

November 10, 2010

The Town Board of the Town of Clayton held their regular meeting in the Town Board Room located at 405 Riverside Drive, Clayton, New York with the following persons present:

Justin Taylor	George Kittle	Lance Peterson
Robert W. Cantwell III	Christopher Matthews	Bob Boulton
Kathy LaClair		
Duane C. Hazelton	Cindy Grant	Ken Knapp
Michael J. Docteur, Co. Leg.	Henry LaClair, ZEO	Larry Aubertine, PI Bd.
Bud Baril, PI Bd.	Jae Lee, WDT	Alicia Dewey

The meeting was opened at 5:00 PM by Supervisor Taylor, who led the assembly in the Pledge of Allegiance. Supervisor Taylor also expressed a “welcome” to new Board Member Chris Matthews.

Guests:

Michael Docteur, County Legislator announced the county tax levy and tax rate have decreased for the seventh year in a row. He explained that the decrease is due to an increase in sales tax revenue and development at Fort Drum.

Legislator Docteur also “welcomed” Chris Matthews newly elected Town Councilman.

Town Clerk:

Correspondence:

- Notice from the Joint T/V Zoning Dept. of a public hearing on November 15th at 7:00 PM to consider an application submitted by Amy L. Fox, acting as agent for Spencer Churchill on property located at the corner of James Str. And County Route 3. The Town of Clayton is an adjoining neighbor. **(See attachment file.)**
- Notice of a Nationwide Insurance Privacy Statement. **(See attachment file.)**
- Justice Clarence F. Giles Jr. October 2010 Comptroller’s Report. **(See attachment file.)**
- Justice Clifford James October 2010 Comptroller’s Report. **(See attachment file.)**
- Notice from Free Flow Power (FFP) of the Great Bend Hydroelectric Project First Six Month Progress Report & Felts Mills Hydroelectric Project First Six Month Progress Report. **(See attachment file.)**

Minutes:

Motion by George Kittle, seconded by Lance Peterson, to accept the minutes of 10/27/2010 with one name change under Councilman Petersons report. Motion carried.

Supervisor:

Motion by George Kittle, seconded by Bob Cantwell III, to accept the Supervisor’s Report for October 2010. Motion carried.

Bills:

Motion by George Kittle, seconded by Lance Peterson, to pay the bills on Abstract #11 of 2010 in the amount of \$146,961.50. Motion carried. Discussion by Town Board that Councilman Matthews should file a Financial Disclosure with the Town Clerk in reference to his office and percentage of ownership in Equipment Rentals, Inc. We will seek the Town Attorney’s opinion on what if any business relationship the Town can now have with Councilman Matthews company.

Planning Board Request - Marine Development District:

ZEO Henry LaClair discussed a request from the Planning Board for the Town Board to consider changing the district designation of some Marine-Residential properties to Marine-Development adjacent to the Marine-Development District at Spicer Bay. The properties owned by Spicer Holding LLC are requesting a change to their properties on Tax Map #20.08-1-56.1 & 16.51 and properties owned by Eric Gregware, Tax Map #'s 20.08-1-16.15; 16.71; 16.73 &

16.74, from the Planning Board. This would require a change to the Town's Zoning Ordinance by the Town Board. The Town Board will inquire from Lanzione and Bearup's if they would want to be included for their properties as well. Further discussion followed.

Motion by Bob Cantwell III, seconded by Lance Peterson, to schedule and advertise a Public Hearing for a proposed change to the Town Zoning Ordinance to change the areas above described from Marine –Residential to Marine-Development on December 29th, 2010 at 5:30 PM. Motion carried.

Motion by George Kittle, seconded by Chris Matthews, to cancel the meeting scheduled for December 22, 2010 due to Christmas holidays and re-schedule for a year-end meeting for December 29th at 5:00 PM. Motion carried.

Use of Frink Park:

Discussion of the use of the Frink Property by RJ Marine. Points discussed: Donation of \$20 a ft., RJ Marine having an insurance policy for liability, length of time boat would be on the property, safety plan, tarping the area and fencing. Councilman Kittle gave an opinion that public perception should be considered and that the aesthetics should also be taken into consideration.

Motion by Bob Cantwell III, seconded by Lance Peterson, to support allowing RJ Marine to utilize this area in as short a time frame as possible and to make sure the town is indemnified and the area returned to original status. Motion carried.

Meeting with Village & DANC:

Supervisor Taylor & Alicia Dewey, Assistant to the Supervisor met with the Village of Clayton and DANC (Development Authority of the North Country), to discuss the following: (1) Heritage Heights, (2) Route 12E Sewer (DANC will do pump usage calculations), (3) Proposed Bartlett Point Water (Town has expressed no intention of creating this a district and the "users" will have to have their water tested if the Village/DOH feels that this is a necessary requirement). We recommended that the Village adopt an "outside user agreement" for the outside users that currently receive Village water service.

BAR/ZBA/PB Vacancies:

BAR: Motion by Chris Matthews, seconded by Bob Cantwell III, to appoint Roger Howard to fill the unexpired term of Chris Matthews on the Full Board of Assessment Review, said term to expire on September 30, 2014. Motion carried.

