

Dec. 21, 2023

Town Board Bond Resolution Public Hearing and Regular Meeting

Present: Supervisor Marty Mason, Councilman Paul Aubertine, Councilman Dan Wiley, Councilman Tim Maloney, Councilman Alan Wood, Keith Brass, Highway Superintendent Bill Pond, Scott Burto, Attorney Megan Kendall, Ben Gladstone, Greg Weykamp and approximately 52 visitors.

Councilman Aubertine made a motion to open the Bond Resolution public hearing at 6:01pm, seconded by Councilman Wood. All members voted AYE.

Scott Burto introduced himself as the town's grant writer and he introduced Ben Gladstone and Greg Weykamp from Edgewater Resources.

They said that they have been helping the town on the Club Street project since 2021 and they reviewed the Phases of the project.

Scott talked about the purpose of the bond resolution, and he explained Phase 1 and Phase 2. He had a slide presentation which described the two different phases and that the purpose of the bond is to take the project to phase 2.

Ben and Greg said that they first visited the town and saw the potential for the development. They said that they did a feasibility study and prepared cost estimates. They also talked about the meetings they held with residents and stake holders.

Ben and Greg said that it's 2023 and they are still developing the plan and they are looking to start construction in 2025. They also said that there will be opportunities for more meetings for residents to attend.

Ben and Greg stressed their desire to protect the character of Cape Vincent and its small-town feel. They reviewed the Phases and said that the main goal is to connect the people and boaters to the downtown area.

Scott Burto reviewed the funding that has been awarded and grants applied for. He said that Boater Infrastructure and NY Forward grants have been applied for to help the project. He said that they will be designing the floating docks that will go to bid for construction.

Greg reviewed the best- and worst-case scenarios. He said if the Boater Infrastructure grant is not awarded, the town would still get a water front park with one section of docks.

Public Comments

Liz Brenan – Liz asked what had been done so far, grants or bonding or a little of both.

Supervisor Mason said there is no outstanding debt. He said that the town wants to purchase Capt. Jacks and Ron Trottier's smaller boat house. He also said that Capt. Jacks would count as local share with regard to the grant and they want to use the bond to purchase the properties.

Councilman Wiley said that the town's first bond is all paid off, and it was used to purchase the Swenson House and the Marina in front of Capt. Jacks.

Liz asked if the Boater Infrastructure grant will be used for the second phase dockage, and will the town be in debt for the 1 million bond.

Supervisor Mason said it would be paid down.

Brian Ernise – Brian asked where the money would come from to police the area and where was the infrastructure support coming from.

Councilman Maloney said that they would be looking into getting a harbor master and the town hopes to utilize the waterfront.

James Johnson – James asked at this point have all grants been applied for.

Scott Burto said they have applied for all that are available, and if they have been turned down, they will reapply. Scott said that he looks for grants every day.

Kathleen Pierce – Kathleen asked if the Swenson house was paid for?

Scott said that it was, and that the property will have shoreline revitalization.

James Oliver – James asked about the bond interest rates. He asked if the town could reapply for a lower rate.

Attorney Megan Kendall said that the rate is 5.42 today, and that the town could reapply for a lower rate.

Liz Brennan – Liz asked what Capt. Jacks is assessed for and the board told her \$270,000.00.

Councilman Wiley said that he would like everyone to know that the board does not like to take the property off the tax roll. He said that the village is already seeing new businesses' and said that Cape Vincent is a unique spot. He said that we are the only ones who can say we are at the mouth of the St. Lawrence River. Councilman Wiley said that they would like to be a safe harbor destination.

Ruth Robinson – Ruth said that she was new to the community. She wondered if there are any plans to make the area in front of the Coal Docks restaurant nicer. The board told her that property is privately owned.

Jarrold Radley – Jarrold said that the project is good stuff. He suggested that the project information slides be put on the town website. He talked about the possibility of a tax increase, but thinks the idea is great.

