

**August 10, 2011**

The Town Board of the Town of Clayton held their regular meeting in the Town Board Room of the Town Offices with the following persons present:

Justin Taylor	George Kittle	Christopher Matthews
Lance Peterson	Robert W. Cantwell III	Bob Boulton
Kathy LaClair (Absent)	Janet Sullins	
Alicia Dewey	Pam Mc Dowell	Ken Knapp
Cindy Grant	Jae Lee	Duane Hazelton
Dennis Parker	Patty Booras-Miller	

Supervisor Taylor opened the regular meeting at 5:00 PM with the Pledge of Allegiance.

**Guests:**

There were none to speak at this meeting.

**Town Clerk:**

**Correspondence:**

- The Monthly Justice Report to the NYS Comptroller from Clarence Giles for July 2011 (**see attachment file**)
- The Monthly Justice Report to the NYS Comptroller from Clifford James for July 2011 (**see attachment file**)
- Grants Action News Monthly Newsletter for August 2011

**Minutes:**

**Motion** by Bob Cantwell III, second by Lance Peterson to approve the minutes of July 13 as written. Motion carried.

**Motion** by George Kittle , second by Christopher Matthews to approve the July 27th minutes as amended: Highway Supervisor Bob Boulton wished to clarify a remark about the way the Grindstone dock was going to be cleaned up and possible have room for parking by omitting the confusing line “and there will be parking for only 5/6 cars”. Motion carried.

**Heritage Heights Sewer Agreement:**

Village agreed to and adopted the agreement. **Motion** by Bobby Cantwell, second by Chris Matthews to accept Heritage Heights Sewer Agreement as presented by the Village of Clayton. Motion carried.

**Public comments:**

**Ken Knapp and Cindy Grant** both commented on the wind law. It should protect all citizens. The sound ordinance should be changed to property line. On the real estate end, the ordinance is not protecting the people.

**Supervisor:**

**Supervisor Report:**

**Motion** by George Kittle, second by Bob Cantwell III to accept the Supervisor’s report of July 2011 as submitted. Motion carried.

**Bills & Transfers:**

**Motion** by George Kittle, second by Lance Peterson to pay bills on Abstract #8 of 2011 in the amount of \$154,782.09. Motion carried.

**Arena Project:**

Councilmen Cantwell and Kittle met with Bill Grater two weeks ago. Moving forward with four concept plans based on square footage to get ballpark figure, but not to exceed approximate costs. Very positive, logical things planned. Supervisor Taylor asked if they'd heard anything from the public. Chris Matthews said that once the improvements are done, the facility should be marketed better.

**Zamboni bids:**

Councilman Peterson remarked that there have been none as yet.

**Financial Software Update:**

We have reviewed two packages and a third is being evaluated in the next few weeks. The goal is to have a package up and running by January 2012. Additionally as the result of attending a workshop conducted by Jefferson County Department of Human Resources, we should establish a single personnel history file, (PHF) for each employee in a central location. The Supervisor would like to gather all components of the PHF in the Administrative Offices by January 2012.

**CLDC Update:**

Frink project is very active. Hope to have conceptual drawings in one to two weeks from developer. Then it will become public with a public viewing of the drawings, hopefully before Labor Day. As for the transient docks, developers and marine engineers are working together and coordinating hotel and dock configuration. The Town and LDC will control how the docks and reservation systems are operated. Once the concept plans are presented we will post a project timeline for public viewing.

**Grant Updates:**

**Awarded:** July 2011 **NYSERDA RFP2228:** Community Outreach to maximize the number of Town of Clayton and North Country Homeowners, business owners, and not for profit organizations that make use of GJGNY energy audits to learn how they can economically save utility expenses, and utilize GJGNY financing to retrofit their buildings to make them more energy efficient, as well as other benefits. Total grant funds requested: \$544,251.00. Total re-granted to NYSERDA: \$489,826.00. Total not re-granted to NYSERDA: \$54,425.00. Total to Town of Clayton: ~ \$8,000 - \$10,000. No Matching Funds

**Pending:** Submitted July 2011, NYS Department of Environmental Conservation Clean Air Grant

**Pending:** Submitted July 2011, National Park Service Rails, Trails & Conservation Areas Grant

**Pending:** Due September 1, NYS Office of Parks, Recreation & Historic Preservation

**Retirement Funds:**

Last year there we budgeted around \$105,000 and the Retirement System has estimated that our 2012 cost will be \$160,000

**Road name change:**

Yvonne and Mike Hogan are building on Patrician Lane and would like to have the road name changed to Aquene Lane. The request needs to be sent to the County for approval. The Board will wait to receive a letter of request from the Hogan's.

**Financial Disclosure Forms:**

Still need from Chris Matthews, Lance Peterson and George Kittle, and all of Highway Department .  
Bob Cantwell III turned his in at this meeting

**RESOLUTIONS:**

**SEQR – Wind Law Amendment**

**To begin, Supervisor Taylor reminded all present that this is dealing with wording only, not any particular project. The SEQR being conducted by the Planning Board is the SEQR related to the proposed Horse Creek wind project.**

**Resolution No. 47 of 2011**

**Part 1-Action to Adopt Local Law to Resolution.** Pages 1-9 briefly read through. Resolution introduced by Bob Cantwell III, second by George Kittle to accept & authorize the Supervisor to sign Part 1 of SEQR. Roll call: Supervisor Taylor: Aye; George Kittle: Aye; Lance Peterson, Aye; Chris Matthews: Aye; Bob Cantwell III: Aye. Motion carried.

