

## April 27, 2011

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

Justin A. Taylor	George E. Kittle (Absent)	Lance Peterson
Robert W. Cantwell III	Christopher D. Matthews	Bob Boulton
Kathy LaClair		
Alicia Dewey	Ken Knapp	Duane Hazelton
Jamie Lee	Cindy Grant	Don Lingenfelter
Dave Scudder	Norma Zimmer (Mayor)	Thomas Brennan
Jenn Dindlneff (Sen. Ritchie's Office)		Greg Lago
Pam McDowell (TI Sun)	Pat Youngs	Jae Lee (WDT)

### Pledge:

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

### Guests:

Jenn Dindlneff, from Senator Patty Ritchie's Office, distributed contact information to those in attendance. She expressed that if there is anything the Senator needs to be apprised of, or if there is something she can do to help the town, she would appreciate a call.

Supervisor Taylor acknowledged a few mandates that have been passed down to the Town and in particular talked about a mandate that will cost the Town \$8,000 to comply with being an ADA Handicap Lift for the Recreation Park Pool. Another instance would be that we were required about Two years ago to put a grate in the bottom of the pool and spent \$4000 to do that; only to have the inspectors tell us that the Code Compliance numbers were not on this grate and had to spend another \$5000 to acquire and change the first grate.

Highway Superintendent Boulton expressed his concern for the continuation to fund the "CHIPS" Program. He had talked briefly at the Advocacy Days in Albany with Sen. Ritchie about "CHIPS", but this is still a great concern to keep this funded through the Budget.

Supervisor thanked Ms. Dindlneff for attending our meeting.

### Town Clerk:

#### Correspondence:

- May 2011 "Points North" Newsletter of the Northern New York Library Network. **(See attachment book.)**
- NYS DEC letter of 4/26, routine inspection was performed at the Transfer Site on 3/18 and no violations were reported. **(See attachment book.)**
- NYS DEC letter of 4/26, routine inspection was performed at the Clearing Debris Landfill on 3/18 and no violations were reported. **(See attachment file.)**
- Jefferson County Dept. of Planning 4/27: County Planning reviewed on 4/26 the Zoning text Amendment to create a floating MD2 District. The County Board adopted a motion that the project does not have any significant County-wide or Intermunicipal issues and is of local concerns only. The Town Board is free to make its final decision on this matter. **(See attachment file.)**

### Minutes:

**Motion** by Bob Cantwell III, seconded by Chris Matthews, to approve the minutes of April 13, 2011 as written. Kittle – Absent. Motion carried.

**Public Comment on Agenda Items:**

Dave Scudder, Clayton Youth Commission, Director of Baseball discussed issues with the batting cage on Graves St. and a major eye sore and hazard of running an electrical wire across water ditch from the Pavilion to the ball field. Looking into possibly getting the wire in conduit and underground for safety purpose. Also he state that the batting cage is unsafe in the current location and needs to be moved.

Councilman Peterson acknowledged that the cage needs to be pulled toward higher ground and maybe some gravel dumped. As for the electrical, it's possible that instead of coming from the Pavilion, a conduit may be able to come from the Fire Station.

Norma Zimmer, Clayton Mayor, apologized for canceling the Joint meeting on April 25<sup>th</sup>. She inquired if the Town Board would be available for a meeting on May 23<sup>rd</sup> at 5:00 PM at the Village Municipal Building. Consensus the Town Board would be there.

