

January 13, 2016

ANNUAL MEETING

The Annual Meeting of the Town Board of the Town of Clayton was held at the Town Offices with the following present:

David M. Storandt Jr.
Mary Zovistoski
Kathleen E. LaClair

Robert Cantwell III
Donna J. Patchen

Christopher D. Matthews
William Sherman

Alicia Dewey

Ken Knapp

Mike Patchen

Supervisor Storandt opened the meeting at 5:00 p.m. with the Pledge of Allegiance.

Supervisor:

Administrative Appointments:

Association of Towns Delegate: Mary Zovistoski

Deputy Supervisor: Christopher D. Matthews

External Auditor: Bowers & Co. (2015 AUD) & Crowley & Halloran – 2016 Single Audit.

Clerk to Supervisor: Alicia Dewey

Part-Time Clerk: To be determined.

Historian: To be determined

Motion by Chris Matthews, seconded by Bob Cantwell III, to approve the above Administrative appointments. Motion carried.

Board Appointments:

Heritage Heights Sewer Board: Tom Turgeon, Joseph Kehoe, Theresa Christensen and Dennis Baldwin.

Depauville Sewer Advisory Board: Jasper Wilkie, Keitha Haas, Lynn Schnauber, Larry Girard, Bob Haver.

Consolidated Health Board: David Storandt Jr., Mayor Norma Zimmer, Dr. Grybowski, Teresa Getter.

Consolidated Health Officer: Dr. Stephen Grybowski.

Motion by Mary Zovistoski, seconded by Donna Patchen, to approve the above Board Appointments. Motion carried.

Other Appointments:

Registrar: Kathleen E. LaClair, Town Clerk

Deputy Registrar: Janet Sullins, Deputy Town Clerk

Records Management Officer: Kathleen E. LaClair

Budget Officer: David Storandt, Jr., Supervisor

Zoning Enforcement Officer: Richard Ingerson

Assistant Zoning Officer: Kimberli Johnston
Building Codes Officer: Richard Ingerson
Assessor: Timothy Ritter
Assessment Clerk: Kimberli Johnston
Town Constable/Court Bailiff: Lynn Schnauber
Depauville Sewer Operator: Bill Sherman

Town Board Committees:

Bob Cantwell III: Highway; Sewer Districts; Paynter Center
Chris Matthews: Purchasing; Personnel; Rec. Park/Transfer Site
Mary Zovistoski: Chamber; Libraries; Transient Docks Operations
Donna Patchen: Youth Commission; Cemeteries; Joint Boards
David Storandt: TIERS Budget & Finance; ABM; CLDC; Frink Redevelopment
Grant Closeout; Transient Docks Grant Closeout.

Motion by Mary Zovistoski, seconded by Chris Matthews, to accept the Appointments and Town Board Committee assignments as presented. Motion carried.

Town Clerk: Town Clerk Kathy LaClair appointed Janet Sullins as full time Deputy Clerk.
Motion by Bob Cantwell, seconded by Chris Matthews, to approve the Deputy Clerk appointment. Motion carried.

Highway Superintendent:

Bill Sherman, Highway Superintendent appointed Steve Dorr as Deputy Highway Superintendent. **Motion** by Bob Cantwell III, seconded by Chris Matthews, to approve the appointment of Highway Superintendent. Motion carried.

Town Facility Rates:

Transfer site – Rates will remain the same.

Cerow Recreation Park –

Event Rates: Show rates to remain the same as 2015

Weddings are a flat fee of \$550

Ice rates for 2016-2017:

\$75/hr contract

\$94/hr Old Timers

\$100/hr Community non-contract

\$120/hr Outside non-contract

\$2/day Public Skate admission

Pool:

\$2/day Daily admission

Season membership: \$50-family; \$30-adult; \$25-student

Motion by Mary Zovistoski, seconded by Bob Cantwell III, to approve the Facility Rates. Motion carried.

