

August 13, 2008

The Town Board of the Town of Clayton held their regular meeting at the Town Office's, Riverside Drive, Clayton, NY with the following present:

Justin Taylor
Lance Peterson
Kathy LaClair

George Kittle
Robert W. Cantwell III

Donald Turcotte
Bob Boulton

Jim Yuhas
Ken Knapp
Bonita Shafer
Jim McGregor (Anderson Equip)

Alicia Dewey
Cindy Grant
Sid Shafer

Jack Stopper
Ryan Wincott (TI Sun)
Rick Tague (BCA)

Public:

Ken Knapp - Sorry to have missed the Grindstone Island trip. He still would like to see the assessment process streamlined and made better. He is also recently seeing in the paper letters concerning peoples rights in regard to the Wind Turbine issue.

Cindy Grant – Questions & statements concerning turbine issues.

Cemeteries – Open discussion with Atty. Joe Russell concerning issues that have arose about abandoned cemeteries. Atty. Russell will review and get back to the Town Board.

Town Clerk:

Correspondence:

- Received August 2008 edition of Grants Action News. **(See attachment file).**
- Resignation from Peter Brabant ZBA Alternate. **(See file.)**
- Resignation from John Summers Planning Alternate. **(See file.)**
- Justice Clifford James July 2008 report. **(See attachment file.)**
- Justice Clarence F. Giles July 2008 report. **(See attachment file.)**
- Letter from Village of Clayton concerning parking problems at the corner of NYS Rte 12E & Bartlett Point Rd. **(See attachment file.)**
- Letter of Support from Village Chief of Police Kevin Patenaude of adopting a “No Parking” zone @ Bartlett Point Rd & NYS Rte. 12E & a reduced speed zone possibly 35 mph in that area. **(See attachment file.)**
- Thank you note from MaryAnn & Jim Yuhas & Family for sending a dish garden at the time of her fathers death. **(See attachment file.)**
- Letter from Gail Moschelle concerning the water temperature at the Rec. Park Pool. **(See attachment file.)**
- Letter from Linda Sharlow, Exec. Dir. Of Hospice commending the Clayton Community Band & performances at the Clayton Opera House. **(See attachment file.)**
- Final Equalization Rate sent from NYS Office of Real Property Services is at 100%. **(See attachment file.)**

- Notice of a Jazz Cabaret in the Opera House featuring Kris Jensen & Andre Balazs, a benefit for TIPAF being held Sat., August 16th at 7 PM. (See **attachment file.**)
- Notice from TI Bridge Authority of Public Sales. (See **attachment file.**)

Minutes:

Motion by George Kittle, 2nd by Bob Cantwell III, to approve the July 23rd, 2008 minutes as written. (Turcotte-Abstain). Motion carried.

Resolutions:

Resolution #41 of 2008 introduced by Lance Peterson, 2nd by Donald Turcotte, a resolution endorsing the Town of Clayton’s 2008 final tax roll as a result of the 2008 revaluation by the Town Assessor. Justin Taylor-aye; George Kittle-aye; Donald Turcotte-aye; Lance Peterson-aye; and Robert W. Cantwell III-aye. Motion carried. (See **Resolution Book.**)

Resolution #42 of 2008 introduced by George Kittle, 2nd by Lance Peterson, a resolution certifying examination and audit of the Town Justices 2007 monthly reports and account books. Justin Taylor-aye; George Kittle-aye; Donald Turcotte-aye; Lance Peterson-aye; and Robert W. Cantwell III-aye. Motion carried. (See **Resolution Book.**)

Resolution #43 of 2008 introduced by Donald Turcotte, 2nd by Robert W. Cantwell III, a resolution to apply to NYS Unified Court System for a 2008 Justice Court Assistance Program Grant for funds to assist in construction costs for a new local Justice Court. Justin Taylor-aye; George Kittle-aye; Donald Turcotte-aye; Lance Peterson-aye; and Robert W. Cantwell-aye. Motion carried. (See **Resolution Book.**)

Loader Bid Opening:

The following three (3) bids were received:

- 1) Vantage Equipment, LLC: Model L90F – 20.5r 25 L3 Michelin XHA

Bid Price:	\$123,750.31
With Option #1 Bid	367.70
Option #2 Bid	5,093.00
Option #3 Bid	8,589.00

Certificate of Non-Collusion included

- 2) Tracey Road Equipment: 2008 Hyundai Model HL757-7A

Bid Price:	\$128,551.00
With Option #1 Bid	1,480.00
Option #2 Bid	3,700.00
Option #3 Bid	7,500.00

Certificate of Non-Collusion included

- 3) Anderson Equipment Co.: 2008 Komatsu WA320-6

Bid Price:	\$106,864.00
With Option #1 Bid	1,269.00

Option #2 Bid	4,376.00
Option #3 Bid	10,363.00
Certificate of Non-Collusion included	

Discussion of having a committee of Bob Boulton, Bobby Cantwell & Lance Peterson to review the bids.

Motion by George Kittle, 2nd by Donald Turcotte, for the committee to review the above bids and to award to the best qualified bidder. Motion carried.

Supervisor:

Bernier Carr & Associates – Rick Tague: Mr. Tague showed depictions of the Joint Municipal Offices & Court Project. He indicated there will be 24 parking spaces around the building. BCA is working with Rural Development to secure funding for this project.

Supervisor Taylor indicated that the boiler is some 40 years old and the generator needs replacing. Also the fire alarm system needs to be upgraded. Supervisor Taylor indicated that these items should be upgraded prior to the Town moving in. We'll go to bid after the okay has been received from Rural Development. Rural Development is reviewing the drawings and specs at this time.

Consensus of the Board is to endorse this project to include boiler, generator and fire alarm system upgrades.