**Supervisor:****Wind Power Position Statement:**

Supervisor distributed an updated Position Statement on Industrial Wind Power. On August 26, 2009, the Town Board held a special discussion on wind power in Depauville. The Town Board reviewed each of the seventeen topics included in the recommendations of the Wind Committee. The Town Board agreed with several of the Wind Committee's recommendations and sent several others to the Town Attorney for review. A year ago, tomorrow's date, Local Law #1 of 2010 was defeated, however the Town Board has continued to listen to the people's concerns on Wind Power. A new application and environmental impact statement has been received, and Supervisor Taylor feels there are certain factors which must be included in the Town's Local Law in order to protect the citizens and the community. Those factors include: Add a new section in our law that precludes wind or good neighbor contracts that might allow the Town's law to be circumvented; revise the current law to state mandatory 1250' setbacks from non-participating property lines; Add to the current law a reasonable property value protection plan that would use the Town Assessor's values and other economic data as benchmarks; Create a provision in the current law which would establish a Town of Clayton Renewable energy fund, which could be used for one of three purposes: 1) To mitigate property owners affected in the overlay district; 2) provide a grant program to other energy improvement programs for residential or small commercial projects; 3) support alternative energy projects at town owned sites. Other factors: Add requirement that at least 75% of each turbine and structural components must be manufactured within the USA and that of manufacturing Wind and Solar products. Any percentage not met will be assessed a fee payable to the Town of Clayton energy Fund. Add that at least 75% of the workforce used to construct and install will come from Jefferson, St. Lawrence and Lewis County; again if the percentage is not met, a fee would be assessed payable to the Town of Clayton Renewable Energy Fund. Revise that any violations of the standards in the Local Laws will be dealt with to the maximum extent possible as defined in the Town Law as established by NYS, currently \$1000 per week with penalties and fees payable to Town of Clayton Renewable energy Fund. A Town board position statement that the greatest impact of the potential project is on the Town of Clayton and the Town Board will set 40% as the lowest amount they would accept to in any PILOT Agreement, a Host Community Agreement, or combination of both with anything else considered by the Planning Board, through SEQR or other regulatory agencies. The board will review, discuss and consider supporting the position at the first May meeting when the full board is present.

**Accident/Incident Report:**

Meeting with Highway Superintendent Boulton, Recreation Park Director Keith Wood and Alicia Dewey, supervisor Assistant to fine tune the Accident/Incident report. The two page report is now

completed and useable.

**Grindstone Schoolhouse Grant Application:**

Discussion on grant for Grindstone Island Schoolhouse.

**Reminder: Rec Park Recommendation Letter:**

Important to remind everyone we see to fill out a form for what should be considered for Rec Park improvements.

**Use of Frink Property: STR and “River Show” request(s):**

Save the River has asked to utilize a corner of the Frink property for the finishing of their 9<sup>th</sup> Annual River Day 5K Fun Run/Walk on Saturday, July 30<sup>th</sup>. People will be registering starting at 8:30 AM with the race to begin at 10 AM. Consensus of the Town Board to approve this request.

“River Show” request for July 30<sup>th</sup> part of the open area of the Frink property for their “Creations In Wood” designer craftsmen who work in natural materials. This would be held in the same timeframe as the Save the River 5K fun Run. Consensus of the Town Board that there should be a per vendor fee plus an Insurance Certificate must be provided similar to the Chambers Farmers Market.. Also this group needs to coordinate with the Save the River Run Committee for placement. Notice will be given to the two organizations if approved by CLDC Board on 5/5/2011.

**Inspection Tax Letter to Congressman Owens:**

**Motion** by Bob Cantwell III, seconded by Lance Peterson, for the Supervisor to send a letter to Congressman Owens, Senator’s Schumer and Gilibrand encouraging them not to support the inspection tax which Congress is considering. This tax would levy a \$5.50 per person tax on Canadians entering the United States by sea or air. The Town considers this a negative impact for the tourist economy for all communities along the St. Lawrence River Region.

**DANC Hazardous Waste Collection Event Request:**

DANC is sponsoring six (6) Household Hazardous Waste Collection events over the next several months. They are working in cooperation with Jefferson, Lewis and St. Lawrence Counties to provide an environmentally responsible disposal outlet for residents to get rid of their unwanted paints, pesticides, fluorescent bulbs, etc by contracting with a company that specializes in the collections, recycling and safe disposal. DANC is looking at collection points in different parts of the County to be more conveniently assessable. Clayton is mid-way between Cape Vincent and Alexandria Bay. Need is for a site that can accommodate traffic flow, is paved and access to amenities such as water and bathrooms. The event usually runs approximately four (4) hours and on a Saturday. Jefferson County Recycling & Waste Management will be providing manpower to assist with the event.

Discussion amongst the Town Board, that possibly Recreation Park or the Joint Highway Facility, would be the most likely spot, depending upon the activity at those locations on a given weekend. Left to the Town Supervisor to coordinate.

