

January 14, 2015

The Town Board of the Town of Clayton held their regular meeting at 5 PM in the Town Board Room, 405 Riverside Drive with the following persons present:

Justin A. Taylor	Lance Peterson	Robert W. Cantwell III
Christopher D. Matthews	Mary Zovistoski	Kathleen E. LaClair
Bill Sherman	Terra Bach	
Ken Knapp	Pam McDowell	Michael J. Docteur
Bud Baril	George Bowes	Miriam Bowes
Jody Garrett	Phil DeLuke	Charles J. Paul Jr.
Mary Paul	Phil Randazzo	Toni Gibson

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

Guests: Jefferson County Legislator Michael J. Docteur is not able to stay long this evening as the County Legislators are having an organizational meeting at 7PM this evening. Mr. Docteur is working on a project with the Clayton Legion and hopes that will be nearly in place by the Legions February meeting. They're asking for a "Purple Heart Designated Community". Supervisor Taylor questioned some Charge back issues and Legislator Docteur stated he knew there were some questions of concerns from other municipalities as well. He will look into these further and get back to the Supervisor.

Assessor: Denise Trudell, Assessor discussed her leaving on effective January 19th. She indicated that she started in 2006 and this has been a wonderful job. This was not an easy decision. She has appreciated having a nice Board that understands what an Assessor does and it has been nice having the support. This township also has the best Board of Assessment Review and Town Board and she is going to miss being here. She stated she has taken a position with the Town of Salina, which is closer to her home.

Town Clerk:

Correspondence:

- ✓ Received a Pre-Employment Doctors list from Jefferson County Self-Insured.
- ✓ Dept. of Public Service is requesting assistance in informing consumers of an energy modernization initiative which will fundamentally transform the way electricity is distributed and used in NYS.
- ✓ Received Justice Will Ramseier's December 2014 Comptroller Report.
- ✓ Depauville Sewer District meeting minutes of 1/8/15 received.
- ✓ Jefferson County Soil & Water annual tree/shrub seedling sale has started.
- ✓ Time Warner Cable notice of developments affecting subscribers in the Western NY Division received.
- ✓ Received Justice Clif James December 2014 Comptroller Report.
- ✓ Opera House – NYS Dept. of Labor Fire Code office – Notice of Violations & Order to Comply received.
- ✓ 2015 Jefferson County Planning Board Newsletter received.

Minutes:

Motion by Chris Matthews, seconded by Bob Cantwell III, to approve the Year End minutes of 12/30/14 as presented. Motion carried.

Motion by Chris Matthews, seconded by Bob Cantwell III, to approve the Annual meeting minutes of 1/5/15 as presented. Motion carried.

Public Comment on Agenda Items: None

Supervisor:

Supervisors Report for Dec. 2014 & Bank Reconciliations:

Motion by Lance Peterson, seconded by Mary Zovistoski, to approve the Supervisor's Report for December 2014 and Bank Reconciliations as presented. Motion carried.

Bills & Transfers:

Motion by Chris Matthews, seconded by Mary Zovistoski, to pay Abstract #1 of 2015 in the amount of \$1,006,763.45. Motion carried.

Employee Training:

Motion by Lance Peterson, seconded by Chris Matthews, to approve Kathy LaClair, Terra Bach, Larry Aubertine & Anne Aubertine, to attend the Association of Towns in NYC on February 15th – 18th, 2015. Motion carried.

Supervisor Taylor indicated that at the Annual meeting he had been listed as the Delegate at the Association of Town, but has since decided not to attend the conference.

Zoning & Planning Board Secretary:

Motion by Bob Cantwell III, seconded by Mary Zovistoski, to appoint Amada Shane to be the Zoning Board & Planning Board secretary at \$10 per hour. She will be paid by voucher. Motion carried.

Frink Update:

Quiet now at the site. The crew should be back January 23rd to 28th to place rip rap; then gone until the ice goes out.

Regional Economic Development:

Dave Mosier – had attended last week's Alexandria Bay board meeting. Town of Alexandria Bay approved the four town agreement and has authorized Dale to sign. Mr. Mosier has now received the signed, sealed paperwork. Tomorrow night, this will come before Town of Cape Vincent and Town of Orleans. We are looking at \$6500 for Phase I. Expenses afterwards, we're hoping for grants, which we will apply for in May written by Dave Zembiec from the IDA.

Supervisor Taylor stated that this is a wise investment, however it is a risk, but the potential payback could be very significant.

Motion by Lance Peterson, seconded by Mary Zovistoski to authorize the Supervisor to sign the agreement. Motion carried.

Tax Cap Rescission & Intro of LL#1 of 2012:

Motion by Lance Peterson, seconded by Mary Zovistoski, to set a Special Meeting & Public Hearing date for January 21st at 8:00 AM, to rescind Local Law #1 of the year 2014 a Local Law to Override the Tax Levy Limit Established by Section 3-C of the New York General Municipal Law. Motion carried.

IT Vendor:

Supervisor met with Steel Potter who has an on-call IT service. His place of business is in the same building as Westelcom. Motion by Bob Cantwell, seconded by Mary Zovistoski, to hire NNY Computing, Steel Potter. Motion carried.