Supervisor Report:

Motion by George Kittle, 2nd by Donald Turcotte, to approve the Supervisor Report for July 2008 as presented. Motion carried.

Bills:

Motion by George Kittle, 2nd by Donald Turcotte, to approve payment of Abstract #8 in the amount of \$669,637.22. Motion carried.

Frink:

Motion by Lance Peterson, 2nd by Bob Cantwell III, to authorize to dismantle and put to Public Bid the two (2) remaining buildings at the Frink project. Bids are to be in by the 2nd meeting on September. Motion carried.

Frink Easement:

Atty. Russell indicated that the Riverwalk needed to be within the boundaries of the easement. He is waiting for the revised map and change of the legal description. At that time the property can be returned to joint ownership with the CLDC.

Frink Bills:

Supervisor Taylor stated the Town had a cash flow problem for a couple of Development Authority of the North Country bills. He has spoken with the DEC and they have indicated to put those bills on a separate voucher and submit them with a state voucher.

Memorandum of Understanding:

Supervisor Taylor had completed a draft MOU last April/May between the Town and the CLDC. It wasn't finalized at that time. Supervisor Taylor indicated he will redraft this MOU.

Clayton Riverwalk-Frink Segment:

An ad for the Clayton Riverwalk- Frink Segment EDR project will be in the paper next week seeking bids. The bids are returnable by 4:00 PM on 9/3/08.

SEQRA for Clayton Riverwalk-Frink Segment:

Supervisor Taylor stated he had received two (2) SEQRA's part 1 and needs confirmation which is the correct one to sign. After the SEQRA is signed it will go with the application to the Joint Planning Board.

CLDC Chairman Thank You:

Supervisor Taylor expressed a thank you from the entire Town Board to Chairman Jack Stopper for his guidance and leadership of the CLDC.

Recreation Park Employee Rate:

Motion by Donald Turcotte, 2nd by Lance Peterson, to raise Christopher Badour per hour rate to \$11.78. Motion carried.

Planning & ZBA Vacancy:

Supervisor Taylor discussed the resignations of Peter Brabant and John Summers as alternates to their respective boards. Consensus of the Board to send letters of thanks for the time and efforts they have put in.

Star Exemptions Increased:

Supervisor Taylor stated the exemption for STAR has increased to \$93,870 for the Enhanced and \$49,580 for the Basic levels.

Equalization Rate:

Final rate of 100% for equalization has been sent by NYS Office of Real Property Services.

Swimming Pool Complaint:

Mr. Wood has indicated to Board members that temperatures at the pool are no cooler than has been in the previous years in response to a letter received by the Town Board.

Bike Trail:

Patricia Taylor will be meeting with the State DOT concerning a bike trail toward Cape Vincent. Mrs. Taylor will be taking a map plan being used by the Local Waterfront Development Committee.

Ice Rates:

Motion by George Kittle, 2nd by Bobby Cantwell III, to set ice rates for the 2008/2009 season as follows: Contracted time- \$53; Old Timers-\$65; Non-contracted time -\$75; & Outside time \$95. Motion carried.

Highway Superintendent Report:

- Great job done by Jack Stopper as Chairman of CLDC.
- Frink project: Tomorrow should know if there is any contamination around the utility pole. It will cost \$10,700 to move the pole; we need to know where to move it to. It's good we are going out to bid for the buildings. By next week: the tank will be removed and the seeding of grass will be completed. They will be leaving the roads in place. The highway is temporarily moving out of the project. The phone is shut off now and a work order is in to Verizon to move the pole, which will probably be next week.
- The Highway Dept. thanks the Town Board for allowing them to work on this project. This project gave the highway a means to make some money in their own town and also allowed to pass some work on to our surrounding communities and also County level.
- Kehoe Tract Rd: Other townships will help us get this completed this year.
- Salt Bid: We will know by tomorrow what the bids are.
- Old Garage has three (3) new doors. This is at 50/50 cost with the Village.
- Mowing: We completed four (4) trips across the township.
- Bartlett Point Rd: We can put in a "no parking" sign. Also another request can be put into the State DOT for changing the speed limit in that section to 30 mph.

Committee Reports:

Donald Turcotte: Good to be back.
Heritage Heights: We're having a grease build-up in the system. We'll need permission to inject into the Village system.

George Kittle: Request from Sonny Marshall to purchase a portion of land at the Frink site to build himself a garage behind his house. Consensus of the Board that this could not happen at this particular time.

Inquiry about Joint Municipal Offices timeframe.

Youth Commission: Pony League are champions this year.

St. Mary's Church Dinner at the arena had over 100 more people than last year. Also it was good to hear nice comments about the facility.

Budget Sessions: Coming up in September. Should have preliminary discussions with the Teamsters Union before budget session.

CLDC Chairman: Thank you to Jack Stopper for all his hard work and dedication.

Lance Peterson: Chamber of Commerce: Has a Photo contest in the works.
Car Show will be September 27th, 2008.
Race Boat Regatta will be this weekend.
Saturday, August 16th, 2008 is the TI Museum's Chicken BBQ.
Chamber of Commerce 800# is getting a lot of hits looking for accommodations.
Rotary Gun & Sportsman's Show is August 16th & 17th.
Juried Craft Show is August 23rd.
Train Show will be September 6th & 7th.
TIERS will be having the dance tonight, 7-10 at the Opera House.

Bob Cantwell III: Paynter Senior Center – Nothing to report.
Recreation Park pool we need to consider at budget time for improvements that need to be done.
LWRP meeting will be 9/11 upstairs.

Motion by Bob Cantwell III, 2nd by George Kittle, to adjourn this regular meeting at 7:00 PM. Motion carried.

Kathleen E. LaClair, Town Clerk