ANNUAL RESOLUTIONS:

RESOLUTION NO. 2 OF 2016 offered by Mary Zovistoski, 2nd by Bob Cantwell III, to adopt the Official Undertaking of Municipal Officers Resolution. Storandt-aye; Cantwell – aye; Matthews-aye; Zovistoski-aye; Patchen-aye. (**SEE RESOLUTION BOOK.**)

RESOLUTION NO. 3 OF 2016 offered by Mary Zovistoski, 2nd by Bob Cantwell III, a resolution to adopt “Roberts Rules of Order” as Town Meeting rules. Storandt – aye, Cantwell - aye, Matthews – aye, Zovistoski – aye, and Patchen – aye. (**SEE RESOLUTION BOOK.**)

RESOLUTION NO. 4 OF 2016 offered by Mary Zovistoski, 2nd by Bob Cantwell III, a resolution to reaffirm “Rules for Public Participation at Town of Clayton Board Meetings”, adopted on October 31, 2008 and revised June 9, 2010. Storandt – aye, Cantwell – aye, Matthews – aye, Zovistoski – aye, and Patchen– aye. (**SEE RESOLUTION BOOK.**)

RESOLUTION NO. 5 OF 2016 offered by Mary Zovistoski, 2nd by Bob Cantwell III, a resolution to reaffirm “Resolution Regarding Rules for Public Hearings Conducted by the Town Board Town of Clayton”. Adopted December 9, 2009 and revised April 14, 2010. Storandt – aye, Cantwell – aye, Matthews – aye, Zovistoski – aye, and Patchen – aye. (**SEE RESOLUTION BOOK.**)

RESOLUTION NO. 6 OF 2016 offered by Mary Zovistoski, 2nd by Bob Cantwell III, to establish 2 regular meetings per month of the Town Board of the Town of Clayton, 2nd & 4th Wednesdays of the month at 5:00 p.m. at the Town Hall and an end of the year meeting on or before December 31, 2016. Storandt – aye, Cantwell – aye, Matthews– aye, Zovistoski – aye and Patchen-aye. (**SEE RESOLUTION BOOK.**)

RESOLUTION NO. 7 OF 2016 offered by Chris Matthews, 2nd by Donna Patchen, establishing that the second meeting in July will be held on Grindstone Island, the second meeting in August will be held in Depauville. Storandt-aye; Cantwell-aye, Matthews-aye; Zovistoski-aye and Patchen – aye. (**SEE RESOLUTION BOOK.**)

RESOLUTION NO. 8 OF 2016 offered by Chris Matthews, 2nd by Donna Patchen, to designate the Thousand Islands Sun as official Town of Clayton newspaper. Storandt – aye; Cantwell – aye; Matthews – aye; Zovistoski – aye; and Patchen– aye. (**SEE RESOLUTION Book.**)

RESOLUTION NO. 9 OF 2016 offered by Chris Matthews, 2nd by Donna Patchen, to acknowledge and set the salaries of the elected officials: supervisor \$40,000; Councilpersons \$3,040; Town Clerk/Tax Collector \$44,000; Highway Superintendent \$52,000; Town Justices \$12,250. Storandt-aye; Cantwell-aye; Matthews-aye; Zovistoski-aye; Patchen-aye. (**SEE RESOLUTION BOOK.**)

RESOLUTION NO. 10 OF 2016 offered by Chris Matthews, 2nd by Donna Patchen, a resolution to acknowledge that no formal action needs to be taken at the organizational meeting to further approve salaries for employees. In accordance with the established policies within the employee handbook, and as per the terms of any applicable bargaining

unit the salaries for 2016 have been provided for within the 2016 budget. The Town Board has approved 2016 salaries by its action to approve the final budget on November 18, 2015. Storandt-aye; Cantwell-aye; Matthews-aye; Zovistoski-aye; Patchen-aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 11 OF 2016 offered by Chris Matthew, 2nd by Donna Patchen, a resolution recognizing Town employees who belong to the NYS Retirement System, their retirement number and their number of days worked during a bi-weekly period. Storandt – aye, Cantwell-aye; Matthews – aye, Zovistoski– aye; Donna Patchen-aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 12 OF 2016 offered by Chris Matthews, 2nd by Donna Patchen, that any “new hire” or “rehire” must be reflected in the Town Board minutes, name and wage information inclusive. Storandt – aye; Cantwell-aye; Matthews– aye; Zovistoski – aye; and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 13 OF 2016 offered by Chris Matthews, 2nd by Donna Patchen, a resolution to pay certain contractor’s or service providers by voucher:

Jay Slate - \$12.00/hr. laborer

Grindstone Mowing: Town Board per annual bid

Richard Matthews - \$10.00/hr. mowing G.I. Schoolhouse

Storandt – aye; Cantwell-aye; Matthews – aye; Zovistoski – aye; and Patchen – aye.

