

February 9, 2011

The regular meeting of the Town Board of the Town of Clayton met in the Town Board Room with the following persons present:

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|------------------------|-------------------------|----------------------|
| Justin A. Taylor | George E. Kittle | Lance Peterson |
| Robert W. Cantwell III | Christopher D. Matthews | Bob Boulton (Absent) |
| Kathy LaClair | | |
| Alicia Dewey | Pam Mc Dowell (TI Sun) | Tom (?) |
| Kelly Cantwell | Pat Youngs | Duane Hazelton |
| Henry LaClair (ZEO) | Cindy Grant | Greg Hooson |
| Don Bell | Rosemary Bell | Chris Cummings |
| Neil Germain | Bud Baril | |

Meeting opened at 5:00 PM with the Pledge of Allegiance led by the Supervisor.

Town Clerk:

Correspondence:

- Justice Clarence Giles monthly report of January 2011 to the NYS Comptroller. (See attachment file.)
- Justice Clifford James monthly report of January 2011 to the NYS Comptroller. (See attachment file.)
- Jefferson County Planning Board Newsletter of January 2011. (See attachment file.)
- Grants Action News of February 2011. (See attachment file.)
- Letter from Guardino Elementary School – Laura Addison-Lamon, 4th Grade Teacher sent four (4) letters: Rachel Yelle, Olivia Poventud, Logan B. & Lonnie Campany(4th graders – 10 yr. olds). (See attachment file.)

Minutes:

Motion by Bob Cantwell III, seconded by Chris Matthews, to approve the minutes of January 26th as written. Motion carried.

RESOLUTION #30 of 2011:

Resolution #30 of 2011 introduced by Lance Peterson, seconded by George Kittle, a resolution adopting the Jefferson County, New York, Multi-Jurisdictional Hazard Mitigation Plan. Taylor-aye; Kittle-aye, Peterson-aye, Cantwell III-aye, and Matthews-aye. **PASSED.**

Supervisor:

Transfers:

Motion by George Kittle, seconded by Bob Cantwell III, to approve the following Budget Transfers: To set up expenses & Revenues Associated with T.I.Y.L.O. Activities through the General Fund Budget – To Special Activities Acct. – Cont. (A 6410.42) \$500 from TIYLO Activities Revenues and to set up Riverwalk Budget for 2011 Tax Year – to Riverwalk (2) Contractual (RW7110.2) \$400,000 and Transfer to Community Dev. Fund (RW9501.9) \$100,000 from Interest & Earnings (RW2401) \$1000, Transfer from Community Dev. Fund (RW2801) \$100,000 and O.P.R.H.P Grant Revenues (RW4000) \$399,000. Motion carried.

Bills:

Motion by George Kittle, seconded by Chris Matthews, to authorize payment of Abstract #2 of 2011 in the amount of \$624,158.37. Motion carried.

Supervisor's Report:

Will be available next meeting.

Monthly Department Reports:

Monthly reports have been received from the Zoning Enforcement Officer, Assessor and Code Enforcement Officer for the month of January 2011. Board members having any questions should inquire of the respective Department Head.

Chamber Permission for Facilities Use (Boat Show):

Motion by Lance Peterson, seconded by George Kittle, to approve the use of the Highway building again this year for the 2011 Spring Boat Show being held April 8-10 with move in date of April 7 and move out date of April 11. Motion carried.

Action on Planning Board lead agency for wind application:

Motion by Bob Cantwell III, seconded by Chris Matthews, for the Town & Village Planning Board to have SEQRA Lead Agency Coordination for the application of Atlantic Wind LLC-Horse Creek Wind Power Project. Motion carried.

North Country HOME Consortium – Reauthorization:

We have received a letter from the Jefferson County Department of Planning concerning the North Country HOME Consortium which must be reauthorized every three years. The reauthorization process requires a resolution and signed Cooperation Agreement from the municipality. We will be doing a resolution at our next meeting of March 9th.

Opera House Drainage:

Discussion of reconfiguring the gutters and downspouts to improve their capacity, and installation of subsurface drainage pipe along the southwest length of the Town Hall accommodating the southern downspout and minimize the potential damage to the building interior from surface water during significant rain events.

Grants in process:

Laser fiche: Next week for two (2) days will be a user seminar for the Town Clerk and the Supervisor's Assistant.

