

December 14, 2011

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

Justin A. Taylor

George E. Kittle

Lance Peterson

Robert W. Cantwell III

Christopher D. Matthews

Bob Boulton

Kathy LaClair

Jim Yuhas

Alicia Dewey

Pat Youngs

Ken Knapp

Cindy Grant

Pam McDowell

Supervisor Taylor opened the meeting at 5:00 PM with the Pledge of Allegiance.

**Correspondence:**

- Northern New York Library 2011 Annual Report. **(See Attachment Book.)**
- Schindler Elevator Corporation letter of increased rates. **(See Attachment Book.)**
- Justice Clarence Giles November 2011 report to the Comptroller. **(See Attachment Book.)**
- Notice from Jefferson County Recycling: Closed Saturday 12/24, Monday 12/26, and Monday 1/2/12. **(See Attachment Book.)**
- Quarterly Statement from Office of the State Comptroller that provides an explanation of the receipt and distribution of the fines, Fees, and forfeitures reported to the Justice Court Fund by or on behalf of our Municipality. **(See Attachment Book.)**
- November Grant Action News. **(See Attachment Book.)**
- Letter of resignation from Mary Ann Yuhas as Financial Officer to the Supervisor. **(See File)**
- ZEO LaClair's Monthly Report to the Town Board. **(See Attachment Book.)**

**Minutes:**

**Motion** by Bob Cantwell III, seconded by Chris Matthews to approve the minutes as amended. Motion carried.

**Supervisor:**

**Motion** by George E. Kittle, seconded by Lance Peterson, to accept the November 2011 Supervisor's Report. Motion carried.

**Bills:**

**Motion** by George Kittle, seconded by Bob Cantwell III, to approve payment of Abstract #12 in the amount of \$131,971.51. Motion carried.

**Local Law #2 of 2011:**

**Local Law #2 of 2011** is a Local Law to amend Local Law #1 of the year 2007 to further amend the existing local law regulating the siting, approval, construction and operation of Wind Energy Facilities (Wind Law) including windmills, in the Town of Clayton, Jefferson County, New York. The Law will lower the maximum noise levels permitted to be generated by Wind Energy Facilities from 50dBa to 45dBa when measured from certain off-site locations, to wit: Participating Property Owners Residences, Non-Participating Property Owners Property Lines, schools hospitals, churches or public libraries. The law also establishes the criteria for measuring sound levels which was lacking in the original Law, as previously amended.

Supervisor Taylor acknowledged that the Town Board had already declared Lead Agency at a prior meeting held a Public Hearing, and received feedback from County Planning.

**SEQRA:** Part 1 SEQRA Form was reviewed and a **Motion** was made by Chris Matthews, seconded by Bob Cantwell III, to authorize the Supervisor to sign Part 1 of the SEQRA form. Motion carried.

Part 2 & 3 were completed by the Town's Attorney and a **Motion** was made by George Kittle, seconded by Lance Peterson authorizing the Town Supervisor to sign. Motion carried.

**RESOLUTIONS:**

**RESOLUTION #63 OF 2011:**

**RESOLUTION #63 OF 2011** was introduced by Bob Cantwell III, seconded by Christopher Matthews, a resolution to approve the SEQRA as a Negative Declaration, a notice of determination of Non Significance. Taylor-aye; Kittle-aye; Peterson-aye; Cantwell III-aye; Matthews-aye. **PASSED.**

**RESOLUTION #64 OF 2011:**

**RESOLUTION #64 OF 2011** was introduced by George Kittle, seconded by Lance Peterson, a resolution to adopt Local Law No. 2 of 2011. Taylor-aye; Kittle-aye; Peterson-aye; Cantwell III-aye; and Matthews-aye. **PASSED.**

**T.I.E.R.S.:**

**Motion** by Bob Cantwell III, seconded by Chris Matthews, to authorize the Town Supervisor to sign a three (3) year contract with TIERS, running from January 1, 2012 through December 31, 2014. Motion carried.

**Christmas Light Decorations Results:**

- 1<sup>st</sup> Place: Steve Cooley
- 2<sup>nd</sup> Place: Bernard LaPlante
- 3<sup>rd</sup> Place Skip & Melanie Wattenbe
- 4<sup>th</sup> Bart & Cheryl Mayforth

**Appointments & Re-appointments for Planning/Zoning & CLDC Boards:**

**Motion** by Bob Cantwell III, seconded by Chris Matthews, to re-appoint Les Drake to a five (5) year term to the Joint Zoning Board of Appeals (ZBA), term is from 1/1/2012 to 12/31/2016. Motion carried.

**Motion** by George Kittle, seconded by Chris Matthews, to re-appoint Ron Duford and Paul Heckmann to seven (7) year terms to the Joint Planning Board, terms to start 1/1/12 through 12/31/2018. Motion carried.

