

Nov. 16, 2023

Regular Town Board Meeting

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

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

Privilege of the floor

Mary Farrell – Mary said that she was there as a board member of the Tibbetts Point Lighthouse Historical Society. She told the board that they would like to have their gift shop open for the eclipse on April 8, 2024, and they would like to have the water turned on.

Councilman Wood asked Bill Pond if he thought this was too early. Bill said that the heat would have to be on so the water doesn't freeze.

Keith Brass said that the water line is only covered by a few inches of dirt, and he would worry about the line freezing.

After some discussion, it was decided they would play it by ear, watch the weather, and if need be the Historical Society could bring in a porta potty.

Mary said that the board was also worried about parking.

Mary spoke to the board about the Addendum with the village, LDC, Scott Burto, and the town. She explained that this is just a six-month extension on the current contract. She said that she would like to have the Supervisor sign it.

Councilman Maloney said that he wanted to be clear that it was just a six-month extension of the current contract and Mary told him that it is.

Councilman Wood made a motion to authorize the Supervisor to sign the addendum to the current contract between WCP Consultants, village of Cape Vincent, Town of Cape Vincent and the LDC, for a six-month extension, seconded by Councilman Wiley. All members voted AYE.

Bill McDonough – Bill spoke to the board about the struggles the LDC has with Scott Burto regarding the placement of his time. He said that they know they will take projects over and he said it would be useful to share information between the town, village and LDC. Bill also told the board that the use of a time form would make it helpful at budget time so that each entity knows how much time Scott Burto is devoting to each particular project.

Councilman Wiley said that the CVLDC would like to hire a clerk to take minutes at their meetings and other duties, approximately 20 hours per month. Councilman Wiley said the CVLDC was struggling to find someone because they were told the person would need to have liability insurance. He asked if the board would consider paying someone and then be reimbursed by the CVLDC.

The board discussed this possibility and a few names were given as possible candidates.

Supervisor Mason will contact the town attorney to find out if the town would be able to share resources with the CVLDC.

Councilman Aubertine made a motion to accept the minutes of Oct. 19, 2023 and Nov. 9, 2023, seconded by Councilman Wood. Oct. 19, 2023, all members voted AYE; Nov. 9, 2023 Supervisor Mason, Councilman Aubertine and Wood voted AYE. Councilman Maloney and Wiley abstain as they did not attend the meeting.

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

Bills: Capital Water Project WD #7, \$365.00; WD #1, \$43,882.41; WD #2, \$1,682.10; WD #3, \$1,717.46; WD #4, \$2,648.94; WD #5, \$2,687.85; WD #6, \$1,1189.90; Highway, \$38,519.04; Gen. Fund, \$80,629.74. Councilman Aubertine made a motion to approve of the payment of the vouchers, seconded by Councilman Wood. All members voted AYE.

### Reports

Highway – Bill Pond passed out bid quotes to the board members of the quotes he has received to date to install heat in the Chamber of Commerce office. He told the board that he is waiting for one more to come in. Bill explained that the quotes are high because three units will need to be installed to keep the water from freezing.

Bill said that they have boxed in and insulated a cover over the furnace installed for the museum. He said the roadside mowing is done and the routes have been marked with reflective stakes. He said that they have three trucks ready for winter.

Bill told the board that he has submitted his paperwork for CHIPS reimbursement. He said that he submitted it on Nov. 15, but he was late as the cut off date was Nov. 1. Bill said that he was not aware of the date change, but was told that in the past the State gave the date of Nov. 15 as an extension date. This year there wasn't an extension. He said the reimbursement will be received in March of 2024 for the 2023 time period.

Bill said that the grinder's bid on the auction site is at \$24,100.00 and he wanted to know what the Machinery Committee wanted him to do.

Councilman Aubertine suggested making a counter offer. Bill said that the auction house told him that he should get nearly \$40,000.00 for it.

Bill and the board discussed figures for a counter offer. Councilman Aubertine said that the guys at the auction house know what the equipment is worth, and he would go with their recommendation. It was decided to offer the highest bidder \$35,000.00 but take no less than \$30,000.00.

All agreed to have Bill make this offer.

Bill said that there was a resolution for action regarding the brush grinding at the transfer site. He said that Farney Tree and Excavation are in the area and would like to start as soon as possible.

Supervisor Mason asked why there needs to be heat in the Eli room. He said that he wants to use heat tape on the pipes to prevent freezing.

Bill said that no contractor wants to be responsible for installing heat tape, as they don't feel it will work.

Supervisor Mason said that he does not want to pay for heat in the Eli room for the museum and he feels that the museum should pay for the heat.

Councilman Aubertine said that it is an investment in a building that the town owns. He said that the town pays the electric bills for the Chamber and he is not willing to pay for the use of electric heat that they are currently using. Councilman Aubertine said it is not likely that the heaters could be installed this year anyway. Bill agreed stating that the companies he has talked with are booked through December now.

Councilman Aubertine asked if they all agreed that the Chamber should not use the electric heat, and everyone agreed. It was decided to discuss this and that the Chamber office would have to be moved if the work could not be done soon, at the next board meeting.

Councilman Wood said that there are two people working at the transfer site, and he would like one of them to work in the highway garage.

Councilman Aubertine said that they brought Kevin on early because they thought Nina would be taking more time off.

Councilman Maloney asked Bill if there was anything Kevin could do in the garage. Bill said that he would talk with both Nina and Kevin.

