

January 9, 2013

ANNUAL MEETING

The Annual Meeting of the Town Board of the Town of Clayton was held at the Town Offices with the following present:

Justin Taylor	George Kittle	Lance Peterson (absent)
Robert Cantwell III	Christopher D. Matthews	Robert Boulton
Kathy LaClair		
Alicia Dewey	Duane C. Hazelton	Ken Knapp
Cindy Grant	Pam McDowell	

Supervisor Taylor opened the meeting at 5:00 p.m. with the Pledge of Allegiance.

Discussion of possibly adopting TIERS billing rates. Some property owners are not paying and we would be able to levy non-payments on their tax bills at the end of the year, similarly to how we deal with delinquent sewer payments. Discussion only and will revisit this discussion at a future date.

Town Clerk read the annual letter from the Association of Towns concerning the 2013 Training School and Annual Meeting of the Association that will be held at the Hilton New York & Towers New York City, February 17-20, 2013. The training session is for town officials and staff.

Supervisor:

Administrative Appointments:

Association of Towns Delegate: George Kittle
Assoc. of Towns Alternate Delegate: Justin Taylor
Deputy Supervisor: George Kittle
External Auditor: Poulsen & Podvin
Supervisor's Assistant: Alicia Dewey
Director of Finance & Human Resources: Alicia Dewey
Historian: Norm Wagner

Board Appointments:

Heritage Heights Sewer Board: Tom Turgeon, Joseph Kehoe, Theresa Christensen and Dennis Baldwin.

Depauville Sewer Advisory Board: Jasper Wilkie, Keitha Huchzermeier, Lynn Schnauber, Larry Girard, Bob Haver.

Consolidated Health Board: Justin Taylor, Mayor Norma Zimmer, Dr. Grybowski, Teresa Getter.

Consolidated Health Officer: Dr. Stephen Grybowski.

Motion by George Kittle, seconded by Bob Cantwell III, to approve the above

Administrative and Board Appointments. Peterson – absent. Motion carried.

Other Appointments:

Registrar: Kathleen E. LaClair, Town Clerk
Deputy Registrar: Janet Sullins, Deputy Clerk
Records Management Officer: Kathleen E. LaClair
Budget Officer: Justin A. Taylor, Supervisor
Zoning Enforcement Officer: Henry LaClair
Assistant Zoning Officer: Richard Ingerson
Building Codes Officer: Richard Ingerson
Assessor: Denise Trudell
Assessor's Part-Time Clerk: Kimberli Johnston
Town Constable: Charles Solar
Depauville Sewer Operator: Robert Boulton
Depauville Sewer Collector: Kathleen LaClair, Town Clerk
Depauville Librarian: Karen Lago
Fishery Advisory Board: Keith Dasno, if vacancy is available

Town Board Committees:

George Kittle: Purchasing; Cemeteries; Personnel; Libraries; Docks
Lance Peterson: Chamber of Commerce; Cerow Recreation Park/Transfer Site
Bob Cantwell III: Paynter Center; Highway; Joint Boards, TIYLO; Parking
Chris Matthews: Youth Commission; Sewer Districts; Frink Redevelopment

Motion by George Kittle, seconded by Bob Cantwell III, to approve the above appointments. Peterson – absent. Motion carried.

Town Clerk: Town Clerk Kathy LaClair appointed Janet Sullins as Deputy Clerk and Deputy Registrar.

Town Facility Rates:

Transfer Site – rates will remain the same as last year.

Cerow Recreation Park - show rates to remain the same as 2012: \$550 flat fee for weddings; Ice Rates for 2013-2014; \$63/hr for contract; \$86/hr for the Old Timers; \$90/hr for Community non-contract; & \$120/hr for Outside non-contract.

Sign Fee \$175.

Motion by George Kittle, seconded by Bob Cantwell III, to approve the above appointments. Peterson – absent. Motion carried.

