

January 16, 2020

## Regular Town Board Meeting

Present: Councilman Marty Mason, Councilman Dan Wiley, Councilman Alan Wood, Councilman Paul Aubertine, Highway Superintendent Bill Pond, Keith Brass, Matt Cooper, and approximately 7 visitors.

Absent: Supervisor Edward Bender – Councilman Mason as Deputy Supervisor ruled over the meeting.

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

Privilege of the floor – No one wished to speak.

Deputy Supervisor Mason invited Matt Cooper from Barton and Lodguidice to speak regarding the sewer project and water district #7.

Matt told the board that 50% of the grant funding is available upon execution of the grant agreement for the sewer study and 50% of the grant is released after the engineering report is approved by the DEC. He said that a questionnaire will be sent out to residents regarding cost feasibility and they need to contact the village for a sewer rate. Deputy Supervisor Mason said that he will talk with the village regarding a rate and will let Matt know.

Matt told the board that with regard to water district 7 the Rural Development Environmental report is complete as well as the G & G income survey. He also explained that the RD application was completed and submitted in October and they are waiting to hear about preliminary funding. He also spoke about the WIIA grant and the completed steps taken to date. He said that if the town does not get funding at this time, the district does not exist on paper and they will continue to look for funding.

Councilman Wood asked Matt if he thinks they will hear about funding by February, and Matt told him yes.

Councilman Wiley spoke about the LWRP meeting and would like to have an updated report on the progress of water district 7. Matt said that he will get a report ready with more narrative.

Councilman Wiley made a motion to accept the minutes of the December 19, 2019 and January 2, 2020 town board meetings, seconded by Councilman Wood. All members present voted AYE.

### Reports

Recreation Park – Keith Brass told the board that they had Christmas and New Year's parties held in the building along with the regularly held meetings. He said that he and John Lawrence have cleaned the kitchen, painted and changed out electrical switches.

Water – Keith Brass said that they repaired a curb stop leak and replaced 2 meters. He said that he would like to speak with the equipment committee regarding the purchase of a mini backhoe. Keith said that he would like to order new meters for water district 3 and 5. He said that they cost will be \$250.00 for each homeowner. He asked the board if they would like him to purchase one district at a time, or to purchase the meters for both districts.

Councilman Wood made a motion to allow for the purchase of water meters at a rate of \$250.00 for each homeowner for both water districts 3 and 5, seconded by Deputy Supervisor Mason. All members present voted AYE.

Councilman Aubertine asked if there was any money in a reserve account to help with the purchase of the meters and Keith told him that water district 5 has some reserve funding. Councilman Aubertine said that he would like to know how much money is available.

Highway – Bill Pond said that they have cleaned up brush in the Market Street Cemetery. He said that he has received the ok to place a 35 mph speed limit on Dablon Point and the signs are in place. He told the board that he had to have the new loader repaired as it was sending an alert regarding the turbo. He said that they have had some overtime for weather issues. They corrected the electrical problem in the museum, too.

Bill spoke to the board that he would like to bring Zeb Miller on full time, and would like the start date to be January 23, 2020 because that starts a new pay period. Councilman Wood asked if bringing Zeb on fulltime would be filling the vacancy left by Bill when he was elected. Bill said it would.

Councilman Wood made a motion to bring Zeb Miller on as a fulltime employee beginning January 23, 2020, seconded by Councilman Wiley. All members present voted AYE.

Deputy Supervisor Mason said that Supervisor Bender would like to make sure that all fire extinguishers are in place and working in the highway garage. Bill said that they are, and he understands the Supervisor's concerns stemming from the recent garage fires in other municipalities.

Supervisor's Financial Report – Deputy Supervisor asked if the board had reviewed the report.

Councilman Aubertine made a motion to approve the Supervisor's Financial Report, seconded by Councilman Wood. All members present voted AYE.

LWRP – Councilman Wiley reported that the final reports are in and they will be submitting one section at a time to the Department of State.

Councilman Wiley also talked about the grant for EDR. He said that the town is responsible for 60% of the fee and he would like to know what the town has spent to date. He believes it is \$35,000.00. He also said that once the reports are done they will be made available for public review.

LDC – Councilman Wiley said that they have a full board now and also have 2 additional people interested in serving. He said the LDC will be meeting twice a month now, on the second and fourth Thursday's at 6pm in the Recreation Park building.

Councilman Wiley said that he and Scott Burto will be meeting with Sunshine Jenkins, NYS Parks, regarding the cover on the ice rink and Cory Fram with the TI Council for other grant ideas. He also spoke about Tibbetts Point and what opportunities may be there to bring in revenue. He said that he would seriously like to look into this.

Deputy Supervisor Mason said that the town received an invoice from WCP Consultants, (Scott Burto) regarding his earned stipend for the grant monies received for the Club Street project. He said that if

taken from the BAN, the town would have to start paying interest. He also said that the Playground committee needs to reimburse the town \$5,000.00.

Deputy Supervisor Mason said that Scott Burto would like to get information regarding the volunteer time spent and costs.

Deputy Supervisor Mason said that Supervisor Bender spoke with Mayor Golden and he is in agreement that the Village should be responsible for paying the 40% of the invoice submitted from Scott.

Councilman Wiley agreed that this would be the way to pay. Deputy Supervisor Mason said that he feels the funds should come from the LDC budget line. The board discussed that the town sends its portion of the LDC budget to the village each month, and how this invoice could be paid from that account.

Councilman Wood asked if Scott is insured, and Councilman Wiley said that he is.

Councilman Wiley made a motion to pay 60% of the WCP invoice from the BAN, if it is not paid from the LDC funds, seconded by Councilman Wood. All members present voted AYE.

