

March 20, 2025

Regular Town Board Meeting

Present: Supervisor Paul Aubertine, Councilman Dan Wiley, Councilman Alan Wood, Councilwoman Heather Miller, Councilman Ron Jacobs, Keith Brass, Highway Superintendent Bill Pond and approximately 6 visitors.

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

Privilege of the floor:

Butch Cullen – Butch said that he wanted to talk about the funding agreement between the town and Ron Clapp. Butch said that as of November, the attorney fees were \$10,000.00 and he feels it will grow to \$15,000.00. He asked if an amended Developer Agreement has been drawn up. He said that if not, the taxpayers could have a substantial loss.

Supervisor Aubertine explained the Developers Agreement only covers special use permits, variances and the SEQR. He said that at this time the town is not running up any fees with the attorney regarding the Carleton Villa project because everything is on hold, and the Planning and Zoning Board's are not taking any action.

Butch said that he thinks the attorney fees will increase and Supervisor Aubertine said that at this time, no action is being taken.

Supervisor Aubertine said that Ron Clapp can't move forward because of the lawsuit with TILT. He said that the town is named in the suite as well. Supervisor Aubertine said that the Developer Agreement is not meant to reimburse the town for attorney fees regarding the law suit. He said that the developer can't pay the town's attorney fees for the lawsuit.

Councilman Wood said that the board talked with the town attorney and they are handling the issues the best they can.

Butch said that he worries the town is growing deeper in debt over the project, and he said the town would be better off getting the Developer Agreement right the first time.

Councilman Wiley made a motion to accept the minutes of Feb. 20, 2025, seconded by Councilman Wood. All members voted AYE.

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

#### Reports

Highway – Bill Pond said that they have been plowing and sanding and he hopes they are done with this. Bill said they have been cold patching some of the roads and that truck #57's box has been replaced and the truck is running well.

Bill told the board that Marvin Votra has been mowing the DANC line in the town of Lyme and will head to Brownville. He said that there are a few bad areas in both towns.

Councilman Wood asked if the two towns were helping out and Bill said they were providing fuel and helping to repair breakdowns.

Bill said that they are doing this shared service to prevent being billed \$150,000.00 from DANC, who would hire a company to do it and expect each town to pay.

Bill said that he has received the 4 loads of salt that he ordered on Feb. 5.

Bill said that he would also like to bring it to the board's attention that the floor drain in the highway barn needs to be replaced. He said that he keeps having it pumped out, but that is just a band aid. Bill told the board he does not know how to budget for this, and he wants the board to seriously consider its replacement. He said that he had contacted Miller Environmental and they came down to look at the drain. He said that they told him it needs to be addressed.

Recreation Park – Keith Brass said they have had the usual activities in the building. He told the board that the ice rink has been taken down and it is put away for the season.

Keith said that over the winter one of the bleachers was damaged. He said that they are looking for materials to fix it. He said that Scott Wedel has been doing some painting in the building and there was a CPR class held there. Keith said that when the weather breaks, they will grade the walking trail and put up the tennis and pickleball nets.

Water – Keith Brass said that they have been flushing in a few spots, checking for leaks and they have fixed a few radios that have not been communicating. He said that he has serviced the mini excavator and it is ready to do pit installs. They are hoping to start this next week.

Keith said that he would like to have the board's approval to purchase 6 - 3/4" and 2 – 1" meter pits from Core & Main in the amount of \$9,220.36.

Councilman Wood made a motion to authorize Keith Brass to purchase 6 – 3/4" and 2 – 1" meter pits from Core & Main, seconded by Councilman Jacobs. All members voted AYE.

Supervisor Aubertine said that he wanted to explain Resolution #26 regarding the creation of water district #9. Water district #9 is the area of Stony Point Road and Lisa Drive. He said that at the last work session, David Powers was there to discuss the district and the costs. He said that he knows at this point the costs are high.

Councilman Jacobs said that at the last meeting he thought they were too high. He said that he would like to see everyone have water that is affordable.

Supervisor Aubertine said that it is his opinion to move forward with the project to get funds earmarked. He said they are a long way to district formation, but feels that with WIIA grants and hardship loans, this would bring the costs down.

Councilman Wood said that he does not want this to become another sewer district situation.

Supervisor Aubertine said that the town was petitioned by the residents to bring water their way.