Supervisor Mason said that he was going to hang the photos of the project in the town office for people to see.

Mandy Mason – Mandy said that this is a digital age, and the information should be on the town's website. She said that if the board is going to be transparent, they should do this. She said that she works during the day, and when she comes home, the office is closed.

James Johnson – James said that he knows the town would be raising taxes and he wants to know how much. James asked what he would get out of this project. He asked if he would be able to dock his boat there.

Supervisor Mason said the docks will be transient dockage and open to anyone.

Councilman Wiley told James that they applied for the Boater Infrastructure grant, and the grant does not allow for permanent dockage. He said boaters will come and leave.

Councilman Aubertine said that the town is not looking to raise taxes, and he encouraged the public to attend budget meetings in the fall. He said that the board will look at all options to keep the tax rate low. He said that this may mean cutting funding from other areas. Councilman Aubertine said that he feels that in the long run, it may lower taxes.

James said that he wants to see the data that the downtown area will grow, and existing businesses will increase. He said that he drives the streets in the village every day and there isn't any room for new businesses.

Councilman Aubertine said that by investing in our infrastructure, the waterfront Cape Vincent will grow. He said that it will make Cape Vincent a more inviting place to be.

Scott Burto said that Greg has market analysis with data. He said that boaters cruising the area will see the shops from the water and they will want to visit. He said this makes Cape Vincent a destination.

James asked how the town will pay for the bond.

Councilman Wiley said that they will make payments.

Councilman Aubertine said that if the bond resolution passes, they could raise taxes to pay for it, or they could use funding from other lines.

James said the town should find another way to pay for it, not using tax payers' dollars to pay for it. He asked what are the tax payers getting for it.

Councilman Wiley said that they have applied for many grants, including the 4.5 million-dollar NY Forward Grant.

Nicole Paratore – Nicole asked if the board was saying there is money there if we need it.

Scott said that they have secured funding through grants. He talked about the project phases, what phase one would look like with out further funding and phase two, what it would look like with additional grant funding.

Supervisor Mason said that the board needs the bond to keep to be the project moving

Christine Stark – Christine said she is ambivalent on the project. She said that she has attended work sessions and she was confused. She said that she spoke with Councilman Aubertine to get costs. She said that she is retired and on a fixed income. She said that the board should try to minimize costs. She said that she liked Greg's report and that the study showed that within five years, there would be a profit. Christine said that she looks forward to the future, and she doesn't want the residents to shoulder the burden. She feels better about the project and she knows the town board will fight tooth and nail to keep taxes down.

Mike Wiley – Mike suggested residents go to Clayton to see how boaters affect that community.

He said that new dockage at East End Park is nice, but no one is going to walk the distance from there to the business areas. He said Cape Vincent needs this project; it will benefit our community.

Bob Brown – Bob said that there will be transient docks, fuel and a safe harbor designation. He asked if there will be electric, and who will be in charge of pump outs.

Councilman Wiley said that the project is in the beginning stages, and they aren't there yet.

James Johnson – James said that this is a town thing and who will maintain it.

Supervisor Mason said they are not there yet.

Councilman Wiley made a motion to adjourn the public hearing on the bond resolution at 7:15pm, seconded by Councilman Aubertine. All members voted AYE.

Councilman Wood made a motion to open the regular meeting at 7:16pm, seconded by Councilman Wiley. All members voted AYE.

Supervisor Mason asked Megan, the town's bond council, to explain the steps for the adoption of the bond.

Megan said that first the board has to adopt the bond resolution, then it is posted in the newspaper. If a petition is filed it must be done so 30 days after the resolution appears in the paper. The petition needs to have signatures totaling 5% of the residents in Cape Vincent who voted in the last election for Governor.

Privilege of the floor:

Jarrod Radley – Jarrod thanked Supervisor Mason for his past two years of service as Supervisor.

