

May 14, 2008

The Town Board of the Town of Clayton held their regular meeting on the 3rd floor or of the Opera House with the following present:

Justin Taylor
Lance Peterson
Kathy LaClair

George Kittle
Robert W. Cantwell III

Donald Turcotte
Bob Boulton

Kenneth Knapp
Michael Docteur, Co. Leg.
Larry Aubertine
Madelyn McAvoy
Paul Calhoun
Juleane Bauer Flora
Marcus Longton

Cindy Hazelton
Deborah Jepma
Christine Bourcy
Sue Magee
Patty Calhoun
Joe Ivey
Tom Bogenschutz Jr.

Cindy Grant
Anna Forbes
Peter L. Bourcy
Fred Ivey
Phil Flora
Susan Ivey
Alicia Dewey

Public:

Jeff. County Legislator Mike Docteur – **Amish Buggies:** Received several calls concerning safety issues in regards to the Amish buggies and nighttime driving. **Jeff. County Jail update:** Mr. Docteur and Legislative Chairman Ken Blankenbush will be traveling to Albany to have a meeting with the new Chairman of the Correction Commission and a tour. **Wind Turbines PILOT working group:** Recent article in the Watertown Daily Times was not accurate and written as one persons perspective. Mr. Docteur is working to get other Legislators involved. The legislative Chairman will be contacting the Town Supervisor soon.

Supervisor Taylor indicated that Highway Superintendents had received an increase in the Snow & Ice contract with New York State Dept of Transportation due to raising costs of fuel and blacktopping materials. The County will be hearing from Town Highway Superintendents about negotiation for additional compensation for county roads.

Cindy Hazelton presented the Town Board with a letter concerning property values dropping with wind turbines on three sides of land and power lines that are proposed to run the length of their children's property. Also the Hazelton's have a grandchild and the flickering and noise 24/7 may have a negative effect on him. She also gave documentation about Wind Turbine Syndrome. **(See attachment book.)**

Deborah Jepma spoke about not being able to give documentation or testimony to the Joint Planning Board at this time.

Anna Forbes was looking for documentation on Tocci.

Cindy Grant stated that a couple weeks ago radon gas was discussed and she is looking for something in writing from the Town Board that residents are protected. There should be a special account to help protect those that live in the area of the wind turbines. Also

she had put in a F.O.I.L request for the Tocci letter received by Bud Baril. Her group has five experts that would be able to decipher terminology used.

Supervisor Taylor stated he was speaking on behalf of the F.O.I.L. Officer, and that the F.O.I.L. would be declined. The Tocci report didn't fulfill the town's scope and requirements. It wasn't comprehensible and was sent back to the contractor with a request that they give us what we had asked for and in terminology that was user friendly, once that has been full filled that document will be shared.

Town Clerk:

Correspondence:

- Notice of a Land Use Planning Workshop @ JCC on Wednesday, 5/21 @ 6:30-8:30 PM. **(See attachment book.)**
- Received a Certificate of Occupancy from Jeff. County Code Office for construction of a 4,320 square foot addition of Town Offices & 19,520 square foot renovation of the Opera House. **(See attachment book.)**
- Notice of public information meetings from NYS DOS for the availability of funds for environmental projects funded under the Environmental Protection Fund. **(See attachment book.)**
- Grants Action News – May 2008 edition. **(See attachment book.)**
- River Hospital Foundation brochure. **(See attachment book.)**
- Thank You from Mary Ann & Jim Yuhas for the dish garden sent by the Town @ the time of her brother's passing. **(See attachment book.)**
- Judge Clarence Giles April 2008 report. **(See attachment book.)**
- Judge Clifford James April 2008 report. **(See attachment book.)**
- Letters of no violation(s) from NYS DEC for the transfer station & the land clearing debris landfill on Co. Rte. 4. **(See attachment book.)**
- Notice from Northern NY Library of an upcoming seminar " the Disaster Manual: Plan and Create It", which will be held the 1st week of June. **(See attachment book.)**
- Brochure from Hawn Memorial Library concerning the school vote on library budget proposition. **(See attachment book.)**
- Received notice of the Chamber of Commerce Citizen of the Year Banquet honoring Don & Debbie Badour, which will be held on Tuesday, 5/27/08 @ Recreation Park Arena. RSVP before 5/21. **(See attachment book.)**
- EMS Week notice of activities: T.I.E.R.S. will be at Frink Park on Thursday 5/22 & Friday 5/23 along with the Fire Dept., Police, Border Patrol and Helicopter for Search & Rescue denoting EMS Week. Also T.I.E.R.S. will be having an open coffee house on Thursday & Friday at their offices.

