

July 9, 2014

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

Justin A. Taylor	Lance Peterson	Robert W. Cantwell III
Christopher D. Matthews	Mary Zovistoski	Robert D. Boulton
Kathleen E. LaClair		
Terra Bach	Shelby Brown	Donna Cantwell
Joyce McKean	Terry Vieau	Cathy Vieau
Pam McDowell	Daniel Brown	Bill Moth
Harold Anderson	John Meyers	Bob Marr
Sandy Marr	Lee Bentz	Luke Brandemuehl
Paulette Roux		

Pledge of Allegiance:

Supervisor Taylor opened the meeting at 5:00 PM and led the assembly in the Pledge of Allegiance.

Guests:

Michael Docteur, Jefferson County Legislator, mentioned that some of the meeting attendees had just been at the ribbon cutting of the opening of the 1000 Islands Harbor Hotel at the former Frink America site, congratulated the Town Board and CLDC on the hotel. He stated that this will be a great asset to Clayton.

Also, Mr. Docteur shared the July 2014 issue of Ag News & Classifieds published by Cornell Cooperative Extension of Jefferson County. In this particular issue, is an article "Passing On A Legacy – The Story of Zenda Farm", featuring Bob Kittle, a native of Clayton and former farm manager of Zenda.

Town Clerk:

Correspondence:

- ✓ Time Warner Cable – July 2, 2014 Programming Notice. **(See attachment book.)**
- ✓ Justice James and Ramseier monthly Justice Report for June 2014. **(See attachment book.)**
- ✓ Received: Town of Clayton Fire District – Financial Statement for Year ending December 31, 2013. **(See attachment book.)**

Minutes:

Motion by Bob Cantwell III, seconded by Mary Zovistoski, to approve the minutes of June 25th, 2014 as written. Motion carried.

RESOLUTION # 45 OF 2014:

RESOLUTION # 45 OF 2014 was introduced by Christopher Matthews, seconded by Robert Cantwell III, a resolution for the Standard Work Day and Reporting Resolution for Elected and Appointed Officials. Taylor-aye; Peterson-aye; Cantwell III-aye; Matthews-aye; Zovistoski-aye. **PASSED.**

Supervisor’s Report:

Motion by Chris Matthews, seconded by Lance Peterson, to approve the June 2014 Supervisor’s Report and Bank Reconciliations. Motion carried.

Bills & Transfers/Budget Amendments:

Motion by Chris Matthews, seconded by Mary Zovistoski, to approve payment of Abstract #7 of 2014 in the amount of \$394,149.82. Motion carried.

Transient Docks Update:

Dock A: Progressing, final plans should be to us by the end of July, with the Bid Spec out by August 15th and awarded by September 15th.

Dock B & C: Conference call today with all the players. We're working thru everything somewhat slowly.

BSB Change Order #1:

Supervisor Taylor discussed receiving Change Order #1 for the Town of Clayton Transient Docking Facility Boater Services Building, which will reflect a new project completion date, work outside the contract, and field directives. The completion date would be extended to August 2014, due to winter weather and the Town forces were detained while installing the sub base for the building foundation that was completed May 13th.

Jordstat Construction, Inc. was asked to assist the Town in the placement of electrical and communications conduit lines and transformer pad to avoid interferences with the Hotel construction operations.

There were also numerous changes to building components and layout, all of which are reflected in the summary of extra work items and itemized as extra work "tickets."

Motion by Chris Matthews, seconded by Bob Cantwell III, to approve change Order #1 for the Boater Safety Building in the amount of \$15,368.62. Motion carried.

Public Meeting for Clayton Community:

Motion by Bob Cantwell III, seconded by Chris Matthews, to set a public meeting date for Wednesday, July 30th at 6:00 PM, upstairs in the Opera House to hear Clayton residents, full time and seasonal and visitors regarding what they would like to see more or less of in their local government. The Governor is pushing for Consolidation of governments: is this something the local public wants or is there something else they would like to see done. Motion carried.

Depauville Sewer Billing:

Town Board needs to have a sit down with the Depauville Sewer Board to let them know that the Town will be changing from a quarterly billing system to a yearly amount per levy line on the Town and County Taxes starting January 2015.

