

Jan. 20, 2022

Regular Town Board Meeting

Present: Supervisor Marty Mason, Councilman Paul Aubertine, Councilman Dan Wiley, Councilman Alan Wood, Highway Superintendent Bill Pond, Keith Brass and approximately 8 visitors.

Supervisor Mason called the meeting to order at 6:30pm with the pledge of allegiance.

Councilman Aubertine made a motion to adjourn to Executive Session at 6:30pm to discuss a personnel issue, seconded by Councilman Wood. Supervisor Mason invited Highway Superintendent Bill Pond to join the Executive Session.

All members voted AYE.

Councilman Wood made a motion to come out of Executive Session at 7:05pm and to resume the meeting, seconded by Councilman Wiley. All members voted AYE.

Privilege of the floor

Jarrod Radley – Jarrod thanked the board for the stipend given to the members of the Planning, Zoning and BAR boards. He said that he was grateful and it was very much appreciated.

Councilman Aubertine made a motion to accept the minutes of the Dec. 16, 2021 and Jan. 4, 2022 meetings, seconded by Councilman Wiley. All members voted AYE.

Highway – Bill Pond reported that the transfer site's new backhoe is at Cheney Tire to have the tires filled with foam. He said that they borrowed the chipper from Clayton, and have removed the beaver dam from the culvert at Fox Creek. Bill said that the new sign for the transfer site is up, and they have been helping the village with snow removal. Bill told the board that Paul Mitchell has finished grinding and chipping the wood at the transfer site. He reported that they have had minor breakdowns, and have been doing a lot of plowing and sanding. Bill also told the board that he has heard from NYMIR and the woman who fell at Tibbetts Point actually fell at a different location than first reported.

Recreation Park – Keith Brass reported that there have been the usual clubs and meetings, a family Christmas party and an exercise class will be starting. Keith said that the new bleachers are in.

Water – Keith Brass reported that the hydrants have all been marked with reflective markers, they did have a house freeze up on Carelton Drive and a meter froze in water district four. He said they have had minor repairs and the lids that were on backorder are in. Keith said that Hyde-Stone came to do some repairs at the booster pump station.

Keith talked to the board about the DANC bill received for the generator engineering. He said that he would like that paid. He also told the board that he needs to discuss an outside user in water district four with him and he would like to do this at the work session.

Councilman Wood made a motion to approve the payment of the invoice received in the amount of \$12,000.00 to DANC for the generator, seconded by Councilman Wiley. All members voted AYE.

Supervisor Mason said that he spoke with Cody Higgins, the Zoning Officer and he will provide a report to the board each month. He also said that he talked with Cody regarding the flood plain notation he needs the towns approval for to make the changes to the zoning application and permit. Supervisor Mason said that the DEC is pushing this as they will come to a house in the flood plain and help them put in certain measures to protect them. Supervisor Mason said this will cover the town, as residents won't be able to come back on the town for not checking. He said all Cody needs to do is say whether or not the residence is in the flood plain.

Councilman Aubertine does not agree, as he feels this creates a hardship for homeowners.

Councilman Wiley asked where this will lead the town, and he would like more information and he would like to know who is behind this.

Supervisor Mason made the decision to table the discussion until the February board meeting.

Councilman Aubertine reported that the Youth Commission sponsored a youth craft day and they have set up basketball with Quincy Aubertine helping to coach. He said that the kids will not be able to play their games against other schools at the school, but can play Clayton at the middle school. He also said that there will be no winter swim activity.

Councilman Wiley said that Irene Hallock is not pleased with Environmental Design and Research (EDR). He said they have dragged their feet, and Irene wants the town to apply for another grant to help finish the task. Councilman Wiley said that he does not want to apply for another grant and he does not want to give EDR another penny.

Councilman Aubertine agreed.

Councilman Wiley said that if the LWRP plan is not ready by May, he will contact Jane Rice at EDR.

Councilman Wiley asked Town Clerk Michelle Bouchard to send a mass card to the Christiana family because of the recent loss of their mother, citing that Dave Christiana is a town employee.

Supervisor Mason said that he would like to wait until the February meeting to discuss the Tibbetts Point Grant, and sample contract for Scott Burto. He said that he has set up a meeting with our County Legislator, the school, and the Supervisor's from the towns of Orleans, Lyme and Clayton to discuss the prison closure. He said that he wants to stay pro-active.