Deputy Supervisor Mason said that they need to find out what Scott's insurance will cover in case the town never receives the grant money and he has been paid his stipend. Councilman Wiley said that if he fails on his contract, they can sue.

Deputy Supervisor Mason said that he wants the invoices to be broken down so that each building or department is paying their bills and it is not all charged to the general fund, such as Highway, Recreation Park and Transfer site.

Town Clerk Michelle Bouchard said that those departments did not budget for this and it would make them have negative balances. Deputy Supervisor Mason said that he wants it this way so they can see how much each department is spending.

The board discussed the new fees being charged to the town from Jefferson County for recyclables. The fee is \$50.00 per bin picked up. Deputy Supervisor Mason said that he would like to find the money in the budget to pay this. The board discussed different ideas and the suggestion to raise the price of garbage \$1.00. The board also discussed raising the C&D charges. Deputy Supervisor Mason discussed the possibility of issuing permits. The board discussed the contractors that use the transfer site and that some of them who use the facility are not from Cape Vincent. Councilman Wood said that they may not be from Cape Vincent, but are doing work in the area.

Councilman Wood also said that he will contact other towns to see how they handle it and will speak with Nina at the transfer site.

Deputy Supervisor Mason said that he wants to discuss the outside water user agreement and needs the board's approval for the Supervisor to sign the agreements for Rick Lawrence, Joe Giaquinto and Frank Giaquinto. He said that he feels it is not the intent of the law to require easements be given to the town for those people who have land in the district.

Councilman Wiley asked about leaks in the water lines and will it go through the meter within the district. The board discussed this and it was agreed that the leaks will go through a meter and will be read. Deputy Supervisor Mason said that he feels the town has no right to go into houses to read the meters, since the meters are installed in the district and the town should not be concerned how the water gets to the houses.

Councilman Aubertine made a motion that the Supervisor signs the outside water user agreement for Rick Lawrence, Joe Giaquinto and Frank Giaquinto, seconded by Councilman Wood. All members present voted AYE.

Councilman Aubertine said that he feels that there is enough water for future growth, and the town should encourage outside users. He said that the town should be getting as many people hooked up to the water as they can, and that the more people hooked up will lower costs. He said that the town should be encouraging the sale of water.

Councilman Wood said that he would like to see the Zoning Officer have office hours in the evening if he can't have them during the day. He said that he is missing people and if he had set hours it would help. He said that he is being paid a salary and needs to come in at least for a few hours. Councilman Aubertine agreed saying at least one evening a week.

#### Resolutions

##### Resolution #15

Resolution #15 was moved by Councilman Wood, seconded by Councilman Wiley. Resolution #15 is to accept Judge Colleen Knuth and Judge John R. Fix's records as presented for audit, and that a copy of the resolution be mailed to the Director in Internal Audit, NYS Office of Court Administration.

There was no discussion. Roll call vote was taken:

Supervisor Bender, Absent	Councilman Aubertine, AYE	Councilman Wiley, AYE
Councilman Mason, AYE	Councilman Wood, AYE	

##### Resolution #16

Resolution # 16 was moved by Councilman Wiley, seconded by Councilman Aubertine. Resolution #16 declares the John Deer 47" model 49 snow thrower, serial #M00049X10540 surplus equipment and available for auction, sale or disposal.

There was no discussion. All members present voted AYE.

##### Resolution #17

Because Councilman Aubertine has a conflict of interest regarding resolution #17, the board asked him to step out of the room until the resolution was resolved.

Resolution #17 was moved by Councilman Wood, seconded by Councilman Wiley. Resolution #17 is to appoint Darrell Aubertine as a five (5) year alternate as a regular member of the Zoning Board of Appeals, AND Councilman Wood further resolved to leave the alternate seat vacant at this time.

There was the following discussion. Councilman Wood said that because they could not agree, the alternate seat should remain open.

Mike Nebbia, alternate zoning board member, said that it has been past practice that an alternate fill the position left by a regular member, and that he, as the only alternate should be put in the seat. He said that he wants his comments on record and into the minutes, that he will be very unhappy if this past practice is not followed. Councilman Wiley said that they know this has been the past practice. Councilman Wood said that Darrell Aubertine has years of experience. Mike Nebbia said that member Dennis Faulkham, who they are replacing, has 25 years of experience on the board and that his experience is welcome by the other members.

Vote was taken, all members present voted AYE.

Privilege of the floor

Tim White spoke to the board about the ambulance contributions saying that they have \$123,000.00 in the Capital Account. He said that the ambulance has serious operating problems and they are going to be purchasing a 2019 Wheel Coach.

Deputy Supervisor Mason said that Supervisor Bender has had talks with the ambulance committee regarding the contract with the town. He said that the contract is almost complete and it outlines the payments that the town will give to the ambulance squad.

Councilman Aubertine thanked the board members for staying by him and encouraging him not to resign from the board during his recent absence. He said that moving forward he hopes to be attending the meetings as much as he can. He told the board that he appreciates their support.

Councilman Wiley asked Tim White if he would like to discuss the grant issues. Tim outlined the projects and monies that have been awarded to the Club Street project. He said that they will be taking down the Swenson house and the marina this year. He also talked about applications submitted for other grant funding and he will be having a conference call with the Department of State. They discussed the DRI Grant and phases of the Club Street project outlines.

Bills: General Fund, \$25,999.32; WD #1, \$3,134.20; WD #3, \$51.30; WD #4, \$140.53; WD #5, \$121.94; WD # 6, \$49.07; Highway, \$31,675.65, H1 Capital Projects, \$18,787.50.

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

Councilman Wood made a motion to adjourn the meeting at 8:15pm.

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Michelle Bouchard, RMC – Town Clerk