

Village of Cape Vincent Board of Trustees - May 28, 2013

Mayor Maloney opened the meeting at 5:30 PM with Trustees Pamela Youngs, Elisabeth Brennan, Jerry Golden and Jeff Call present. Mayor Maloney welcomed the attendees and then led in the Pledge of Allegiance.

Trustee Youngs made the motion to dispense with the reading of the previous meeting minutes and accept them as written with Trustee Brennan seconding the motion and Trustee Call and Mayor Maloney voting yes. Trustee Golden abstained.

Attendee John Defrancesco addressed the Board in regards to the issues he is having at his property due to the sewer plant project. Mr. Defrancesco presented the Board a history of the property in regards to the sewer plant project to include copies of easements. Upon reading the list of damages and/or issues with his property that he feels are directly related to the project, he proposed that the Village pass a resolution at this point that states that the Village will accept responsibility to correct the retaining wall issues or Mr. Defrancesco will proceed with legal action. The rest of the issues will be presented to the engineers of the project. The Board tabled the issues for further discussion and informed Mr. Defrancesco that a plan of action would be presented to him.

Attendee Mr. Paul Paventi then spoke briefly on the conditions of the property that was being used by one of the contractors on Joseph St. during the sewer plant project. He states that it is his feeling that it was not left in the condition that it was pre-construction. Mayor Maloney asked Mr. Paventi to supply a written letter to the Clerk for his concerns about the property so the issues can be addressed properly.

Mayor Maloney then addressed the letter received from the DEC. Mayor Maloney had asked that Rachel Bernat from Bernier, Carr & Associates, P.C. attend to address the letter and the issues it brings. The Village of Cape Vincent is the water source for all the districts. Instead of all districts and regional line users having separate permits, the Village will have the sole withdrawal permit due to new regulations. The letter seems to conflict with the information passed along at the last DEC meeting that the Mayor attended. A letter is to be drafted by the attorney and engineers to the DEC to get a clear understanding of all the aspects of the letter received. A meeting between the Village and the Town needs to be established to discuss the outside user's hook-ups into districts as stated in the letter received by the DEC. Rachel Bernat then addressed the Board and explained some of the responsibilities that would be incurred by the Village to include water conservation and extra costs. Mayor Maloney will work on draft letter.

Attendee Kristy Kennedy then addressed the Board about a resolution that is needed from the Board to accept the funds from the LDC upon its dissolution. Trustee Call made the motion to accept the CVLDC funds and allocated them as indicated by the CVLDC Dissolution Plan with Trustee Golden seconding the motion and all voting yes. The Clerk will draft the Resolution and have it available Wednesday May 29, 2013.

Attendee Kristy Kennedy then asked about a SEQR for the Rossi property. The Improvement League is the lead agency and she is asking if she needs to do a SEQR or not. Mayor Maloney believes that one needs to be done.

Mayor Maloney then addressed the Board as follows:

- The start-up of the new sewer plant will be done this week.
- Nothing new to report on DC Builders.

- Mary Rupp needs to have change of title to Clerk/Treasurer. Trustee Golden made the motion to make Mary Rupp Clerk/Treasurer Friday May 31, 2013 with Trustee Youngs seconding the motion and all voting yes.
- The license agreement for the Baichi property was discussed. The Board agrees with the license agreement and a motion was made by Trustee Golden to accept the agreement with Trustee Call seconding it and all voting yes.
- A date needs to be set for the Public Hearing for the Dock Usage Law. Trustee Youngs made the motion to set the Public Hearing date for Tuesday June 11, 2013 at 6:00 pm with Trustee Golden seconding the motion and all voting yes.

Perry Golden, Zoning Officer, gave his report as follows:

- Mr. Paventi had been in contact in regards to the boats that are parked adjacent to his property. Perry has been doing some research on how the office would be able to enforce to movement of those boats as it is marina property. After a lengthy discussion, it has been asked that Mr. Paventi write all of his concerns in regards to the adjacent property and get them to the Village Office so they can be addressed to the attorney's office.
- For the Rossi property, there are issues regarding zoning requirements. Kristy Kennedy, grant writer and administrator, spoke that Rossi was granted a \$200,000 grant for a devastated property. It is to be between 42 and 46 feet wide and have 3 levels. The first floor to be retail, second floor to have 3 apartments and third floor to be a residence for Mr. Rossi. The Improvement League owns the contract. Attendee Patrick Wiley attended as well to voice concerns over the plan. Parking is an issue. Another issue is that every residential unit must have 3,000 square feet per unit and the project will not be able to conform to the zoning code. It has to be directed to the ZBA for a variance. Mr. Wiley has concerns that the planning board didn't follow the proper procedures. A lengthy discussion took place. A ZBA meeting has been set for June 6, 2013 at 5:00 pm.
- A house on William Street has grass that does need to be addressed.
- A garage under demolition should be cleaned up within the next few weeks.
- There have been several complaints on Breakers on noise over the past weekend and the status of outside bar that they are in the process of building.

Trustee Golden made the motion to enter executive session at 8:05 pm with Trustee Youngs seconding the motion and all voting yes.

Trustee Brennan made the motion at 8:24 pm to exit executive session with Trustee Youngs seconding the motion and all voting yes.

Trustee Golden then excused himself from the meeting.

Trustee Call made the motion that a letter be drafted for Mr. Defrancesco that the Village will fix the retaining wall pending Mr. Defrancesco approval of the terms with Trustee Youngs seconding the motion and all voting yes.

Mayor Maloney then addressed the agreement from Gebó's office for the resident that is an outside user that has an outstanding bill with the Village. The Board viewed the agreement and with a few issues addressed and changed, Trustee Youngs made the motion to accept the agreement for

repayment of the bills with Trustee Brennan seconding the motion and Trustee Call and Mayor Maloney voting yes.

Trustee Brennan asked if a resident with a water billing issue was resolved. The Clerk explained the situation and the resident was informed of the billing structure.

Trustee Brennan then asked about doing a pre-meeting informational session to make certain all Trustees are aware of attendees purposes for attending meetings.

Trustee Youngs then spoke about an issue that was brought to her attention concerning a visitor that fell near the Village dock.

Trustee Youngs also then spoke on the issues brought to her attention by resident Mr. Hill. He feels that there are still issues with his driveway and had concerns with the corner of the Bay and Joseph St. Also, he suggested hanging a welcome back banner for the seasonal residents of the Village.

Trustee Youngs then stated she had a few more issues to address for DPW Supt. Marty Mason and wondered if he is unable to attend if he can still provide a report for the meetings.

Trustee Brennan inquired if the employee evaluations have been completed. Mayor Maloney gave an update on the status of the evaluations.

Clerk/Treasurer Mary Rupp then asked for the Board to establish a standard workday for the Zoning Officer. They established his position to be a standard workday to be 8 hours per day.

At 8:50 pm, Trustee Call made the motion to adjourn the meeting with Trustee Brennan seconding the motion and all voting yes.

Respectively Submitted,

Mary E. Rupp, Clerk/Treasurer