

November 12, 2008

The Town Board of the Town of Clayton held their regular meeting at the Town Offices located at 405 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
Steve Witham
Michael Docteur, Co. Leg.
Mignonette Reff
Lauri Darou

Ryan Wincott (TI Sun)
Diana Peters
Michael Fairbanks
Cindy Grant
Jamie Lee
Mary Prichard

Alicia Dewey
Stewart Peters
Harold Gallup
Michelle Woodley
Erin Reff-Fulton
Melissa Vaillancourt

The meeting was opened at 5:00 PM by Supervisor Taylor who led everyone in the Pledge of Allegiance and moment of silence for all Veterans and those now serving.

Public:

Mike Docteur, County Legislator stated that this was the first of meetings for this evening and that he would be leaving shortly to get to the County full board meeting scheduled for 7 PM in Watertown. The County Board will be will be discussing and voting on the 2009 Budget. There are two items Mr. Docteur is not in agreeance with. The first is an item to charge back to the Towns a total of \$250,000 of a \$650,000 expense for costs for Board of Elections. Mr. Docteur stated he is against this as the County didn't let the Towns know before many of them passed their budgets. The second item, which he believes the County Chairman has enough votes to pass anyways, is removing the gas tax which has currently been capped at \$2.00. The cap didn't work as it was intened and gas prices in the county were actually higher than without the cap.

Cindy Grant distributed a letter concerning amending Local Law #1 of 2007. (**See attachment file**).

Ken Knapp thanked the Board for having the opportunity to speak to the Board. Also he thanked Leg. Docteur for all he is doing for us. Mr. Knapp believes that this area should be doing all they can to entice Agriculture in our area as this would greatly help our economy.

Town Clerk:

Minutes:

Motion was made by George Kittle, and 2nd by Lance Peterson, to approve the minutes of 10/22/08. Motion carried.

Correspondence:

- Notice of LWRP meeting and agenda for 11/12, Wednesday night from 7-9 PM at the 3rd floor of the Opera House. **(See attachment book).**
- Information on the NYS Association of Towns for February 2009.
- Justice Clifford James October 2009 monthly report. **(See attachment book).**
- Justice Clarence Giles Jr. October 2009 monthly report. **(See attachment book).**
- Notice of NYS Archives grant application and reference materials 2009-2010 deadline of February 2, 2009. **(See attachment book).**
- Notice from Young, Sommer...LLC, concerning notice of a proposed telecommunications Facility on Middle Rd., Town of Orleans. **(See attachment book).**
- Notice from NYS Workers' Compensation Board concerning new forms & retirement of old forms starting 12/1/08. **(See attachment book).**
- Received Town of Clayton Fire District adopted 2009 Annual budget. **(See budget file).**

Resolutions:

Resolution #47 of 2008 was introduced by George Kittle, seconded by Donald Turcotte, a resolution to adopt rules for public participation at Town Board meetings. Taylor-aye; Kittle-aye; Turcotte-aye; Peterson-aye; and Cantwell III-aye. Motion carried.

Supervisor:

Supervisor Report:

Motion by Lance Peterson, 2nd by Bobby Cantwell III, to approve the October 2008 Supervisor Report as presented. Motion carried.

Bills:

Motion by George Kittle, 2nd by Bobby Cantwell III, to approve payment of Abstract #11 in the amount of \$211,391.80. Motion carried.

Transfers:

Motion by George Kittle, 2nd by Bobby Cantwell III, to approve budget Transfers dated 11/12/08 for Transfers for General Fund-Townwide in the amount of \$10,000; Budget Transfers for Highway fund-Townwide in the amount of \$100,000; Budget Transfers for TIERS Ambulance Fund in the amount of \$8,000 and Budget Transfers for the Opera House Fund in the amount of \$50,000. Motion carried.

2009 Budget:

Motion by George Kittle, 2nd by Lance Peterson, to approve the 2009 Town Budget as it was presented at the Public hearing. Cantwell III-opposed. Motion carried.

Fiber Optics Loop:

The Town of Clayton will be the lead to apply for funding and write contracts. The Village of Clayton will be responsible for billing the proposed loop. **Motion** by Lance Peterson, 2nd by Bobby Cantwell III, to take lead agency, accept the spread sheet Paul

Barton had submitted and to put the discussion on the table for the Joint T/V meeting on Monday evening. Motion carried.

Joint Municipal Meeting:

There will be a meeting of the Joint T/V of Clayton Boards on Monday evening November 17th at the Village Municipal Bldg. at 6:30 PM. Discussion will be concerning the bids that were opened for reconstruction of the municipal building for joint administrative offices. Originally the project was for \$1.5 million however at this time bids came in at \$1.9 million.

Appraisals:

Supervisor Taylor stated the Assessor is looking for confirmation to hire an appraiser for three island properties (3 X \$1800) and one apartment building (\$2500) for a total of \$7900. This information is in regard to pending assessment litigation. **Motion** by Donald Turcotte, 2nd by George Kittle, to hire Mr. Havemeyer to do the above assessments. Motion carried.