(SEE RESOLUTION BOOK.)

RESOLUTION NO. 14 OF 2016 offered by Chris Matthews, 2nd by Donna Patchen, a resolution to set official Town Hall hours for regular business at 7am to 4pm.

a. Zoning Enforcement/Code Enforcement Office: 7:30am-4pm.

b. Assessment Office: 7:30am-4pm.

c. Town Clerk’s Office: 9am-4pm (closed 12pm-1pm for lunch)

d. Supervisor’s Office: 7:30am-4pm

Storandt-aye; Cantwell-aye; Matthews-aye; Zovistoski-aye; Patchen-aye. **(SEE**

RESOLUTION BOOK.)

RESOLUTION NO. 15 OF 2016 offered by Chris Matthews, 2nd by Donna Patchen, a resolution to approve payment of \$1,199 membership dues for the Association of Towns for the year 2016. Storandt-aye; Cantwell-aye; Matthews-aye; Zovistoski-aye; Patchen-aye.

(SEE RESOLUTION BOOK.)

RESOLUTION NO. 16 OF 2016 offered by Chris Matthews, 2nd by Donna Patchen, the mileage rate for 2016 will be \$.54 per mile as established by the IRS and Federal rate, for any Town Business, and to automatically default to the IRS rate and schedule at any time of change by them. Storandt – aye; Cantwell-aye; Matthews– aye; Zovistoski– aye; and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 17 OF 2016 offered by Chris Matthews, 2nd by Donna Patchen, a resolution to set boat mileage rate for employees performing daily work on Grindstone Island