**Motion** by Chris Matthews, seconded by Lance Peterson, to re-appoint John Davis to the Board of Assessment Review (B.A.R.) for a term of five (5) years, term start 10/1/11 through 9/30/2016 Motion carried.

**Motion** by Bob Cantwell III, seconded by George Kittle, to re-appoint Charles Burlingame to a one (1) year Alternate position to the Board of Assessment Review (B.A.R.), term to begin 10/1/2011 through 9/30/2012. Motion carried.

**Motion** by Bob Cantwell III, seconded by Lance Peterson, to re-appoint Rebecca Hopfinger, Walt Christenson and Mike Geiss as Members At-Large to the Clayton Local Development Corporation. Motion carried.

**Zoning Enforcement Officer Agreement:**

Supervisor stated that this agreement expires 12/31/2011. The Village is having their Lawyer look at the agreement.

**Financial Software:**

Software has been installed and two (2) mock payrolls have been completed.

**Financial Policies:**

Draft form has been distributed. Supervisor would like to have this adopted in January 2012.

**Fuel Depot:**

The School has sent a copy to their Attorney on November 15<sup>th</sup> and hadn't heard anything from him as yet.

**Arena Projects Update:**

Project is in limbo at present.

**Frink/CLDC Update:**

Krog has been awarded \$2.25 Million as an economic incentive which will be received after the project is complete. Additionally, the Village/Town/CLDC has received a \$750,000 CBDG infrastructure grant for the hotel project. Both awards were made through the North Country Regional Economic Development Councils, Consolidated Financial Application process.

**Non-Bargaining Health Insurance:**

The Town has approved a High Deductible Health Plan with an HAS for Non-Bargaining employees and elected officials. The HAS will need to be fully available on 1/1/2012 for those that elect this option.

The Town Board will offer a buyout of \$3,000 in the form of an HRA for those that opt out of the medical plan. At the present time 5 of the 13 class employees have opted out. The Town will see a cost savings from this buyout process.

**Motion** by Bob Cantwell III, seconded by Chris Matthews, to authorize the Supervisor to fund the HSA account(s) at a level of \$3,000 for single plans and \$6,000 for 2-person and family plans. Motion carried.

**Motion** by George Kittle, seconded by Lance Peterson, to authorize the Supervisor to fund the HRA accounts in the amount of \$3,000. Motion carried.

**Resignation:**

Tricia Cassidy has tendered her resignation effective this date. She has found a full time job that includes medical.

**Highway Superintendent Report:**

- Discussion Hazard Mitigation: completed a grant request January 2010 and was awarded \$134,725 for the drainage problem on Factory St., Depauville. This award of \$101,044 in Federal money with a match of \$33,681 needs to have the project completed by 6/30/2012. Thank you to Rob Campany for taking on the task.
- Next project should be the Opera House/Town Admin Offices possibly for the flooding.
- Jefferson County authorized Shared Services at their meeting last night.
- Discussion of leave of absence for Ryan Taylor.

**Committee Reports:****George Kittle:**

Thank you to Bob Boulton for the Highway Christmas Party. Solar Research Projects abound – met with Fire Chief & Bud Baril to make sure wording is in the Town Code to reduce risk of electrical shock. Rob Campany has shared some sample guidelines. Fire Commissioner Re-elected/Elected are Hal Matthews and Todd Cerow. Letter received from Wm. Streets concerning Bald Rock Road, etc.

**Lance Peterson:**

Thanks to all involved with the Christmas Parade and all the help that was received.

**Bob Cantwell III:**

Congratulations to all the winners of the parade and to Lance and Karla Peterson for putting on such a great parade and fireworks display. TIYLO – approximately 200 attendees for the Christmas Ball. TIYLO was able to give out four (4) checks: one for \$2500 to the Christmas Fund; and 3 checks of \$500 each to: Paynter Senior Center, Clayton and Depauville Food Pantries. TIYLO will host a Reindeer Fun Run on Saturday, 12/17 @ 2PM. \$200 will go to the raffle winner and proceeds of the event will go to the Clayton Food Pantry.

**Chris Matthews:**

Attended the Depauville Sewer meeting on 12/9. Discussion of doing an insert with February 2012 billings of the do's & don'ts with the Sewer. Congratulations to the Parade Committee on a wonderful Christmas Parade.

**Public:** Kenneth Knapp discussed a short list of five (5) questions that will be posed to the Town Board from the Comprehensive Plan Committee; looking to get started about the second week in January.

**Motion** by George Kittle, seconded by Chris Matthews, to adjourn this regular meeting at 6:22 PM to the Supervisor's and Mayor's Christmas Party on the third floor of the Opera House. Motion carried.

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**Kathleen E. LaClair, Town Clerk**