Councilman Jacobs said that it would be palatable to users to bring down the costs. He asked if the residents would have a chance to say if they want it or not. He said it is prudent to see what funding is available.

Supervisor Aubertine explained the process of district creation, and that yes, the residents would have a say as it would go to a Permissive Referendum or a Mandatory Referendum.

Supervisor Aubertine said the board received a report from Tim White regarding the Club Street project and he would like them to review it. He said that Tim reported that the Trottier boathouse has been removed and the area is cleaned up. He also said that they are approaching the final engineering bid for LWRP, and approaching contract with the Dept. of State for the NY Forward grant.

Councilman Wood said that not much is happening with either the Planning or Zoning boards.

Councilman Wiley said that there will be a baseball meeting on Monday night. Keith Brass asked for a schedule of games as soon as it is out. Councilman Wiley said that he will be one of the first to receive it.

Councilwoman Miller said that some of the prison guards have returned to work at the Correctional Facility. She said it is still rough, not many programs and the exposure to drugs is higher than normal. She reported that she attended the Chamber of Commerce meeting, and she feels they are making progress. She said that they are working on the visitors guide and they are working with the LDC.

Councilman Jacobs asked if everyone had received an email regarding a joint meeting the Village wants to hold and have the town board participate in. He said it would be April 10 at 5pm.

Town Clerk, Michelle Bouchard reminded the board that they need a signed contract for service with the Cape Vincent Ambulance Squad. Councilman Jacobs said that he will look into this.

#### Resolutions

##### Resolution #23

Resolution #23 was moved by Councilman Wiley, seconded by Councilman Wood. Resolution #23 is to authorize the Supervisor to transfer \$100,000.00 from the General Fund to the Club Street Capital Fund for a budget amendment.

There was no discussion. All members voted AYE.

##### Resolution #24

Resolution #24 was moved by Councilman Wiley, seconded by Councilman Wood.

Resolution #24 is to appoint Maret Salsbury as an alternate member of the Zoning Board of Appeals and that the term shall run from Jan. 1, 2025 to Dec. 31, 2026.

There was the following discussion. Supervisor Aubertine said that this is the first time he has seen a full slate on both boards. All members voted AYE.

##### Resolution #25

Resolution #25 was moved by Councilman Wood, seconded by Councilwoman Miller. Resolution #25 is to make HDPE and Ductile Iron Pipe standardized materials for maintenance and new construction for main piping, AND further resolved to rescind Resolution #26 of April 16, 2020.

There was no discussion. All members voted AYE.

##### Resolution #26

Resolution #26 was moved by Councilman Wiley, seconded by Councilwoman Miller. Resolution #26 is to authorize Barton & Loguidice to commence the following services for Project Development Phase for the creation of Water District #9: Environment Review; USDA RD Environmental Report; District Formation/Bonding Assistance; Funding Assistance.

There was no discussion. Roll call vote was taken. Supervisor Aubertine AYE Councilman Wiley AYE Councilman Wood AYE Councilman Jacobs AYE Councilman Miller AYE.

##### Resolution #27

Resolution #27 was moved by Councilman Wiley, seconded by Councilman Wood. Resolution #27 is that the Town Board believes affirmatively furthering fair housing and reducing segregation is essential for

keeping our community strong and vibrant. THEREFOR BE IT RESOLVED that the Town Board of the Town of Cape Vincent hereby takes positive steps to alleviate the housing crisis, adopts the Pro-Housing Communities pledge.

There was no discussion. Roll call vote: Supervisor Aubertine AYE Councilman Wiley AYE Councilman Wood AYE Councilwoman Miller AYE Councilman Jacobs AYE

Bills: Highway, #45-63, \$37,687.95; General Fund #85-121, \$73,457.38; Club St Capital #11-14, \$81,064.35; Cap WD #7, #13, \$21,734.75; WD #1, #25-38, \$9,467.71; WD #3, #25-38, \$6,405.44; WD #4, #25-38, \$1,567.34; WD #5, #25-38, \$708.88; WD #6, #27-36, \$526.69.

Councilman Jacobs made a motion to approve of the payment of the vouchers, seconded by Councilwoman Miller. All members voted AYE.

Councilman Wood made a motion to adjourn at 7:15pm.

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Michelle Bouchard, RMC – Town Clerk