Tammy Castor – Tammy said that she is a volunteer for NY Citizens Audit Committee. She said that they are educating towns on the election audit process and she was there to present a resolution to the board to pass calling for an election audit. She reviewed the voter law and read the resolution she wants the board to pass.

Chris Robl – Chris said that he was with the NY Citizens Audit Committee. He said that they have reached out to the Board of Elections with questions, but they have not responded yet. He said that they are calling for a voting audit.

Councilman Aubertine made a motion to accept the minutes from the Nov. 16, 2023 meeting, seconded by Councilman Wood. All members voted AYE.

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

Bills: WD #1, \$47,428.06; WD #3, \$833.27; WD #4, \$2,908.23; WD #5, \$4,554.94; WD #6, \$1,132.86; Gen Fund, \$20,274.50; Highway, \$60,180.08.

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

There was the following discussion. Supervisor Mason asked Bill Pond what the invoice for Icus was. Bill said it was for bearings for the truck smoke stacks to keep them in place. All members voted AYE.

Reports

Highway – Superintendent Bill Pond gave the board copies of the three quotes he received for heat in the Chamber building.

Bill said that they have done some plowing and sanding. He said that he would like to discuss with the board their decision to pay extra snow help, who have their CDL licenses \$18.50 per hour. He said that he had two men set to go, and when they found out the pay was only \$18.50, they said that they would not help.

Supervisor Mason said that the vacancy and pay rate should be advertised on the sign in front of the office building to see how many people apply.

Bill said that the brush grinding at the transfer site has started. He asked the board to review the quotes for the heaters. Supervisor Mason said he did not see the need for the heater in the Eli room; he said there is no need for three heaters. Bill said that no one will do it unless there is one because that is where the water supply is and they don't want to be responsible for frozen pipes. The board discussed the quotes.

Councilman Wiley made a motion to award the bid to Hyde-Stone, seconded by Councilman Wood. All members voted AYE.

Recreation Park – Keith Brass said that the usual activities were held in the building, and there was a family Christmas party.

Water – Keith Brass said they had trouble with tubing on the pressure switch. He said that they had a water main break on Hell Street and he is working on the Vulnerability Assessment report.

Supervisor Mason said that the town was awarded the WIIA grant funding for water district #7. He also reported that Rural Development will stand behind the low interest loan. He said that he will be having a meeting with Matt Cooper to go over the project.

Councilman Aubertine made a motion to authorize Barton and Loguidice to do the map plan report for the creation of water district #8, seconded by Councilman Wiley. All members voted AYE.

Councilman Aubertine thanked Supervisor Mason for a job well done as Supervisor.

Councilman Wiley said that the CVLDC is ready to hire a clerk. The position is approximately 10-12 hours per month. He asked if the person is not already a town employee, will the town be willing to pay, and offer pension benefits. He said that the CVLDC will reimburse the town. The board members discussed the employee and felt that it would be a good idea to offer the benefits.

Councilmen Wiley, Wood and Maloney each thanked Supervisor Mason for his service.

Supervisor Mason set the date of Dec. 28, 2023 at 9am for the board's year end meeting.

Councilman Maloney made the motion to hold the town board's Organizational meeting on January 1, 2014 at 11:30am, seconded by Councilman Aubertine. All members voted AYE.

Supervisor Mason said the he has contacted Vicki Staie to do the appraisal for the Capt. Jacks property. Councilman Maloney made a motion to hire Vicki Staie to do an appraisal on Capt. Jacks property and to have it done immediately, seconded by Councilman Wood. All members voted AYE.

Resolutions

Resolution #68

Resolution #68 was moved by Councilman Wiley, seconded by Councilman Wood. Resolution #68 to set the date of January 18, 2024 at 6:30pm for a public hearing regarding the creation of water district #8 along the DANC line.

There was no discussion. All members voted AYE.

