

March 9, 2011

The regular meeting of the Town Board of the Town of Clayton met in the Town Board Room with the following persons present:

Justin A. Taylor
Robert W. Cantwell III
Kathy LaClair

George E. Kittle
Christopher D. Matthews

Lance Peterson (Absent)
Bob Boulton

Jim Yuhas
Pat Youngs
Dan Frank
Bud Baril

Duane Hazelton
Michael J. Docteur
Pan McDowell
Jae Lee

Kenneth Knapp
Larry Aubertine
Cindy Grant

The meeting opened at 5:00 PM with the Pledge of Allegiance led by Supervisor Taylor.

Guests:

County Legislator Mike Docteur discussed the County continuing the Sales Tax Extension of ¾%. He is in favor of the continuation. This means about \$10.6 million in revenue to the County and \$1.5 million in revenue to the Towns. Supervisor Taylor stated he will send a letter to Senator Richie and Assemblywoman Russell in support of maintaining the ¾% sales tax fee.

Town Clerk:

Correspondence:

- Notice that the Cat Hollow Films, LLC had a 80 minute film presentation at the Clayton Opera House entitled "Windfall". (See attachment file).
- Notice from USDA of Compliance with civil rights laws & statutes. (See attachment file).
- Grants Action News – March 2011 issue. (See attachment file).
- Justice Clarence F. Giles Jr. February 2011 report to the Comptroller. (See attachment file.)
- Justice Clifford James February 2011 report to the Comptroller. (See attachment file.)
- Depauville Sewer District Minutes of March 4th. (See attachment file.)
- Time Warner Cable notice of supporting documentation regarding current franchise fee. (See attachment file.)
- Quarterly Statement from Office of State Comptroller explanation of the receipt & distribution of fences, fees & forfeitures reported. (See attachment file.)
- Notice of Retirement of Hawn Librarian Alice Barton. (See attachment file.)
- Insurance Liability Notices – Upton & Myers. (See attachment file.)
- Notice of BAR Training for Hyde and Burlingame. (See B.A.R. file.)
- Notice from Time Warner Cable agreements with programmers about to expire. (See attachment file.)

Minutes:

Motion by George Kittle, seconded by Bob Cantwell III, to approve the minutes of February 9, 2011 as written. (Peterson – Absent.) Motion carried.

RESOLUTION #32 of 2011:

Resolution #32 of 2011 was introduced by Bob Cantwell III, seconded by Christopher Matthews, a resolution approving Amendment No. 32, a text and zoning change to the Town of Clayton Zoning Ordinance for the Spicer Bay area. Taylor-aye; Kittle-aye; Peterson –Absent; Cantwell III-aye;

Matthews – aye. **PASSED.**

North Country HOME Consortium – Cooperative Agreement:

RESOLUTION #33 OF 2011:

Resolution #33 of 2011 was introduced by George Kittle, seconded by Bob Cantwell III, a resolution to reauthorize a Cooperation agreement between the Town of Clayton and the County of Jefferson in regards to the North Country HOME Consortium Investment Partnership Program portion of the National Affordable Housing Act of 1990 for the next three (3) year cycle. Taylor-aye; Kittle-aye; Peterson – Absent; Cantwell III – aye; Matthews – aye. **PASSED.**

Planning/ZBA Clerk:

Motion by Bob Cantwell III, seconded by George Kittle, to approve the Planning and ZBA hiring of Susan Kenney as Clerk to their respective Boards, effective immediately and at a rate of \$10 per hour. (Peterson – Absent.) Motion carried.

Supervisor:

Supervisor Report:

Motion by George Kittle, seconded by Chris Matthews, to approve the Supervisor’s Report for January 2011. (Peterson – Absent.) Motion carried.

Motion by Chris Matthews, seconded by Bob Cantwell III, to approve the Supervisor’s Report for February 2011. (Peterson – Absent.) Motion carried.