Part 2- Pages 11-21 briefly read through. Motion made by Chris Matthews, second by Lance Peterson to authorize signature and approve Part II of SEQR. Roll call: Supervisor Taylor: Aye; George Kittle: Aye; Lance Peterson, Aye; Chris Matthews: Aye; Bob Cantwell III: Aye. Motion carried. Part II signed.

The SEQR was prepared by the Town's Attorney, Joseph Russell, of Menter, Rudin and Trivelpiece.

**Resolution No. 48 of 2011**

**Negative Declaration declared August 10, 2011. Local Law No. 1 of 2011 to amend existing wind law.**

Discussion: Increase setback allowance for non-participants; use domestic labor and parts. The Town Board finds no significant impact on the environment despite much public concern. The proposed Local Law increases the setbacks distance for non-participants, and the noise standard may not be waived.

Resolution introduced by George Kittle, second by Bob Cantwell III to pass a resolution adopting the negative declaration and to adopt the resolution. Roll call: Supervisor Taylor: Aye; George Kittle: Aye; Lance Peterson, Aye; Chris Matthews: Aye; Bob Cantwell III: Aye. Motion carried.

**Resolution No 49 of 2011**

**Resolution to Amend Local Law # 1 of 2007** introduced by Lance Peterson, second by Bob Cantwell III to adopt the amendments presented as Local Law #1 of 2011. Roll call: Supervisor Taylor: Aye; George Kittle: Aye; Lance Peterson, Aye; Chris Matthews: Aye; Bob Cantwell III: Aye. Motion carried.

Comments: Councilman Matthews Briefly discussed that the noise levels are different from night to day and we should look at what Hammond and Orleans are doing. Also that we should drop the level from 50 decibels and commit to finish within 60 days and be consistent with the neighboring

towns.

Councilman Peterson wants to know exactly what 50 decibels is and wants to get it right the first Time.

Councilman Cantwell said that the wind committee did considerable work determining what should be done and that it should be reviewed for definitions of ambient.

Supervisor Taylor said that noise is the very subjective and is the most difficult to pin down and that Ambient levels are basically indefinable because there are so many variables to consider.

The State passed Article 10 last month, and it changed everything. Our Board wants to do establish a reasonable law that protects the community and is enforceable..

George- get document from Hammond on their wind law

Lance- agrees we should get others' information but we want to be leaders, not followers; just use their info as guidelines.

#### **Highway Report:**

- New truck at Viking in Harrisville
- Went back to Grindstone after the torrential rains to repair erosion
- Have to change fuel tank; downsize to 300 gallons; Councilman Peterson thinks a fuel company would provide the tank and then would be liable for it.
- Barriers will be put in this fall; notices should be put up and publicized that this will be happening so cars park elsewhere. Councilman Matthews would like to see this happen ASAP and will spread the word when there is a date set. Price and availability are factors.
- Ellis Road is a multi-year project.

#### **Committee Reports:**

**George Kittle:** Discussion of new building going up on Frink property , that there will be changes once they get started, making it more like a Riveredge in Alex Bay. Supervisor Taylor said they are within the maximum height allowed of 72 feet. Councilman Peterson wants it to be a vacation destination like the old hotels were. Supervisor Taylor said the marketing approach is different than most.

The Zenda trail is close to completion.

**Lance Peterson:** The Pavilion planned for the Frink Park section of the Riverwalk is an outstanding idea.

**Chamber of Commerce:** Business with a Twist will be Sept 15 at Possum Lodge on Grindstone Island. Clayton Island Tours will be shuttling passengers, and reservations must be made by Sept. 15.

**Cerow Rec Park:** Wrestling tournament went very well  
Tentative pool closing is August 24  
Zamboni: may try to sell north of here  
Upcoming events: Outdoor Recreational Vehicle Show (new

and used variety): Sept 16-18, admission \$2.00 Fri 1-7, Sat 10-6, Sun 10-4

Vintage & Classic Street Meet Sept 24: Registration 9-11  
Supervisor Taylor will meet with ABM and Village to come up with a parking plan for the community or use shuttle service again.

**Bob Cantwell III:** **The Thousand Island Museum** is sponsoring A Night to Remember the Frontenac at the Opera House, August 24. It is the 100<sup>th</sup> anniversary of the fire at the Frontenac Hotel, featuring the original 45 star flag, on display from 3-5 p.m. At 7 p.m. there will be a talk. Political figures are invited. Note: This is the same night as the Town Board Meeting in Depauville.

**Paynter Center:** New bus is arriving tomorrow, July 11. May be part of parking plan for Arena events.

**TIYLO:** 2<sup>nd</sup> River Rat Triathlon Sunday August 28. Registration 7 a.m. So far 119 participating; cap is 225

**Christopher Matthews:** **Heritage Heights:** No report

**Youth Committee:** No report

Lance Peterson suggested a possible Punt, Pass and Kick event.

**Public:**

Cindy Grant: There are 174 children registered for Vacation Bible School this year. Some don't usually go to church. The Board thanked Cindy for the report and helping make this possible.

Duane Hazelton: Impressed by those who spoke on wind. He especially liked Chris' idea to 'plagiarize' other towns' ideas and that using at least 75% of local materials and labor will help tremendously.

Supervisor Taylor said the wind companies are on notice that we are actively researching the noise levels, the last component.

**Motion** by Lance Peterson, seconded by Christopher Matthews, to adjourn this regular meeting at 6:40 PM.

Motion carried.

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**Janet M. Sullins, Deputy Clerk**