Minutes:

Motion by George Kittle, 2nd by Donald Turcotte, to approve the minutes of 4/23/08 as amended. Motion carried.

RESOLUTION #35 of 2008:

Introduced by Robert W. Cantwell III, 2nd by Donald Turcotte, a resolution supporting Congressman John McHugh who has introduced a resolution to the 110th Congress, 2D session for expressing to the International Joint Commission that they should adopt a Water Level Management Plan for Lake Ontario and the St. Lawrence River that strongly takes into account environmental considerations and the concerns of the public and the affected states and maximizes hydropower production at existing facilities, and further urges the Secretary of State not to approve a plan that fails to do so. Taylor-aye; Kittle-aye; Turcotte-aye; Peterson – aye; and Cantwell III-aye. Motion carried.

Bid Review & Award:

Sealed bids opened by the Town Clerk as follows:

John Deere 445 riding mower w/48” deck, rear bagger/mulch kit:

Gordon Bailey - \$2,955.

Justin Taylor - \$2,115.

Don Brennan - \$1,776.08

Ken Garnsey - \$1,251.51

Lot #1: Vinyl Replacement Windows:

Jim McIntyre - \$77. & Don Brennan - \$20.00

Lot #2: Wooden Doors: Don Brennan - \$18.00

Lot #3: Oak finish doors: Don Brennan - \$10. & Justin Taylor - \$55.

Lot #4: Steel Frame Interior Windows: Don Brennan - \$6.

Lot #5: Door Closers: Justin Taylor - \$15.

Lot #6: Handicap Swing Door Handles: Justin Taylor - \$50.

Lot #7: Door Hinges (sets of 3): Justin Taylor - \$17.

Lots #8; 9;10 & 11: No bids.

Lot #12: Kick Plates for Doors: Don Brennan - \$10.

Lot #13: Closet Door: Don Brennan - \$3.50

Lot #14: Fax Machine: No bid.

Motion by George Kittle, 2nd by Bob Cantwell III, to award bids to the highest bidders. Motion carried.

Supervisor:

Supervisor Report:

Motion by Lance Peterson, 2nd by George Kittle, to approve the Supervisor’s Report for April 2008 as presented. Motion carried.

Transfers:

Motion by George Kittle, 2nd by Bob Cantwell III, to approve the Budget Transfers for May 14, 2008 as presented. Motion carried.

Bills:

Motion by George Kittle, 2nd by Lance Peterson, to approve payment of Abstract #5 in the amount of \$172,837.80. Motion carried.

Audit-Financial Requirements:

Paulson & Podvin have sent a letter indicating they would like to do a “cursery” audit this year if the Town Board has no problem with that. The requirements are different than the previous years audits although all the same information is reviewed. **Motion** by George Kittle, 2nd by Lance Peterson to set up for the yearly audit and do the “cursery audit” this year. Motion carried.

6:00 PM - Public Hearing: Zoning Ordinance Amendment:

Motion by George Kittle, 2nd by Bob Cantwell III, to open the public hearing for Zoning Ordinance Amendments at 6:00 PM. Motion carried.

Supervisor Taylor reviewed the seven (7) proposed changes.

Those speaking against one particular proposed change on page 50 – CC. Quarries, Sand and Gravel Pits and Natural Resource Removal included: Ken Knapp, Jamie Flora Reed, Peter Bourcy, Madelyn McAvoy, Susan Magee, Deborah Jepma, Fred Ivey, Phil Flora, Marcus Longton, Anna Forbes, Shirley Healy & Paul Calhoun. (Most arriving just prior to the public hearing.)

Other proposed changes had no opposition.

Motion by Bob Cantwell III, 2nd by Lance Peterson, to close the public hearing at 6:30 PM. Motion carried.