BAR: Motion by George Kittle, seconded by Lance Peterson, to re-appoint Nancy Hyde to a five (5) year term on the Bd. of Assessment Review, with a term to expire on September 30, 2015, Motion carried.

BAR: Motion by George Kittle, seconded by Lance Peterson, to re-appoint Charles Burlingame, as an alternate for a period of one (1) year, term to expire on September 30, 2011. Motion carried.

Discussion by the Town Board that only one (1) alternate is needed at this time.

ZBA: Motion by Bob Cantwell III, seconded by Chris Matthews, to appoint Dale MacLaughlin to fill the unexpired term of Darrel Hayes, on the Zoning Board of Appeals, said term to end December 31, 2014. Motion carried. Discussion that the Town Board and Village Board will review one resume' submitted for alternate position to ZBA.

Board(s) Public Officers Liability Insurance:

Discussion by the Town Supervisor that ZBA, Planning Board, Board of Assessment Review all should be covered under Public Officials Liability Insurance as legally covered employees. Likewise they should be paid as employees through payroll as required by Town Law 27 and not vouchered as independent contractors.

Zoning Department Report:

Monthly Report for October 2010 was submitted to the Town Board from ZEO LaClair. **(See attachment file).**

Assessment Report:

Town Assessor submitted a report of activity from the Assessment Office. **(See attachment file).**

Christmas Decoration Contest:

The Committee will review decorations the week of December 13th – 17th.

Holiday Party:

Will be hosted by the Supervisor and Mrs. Taylor and Mayor Zimmer on Wednesday, December 8th at 6:00 PM, on the 3rd floor of the Clayton Opera House.

Public Hearing – Local Law #1 of 2010-Dog Licensing:

Motion to open the public hearing at 6:08 PM by Bob Cantwell III, seconded by George Kittle, this is a Local Law to regulate the licensing, identification and control of dogs within the Town of Clayton. Motion carried.

All attendees to the regular meeting were in attendance. No persons wished to speak.

Motion to close the public hearing at 6:10 PM was made by George Kittle, seconded by Lance Peterson. Motion carried.

Motion by Bob Cantwell III, seconded by Chris Matthews, to approve Local Law #1 of 2010 – Dog licensing regulation, licensing, identification and control of dogs within the Town of Clayton effective January 1, 2011. Motion carried.

RESOLUTION #50 OF 2010:

Resolution #50 of 2010, was introduced by Christopher Matthews, seconded by George Kittle, a resolution to authorize and adopt a Schedule of Fees to be charged for the issuance of individual dog licenses, state mandated surcharges, enumeration surcharges, and replacement tags. Taylor-aye; Kittle-aye; Peterson-aye; Cantwell III-aye; and Matthews-aye. **ADOPTED.**

Highway Superintendent Report:

- Town/Village Employee Family Christmas Party will be held Friday, December 10th at 12 Noon. Bring a donation for the food pantry.
- Waste Oil furnace - Received three (3) quotes:

Gillee's Auto Truck & Marine	\$5,464.63
Main Heating LLC.	\$5,695.00
Bach Environmental, Inc.	\$11,500.00
- **Motion** by Bob Cantwell III, seconded by George Kittle, to purchase RA250 Waste Oil Heater from Gillee's Auto Truck & Marine. Motion carried.
- DANC meeting had a discussion on new permit procedures at the Rodman landfill.
- Have been working at the Salt Shed; cleaning the corner back.
- Truck 80 is at Watertown Spring.
- Should ask Atty. Russell to weigh in on any future purchases from Equipment Rentals now that Chris Matthews is on Town Council.

Committee Reports:

George Kittle: Amish Buggies on the road after dark is very dangerous. Questioned if a Proclamation would be presented at the Christmas Party to Judy Foster in honor of her late husband Everett Foster, who was on the Board of Assessment Review. **Motion** by George Kittle, seconded by Bob Cantwell III, to cancel the November 24th Workshop meeting, due to the Thanksgiving Holiday. Motion carried.

Lance Peterson: Youngs Explosive needs a letter from the Town that fireworks can be held on December 4th after the Christmas Parade. Business with a Twist will be held at the Knights of Columbus Hall on Thursday, November 18th from 5 till 7 and sponsored by the Rivergate Wheelers. Veteran's Day Memorial will be held at the monument on Thursday, November 11th at 11:00 AM.

Tricia Bannister is the new Executive Director of the Clayton Chamber of Commerce and takes over November 15th.

Cerow Park: The solar panels should be in by December 15th; Solar water power is being worked on at the Pool House; and the "disconnect" will be worked on next.

Bob Cantwell III: Village Trash Days didn't get any negative feedback. It was a week-long event with residents bringing their trash to the bins at Lion's Field. It was a huge savings on the work force and gas usage.

TIYLO: 2nd Annual Christmas Masquerade Ball will be at the Antique Boat Museum on Friday, December 3rd at 8 PM. This is being held to benefit the Clayton Christmas Fund.

Chris Matthews: First meeting and is looking forward to working with the Town Board.

Public: Ken Knapp expressed a "welcome" to Chris Matthews as a new Town Board member.

Motion was made by George Kittle, seconded by Bob Cantwell III, to adjourn this regular meeting at 6:37 PM. Motion carried.

Kathleen E. LaClair, Town Clerk