Wind Committee:

Supervisor Taylor stated that after discussion with the Planning Board Chairman, it has been decided to establish a review committee concerning the Local Law #1 of 2007 for Wind Turbines. It will consist of two (2) members from ECCO, two (2) pro-wind, two (2) neutral, one (1) Town Board member, one (1) Planning Board member and a Professional neutral facilitator. Once established and members seated, the committee would review and come back in possibly six (6) months and advise how to adjust wind & noise levels to Local Law #1 of 2007. Bobby Cantwell III offered to be the Town Board member.

Re-Appointments to Board of Assessment Review:

Motion by Bobby Cantwell III, 2nd by Lance Peterson, to reappoint Michael Pavlot as a full member to the Board of Assessment Review for a five (5) year term. Motion carried.

Motion by Bobby Cantwell III, 2nd by Lance Peterson, to reappoint John Davis as an alternate member to the Board of Assessment Review for a one (1) year term. Motion carried.

Correspondence with Town supported Organizations:

Supervisor Taylor has sent a letter to all town supported organizations ie: Paynter Center/Chamber of Commerce or subsidized, TIPAF/Youth Hockey, as a formal request for a copy of their budget(s) and numbers of folks that were impacted by their organization and the impact on the community.

Transfer Site Inspection:

A routine inspection of the Transfer Site on September 26th has resulted in no violations noted.

Christmas Lighting/Decorating Competition:

The consensus of the Town Board was to again host the Christmas Lighting/Decorating competition. Lance Peterson again will chair the committee to review and judging will be done the 3rd week of December for the top three (3). An application will be available at the Town Clerk's Office and on the towns web site.

Christmas Parade:

The Christmas parade will be sponsored this year by Karla's Christmas Shoppe and Peterson's Painting. It will be held on Saturday evening, December 6th at 5:00 PM as a festival of lights with a fireworks display after the parade. It is hoped that the Frink property will be opened so to display fireworks and judge the floats.

Sand/Salt Shed Bid:

Motion by Bobby Cantwell III, 2nd by Lance Peterson, to approve having Bernier Carr & Associates write the specs for a sand/salt shed, have it advertised and returnable for opening of bids on December 10th. Motion carried.

Highway Superintendent Report:

- Distributed photos of the former Community Garden. We're being charged for Village water and this hasn't been utilized as a garden for awhile. Military is mostly gone from the housing units now. We will call to delete billing. This will help save expenses.
- There will be a meeting with the Town Highway Superintendents and the County to discuss the County contract for the upcoming year.
- Discussion of the price of salt. We're being charged \$129 per ton as opposed to \$72 per ton. The \$72 per ton can't supply us. We need a letter to go the Attorney Generals Office to look into this.
- Frinks: Poles have been replaced on Franklin Street and wire is being hung. The pole at Frinks will be deleted this next week
- Fuel meeting scheduled with the school was supposed to be today, however it has been rescheduled for next week.

Committee Reports:

George Kittle: Labor Union Contract Negotiations: At the end of this meeting he would like to go into Executive Session briefly to discuss. Discussion of a problem with Board of Elections at the beginning of Election Day. Two machines at Clayton were in the wrong districts.
We should have Leg. Docteur, Assemblywoman Russell and Senator Aubertine write letter and appeal salt pricing as well as Attorney Generals Office.

Donald Turcotte: Depauville Community Center/Library nothing to report at this time.
Sewers are up and running well.

Lance Peterson: Depauville Fountain: Discussion of financial obligation and hours of operation. Discussion of ways to do a petition of Depauville residents that would be affected.
Chamber of Commerce: Chamber is working on their budget. Will have a budget before next meeting. Chamber has purchased an ad in "Water Ways" looking for large boats to dock here in Clayton. Antique Boat Museum, Village of Clayton and the Chamber are paying for this as. Chamber is also doing a co-operative ad with local businesses for Christmas.
Christmas Parade: Still waiting for permission to access Frink for use for fireworks display.

Bobby Cantwell III: Thanked everyone for their support and patience while he was running for Assembly.

Board of Elections Notice:

Consensus of the Town Board to have the Town Clerk write a letter informing the Board of Elections that the next election held will be back in the Depauville Community Center/Library.

Cancel November 26th meeting:

Motion by George Kittle, 2nd by Bobby Cantwell III, to cancel the 2nd meeting in November (26th). Motion carried.

Executive Session:

Motion by Lance Peterson, 2nd by George Kittle, to go into Executive Session to discuss contract negotiations at 6:25 PM. Motion carried.

Motion by George Kittle, 2nd by Lance Peterson, to come out of Executive Session and close the regular meeting at 6:45 PM. Motion carried.

Kathleen E. LaClair, Town Clerk