

September 26, 2012 – Town Board

The Town Board of the Town of Clayton held their regular meeting at the Paynter Senior Center, Strawberry Lane, Clayton, NY with the following persons present:

Justin Taylor

Robert W. Cantwell III

Kathy LaClair

George Kittle

Christopher Matthews

Lance Peterson

Robert Boulton

Alicia Dewey

Darcy Joncas

Ron Cooper

Jae Lee

Kevin Lewis

Paula Baril

Ken Knapp

Bill Fiekert

Ray Bakker

Paul E. Heckmann

Eugene Howard

Paul Luck

Chet Massari

Pam McDowell, TI Sun

Larry Aubertine

Bud Baril

Meeting was opened at 5:00 PM by the Supervisor leading the assembly in the Pledge of Allegiance.

Town Clerk:

Correspondence:

- Save the River – Water Quality Testing Report for the 2012 Beach Watch Program. **(See attachment book.)**
- Spay/Neuter/Now Fall Newsletter received. **(See attachment book.)**
- Town of Alexandria notice of revised application for 72,629 sq. ft. retail development Public Hearing for Tuesday, October 2nd at 7PM at the Alexandria Bay Municipal Bldg. **(See attachment book.)**
- Rotella Grant Management Gazette – September issue received. **(See attachment book.)**
- Letter from US Specialty Ins. Co. – notice of upcoming policy renewal. **(See attachment book.)**

Minutes:

Motion by George Kittle, seconded by Lance Peterson, to approve the minutes of September 12, 2012 as written. Motion carried.

Workshop:

Budget:

Motion by George Kittle, seconded by Bob Cantwell III, to set a Special Meeting for Wednesday, October 3rd at 7:00AM to receive the 2013 Preliminary Budget. Motion carried.

Internal Audits 2012:

Motion by Bob Cantwell III, seconded by Chris Matthews, to approve the 2012 Internal Audits of all departments. Motion carried.

Workplace Violence Policy/Program:

Motion by George Kittle, seconded by Bob Cantwell III, to approve the amended (removal of “including off-duty periods”) version of the Workplace Violence Prevention Policy and Incident Reporting Program. Motion carried.

Route 12 Sewer:

Update by Supervisor Taylor that Rob Campany, P.E., has put together listings of all the Commercial/Vacant/Residential properties on the Route 12 Sewer Corridor and sent to EFC. We will be applying for a "hardship grant" that has a \$2 million pool.

Ray Bakker, Calumet Blvd. stated he did not receive a survey and was told that this is just for the corridor portion and that in a future phase he would be contacted to complete a survey.

Frink Projects Update:

Supervisor Taylor started the discussion with the question of how to make the bond payment for 2013. Highway Superintendent Bob Boulton has offered to forego purchasing any equipment in 2013 and letting the Town Board use the Highway Equipment Account for the Bond payment with the caveat that when the property sells, the money would be returned to the Highway Equipment Fund.

Supervisor Taylor expressed that we certainly don't want to burden the taxpayers with the added expense of paying off the bond. He further explained that Krog had many deadlines that they have missed including the advisement from the State on June 22nd they could have applied for a waiver to the State in connection with the Labor Peace Agreement and to date haven't requested this waiver. Krog has offered \$1.5 million for the total parcel and is asking for a P.I.L.O.T. for 27 years, knowing from the start that the sale was for a firm \$2.1 million, which would just cover any expenses that we already have. Krog has been told that Jefferson County will most likely not look favorably on a 27 year P.I.L.O.T. as that is way above the norm allowed for a P.I.L.O.T.

Supervisor Taylor further explained that the Memorandum of Understanding that the Town & CLDC had with Krog was dated August 2010 and provided to Krog the opportunity to explore the acquisition and development of the Frink Property that also provided exclusive opportunity to negotiate with the Town & CLDC to acquire on terms mutually agreeable to both parties. This agreement expired on July 31, 2011, however the Town & CLDC continued to negotiate with Krog toward the disposition of the Frink Property, however there has not been any meeting of the minds with Krog with respect to the terms for disposition and seemingly are unattainable for lack agreement upon terms for the acquisition that are acceptable to all parties.

A resolution, written by Atty. Joe Russell, has been distributed to the Town Board for this evening that would give notice to Krog that the Town of Clayton and Clayton Local Development Corporation are suspending negotiations for the disposition of the Frink Property. This will let them rethink and resubmit their proposal and also open up to other Companies that might be interested in the Frink Property location to send in proposals.

Supervisor Taylor stated that if at all possible, he would like the Town Board to act on this resolution this evening, as well as the CLDC which also is in attendance. Even though the Village is not an owner of this property, they are an interested party and we should address this resolution at the Joint Meeting later this evening.

Public Comment:

Ken Knapp expressed that it is well advised of the Town Board to take action this evening. There seems to be a solid bases for what you are asking for, especially since Krog hasn't after 90 days of knowing, applied for a waiver.

Pam McDowell was interested to know how much would be coming out of the Highway Equipment Budget Line. Answer: \$134,000.

Paul Luck stated that the Town should ask for a deposit of a certain amount from interested new comers.

Motion by George Kittle, seconded by Lance Peterson, to adjourn this regular meeting at 5:47 PM and recess until 7:00 PM for the Joint Town/Village Meeting. Motion carried.

Kathleen E. LaClair, Town Clerk