

April 25, 2012

The regular meeting of the Town Board of the Town of Clayton was held in the Town Board Room, 405 Riverside Drive, Clayton, NY with the following people in attendance:

Justin A. Taylor

Robert W. Cantwell III

Kathy LaClair

George E. Kittle

Christopher D. Matthews

Lance Peterson

Robert Boulton

Alicia Dewey

Duane Hazelton

Joanne Maphey

Cindy Grant

Pam McDowell, TI Sun

Twyla Cushman Webb

Supervisor Taylor opened the regular meeting at 5:00 PM and promptly led the assembly in the Pledge of Allegiance.

Guests:

Twyla Cushman Webb, Village Trustee discussed Plan Bv7. In review, in 2005, the Commission had Plan 1958DD, and a \$20 million study was completed by the Joint International Commission to decide whether the Commission should go with Plan A or B+ or stay with what they had. At that time the Commission opted to go with Plan B+. The plan was to try to get the water levels at, or nearly at the same levels at both ends of Lake Ontario. While Plan B+ was not all that was hoped for, the Joint International Commission came back with the 7th revision of B+ of the plan which is Bv7. The hopes are that this plan will keep water levels up in late summer/to fall and spring. Bv7 has no draw down of water levels. This would be an economic benefit that would hopefully increase boating and recreation. The south shore is looking for low water, as they have allowed homes to be built in the flood hazard area of their shoreline, thus causing a boon for their area in increased taxes and economic structure; while here people are leaving the middle of August because the water levels are so low, you can't get in and out of your boats from you docks and it isn't safe to pilot your boats due to the low water conditions. 1958 DD was designed to protect the South shore of Lake Ontario and the North shore was left out of the loop. With this new Plan Bv7, we will again hear from the South shore. The International Water Levels Coalition held a meeting in Clayton on February 18th of this year and that Coalition has voted to endorse Water Regulation Plan Bv7, which has recently been proposed by the International Joint Commission. It is acknowledged that Plan Bv7 is not perfect, however the International Water Levels Coalition believes that it is a solid step forward in the right direction toward a more balanced, natural plan for water levels regulation. There will be an open comment period until June 15th this year and there will be a number of informational meetings and public hearings held throughout the Lake Ontario-St. Lawrence River Basin during the Spring and Summer. Mrs. Webb thanked the Town Board for listening to her about this very important topic for our tourism-dependent area.

Town Clerk:**Correspondence:**

- Notice from Jefferson County Planning Dept., Tug Hill Commission and Center for Community Studies at JCC, who are sponsoring a training session for local land use officials. (See attachment file).
- Notice from COAX: Coalition on Article X-They support Home Rule. (See attachment file).
- Town of Alexandria: Notice of a Public Hearing on 5/7/2012 at 7 PM to review an application submitted by Blue Properties, Inc for a Sign Variance. (See attachment file).

Minutes:

Motion by George Kittle, seconded by Bob Cantwell III, to approve the minutes of April 11, 2012 as written. Motion carried.

RESOLUTIONS:

RESOLUTION #35 OF 2012 introduced by Robert W. Cantwell III, seconded by George E. Kittle, a resolution endorsing Plan Bv7 to regulate the outflows of Lake Ontario and the Management of the levels of Lake Ontario and the St. Lawrence River. Taylor-aye; Kittle-aye; Peterson-aye; Cantwell III aye and Matthews-aye. **PASSED.**

RESOLUTION #36 OF 2012 introduced by Lance Peterson, seconded by Robert W. Cantwell III, a resolution authorizing the Town Supervisor to submit and sign a grant FY2012 Port Security Grant Program (PSGP) with the Department of Homeland Security-FEMA for the Second Phase of the Helipad Construction on Graves Street. Taylor-aye; Kittle-aye; Peterson-aye; Cantwell III-aye and Matthews-aye. **PASSED.**

RESOLUTION #37 OF 2012 introduced by Robert W. Cantwell III, seconded by Christopher D. Matthews, a resolution authorizing the Town Supervisor to enter into an agreement with Hrabchak, Gebo & Langone, P. C. for Bond Counsel Services regarding the Route 12 Sewer Project-Phase 1. Taylor-aye; Kittle-aye; Peterson-aye; Cantwell III-aye and Matthews-aye. **PASSED.**