Recreation Park – Keith Brass reported that there have been the usual clubs and meetings. He said that Zumba and Mahjong are done for the season. Keith reported that the new flooring is in.

Water – Keith reported that they are still doing shut offs and have fixed a few leaks. He said that he had purchased fire extinguishers for both trucks. Keith said he has updated the Emergency Response Plan, and it has been delivered to the Dept. of Health.

Keith said that there is a new liner for the ice rink.

#### Supervisor's Report

Supervisor Mason said that he attended a DANC inspection of the village water plant and they met with them at the village office. He said that they discussed with DANC updating contracts and the establishment of a reserve fund. He said that the village does an AUP every year and it was determined that DANC owes the village \$32,000.00. He said that in 2019 DANC was told that the village was replacing the generator, and they wanted the costs put in the water rate.

Supervisor Mason said that they are concerned with the water loss, and in the 2019 audit, three out of five mistakes were with numbers.

Councilman Aubertine asked if there was any discussion of future expansion, and Supervisor Mason said there wasn't.

Councilman Aubertine said that at the next work session, he would like to gather all the potential funding options for the Club Street project. He said that this information is not clear to him and he would like to focus on it and narrow it down.

Councilman Wiley said that they should tell Scott this is what the board is looking for and have him put it together for them.

Councilman Maloney suggested Municipal Solution to help them and to find out if the town could pay them through one of the grants.

Supervisor Mason said that they had the bid opening, and that the bids came in extremely high. He said that he will meet with State Parks to let them know they will need to help pay for the fence.

Councilman Wiley asked if their crew could install the fence. Supervisor Mason said he will ask.

Councilman Wood said that he attended the planning board meeting and 3 new cell towers will be installed along the river.

Councilman Maloney said that he attended the ambulance meeting, and the building expansion has been started and that a new fly car was purchased. He said that there was concern because the CON they hold is with the towns of Cape Vincent and Lyme and the new car has Guilfoyle's name on it. They were afraid it was being used by Guilfoyle, but they were assured it's not, that it is only being used for Cape Vincent and Lyme.

Supervisor Mason asked the board if they had reviewed his letter that he wrote to Assemblyman Scott Gray showing the town's support in his attempt to overturn the decision by the NYS Parks, Recreation and Historical Preservation to award a contract to another company outside of New York State, instead of Metal Craft.

Councilman Aubertine made a motion to authorize the Supervisor to sign and send a letter to Assemblyman Scott Gray in support of Assemblyman Scott Gray's attempt to overturn the decision to award a contract to another company, outside of New York State, instead of Metal Craft, seconded by Councilman Wood. All members voted AYE.

The board discussed the Bond Resolution authorizing the issuance of a Serial Bond in the amount of \$1,000,000.00. The board was concerned and strongly felt that they should hold a public hearing to make the residents aware of the project and costs to the tax payers.

The board also discussed the purchase agreements for the properties on Club Street; Captain Jacks and Village Shipyard Marina. It was decided that there should be verbiage in the purchase agreements regarding that the purchase would be contingent on funding/financing.

Supervisor Mason will contact attorney Megan Kendall and ask her to add the verbiage in.

Councilman Wood made a motion to authorize the Supervisor to sign the purchase agreements for the purchase of Captain Jacks, and a portion of Village Shipyard, contingent on financing, second by Councilman Aubertine.

Supervisor Mason, Councilmen Wood, Aubertine and Maloney voting AYE. Councilman Wiley ABSTAIN.  
Resolutions

Resolution #63

Resolution #63 was moved by Councilman Maloney, seconded by Councilman Wood. Resolution # 63 is to authorize the Supervisor to sign the joint Town, Village and CVLDC IMA agreement, seconded by Councilman Wood.

There was no discussion. All members voted AYE.

Resolution #64

Resolution #64 was moved by Councilman Aubertine, seconded by Councilman Wood. Resolution #64 is the agreement to allow Joseph and Joann Yerdon 30950 Burnt Rock Road, tax map #50.00-1-38.2, to move forward with the creation of water district #8 along the DANC line, and that the Supervisor contact the Yerdons with the boards approval to move forward.

There was no discussion. All members voted AYE.

Resolution #65

Resolution #65 was moved by Councilman Wood, seconded by Councilman Aubertine. Resolution #65 is the appointment of Sheila Lawrence as the part time clerk to the Assessor with a rate of pay to start at \$18.00 per hour and a start date of Nov. 14, 2023.

There was no discussion. All members voted AYE.

Resolution #66

Resolution #66 was moved by Councilman Aubertine, seconded by Councilman Wood. Resolution #66 is to accept the bid from Farney Tree & Excavation, LLC to grind brush at the transfer site in the amount not to exceed \$10,000.00.

There was no discussion. All members voted AYE.

Resolution #67

Resolution #67 was moved by Councilman Aubertine, seconded by Councilman Wood. Resolution #67 is to authorize the Supervisor to sign the Preliminary Engineering and Design agreement for the Club Street project with Edgewater Resources.

There was no discussion. All members voted AYE.

The board discussed the Bond Resolution further and decided they would hold a public hearing and act on the resolution at the meeting following.

The board also reviewed the phases of the project.

Councilman Aubertine made a motion to hold a Public Hearing on Dec. 21, 2023 at 6pm and that the public hearing be held via zoom livestream on the issuance of serial bonds in an amount not to exceed \$1,000,000.00, seconded by Councilman Wood.

All members voted AYE.

Councilman Wood made a motion to adjourn at 8:06pm.

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Michelle Bouchard, RMC – Town Clerk