Bills:

Motion by George Kittle, seconded by Chris Matthews, to approve payment of Abstract #3 of 2011 in the amount of \$215,331.22, but to hold checks for DEC Waste Haulers & DANC permit until the Supervisor Taylor can discuss those two (2) bills with the Highway Superintendent. (Peterson – Absent.) Motion carried.

Monthly Reports:

Zoning and Codes monthly reports were received and reviewed.

Mowing Bid:

Discussion of advertising for mowing contract followed. The mainland based Town properties will be done by Recreation Park personnel as last year. We will change the wording on the ad to put out to bid Grindstone Island Cemeteries. **Motion** by George Kittle, seconded by Chris Matthews to put out to bid Grindstone Island Cemeteries for a one (1) year contract with option of up to a three (3) year renewal with a mutual agreement of the parties. (Peterson – Absent.) Motion carried.

Amendment #33 to T/C Zoning Ordinance:

The Board reviewed packet supplied by Zoning Officer. We will have Atty. Russell review and do the wording for a “floating Planned Development District for Marine Development 2.

Technology Management for Wind Meetings:

Motion by George Kittle, seconded by Chris Matthews, as recommended by Bud Baril, Planning Board Chairman, to hiring Alicia Dewey @ \$30.00 per hour to construct a Web Site and do its administration, to give Technical Assistance at workshops, ongoing public hearings, and a few other areas that may come up relating to the wind farm application process. (Peterson – Absent.)

Motion carried.

Highway Superintendent:

- Coming back from Albany - Wind Towers were all stopped on Tug Hill yesterday morning.
- Advocacy Day – good day; new people working in Albany.
- Meetings were scheduled with Assemblywoman Russell, Assemblyman Blankenbush and Senator Richie. Discussion of CHIPS will be turned back into a five (5) year plan. Governor has been working on the Budget. Had taken out B21 Chip/Sealing and looks like it will go back in.
- Paynter Center Buses – Will be doing oil and filter changes on the Paynter Buses. **Motion** by George Kittle, seconded by Bob Cantwell III, that Town Board is supportive for one year, as long as Paynter Senior Center pays for all supplies and Highway Superintendent put this on a Vehicle Maintenance Plan. (Peterson – Absent.) Motion carried.
- NCC Systems – Fire Alarm will be put in tomorrow.
- Water & Snow problems on the Roads. Hwy. Superintendent has discussed this with Emergency Management to see if any funds will be available for reimbursement for flood damage to roads. He will keep track just in case funds become available. Superintendent is still looking at the sewer pipe damage caused by ice on the bridge at Depauville.

Committee Reports:

George Kittle:

Inquired if “sympathy cards” had been sent for the Knapp and Giles families. Still would like to pursue the Ethics update even if it just contains Business & Affiliations.

Workshop meeting: Discussion of Association of Towns meeting.

Bob Cantwell III:

Girls Hockey – States at Recreation Park this weekend.

TIYLO – Had a successful Hot Chocolate Run.

Highway Chipper has been fixed and we need to construct a lean-to to protect it from the elements.

Have had multiple meetings at the Paynter Senior Center.

The Health Committee has met three (3) times so far.

Chris Matthews:

Nothing for this evening.

Public:

Ken Knapp expressed a “thank you” for the card of sympathy at the time of his Mother’s passing. Also agrees with “open transparency” of government.

Motion by George Kittle, seconded by Bob Cantwell III, to go into Executive Session at 6:19 PM, to discuss a Personnel problem issue with a specific Highway employee, with Highway Superintendent invited to the session. The session will also be used to discuss upcoming Union Contract negotiations. (Peterson – Absent.) Motion carried.

Motion by George Kittle, seconded by Chris Matthews, to come out of Executive Session at 6:58 PM. (Peterson – Absent.) Motion carried.

Motion by Bob Cantwell III, seconded by George Kittle, to close the regular meeting at 6:58 PM. (Peterson – Absent.) Motion carried.

Kathleen E. LaClair. Town Clerk