**Fuel Depot Agreement:**

Discussion that this has been ongoing for better than 2 ½ years. Our Lawyer and Insurance Agent don’t agree with some of the wording in the Proposed Agreement. The Town Board felt that we should follow the recommendations of both. Supervisor to set meeting with the School and Village to discuss.

**MD2:**

Discussion that the Town Board will wait until next meeting to take any next steps.

### **City Electric Billing- Prepay:**

**Motion** by Chris Matthews, seconded by Bob Cantwell III, to prepay this bill to take advantage of a \$91.22 cash discount if paid by the 10<sup>th</sup> of the month. Kittle – Absent. Motion carried.

### **North Country Affordable Housing Inc:**

Town Board consensus that we put in a letter of support for both the North Country Affordable Housing Inc grant and for the Clayton Improvement Association grant.

### **Highway Superintendent Report:**

- Working on equipment; changing trucks over for summer and getting trucks inspected.
- Getting ready to clean bridges for Jefferson County.
- Still have a crew out doing cold patching
- Hauling sand.
- Changed out tractors: Took Boom mower and Ford Tractor to Grindstone Island today. Brought back the old tractor that was on the island; checked the roads; Jay Slate started raking the roads last week.
- Have asked both “barges” for quotes for going back and forth to Grindstone Island.

### **Updates on JIMI and FEMA Hazard Mitigation Grants:**

- JIMI: Up and running; May 5<sup>th</sup> will have a group meeting.
- FEMA: Depauville – Notice received from NYS DEC about cutting any trees.

### **Committee Reports:**

**Lance Peterson:** Chamber of Commerce: On May 15 would like to have a **Miniature Tractor Pull** at the Frink Development site with a 20’ X 200’ oval made with sand. The group has insurance and anything not covered by that clubs insurance would be covered by the Chamber Blanket Insurance. Town Board is supportive. **Watertown Wizards will be hosting a Chamber night on June 29<sup>th</sup>.** Each Chamber is responsible for getting three (3) \$100 sponsors for the night. Currently the Chamber has Don’s Prop Shop, Riverside Media Group and Clayton Island Tours participating. More Chamber members have come forward so they may have more attending. The Clayton Chamber will receive 500 tickets to distribute for free for participating. **Food & Wine Festival:** coming along great. Currently have 58 vendors registered. Chamber is looking for volunteers for the weekend. Chamber is participating in **TIYLO’s Green Fest and Volunteer Fair.** **Business With A Twist** is tomorrow night from 5-7 at the Angel Rock Cottages.

**Bob Cantwell III:** **Paynter Center** has completed their contract to receive the new bus. **TIYLO** will hold their Green Fest Saturday, April 30<sup>th</sup> from, 9-1; and Community Clean-up. **Health Committee** will on May 11<sup>th</sup> at 6:00 PM present their recommendations to the Town Board. **Rec. Park:** Important to hand out to everyone you can the “public comment sheet” and have them get them in.

**Chris Matthews:** Nothing with the Sewers’. **Youth Commission:** Electrical work needs to be done at the Lion’s Field. **Ball field** at Depauville has some fence posts broken off and need to be replaced. Pine tree in front of the Depauville Community Center needs to come down; possibly get rid of the sidewalk area and extend the parking.

**Rec. Park:** Baseball/Softball fields are used Mon.- Fri.; Some maintenance needs to be done and fields need to be chalked. Need to talk with Keith Wood to see if this is something he can help with.

**Public:** Ken Knapp agrees that there is a need to improve Local Law #1 of 2007. Any PILOT Agreement needs to be addressed before the Local Law is done. If the Company doesn't agree to the PILOT, then it might be a waste of every ones' time to proceed on anything else.

Cindy Grant submitted written materials concerning "fines and reasonable punishment for non-compliance" that could be put into the wind law. Thank you for the fine up to \$1,000. If correction isn't in a timely matter, then maybe the permit gets revoked. Possible to change from 50 dba, as the developer suggested to 6 above that.

Greg Lago suggested that maybe the Town should hire a negotiator, someone that specializes in Wind agreements.

**Motion** by Lance Peterson, 2<sup>nd</sup> by Chris Matthews, to adjourn this workshop meeting at 6:35 PM. Kittle – Absent. Motion carried.

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**Kathleen E. LaClair, Town Clerk**