

**RESOLUTION NO. 31 OF 2012  
TOWN OF CLAYTON  
A RESOLUTION TO AUTHORIZE THE TOWN SUPERVISOR TO SIGN A “MODIFIED”  
AGREEMENT WITH JEFFERSON COUNTY EXTENDING THE FRINK TAX PAYMENT FOR  
TWO (2) ADDITIONAL YEARS, TO MAKE PAYMENT ON OR BEFORE DECEMBER 31, 2014.  
DATED: JANUARY 11, 2012**

**Title of Resolution:** A resolution to authorize the Town Supervisor to sign a “Modified” Agreement with Jefferson County extending the Frink Tax Payment for two (2) additional years, to make payment on or before December 31, 2014.

At a regular meeting of the Town Board of the Town of Clayton, Jefferson County, New York held at the Town Offices, 405 Riverside Drive, Clayton, New York, on January 11, 2012, at 5:00 PM prevailing time:

The meeting was called to order by Supervisor Taylor and upon roll being called the following were:

**Present:** Justin A. Taylor, Supervisor  
George E. Kittle, Councilman  
Lance Peterson  
Robert W. Cantwell III, Councilman  
Christopher D. Matthews, Councilman

The following resolution was offered by George Kittle, who moved its adoption, seconded by Bob Cantwell III, to wit:

**WHEREAS**, Jefferson County, the Town of Clayton and CLDC entered into an Agreement of Sale for the properties identified as tax parcel nos. 20.39-1-1.1, 20.39-1-8, 20.39-1-9, 20.38 1-11, and 20.39-1-19 in the Town of Clayton which were shown on the public records as being owned by Compo-Frink Corporation or Frink America and now referred to as “Frink Property”, contingent upon the County obtaining title to the properties through Real Property Tax Foreclosure, and

**WHEREAS**, said agreement, dated June 8, 2004, requires the Town and Clayton Local Development Corporation to make payment to the County pursuant to Section 3 of the

agreement on or before December 31, 2009, and

**WHEREAS**, the said agreement had been extended for a period up to December 31, 2011 in recognition of the need for environmental cleanup and site preparation necessary for the sale of the property has taken longer to complete than originally contemplated, and

**WHEREAS**, the Town and CLDC has asked for an additional two (2) year extension of the repayment provision for the purpose of allowing consummation of the sale of real property and all the parties are desirous of extending the time for payment pursuant to Section 3 of the agreement for a period of two years,

**NOW, THEREFORE BE IT RESOLVED**, the Town Board authorizes the Town Supervisor to sign the "modification" agreement for extending the repayment of taxes for a two (2) year period which ends on or before December 31, 2014.

The motion of the adoption of the foregoing resolution was made by George Kittle, seconded by Bob Cantwell III, and upon roll call vote of the Town Board was duly adopted as follows:

Justin A. Taylor, Supervisor	Yes <u>X</u> No <u>  </u>
George E. Kittle, Councilman	Yes <u>X</u> No <u>  </u>
Lance Peterson, Councilman	Yes <u>X</u> No <u>  </u>
Robert W. Cantwell III, Councilman	Yes <u>X</u> No <u>  </u>
Christopher D. Matthews, Councilman	Yes <u>X</u> No <u>  </u>

Yes 5 No 0 Abstain 0 Absent 0

Dated: January 11, 2012

**Certification**

I, Kathleen E. LaClair, Town Clerk of the Town of Clayton, do hereby certify that the above resolution was adopted at a regular meeting of the Town Board of the Town of Clayton held on January 11, 2012 and its on file and of record, and that said resolution has not been altered, amended or revoked and it's in full force and effect.

(SEAL)

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Kathleen E. LaClair, Town Clerk