or for island transportation for daily work on Grindstone will be compensated at a rate of \$60/per day. In reference to transportation of staff or others on an hourly basis, a “per hour” rate of \$30 per hour will be applied with a \$60 minimum. Both scenarios are in addition to receiving their full hourly salary rate. Storandt – aye, Cantwell-aye, Matthews – aye, Zovistoski – aye, and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 18 OF 2016 offered by Mary Zovistoski, 2nd by Chris Matthews, to adopt Key Bank, NA; Community Bank; Watertown Savings Municipal Bank; and Citizens Bank of Cape Vincent as Town Banks, Supervisor to invest monies in interest bearing accounts on a competitive basis. Storandt – aye; Cantwell-aye; Matthews – aye; Zovistoski – aye; and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 19 OF 2016 offered by Mary Zovistoski 2nd by Chris Matthews, a resolution that no bills incurred by the Town of Clayton are valid without a voucher and that all vouchers that are to be paid must be delivered to the Town no less than five (5) business days prior to the regular Board meeting, unless otherwise approved by the Town Supervisor. Storandt– aye; Cantwell-aye; Matthews – aye; Zovistoski – aye; and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 20 OF 2016 offered by Mary Zovistoski 2nd by Chris Matthews, for authorization for the Town of Clayton Supervisor to sign checks or in his absence the Deputy Supervisor. Storandt – aye; Cantwell-aye; Matthews– aye; Zovistoski – aye; and Patchen– aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 21 OF 2016 Offered by Mary Zovistoski, 2nd by Chris Matthews, a resolution to authorize the Town Superintendent of Highways to make highway purchases in an amount not to exceed \$10,000 without prior approval of the Town Board as per Highway law. Storandt-aye, Cantwell-aye; Matthews-aye; Zovistoski-aye; Patchen-aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 22 OF 2016 offered by Mary Zovistoski, 2nd by Chris Matthews, a resolution to authorize the Town Supervisor to execute contracts for insurance renewals for the year 2016. Storandt-aye; Cantwell-aye; Matthews-aye; Zovistoski-aye; Patchen-aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 23 OF 2016 offered by Mary Zovistoski, 2nd by Chris Matthews, for the Supervisor to sign an agreement between the Village of Clayton and the Town of Clayton, for a Library Service Agreement for the Hawn Memorial Library, the Town agreeing to pay Village of Clayton the sum of \$9,000.00 on or about February 15, 2016. Storandt – aye; Cantwell-aye; Matthews – aye; Zovistoski – aye; and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 24 OF 2016 offered by Mary Zovistoski, 2nd by Chris Matthews, to authorize the Town Supervisor to sign the “Chamber of Commerce Agreement” for \$9,400.00 which includes our annual dues. Storandt – aye; Cantwell– aye; Matthews – aye; Zovistoski – aye; and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 25 OF 2016 offered by Mary Zovistoski, 2nd by Chris Matthews, a resolution authorizing the Town Supervisor to sign the Bed Tax contract between the Town and the Clayton Chamber of Commerce, this will be capped at no more than \$12,000. Storandt – aye; Cantwell – aye; Matthews – aye; Zovistoski – aye and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 26 OF 2016 offered by Mary Zovistoski, 2nd by Chris Matthews, for Supervisor to sign the contract with the Paynter Center for \$7,500.00 for Senior Services. Storandt – aye; Cantwell – aye; Matthews – aye; Zovistoski – aye; and Patchen– aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 27 OF 2016 offered by Mary Zovistoski, 2nd by Chris Matthews, a resolution to authorize the Town Supervisor to sign a contract with Thousand Islands Emergency Rescue Services (T.I.E.R.S.) for \$105,000 for expenses related to Emergency Services within the Town of Clayton, \$17,000 ambulance payment and an additional \$8,966 to be used for a reserve account. Storandt – aye; Cantwell – aye; Matthews – aye; Zovistoski – aye; and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 28 OF 2016 offered by Mary Zovistoski, 2nd by Chris Matthews, a resolution to authorize the Town Supervisor to sign a contract with the Thousand Islands Museum for \$2,500 for expenses related to housing the Town Historian. Storandt – aye; Cantwell– aye; Matthews– aye; Zovistoski – aye; and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 29 OF 2016 offered by Donna Patchen, 2nd by Bob Cantwell III, to authorize the Town Supervisor to sign a contract with the Clayton Local Development Corporation (CLDC) for \$10,000, at the discretion of the Town Board, for expenses related to economic development within the Town of Clayton. Storandt – aye; Cantwell– aye; Matthews – aye; Zovistoski – aye; and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 30 OF 2016 offered by Donna Patchen, 2nd by Bob Cantwell III, to appoint Robert J. Campany as Town engineer per attached agreement. Storandt– aye; Cantwell – aye; Matthews – aye; Zovistoski – aye; and Patchen– aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 31 OF 2016 offered by Donna Patchen, 2nd by Bob Cantwell III, to appoint Joseph Russell from Menter, Rudin and Trivelpiece Law Firm, as Town of Clayton attorney in the amount of \$195.00 per hour. Storandt – aye; Cantwell– aye; Matthews – aye; Zovistoski – aye; and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 32 OF 2016 offered by Donna Patchen, 2nd by Bob Cantwell III, a resolution to adopt the Comprehensive Financial Policy, embodying all Town financial policies into one document. Storandt – aye; Cantwell– aye; Matthews – aye; Zovistoski – aye; and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 33 OF 2016 offered by Donna Patchen, 2nd by Bob Cantwell III, a resolution adoption of other Town policies: Drug & Alcohol policy; Town Building Emergency Action Plans; Municipal Cell Phone Use Policy; Smoking Policy; Code of Ethics; \$600 Flexible Benefits Plan policy; Cell Phone Reimbursement policy; Laptop Policy and Workplace Violence Policy Statement and Program, as well as the Employee Handbook v.2015. Storandt – aye; Cantwell – aye; Matthews – aye; Zovistoski – aye; and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 34 OF 2016 offered by Donna Patchen, 2nd by Bob Cantwell III, a resolution for a Zoning & Planning Fee schedule for the Town, adopted January 5, 2005, last revised by motion on October 8, 2013. Storandt – aye; Cantwell – aye; Matthews – aye; Zovistoski – aye; and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 35 OF 2016 offered by Donna Patchen, 2nd by Bob Cantwell III, for a Code Enforcement Fee Schedule adopted March 26, 2008, revised by motion on October 8, 2008. Storandt – aye; Cantwell – aye; Matthews – aye; Zovistoski – aye; and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 36 OF 2016 offered by Donna Patchen, 2nd by Bob Cantwell III, a resolution to adopt the Town Clerk’s Fee Schedule, adopted December 30, 2015. Storandt-aye; Cantwell-aye; Matthews-aye; Zovistoski-aye; Patchen-aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 37 OF 2016 offered by Donna Patchen, 2nd by Bob Cantwell III, to comply with the requirements of the NYS Environmental Quality Review Act and the regulations promulgated there under (SEQR). Storandt– aye; Cantwell– aye; Matthews – aye, Zovistoski – aye; and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 38 OF 2016 offered by Donna Patchen, 2nd by Bob Cantwell III, a resolution that any employee of the Town wishing to travel to schools, seminars, or other Town related business and who expect reimbursement for their expenses shall obtain permission from the Town Board. Storandt – aye, Cantwell– aye, Matthews – aye, Zovistoski – aye, and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 39 OF 2016 offered by Donna Patchen, 2nd by Bob Cantwell III, a resolution reaffirming the Town Board’s support for Resolution #23 of 2003 related to simplifying and enhancing the zoning and planning processes within the Town and Village of Clayton. Storandt – aye; Cantwell – aye; Matthews – aye; Zovistoski – aye; and Patchen – aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 40 OF 2016 offered by Donna Patchen, 2nd by Bob Cantwell III, a resolution establishing petty cash funds in accordance with Town Law Section 64, Subdivision 1 (a) as attached. Storandt-aye; Cantwell-aye; Matthews-aye; Zovistoski-aye; Patchen-aye. **(SEE RESOLUTION BOOK.)**