ANNUAL RESOLUTIONS:

RESOLUTION NO. 1 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, a resolution to adopt “Roberts Rules of Order” as Town Meeting rules. Taylor – aye,

Kittle – aye, Peterson – absent, Cantwell III – aye, and Matthews – aye. (**SEE RESOLUTION BOOK.**)

RESOLUTION NO. 2 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, a resolution to reaffirm “Rules for Public Participation at Town of Clayton Board Meetings”, adopted on October 31, 2008 and revised June 9, 2010. Taylor – aye, Kittle – aye, Peterson – absent, Cantwell III – aye, and Matthews – aye. (**SEE RESOLUTION BOOK.**)

RESOLUTION NO. 3 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, a resolution to reaffirm “Resolution Regarding Rules for Public Hearings Conducted by the Town Board Town of Clayton”. Adopted December 9, 2009 and revised April 14, 2010. Taylor – aye, Kittle – aye, Peterson – absent, Cantwell III – aye, and Matthews – aye. (**SEE RESOLUTION BOOK.**)

RESOLUTION NO. 4 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, to establish 2 regular meetings per month of the Town Board of the Town of Clayton, 2nd & 4th Wednesdays of the month at 5:00 p.m. at the Town Hall and an end of the year meeting on or before December 31, 2013. Taylor – aye, Kittle – aye, Peterson – absent, Cantwell III – aye and Matthews-aye. (**SEE RESOLUTION BOOK.**)

RESOLUTION NO. 5 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, establishing that the second meeting in July will be held on Grindstone Island, the second meeting in August will be held in Depauville. Taylor-aye; Kittle-aye, Peterson-absent; Cantwell III-aye and Matthews – aye. (**SEE RESOLUTION BOOK.**)

RESOLUTION NO. 6 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, to designate the Thousand Islands Sun as official Town of Clayton newspaper. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. (**SEE RESOLUTION Book.**)

RESOLUTION NO. 7 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, to establish rates of pay for salaried and hourly employees, also stipulating all Town employees to be paid on a bi-weekly basis. Taylor- aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. (**SEE RESOLUTION BOOK.**)

RESOLUTION NO. 8 OF 2013 offered by Chris Matthews, seconded by Bob Cantwell III, a resolution recognizing Town employees who belong to the NYS Retirement System, their retirement number and their number of days worked during a bi-weekly period. Taylor – aye, Kittle – aye, Peterson – absent, Cantwell III – aye, and Matthews – aye. (**SEE RESOLUTION BOOK.**)

RESOLUTION NO. 9 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, that any “New Hire” Town employee must be reflected in the Town’s minutes, name and wage information inclusive. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. (**SEE RESOLUTION BOOK.**)

RESOLUTION NO. 10 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, to pay certain contractor's or service providers by voucher:

Jay Slate - \$12.00 per/hr. laborer
Grindstone Mowing: Town Board per annual bid
Richard Matthews - \$10.00 per/hr. mowing G.I. Schoolhouse

Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye.
(SEE RESOLUTION BOOK.)