Phone & Internet Service Update:

Motion by Mary Zovistoski, seconded by Chris Matthews, to authorize the Supervisor to start the transition of the phone and internet service from the current process to Westelcom process. Motion carried.

Carrier Lane/Carrier Ridge Road Update:

Jim Lawrence, Jefferson County Highway Superintendent and Town of Clayton Highway Superintendent Bob Boulton, along with Don McKean and Donna Cantwell walked the two roadways. Mr. Lawrence, after the "walk-through" agreed that with minimal cost, these two roads, approximately 1900 feet in length with an appropriate designed turn-around, definitely have the characteristics and base stone material to become a Town Road. The County did believe that easements for the turn-around should be obtained. Mr. Lawrence did send Mr. Boulton an e-mail confirming his remarks. (see attachment).

Town Highway Superintendent Boulton said with the support of the Clayton Town Board and with Jefferson County Highway Superintendent Jim Lawrence's opinion, he recommends that this be taken over.

Supervisor Taylor stated that there would be other developments in the near future and more requests to come before the Board. Good things are happening in Clayton, but this could be setting a precedent.

Hwy. Superintendent Boulton indicated that the Board needs to look favorably on these requests as the growth is an increase on our tax base.

Superintendent Boulton, in speaking to the residents of Carrier Ridge, indicated that his road budget is set by the Town Board in September for the coming year. He is currently working on last fall's proposed budget for this year. The Highway will dress these two roads up a little by putting down calcium chloride; however this year's budget is stretched fairly thin. The Highway will make sure that these roads are safe to travel for residents and the school buses. At this time and for the foreseeable future, we will not be able to put any blacktop down. Not sure when or if it will ever get done.

Donna Cantwell stated that this is not an issue of getting the roads paved and has never been the issue. This is to make it safer for travel and allow the school buses to come and get the children, so that they're not walking or standing in the weather down at Route 12.

Councilman Peterson stated that he would possibly second Councilman Matthews' motion, but doesn't want to have this board badgered about blacktop three (3) years from now. The understanding is that these roads in all likelihood, and depending upon future building in that location, will not have blacktop.

Motion by Chris Matthews, seconded by Lance Peterson, to approve these roads to be taken over by the Town, as long as the residents understand that these roads will not be blacktopped in the foreseeable future, if ever. (Cantwell III - abstained). Motion carried.

Town Hall Parking:

Motion by Lance Peterson, seconded by Chris Matthews, to expend \$50 per month/per parking spot to Northern Physical Therapy, for rental of ten (10) private parking spaces for Town Officials working at the Town Hall. This was necessary due to the increase in tourism and lack of adequate parking, leaving public parking for the public closer to their destination(s). This amounts to \$6000 per year and we would do the snow removal in this end of the parking lot. Motion carried.

Drainage Issue Heritage Heights:

Discussion of a drainage issue at Heritage Heights, Tax Map #20.18-1-4, Ballantyne residence. Hwy. Superintendent Bob Boulton stated that he and Rob Campany, Town Engineer, visited that site about 3 years ago. This is an ongoing problem. There is water coming down the hill behind her house. The ditching along the road is doing what it needs to do.

Audie Cerow of Cerow Insurance Agency interjected that the Insurance Company has sent an adjuster to the house/ they have torn apart a wall looking for the problem. Highway Superintendent and Town Engineer will visit the site again and evaluate if we have any responsibility for the water/damage to the residence.

Highway Superintendent:

- 🚧 Minor adjustment needed on 2015 Chevrolet pickup for Hwy. Dept., the original came thru as \$31,910, but addition was put on to change the color to Solid Woodland Green with an addition cost of \$276.00, bring the total to \$32,186, which is still the lowest bid. **Motion** by Bob Cantwell III, seconded by Mary Zovistoski, to amend the award to include the Solid Woodland Green color at a cost of \$32,186. Motion carried.
- 🚧 Jefferson County Fall Rabies Clinic will be on Thursday, August 14 from 6-8 PM at the Clayton Town Barn. A fall listing of this site and others are posted on the Town Clerk's front counter window.
- 🚧 Hauling sand to fill the salt barn.

Council Committee Reports:

Lance Peterson:

Have had conversations with Keith Wood, Foreman at Recreation Park about changing fees at the Transfer Site. Bags will probably go up \$.50 per bag. Discussion of discontinuing the use of "Town of Clayton" bags, all in agreement as any bag is accepted at the Transfer Site. There will be no more commercial dropping off of brush. A formal motion will be at the next meeting.

