should be here in 45 days.

Bill told the board that the excavator has a major crack in the boom. They can't use it. Bill said that he did contact the insurance company, but doesn't know if there is any coverage. Bill said that he has

contacted a couple of machine shops to get costs for repair. It said it has to be fixed right and will need to be done right away.

Bill said that he received three quotes to replace the fuel system program and the 3 quotes for road sand. He said the board will need to act on this and there are resolutions for consideration.

Bill also told the board that Patrick Thompson gave his two-week notice. He reported that truck #57 high bid was in the amount of \$5,700.00 on Auctions International and it will be picked up on Monday. He also reported that Jim Lawrence will let him use the County excavator to complete the Tibbetts Point Lighthouse shoreline project. Bill said that Jim will also let him borrow the screener and they will screen dirt for Tibbetts and East End Park.

Recreation Park – Michelle Bouchard, Town Clerk gave Keith's report in his absence. Keith's report stated that the normal clubs and meetings were held in the building. Youth Camp is going on as well as an art class. There will be a blood drive on July 28, and John Lawrence is working on the wind screen at the pickle ball court. Keith and John are cleaning up the basketball court and pressure washing the tennis courts, they hope to be done next week.

Water – Report given by Town Clerk in Keith's absence. Keith's report states that most of the fire hydrants have been weeded and meters for water district #6 have arrived and they will mow the line path to replace the meters. They repaired curb stop rods in water district #4 and restoration of a couple of installation sites.

Keith's reports that Jennifer Mosley has submitted an application to be an outside users in water district #1 and the board needs to accept the application and authorize the Supervisor to sign it. His report also says the pumps and valves for replacement have been delivered and he has received a quote for installation.

Councilman Report

Councilman Aubertine said that he wanted to speak about the sewer district and address some of what Gary Beaton talked with the board about during privilege of the floor. He said that the town board authorized Barton and Loguidice to explore the costs of a new sewer district. He said that every water district the town has was not created unless a petition had been received by the town. He said the board did not do anything unless there was a petition. Councilman Aubertine said that no one asked the board for a sewer district, so why are they moving forward with it? He said there has always been an order to follow. He reiterated a point made by Mr. Beaton, saying this is the solution, where a problem does not exist. He feels that the board should not have acted until the people wanted it and he would like the board to approach the sewer district and any other proposed district with the same procedures that they have followed.

Councilman Maloney said that the difference is that DEC won't say anything about the water, but they will with sewer. He said that he feels the board should go through with the steps and have everything they need and be ready if DEC steps in.

Councilman Wiley said that if more funding comes in for the project, then they will do another survey. He said that the board is not saying do the project.

Councilman Aubertine said that he felt the board should not do it to the people, but for the people

Councilman Wood said that he understood the project was dead in the water until Matt Cooper came back with a lower cost for the residents.

Councilman Aubertine said that moving forward, he would like them to follow the process.

Councilman Maloney said he feels the board is doing their due diligence in gathering information and studies. He said it is better to have the information in case the town is forced to do a sewer project.

Gary Beaton said the residents should be told.

Councilman Maloney thanked Mr. Beaton for coming in and said he did the right thing in coming in and addressing the board.

Councilman Aubertine said that at the last meeting a man from Stony Point Road addressed the board for the status on the petition he submitted on behalf of the residents on Stony Point and Lisa Drive. He said that Matt Cooper was also in attendance and he was hoping to get some answers.

Councilman Aubertine said that a member of the Legion had approached him to follow the lead of the village of Clayton in drawing up an ordinance regarding flying special interest flags. The board agreed to discuss this at another meeting.

Councilman Aubertine discussed the installation of a water fountain at the playground. He said that the playground committee has the funds for this and he would like to have it installed before school starts if possible. Supervisor Mason said that this and a location had been discussed. He said he will look into this.

Councilman Wiley said that Bond, Schoeneck and King, the attorneys for the CVLDC, are concerned about the Certificate of Corporation for the CVLDC because of some changes that were made. He said that they are working with the MRB group to look into this and advise them.