RESOLUTION NO. 11 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, for Mileage rate for 2013 will be \$.565 per mile for any Town Business, and to automatically default to the IRS rate and schedule at any time of change by them. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 12 OF 2013 offered by Chris Matthews, seconded by Bob Cantwell III, a resolution per decision on June 22, 2011 to set boat mileage rate to \$30/hour plus employee hourly wage and to annually bid out bargaining. Taylor – aye, Kittle – aye, Peterson – absent, Cantwell III – aye, and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 13 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, to adopt Key Bank, Community Bank, Watertown Savings Municipal Bank, Citizens Bank of Cape Vincent as Town Banks, Supervisor to invest monies in interest bearing accounts on a competitive basis. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 14 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, a resolution that no bills incurred by the Town of Clayton are valid without a voucher and that all vouchers that are to be paid must be delivered to the Town no less than five (5) business days prior to the regular Board meeting, unless otherwise approved by the Director of Finance. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 15 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, for authorization for the Town of Clayton Supervisor to sign checks or in his absence the Deputy Supervisor. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 16 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, Supervisor to sign an agreement between the Village of Clayton and the Town of Clayton, a Library Service Agreement for the Hawn Memorial Library, the Town agreeing to pay Village of Clayton the sum of \$9,000.00 on or about February 15, 2013. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 17 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, to authorize the Town Supervisor to sign the “Chamber of Commerce Agreement” for \$9,400.00. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 18 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, a resolution authorizing the Town Supervisor to sign the Bed Tax contract between the Town and the Clayton Chamber of Commerce. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 19 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, for Supervisor to sign the contract with the Paynter Center for \$7,500.00 for Senior Services. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 20 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, a resolution to authorize the Town Supervisor to sign a contract with Thousand Islands Emergency Rescue Services (T.I.E.R.S.) for \$105,000 for expenses related to Emergency Services within the Town of Clayton. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 21 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, a resolution to authorize the Town Supervisor to sign a contract with the Thousand Islands Museum for \$2,500 for expenses related to housing the Town Historian. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 22 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, to authorize the Town Supervisor to sign a contract with the Clayton Local Development Corporation (CLDC) for up to \$25,000, at the discretion of the Town Board, for expenses related to economic development within the Town of Clayton. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 23 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, to appoint Robert J. Campany as Town engineer per attached agreement. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 24 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, to appoint Joseph Russell from Menter, Rudin and Trivelpiece Law Firm, as Town of Clayton attorney in the amount of \$185.00 per hour. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 25 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, a resolution to adopt the Comprehensive Financial Policy, embodying all Town financial

policies into one document. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 26 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, a resolution adoption of other Town policies: Drug & Alcohol policy; Town Building Emergency Action Plans; Municipal Cell Phone Use Policy; Smoking Policy; Code of Ethics; \$600 Flexible Benefits Plan policy; Cell Phone Reimbursement policy; Laptop Policy and Workplace Violence Policy Statement and Program. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 27 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, a resolution for a Zoning & Planning Fee schedule for the Town, adopted January 5, 2005, last revised on July 11, 2012. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 28 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, for a Code Enforcement Fee Schedule adopted March 26, 2008, revised by motion on October 8, 2008. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 29 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, to comply with the requirements of the NYS Environmental Quality Review Act and the regulations promulgated there under (SEQR). Taylor – aye; Kittle – aye; Peterson – absent, Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 30 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, a resolution that any employee of the Town wishing to travel to schools, seminars, or other Town related business and who expect reimbursement for their expenses shall obtain permission from the Town Board. Taylor – aye, Kittle – aye, Peterson – absent, Cantwell III – aye, and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 31 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, a resolution for the Town Board and the Village Board of Clayton to support the combining of their individual Zoning Regulations and Local Waterfront Revitalization Program by the Joint Planning Board of the Town and Village of Clayton. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 32 OF 2013 offered by Chris Matthews, 2nd by Bob Cantwell III, a resolution for the Town of Clayton to implement a charge of \$20 and/or up to the amount that the bank imposes for any check returned due to insufficient funds or any other reasoning as determined by any bank. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 33 OF 2013 offered by Chris Matthews, 2nd by Bob cant well III, a resolution for the Town of Clayton Tax Collector to keep up to \$5.00 over payment of Town

taxes submitted and to pool said money and use to compensate for underpayment amounts tendered. Taylor – aye; Kittle – aye; Peterson – absent; Cantwell III – aye; and Matthews – aye. **(SEE RESOLUTION BOOK.)**

Status of Pending Litigation(s):

There is no pending General Litigation.

Assessment Litigation:

There is one property left in the multiple parcel tax assessment case. All but one of the petitioners settled, and the one that did not is still pending before the Supreme Court. There has been no movement on that case since the rest of them settled, and our plan is to sit tight until the petitioner makes a move or the court requires us to do something.

Motion to close the Annual Meeting made by George Kittle, 2nd by Bob Cantwell III at 5:23 PM. Peterson – absent. Motion carried.

Kathleen E. LaClair, Town Clerk