RESOLUTION #38 OF 2012 introduced by Lance Peterson, seconded by George E. Kittle, a resolution Rescinding the Joint Municipal Building Intermunicipal Agreement (IMA) with the Village of Clayton, motion dated February 27, 2008. Taylor-aye; Kittle-aye; Peterson-aye; Cantwell III-aye; and Matthews-aye. **PASSED.**

RESOLUTION #39 OF 2012 introduced by Robert W. Cantwell III, seconded by Lance Peterson, a resolution accepting Part I of the SEQRA full environmental Assessment Form for the NYS Route 12 Sewer-Phase 1 and declare this a Type 1- Unlisted action. Taylor-aye; Kittle-aye; Peterson-aye; Cantwell III-aye and Matthews-aye. **PASSED.**

RESOLUTION #40 OF 2012 introduced by George Kittle, seconded by Christopher Matthews, a resolution accepting the Menter, Rudin & Trivelpiece, Atty. Joseph W. Russell as local counsel in connection with the Route 12 Sewer Project – Phase 1 at a rate of \$185.00 per hour billed on a monthly basis with total fee not to exceed \$25,000.00and authorizing the Town Supervisor to sign an agreement with Attorney Russell. Taylor-aye; Kittle-aye; Peterson-aye; Cantwell III-aye and Matthews-aye. **PASSED.**

RESOLUTION #41 OF 2012 introduced by Robert W. Cantwell III, seconded by Christopher Matthews, a resolution to authorize the Town Supervisor to sign an agreement with Fourth Coast, Inc/ Rob Campany PE Consulting Services relative to the Factory Street Flood Mitigation Project, Hamlet of Depauville, NY to include culvert replacement, ditching and miscellaneous improvements as described in the approval letter dated November 10, 2011 from NYS Division of Homeland Security & Emergency Services. Taylor-aye; Kittle-aye; Peterson-aye; Cantwell III-aye and Matthews aye. **PASSED.**

Employee Handbook and Workplace Violence Policy/Program:

Discussion concerning both the Employee Handbook and Workplace Policy/Program proposals from

Public Sector HR Consultants LLC. Town Board feels that the expense of \$5,000 for the handbook compilation and the \$3,500 for the workplace risk evaluation and written workplace violence prevention program is too much to do at this time. Town Board members suggested to the Town Supervisor to check with the Jefferson County Town Supervisors' Association to see if there is any interest in purchasing a boiler plate Handbook and Violence Policy/Program that could be utilized for the 22 towns in the County.

Technology: Server Update & Computer Training:

The new server has been installed and is up and running. Susan Mower will be installing hardware and software at the Highway Barn this Friday. When the new scanners arrive they will be installed at the Town offices.

Computer Training was held on 4/17 in the Town Board Room for Town personnel. Jamie Lee gave an update on Microsoft Word. It is hoped that if there is enough support from the community, that Jamie Lee will return to give updates and guidance with Excel & Outlook.

ABM Border patrol Meeting:

David Dodge, Fleet Coordinator at the Antique Boat Museum, sent an invitation to the Town Board to attend a gathering of River pilots, captains, charter guides, area marina owners and civic leaders to participate in a seminar on Thursday, June 7, 2012 from 6-8 PM with members of the U.S. Customs and Border Protection Unit from Wellesley Island Station and the Canadian Border Services Agency.

Thank You Note:

Received from Aubertine & Currier for letting them come and give a presentation to the Town Board. Mr. Aubertine and Mr. Jones are both Town of Clayton residents as well.

Save the River:

A notice to save the date from Save the River's *From the Founders to the Future* Campaign Celebration and Building Dedication that will be Friday, June 8, 2012 from 5-7 PM.