Bus Grant: for the Paynter Senior Center, the Paynter Center has signed a grant contract; the grant is an 80/20 Share match. The bus holds 10-12 people and two (2) wheelchairs.

NYSERDA: in process.

Port Security: Meeting with Border Patrol and Sheriff's Department; looking to monitor the Frink dock up & down the river in the Clayton area.

Highway Superintendent Report:

- Supervisor Taylor indicated that Mr. Boulton was out plowing snow and couldn't be with us this evening.

- Fire Alarm system: A proposal has been received from NCC Systems Inc, for the Town Highway Dept. for Fire Alarm proposal (\$1285) and dialer (\$445). We have authorized the improved safety feature for the JHG. The Village has been notified and is supportive of this improvement

Public Hearing Spicer Bay Area Zoning Map Amendment Change:

Motion by George Kittle, seconded by Bob Cantwell III, to re-open the public hearing for the Spicer Bay Area Zoning Map Amendment Change at 5:30 PM. Motion carried.

Those in attendance included all the people at the beginning of the minutes.

Those people speaking included: Christine Cummings, Don Bell, Neil Germain, ZEO LaClair and Bud Baril.

Comments included: Major concern that buffering is needed in the area between Cummings property and Northern Marine. Question of run-off and following due process. Mr. Bell was there on behalf of Bill Lewis, Richard Powers and Kranz. ZEO LaClair indicated he had contacted the NYS Dept. of Health and received a letter of no record of any violations of Spicer Holdings LLC and their office has no record of regulating this facility under the State Sanitary Code and therefore has not cited violations of the State Sanitary Code against this facility. Mr. Germain represents Spicer Holdings LLC and attempted to answer some questions posed. Planning Board Chairman Baril stated that when an application comes before them, they will look at the uses. When and if an application for a project is submitted, the Planning Board would do a SEQRA on that project. It would be project specific. The Town Board is only taking action on the map change of an area at this time, no specific project.

Motion by George Kittle, seconded by Chris Matthews, to close the public hearing at 5:40 PM. Motion carried.

SEQRA: Spicer Bay Area Zoning Map Amendment:

Motion by George Kittle, seconded by Lance Peterson, to accept Part I of the SEQRA Long Form. Motion carried.

Part II of SEQRA was completed by the Town Board.

Negative Declaration – Notice of Determination of Non-Significance was read by Supervisor Taylor.

Resolution #31 of 2011:

Resolution #31 of 2011 was offered by George Kittle, seconded by Chris Matthews, a resolution that the action is a Type 1 action under SEQRA with the Town Board acting as Lead Agency for SEQRA, and adopting the findings, conclusions and rationale relating to the probable environmental impacts of the action within the attached environmental assessment form and Negative Declaration – Notice of Non-Significance, and authorize the Town Supervisor to execute the EAF and file the Negative Declaration- Notice of Non-Significance in accordance with the applicable provision of law. Taylor - aye; Kittle-aye; Peterson-aye; Matthews-aye and Cantwell III-aye. **PASSED.**

Committee Reports:

George Kittle: Suggested that the "Ethics Clause" be reviewed to check if it needs to be modified.

Lance Peterson: Inquiry concerning a lawn tractor pull, the 1st part of May at Recreation Park, with the Highway Legends. Town Board determination that this is not possible, due to digging up the greens.
Peter Mellon is still hooking up Solar panels.
Chamber of Commerce: 2/21 Skating trials; 2/25 Snowman Contest; 2/26 Cardboard sled race; 2/16 Sand Bay – Business with a Twist from 5-7 PM.

Bob Cantwell III: Hockey Across America 2/19 from 11-4 with the Privateers.
Hot Chocolate Fun Run on 2/26.

Chris Matthews: Snow plowing on State roads, need to pursue taking the state roads over for snow plowing. Discussion that we do nine (9) miles of 12E.

Public:

Kelly Cantwell approached the Board concerning the CLDL and who oversees them. He has been trying to sell his home and business and feels that he is competing with the CLDC as they both are being questioned from the same potential buyer.

Cindy Grant distributed a folder with three reports which were done by the Orleans Citizen Wind Committee concerning health and safety issues as well as economic issues of industrial wind.

Motion by George Kittle, seconded by Lance Peterson, to adjourn this regular meeting at 6:20 PM.
Motion carried.

Kathleen E. LaClair, Town Clerk