Supervisor Mason told the board that he talked with Dave McIntyre on Jan. 12, and asked him for the minutes of their meeting from the last quarter, and minutes from their January 2022 meeting. He said that he has asked for this information before and has not received it. Supervisor Mason said that he wants to hold onto their check that will be issued by the town until he receives the information he is requesting. He said that the Village board appointed Bob Ewing to attend the ambulance meeting. Supervisor Mason told the board that he received a letter from the DEC regarding the sewer CFA grant and that the town did not receive the grant. He also said that he and Keith Brass will have a meeting with Matt Cooper regarding the water tower.

The board reviewed the Supervisor's Financial report. Councilman Wood made a motion to approve the Supervisor's Financial report, seconded by Councilman Aubertine.

Supervisor Mason set the date of the town board work sessions to be the first Thursday of each month at 6:30pm in the office building.

Supervisor Mason said that he will contact the potential new town attorneys, to interview them at the work session. He said they will also interview the two candidates to fill the vacant board seat that evening.

Councilman Wiley said that the LDC had a long meeting and have appointed the new members for the board. He asked for a motion from the town board to approve the appointments of Carol Thomas, Mandy Mason, Sharon Sackie, Mary Farrell, Kathy Karenko, Nadirah Chestnut, Joseph Le Joia, and Dan Wiley as Executive Director.

Councilman Wood made a motion to approve of the appointments, seconded by Councilman Aubertine. There was the following discussion.

Councilman Aubertine asked about voting members and if Councilman Wiley will be a voting member. Councilman Wiley said that there has been some discussion because the village has two trustee seats and the town has one. Councilman Wiley said that he didn't care if he had a vote, and he is willing to step down as a voting member if the board is comfortable with the two from the village.

Councilman Aubertine said that he is comfortable with the town board members as a voting member. Councilman Wood said that he didn't care either way.

Councilman Aubertine said that he would like to see a member from the town and village have the right to vote. He said that he feels the village wants the same thing, and he strongly feels the village and town should have a vote. Councilman Aubertine said he wants Councilman Wiley to have the right to vote, and he is not comfortable with Councilman Wiley stepping down as a voting member.

Councilman Wiley said that he will look into this a bit further and he will talk with the MRB Group to get their thoughts.

Vote was taken: Supervisor Mason and Councilmen Aubertine and Wood voting AYE – Councilman Wiley Abstained.

#### Resolution #15

Resolution #15 was moved by Councilman Wiley, seconded by Councilman Aubertine. Resolution #15 is the acknowledgment and the acceptance of the Town Justice audit for the year 2021.

There was no discussion. Roll call vote was taken:

Supervisor Mason	AYE	Councilman Aubertine	AYE	Councilman Wiley	AYE
Councilman Wood	AYE				

The board reviewed the resolution sent from the Association of Towns regarding the board representative to represent the town at the annual meeting and training school in February. As none of the board members wished to attend, the resolution was not passed.

#### Resolution #16

Resolution #16 was moved by Councilman Aubertine, seconded by Councilman Wiley. Resolution #16 is to approve the payment to LaFave, White & McGivern, L.S. for the preparation of the topographic map for the Club Street project.

There was no discussion. All members voted AYE

#### Resolution #17

Resolution #17 is the resolution to approve of the amended zoning application and zoning permit with regard to the flood plain. Because the board is seeking further information, this resolution was not acted upon.

#### Resolution #18

Resolution #18 was moved by Councilman Wiley, seconded by Councilman Aubertine. Resolution #18 is to enter into an agreement with Wilcox Crane, Calcium, NY for crane rental with operator in the amount of \$15,000.00, for the removal of the boathouse on Club Street.

There was the following discussion.

Tim White told the board that he has previously put in a purchase order for the demolition of the boathouse. He said that the estimate for the bathhouse come in much too high, and he and the board discussed this in October. He said that the they did not decide, and put it on hold.

The board asked Tim if the contract was in place for the demolition of the boat house and he said it was in the amount of \$165,000.00 and he wants to use in-kind services to help reduce the cost. Tim said that the ice can be used for a work surface, as nothing will be submerged. Tim also told the board that he wanted this resolution used as a provisional resolution, and he asked if the board would like to proceed with this resolution using in kind services.

Supervisor Mason said that there is a signed contract with Seaway Marine, they were awarded the job. He said that the town won't get out of that signed contract.

Tim said that he won't pursue the in-kind service, and will stay the course.

Vote was taken, all members voted NO.

Bills: General Fund \$122,745.23; Highway \$34,677.48; WD #1, \$23,842.10; WD #3, \$105.09; WD #4, \$556.04; WD # 5, \$230.86; WD #6, \$56.76; Club Street Project, \$1225.00.

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

Councilman Wood made a motion to adjourn at 8pm.

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Michelle Bouchard, RMC – Town Clerk