Bob Cantwell III:

There is nothing new on the radiant heat at Recreation Park. We need to get the specs to bid for the radiant heat.

Chris Matthews:

We've heard nothing about labor negotiations. Would like to see them by the end of July rather than later end of September. Docks – We're much better than what we've been for the last few weeks.

Public: submitted Requests to Address the Board:

SASS – Ken Knapp stated that the web site for SASS has been hooked up with the Town's. The committee is looking for feedback. Anyone can go on the site @ www.scenic1000islands.com.

Bob Marr thanked the Board for their support with the Hawn Library and for sending a Town Board Representative to their meetings.

Zoning Amendment #37 Public Hearing:

Motion by Chris Matthews, seconded by Bob Cantwell III, to open the public hearing at 6:00 PM for Zoning Amendment #37 to the Zoning Ordinance. Motion carried.

Several people against the change, #4 in particular: Bill Moth – The problem is that Mr. DeLuke is in two districts, causing the most restrictive district to override the other. Possibly you could reclassify that parcel into one district that would allow what is being proposed. He is a good neighbor and we don't want to step on his proposal, however we don't want any encroachment into theirs. Can you limit to that parcel only as it is on the main road? Andy Anderson – Stating that the residents don't want any further intrusion in an already busy area, John Meyers – He is another business that exists on that corner; He had purchased the parcel originally and it was then zoned Ag then within a year of the purchase the zoning had changed. There already is a lot of traffic going to Northern Marine. When Mr. Meyers sold to DeLuke there was a deed covenant that you can't sell alcohol or have a bar in that location, Mr. DeLuke knew this before he bought the land. Bob Marr stated that he was also opposed and supported what had already been said. A letter received from Linda & Thomas McCausland had

concerns: The Town had gone through a rezoning a couple of years ago and any change now is inappropriate as changes often have unintended adverse effects within 5 years. Zoning or special use permits DO NOT belong in the Marine Residential districts. Some places are grandfathered, but in case should they now be allowed. They have a vacant lot near them, owned by someone else; the parcel is zoned Marine Residential. Any thought of farming or other commercial developments would be vigorously opposed by the residents of the district. They also do not want the traffic that would be generated by a commercial entity in that location.

Those speaking in support of the changes included: Donna Cantwell- stated that vineyards are esthetically nice. Is it possible to allow the vineyard as agricultural and not the winery. Paulette Roux – who is a resident of Hilltop Lane believes that the winery is a good idea. Certainly the vineyards are esthetically pleasing and NYS Route 12 is a business passage with a designation that of the Thousand Islands Seaway Wine Trail. We’re looking to expand tourism in our area and this will help our economy for the area much like the Finger Lakes Winery Area. Audie Cerow – native of Clayton. Mr. Cerow feels that this business would be primary to the prosperity of Clayton. The former industries of Clayton are nearly gone and wineries are a great idea to promote our area’s branch of tourism. That is not to say that probably some controls could be imposed on this potential business. He doesn’t believe that this project should be stifled.

Ken Knapp, a promoter of Ag, could see both sides of the issue. The land in that area is primarily agricultural land. The difference is growing the grapes are allowed in the Ag/Rural districts and agriculture should be promoted. He has qualms with changing the zoning there. If you extend for one applicant what about the next applicant in this or any other district where something is not allowed? Town Law can’t supersede the NYS Ag Law.

Supervisor Taylor stated that Mr. DeLuke was looking to expand his grape vineyards and in turn would sell some of the grapes in his already established business. He was looking to expand his business that front on NYS Rt. 12 into a commercial winery.

Supervisor Taylor stated that no action would be taken tonight as this request also has to be reviewed by the Jefferson County Planning Board. We would need to receive their feedback before a final vote was taken.

Executive Session:

Motion by Bob Cantwell III, seconded by Lance Peterson, to go into Executive Session @6:36 PM to discuss a certain personnel issue. Motion carried.

Motion by Lance Peterson, seconded by Bob Cantwell III, to come out of Executive Session and adjourn the regular meeting at 7:18 PM. Motion carried.

Kathleen E. LaClair, Town Clerk