CLDC/Frink:

The CLDC Redevelopment Committee is currently looking for an engineering firm that will be Working on the 2.0/2.5/B.I.G.- \$2.1 million project that will also coordinate with the hotel project. The Committee has reviewed five (5) RFP's and will narrow down with hopes to interview three(3) firms, then make a recommendation to both the CLDC and the Town Board.

Grants-NYSERDA RFP2228:

The Green Fest had very good participation and very well attended. There were some 94 persons involved as either a volunteer, vendor or at the recycled art show.

Heritage Heights:

Supervisor Taylor just received a letter from the Village of Clayton in regards to the 2012-2013 (Town Tax Year 2013) Heritage Heights Sewer District Rates. The fixed and viable rates were calculated using actual 2011 flows, although HHSD is being estimated, as the district is not metered. This represents a fixed rate of \$379.76 as the variable rate was estimated at 200 gallons per day (73,000 gallons per year or \$372.30. The Village has 37 households located in the Heritage Heights Sewer District as of 12.31.2011. The Town will owe \$27,926.22 to the Village in January 2013. (See attachment file).

Public:

Cindy Grant discussed to COAX letter that the Town Clerk had previously mentioned as correspondednce.

Highway Superintendent Report:

- Highway Road Tour will be this Friday leaving from the Hwy. Garage at 9 AM.
- CPR/First Aid course was taught at the Highway Garage on 4/17 to personnel, by TIERS.
- Grindstone Island Tractor: Looking to upgrade to a newer “diesel” model; would like to get a side bar also.
- Personnel getting ready to start work on the Factory Street, Hamlet of Depauville, project. We did submit and have received an extension from FEMA that goes to September 30th to complete the project.

Set Executive Session Meeting:

Motion by Bob Cantwell III, seconded by Lance Peterson, to set an Executive Session for Tuesday, May 8th at 7:00 AM at the Town Offices with the Highway Superintendent, to discuss a personnel issue. Motion carried.

Public Hearing at 6:00 PM LWRP/Consistency Law:

Motion by George Kittle, seconded by Bob Cantwell III, to open the Public Hearing at 6:03 PM to hear all persons in regard to the LWRP/Consistency Law. Motion carried.

None of the attending public had any comments.

Motion by George Kittle, seconded by Lance Peterson, to close the Public Hearing at 6:05 PM. Motion carried.

Committee Reports:**George Kittle:**

Replied for the Highway Road Tour.

Asked about the CLDC Re-development Committee and encouraged that strong consideration be given to local firms if at all possible.

Lance Peterson:

Chamber: Clayton Boat Show was April 13-15. Exhibitor space was full this year and exhibitors were pleased with attendance and sales.

The Clayton Citizen of the Year Committee met on Tuesday, April 24th to select the 2012 Citizen of the Year. Recipient(s) will be announced soon. Citizen of the year dinner will be held in May with time and location to be announced.

Business With a Twist was held on April 19th, at Deluke’s Garden Center with over 90 attendees. Sponsors for the event were Cantwell & Associates, Deluke’s Garden Center, DiPrinzio’s Catering, and TIERS. The next BWAT will be May 24th at the TI Inn.

Rec. Park: Keith Wood has been working with Rob Campany of Fourth Coast Inc. to determine a “generator system”. Two options have been

evaluated and Keith would like to go with Option #2, a portable generator connection. (See attachment file).

Bob Cantwell III: Paynter Senior Center Board meeting is being held tomorrow. The Parking Committee met today; Village Trustee Honeywell will be working on Lion's field; Graves Street parking we will work with Keith Wood at Rec. Park; Hwy. Supt. Boulton will work with Keith Wood to do a schedule; looking to go all the way to Station 2. TI Youth Hockey will be having their annual Banquet this Sunday at 3PM at the Fire Station (Spaghetti Dinner). The Town Board is invited. Congratulations to Jake Tibbles for being appointed the Executive Director at T.I.L.T.

Chris Matthews: Nothing for this evening.

Justin Taylor: Rand McNally doing a vote on the "Best Small Town", check our Web site to vote.

Motion by George Kittle, seconded by Lance Peterson, to adjourn this regular meeting at 6:20 PM. Motion carried.

Kathleen E. LaClair, Town Clerk