Set Grindstone Island/Depauville Meeting Dates:

Consensus of the Board is for the Town Clerk to publish meeting dates for Grindstone Island on July 23rd at 5 PM, and Depauville on August 27th at 5 PM.

Lifeguard rates:

Motion by George Kittle, 2nd by Bob Cantwell III, to set the following rate schedule: Director - \$11; Head Guards - \$10; Regular Guards - \$9; and Guards w/o WSI - \$8.50. Motion carried.

EPF Workshops: 2008-2009 Round:

This Friday, 5/16 Alicia Dewey will be attending a workshop in Watertown.

Discuss Joint Ownership of Frink with CLDC:

We previously changed ownership to just the Town of Clayton so we could apply for a grant of \$200,000. Now that this grant is secured we need to consider changing ownership back to Town of Clayton and CLDC as per our agreement. Supervisor Taylor will also continue the 50/50 discussion of out of pocket expenses.

West Side Sewer:

Response to the survey sent out came back 50 % in favor. We will correspond with the neighbors that we are closing this survey and that no further action will be taken.

Time Warner Franchise Agreement:

Motion by George Kittle, 2nd by Lance Peterson, to set a public hearing date and time for 5/28/08 at 5:30 PM for renewing the Time Warner Franchise Standard Agreement.

Motion carried.

Employee Handbook & Personnel:

Discussion by Board members. Highway Superintendent and Town Clerk requested copies to review proposed changes.

Employee Contract Discussions:

Supervisor Taylor will appoint the two Council persons to sit with labor negotiators prior to budget time.

Tefft Property:

Consensus of the Board is to try cleanup efforts through the Code Officer.

Assessor Clerk:

Supervisor Taylor stated the Assessor had requested a six-month extension to having her part-time clerk through the end of 2008 to aid in finishing inventory cards. **Motion** by Donald Turcotte, 2nd by Lance Peterson, to extend Nicole Cornaire at the rate of \$11.95 through the end of 2008. Motion carried.

Internet Technician:

Shane is in California for vacation. Several problems have occurred since he has been gone. Looking for someone to alleviate problems.

Justice Training:

Justice James attended schooling in the Fulton area for \$200+. The same schooling is being held this weekend at JCC. Justice James had stated another commitment had interfered with him attending at JCC. Consensus of the Board, prior authorization needs to come from the Town Board before hand if anyone is looking to be reimbursed.

Danny Wiley letter:

Consensus of the Town Board for Supervisor Taylor to send out his letter of response to Dan Wiley.

Highway Superintendent Report:

- Highway Dept. will be on Grindstone Island 05/27/08.
- Frink project will start 6/9/08. Lu Engineers will be on site tomorrow to start testing. We're all set with DANC and all partners are ready when we are.
- Asphalt Zipper Technician arrived; had problems will on the County job at Wellsley Island.
- Milling Wood Road.
- Highway Dept. will be shut down 6/30 through 7/4/08.
- Highway Dept. will top the House Road this year.

- We're doing hauling for Jefferson County.

Committee Reports:

George Kittle: Nothing to report at this time.

Donald Turcotte: Depauville Community Center- Alicia did a great job with the documentation to the Northern New York Community Foundation.

Depauville Sewer Board- We don't have a full Board at this time. We need to find some volunteers. We will be doing a flushing schedule soon. We are pumping now.

Heritage Heights- a very good report left by the Technician.

Lance Peterson: Questioned if Commercial Haulers pay at our landfill for bring in brush. Brush 4" or less around there is no cost. Chipped is brought in also.

Bob Cantwell III: LWRP meeting is scheduled for 5/29/08.

Community Workshop will be held on 6/5/08.

Ball fields are up & running.

Possible discussion for joint meeting with the Village, maybe using special bins at the Transfer Site instead of doing the Village pickup of trash.

Justin Taylor: Discussion with the Assessor on a tax-exempt status for the Paynter Senior Center. They should apply.

Motion by George Kittle, 2nd by Bob Cantwell III, to go into Executive Session to discuss personnel problem at 7:25 PM. No action will be taken. Motion carried.

Kathleen E. LaClair, Town Clerk