Supervisor Mason said that on behalf of the board, he would like to thank Kari Aubertine for the work she has done with summer camp. He said that they have had great attendance and lots of various activities.

New Business

Supervisor Mason said that the joint town, village and LDC meeting has been scheduled for Sept. 14, 6:30pm in the recreation park building.

Old Business

The board discussed the ad-hoc committees progress reviewing the possibility of joining the zoning and planning boards. The committee feels the boards are running a bit smother now and a change might not be necessary.

Resolutions

Resolution #38

Resolution #38 was moved by Councilman Aubertine, seconded by Councilman Wiley. Resolution #38 is to authorize the Supervisor to transfer \$2,000.00 from B7310 to B7310.1 for youth Commission budget amendment.

There was no discussion. All members voted AYE.

Resolution #39

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Resolutions #39 was moved by Councilman Maloney, seconded by Councilman Wood. Resolution #39 is to set the date of Aug. 17, 2023 at 6:30pm for a public hearing on the Franchise agreement with Charter Communications. There was no discussion. All members voted AYE.

Resolution #40

Resolution #40 was moved by Councilman Aubertine, seconded by Councilman Wiley. Resolution #40 is to authorize the Highway Superintendent to purchase a Syntech fuel system through Source Well in the amount of \$13,544.35 to be installed no later than Nov.1, 2023.

There was the following discussion. Councilman Wood asked if a completion date should be added to the resolution. The board decided to make it Nov. 1. Councilman Wood made a motion to correct the Resolution to reflect this date, seconded by Councilman Wiley. All members voted AYE on the correction and resolution.

Resolution #41

Resolution #41 was moved by Councilman Wood, seconded by Councilman Wiley. Resolution #41 is to authorize the supervisor to sign the Letter of Intent and the Real Estate Purchase and Sale Agreement between the town and Village Shipyard, Inc. for a portion of tax map #39.81-1-65.2 in the amount of \$285,000.00.

There was the following discussion. Councilman Wiley said that he feels it is very important that the letter of intent accompany the purchase and sale agreement. All members voted AYE.

Resolution #42

Resolution #42 was moved by Councilman Maloney, seconded by Councilman Wood. Resolution #42 is to authorize the Supervisor to sign the Letter of Intent and the Real Estate Purchase and Sale Agreement between the town and Edward Stock, Jennifer Wiley and the Estate of Patrick J. Wiley, tax map #39.81-1-64.2 for the purchase of Captain Jacks Restaurant in the amount of \$240,000.00.

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

Resolution #43

Resolution #43 was moved by Councilman Wiley, seconded by Councilman Aubertine. Resolution #43 is the board's agreement to apply for the New York Forward Grant and authorizes the Supervisor to sign and submit the application. There was no discussion. All members voted AYE.

Resolution #44

Resolution #44 was moved by Councilman Maloney, seconded by Councilman Aubertine. Resolution #44 is to authorize the Supervisor to accept and sign the bid in the amount of \$32,400.00 from P&T Supply and Services, Inc. for the installation of two high lift pumps at the booster pump station.

There was the following discussion. Supervisor Mason said that the bid came in higher than what they thought. He said it was because they have 2 complete startups. Supervisor Mason said that a \$10.00 increase on the O&M line may be needed to help pay for the increase. All members voted AYE.

Resolution #45

Resolution #45 was moved by Councilman Wiley, seconded by Councilman Aubertine. Resolution #45 is to authorize the Highway Superintendent to accept and sign the proposal from Docteur Environmental for the installation of the Syntec Fuel System in the amount of \$3,500.00, and that it is to be installed by Nov. 1, 2023. There was no discussion. All members voted AYE.

Resolution #46

Resolution #46 was moved by Councilman Wood, seconded by Councilman Aubertine. Resolution #46 is to authorize the highway Superintendent to accept and sign the proposal from Clayton Sand & Gravel for road sand at \$9.00/yard with a cap of \$30,000.00.

There was no discussion. All members voted AYE.

Councilman Wood made a motion to adjourn at 7:51pm.

Michelle Bouchard, RMC – Town Clerk