

November 7, 2012

The Town Board of the Town of Clayton held a Special Meeting in the Town Board Room at 405 Riverside Drive, Clayton, NY with the following persons present:

Justin A. Taylor
Robert W. Cantwell III
Kathy LaClair

George Kittle
Christopher Matthews

Lance Peterson
Bob Boulton

Alicia Dewey
Pam McDowell, TI Sun
Rob Campany

Gordon Stiefel
Bruce Shaw

Ellen Stiefel
Kevin Rarick

Pledge:

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

Route 12 Sewer Formation:

Motion by George Kittle, seconded by Christopher Matthews, to open the Public Hearing at 5:03 PM for the proposed Formation of the NYS Route 12 Sewer District. Motion carried.

[On Screen: Depiction of the district boundary for the Proposed NYS Route 12 Sewer District.]

Rob Campany discussed the boundary delineation and the small round circle notations of the manholes. The district is approximately 3 ½ miles long, stretching from Lawrence View Trailer park on the north side to Town line at Orleans.

The purpose of this public hearing is to solicit any input pro or con concerning the formation of this district.

Mr. Campany stated the total cost will be \$5,350,000. The EFC has sent word that this does qualify for a hardship grant. The parks are considered residential opposed to business.

Rural Development has received our application and if this doesn't come through we will apply elsewhere for other grants to help with the costs. \$2.5-2.7 grants have been requested for this sewer district. The balance will be a 30 years BOND at 0% interest. The maximum cost for the project cannot exceed \$5.35 million. This should equate to \$816 per EDU.

This project would be owned by the Town and we would add another treatment section to the joint sewer plant to meet our capacity needs.

Mr. Campany gave a timeline of possible district formation tonight. BOND Resolution to move forward next week and completion by the February 6th deadline for submission of the grant process.

Questions by Mr. Shaw determined that his trailer park had 70 units and they would be charged at ¾ rate of \$617 per EDU. There is no connection fee and the pipe comes to the house/business as part of the initial phase. There would be a \$1,000 charge plus the costs of the pipe after the initial construction to those that changed their minds and decided to come on at a later time or new construction coming on board after the initial pass.

Mrs. Stiefel stated that with the Sewer District, the potential will be there to pickup users to newly developed properties.

Mrs. McDowell inquired if someone didn't want to be attached to the district could they opt out. The answer to that question was no. Something would need to be paid possibly a vacant land fee, So much per linear foot, or an O&M fee. If the district crosses the property, something would need To be paid.

Discussion of timeframe requiring resident to be hooked up. The immediate answer was not known and would be subject to discussion prior to preparing the Operations & Maintenance Manual.

Supervisor Taylor stated that a letter had been received from the Dept. of Health expressing that 14 Regulated entities are in the initial phase. Some of these have recent violations. Their letter of support will be attached to the application soon to be completed and submitted.

Mr. Company stated that the Town of Orleans would be looking at the Town of Clayton/Town of Orleans border line to extend from that point to the caution light at Fisher's Landing. This probably would not be at the same time as the Town of Clayton application but in the near future.

Supervisor Taylor expressed that if this where the case it could benefit the Town of Clayton with their O&M for this project.

Motion by George Kittle, seconded by Chris Matthews to close the Public Hearing at 5:42 PM. Motion carried.

RESOLUTION #56 OF 2012:

RESOLUTION OF #56 OF 2012 was introduced by Lance Peterson, seconded by Robert W. Cantwell III, a resolution establishing the formation of the Town of Clayton NYS Route 12 Sewer District as described in the Map, Plan and Report dated October 18, 2012 with Boundaries attached. Taylor aye; Kittle-aye; Peterson-aye; Cantwell III-aye; Matthews-aye. **PASSED.**

RESOLUTION #57 OF 2012:

RESOLUITON #57 OF 2012 was introduced by George Kittle, seconded by Lance Peterson, a resolution to adopt the Town of Clayton 2013 Final Budget. Taylor-aye; Kittle-aye; Peterson-aye; Cantwell III-aye; Matthews-aye. **PASSED.**

Depauville Sewer General Discussions:

The Depauville Sewer Ordinance was written in 1991. In review of the Ordinance it was determined that the interest penalty was stated and is currently stated at 5% instead of 2%. The Town Clerk has reviewed prior Town Board minutes and has found that on May 24th, 2000, a resolution had been passed to change the 5% to 2%; however the Ordinance never had been amended to reflect the change. Another change was the implementation of a \$1,000 hook-up fee to the sewer district a few years back and that needs to be updated in the Fee Schedule.

We recently changed Nicole Hudson from 2 EDU's to 1 EDU. We have deleted several other properties in the last few years from the sewer district. We have just talked about charges to the NYS Route 12 Sewer District and that there should be a "vacant" land assessment, or a linear foot assessment, to help with the O&M. This should be looked at for the other sewer districts as well.

The Depauville Sewer district has not had a rate increase since inception in 1991.

Update Frink Property Sale:

We have received the “matrix” from Krog & Clayton Associates. Next Thursday, at the ABM from 9 to 11 Clayton Associates will be making their pitch and from noon – 2 Krog will be making their pitch. The Town Board is welcome to attend. This would be to listen only and not take part in the discussions. This invitation would help the Board to be updated on what is going on and aid in making a decision.

The Developers have discussed that there is a tight timeframe and they should consider a pre Application meeting with the Planning Board, so that application can also be made with the Jefferson County Planning Board and that by March 1, 2013 they can have all permits secured and start building on site.

Supervisor Taylor stated that they must accept the Land Disposition Agreement and have it signed prior to any permits. The Developers are still looking for a Spring 2014 opening date.

Cancel & reschedule Town Board Meeting:

Motion by George Kittle, seconded by Lance Peterson, to cancel the 2nd meeting on Wednesday, November 28th and reschedule to 2:00 PM on Friday, November 30th. Motion carried.

Motion by George Kittle, seconded by Chris Matthews, to adjourn this Special Meeting at 6:07 PM. Motion carried.

Kathleen E. LaClair, Town Clerk