RESOLUTION NO. 41 OF 2015 offered by Donna Patchen, 2nd by Bob Cantwell III, a resolution for approval of a \$20.00 fee for dishonored checks, as authorized by Section 85 of the General Municipal Law (Section 5-328 of the General Obligations Law sets the maximum fee at \$20.00). Storandt-aye; Cantwell- aye; Matthews-aye; Zovistoski – aye; and Patchen– aye. (SEE RESOLUTION BOOK.)

RESOLUTION NO. 42 OF 2016 offered by Donna Patchen, 2nd by Bob Cantwell III, a resolution for the Town of Clayton Tax Collector to keep up to \$5.00 over payment of town taxes submitted and to pool said money and use to compensate for underpayment amounts tendered. Storandt– aye; Cantwell – aye; Matthews – aye; Zovistoski – aye; and Patchen – aye. (SEE RESOLUTION BOOK.)

Status of Pending Litigation(s):

There is no pending General Litigation.

1. Cooper, Hurley & Hurley, Zoller and Zoller vs. Town of Clayton, Town Board of the Town of Clayton, Doreen Marks Trust and Saint Lawrence Spirits.

Status of Tax Assessment Litigation:

1. WGS Clayton Housing Associates: A settlement demand and demand for verified bill of particulars was sent to counsel for the taxpayer in September and no response to the same has been received. This matter is still in the discovery phase, with the next deadline for the Town being to report to the court concerning any settlement offers by January 29, 2016. The amount of the current settlement offer is \$4,700,000.
2. Heineman: This tax cert challenge spans the tax years of 2013, 2014 and 2015, all of which have been consolidated and the 2015 proceeding put on an expedited discovery schedule to permit the matter to be tried and decided hopefully before the time to commence the 2016 proceeding is upon us. We received a preliminary appraisal from Todd Thurston indicating that the improved property has a value of \$1,000,000 and the vacant land has a value of \$3,400,000 to \$4,250,000, the value of the vacant land being well in excess of the assessed value. Based upon this appraisal, the assessor has indicated that the Town was not interested in further settlement negotiations.

Motion to close the Annual Organizational Meeting made by Bob Cantwell III, 2nd by Chris Matthews at 5:37 PM. Motion carried.

Kathleen E. LaClair, Town Clerk