Resolution #69

Resolution #69 was moved by Councilman Aubertine, seconded by Councilman Maloney. Resolution #69 is to appoint Shannon Featherly as a member of the Planning Board, with a term to expire Dec. 31, 2028.

There was no discussion. All members voted AYE

Resolution #70

Resolution #70 was moved by Councilman Wiley, seconded by Councilman Wood. Resolution #70 is to appoint Jarrod Radley as a member of the Board of Assessment Review.

There was no discussion. All members voted AYE.

Resolution #71

Resolution #71 was moved by Councilman Wiley, seconded by Councilman Maloney. Resolution #71 is to authorize the Supervisor to sign the Acknowledgement and Acceptance of the WIIA grant for water District #7.

There was no discussion. All members voted AYE.

Resolution #72

Resolution #72 was moved by Councilman Aubertine, seconded by Councilman Wiley. Resolution #72 is to authorize the Supervisor to make budget modifications to balance all accounts to close the 2023 year.

There was no discussion. All members voted AYE.

Resolution #73 was moved by Councilman Aubertine, seconded by Councilman Wood. Resolution #73 is to authorize the Supervisor to loan \$130,000.00 from the General Fund to the Highway Department DB fund to close the year.

There was no discussion. All members voted AYE.

Resolution #74

Resolution #74 was moved by Councilman Aubertine, seconded by Councilman Wiley. Resolution #74 is to authorize the Supervisor to sign an addendum to the Purchase Agreement between the town, Lawrence Andre and the Estate of Patrick J. Wiley for the property at 361 Club Street, in which the addendum states the following deed restriction:

It is agreed that the vesting deed to be given to the Purchaser will contain a deed restriction stating the Real Property will be used by the Purchaser for municipal purposes only for the next 100 years. This deed restriction will run with the land.

There was the following discussion.

Supervisor Mason said that he doesn't want to pay money for this piece of property with a 100-year deed restriction. He asked if anyone would pay for a piece of property that had this type of deed restriction.

Councilman Aubertine said that all the deed is saying is that they want it left for public land.

Councilman Wiley said that the town couldn't sell it anyway if it is grant funded.

Councilman Aubertine said that it is not the town's intention to sell it anyway.

Councilman Wood said that he did not have time to review the resolution. He said that he feels that the time period needs to be shortened.

Councilman Wiley said that the addendum was passed out at the November meeting.

Councilman Maloney said that he wants to make sure the addendum says what they are looking for.

Councilman Wood asked what if a Harbor Hotel comes in and wants to build on that site. The town couldn't sell it to them.

Vote was taken.

Councilmen Aubertine and Wiley voting AYE, Supervisor Mason, Councilmen Maloney, Wood voting No.

Councilman Aubertine asked the board what did we just do. He said that they are to pass a bond resolution to move forward with the project. He said they just held a public hearing regarding the bond resolution and he said they wasted everyone's time if this is a no vote, because the board would not be able to purchase the property without the addendum signed.

Councilman Wood said the board could still get grant funding.

Councilman Maloney said that he wants to make sure the property can still be used for part of the grant. He said that Figueroa's would like 7' of the Capt. Jacks property for parking in exchange for bathrooms and the use of his docks.

Councilman Wiley said that the project is dead in the water without the Capt. Jacks property. He said that the town has already invested money into the project.

Councilman Maloney said he would like to look into this and talk with Tim Wiley and Larry Andre. He said that he would like to see if they could use the property for part of the grant.

Councilman Wood said that he feels the time should be shortened.

This resolution did not pass.

Resolution #75

Resolution #75 was moved by Councilman Aubertine, seconded by Councilman Maloney. Resolution #75 is the adoption of a serial bond in the amount of \$1,000,000.00 proceeds of which are to be used for the Cape Vincent Waterfront project.

There was no discussion. Roll call vote was taken:

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

Councilman Aubertine made a motion to adjourn at 8:18pm.

Michelle Bouchard, RMC – Town Clerk