Chamber of Commerce Request:

Clayton Chamber of Commerce is requesting to utilize the Joint Town/Village Highway Barn for the Spring Boat Show. Motion by Chris Matthews, seconded by Mary Zovistoski, to approve this request. Motion carried.

Town Manager:

Supervisor distributed Proposed Local Law #2 of 2015 to establish the Position of Town Manager for the Town of Clayton. Board members are asked to review this and next meeting will set a public hearing date and time.

Discussion that the full Board will look at the applications and make the decision. The review process will be over the next several months.

Route 12 Sewer :

The 1st principal payment of \$5000 is due. We will transfer money from the Community Development 9501 to Rt. 12 Sewer Fund to make this payment. Motion by Lance Peterson, seconded by Mary Zovistoski to make this transfer. Motion carried.

**Public Hearing @6:00 PM – Amendment #37 to Zoning Ordinance (SEQR Action on Amendment #37):
Motion** by Mary Zovistoski, seconded by Bob Cantwell III, to open the public hearing at 6:02 PM.

ZEO Richard Ingerson reviewed what was proposed for Amendment 37 of the Zoning Ordinance. He also reviewed what reviews are necessary by an applicant in the Route 12E/Route 12 corridor. We have received several letters concerning this proposed change from Mary & Ted Mascott; Doug & Mary Lou Jeffery; Jane Heaslip, Harold Anderson. The Board has received copies of all the correspondence and dispensed with reading each out loud at the meeting.

Public Comments:**Against Proposal:**

Toni Gibson – read her letter and asked that it be added to the file (she failed to leave a copy). She cited the loss of the small town atmosphere. Ms. Gibson noted that Dan Frank had a 300' setback and questioned why. (Response was that he had requested the 300' as he was going to build at some timeframe within that 300').

Phil Randazzo – Changing MR to MD on Route 12E could be risky. This is a pristine area. Bands start playing outside could amplify to Whiskey Island, which he owns. Putting business up on Route 12 might mean businesses moving out of the downtown hub, which would create a problem for downtown and tourism could be compromised.

For Proposal:

George Bowes thinks the Board is doing a fine job. He built his business in 1987 in the current location and opened on June 8th, 1989. In July of that year the zoning law changed for that area. He is now trying to sell to someone that wants to have a gift shop, and it can't be done. The current zoning is holding people back from using or selling their property.

Phil DeLuke believes the Board is doing a good job also. Nothing is being done quickly as there have been 3 public hearings on this proposal starting back late spring/early summer.

Jody Garrett stated that his business would monitor and close the outside venue by 11 PM. at which time customers would just move inside. He purchased this property to add it back to the community. The proposed Distillery would use the grains that were grown at his Lucky Star Ranch which is also in the Town of Clayton..

Supervisor Taylor stated that a Local Noise Law would be coming to go along with the outside venues.

ZEO Ingerson stated that the Village of Clayton has a Local Noise Law and we're looking to expand it to the Town and any outside venue would need to be done by 11 or time set in the law.

Supervisor Taylor stated that we have heard from the attending public this evening and also at the previous public hearings. He proceeded with the SEQRA-Part I EAF and reviewed. **Motion** by Lance Peterson, seconded by Chris Matthews, to accept Part I of the SEQRA-EAF. Motion carried.

Supervisor Taylor stated that Part II of the SEQRA-EAF was changing words but basically the same as part I. The answers were all "no". **Motion** by Bob Cantwell III, seconded by Mary Zovistoski, to approve this as a "Negative Declaration. Motion carried.

Motion by Bob Cantwell III, seconded by Chris Matthews, to adjourn this public hearing at 7PM and send this application to the County Planning Board for their review. Motion carried.

Clayton & Cape Vincent CAP Agreement:

An advertisement has been placed for the Assessor position. We're now receiving applications.

2014 HRA Reimbursement deadline:

The Board agreed that those with HRA accounts need to have all bills in by March 31st.

River Jazz Fest Request:

A request has come in for \$15,000 to help fund the River Jazz. Discussion followed. Consensus that the Board will have to carefully consider all such requests. Also stated it would be advantageous to wait and review an Occupancy Tax history of received money which might help provide an evaluation of Occupancy tax funds that might be available in the future.

Depauville Sewer Operator Rate:

Motion by Chris Matthews, seconded by Lance Peterson, to pay Bill Sherman at a rate of \$4,500 for being the Depauville Sewer Operator effective 1/1/2015. Cantwell – absent. Motion carried

Financial Disclosures:

Forms have been distributed to the Town Board and will be distributed to the work force with their paychecks.

Highway Superintendent's Report:

-  We're plowing a lot of snow.
-  Have moved the Depauville Sewer Office on the upper floor to the lower floor at the Library.

Council Reports:

Lance Peterson: Have talked with Keith Wood concerning the radiant heat at the arena, he is waiting to do a cost analysis.
Rent rates: Keith will check the rates and get back with Councilman Peterson.
Code Rates: Councilman Peterson would like to check these rates against other municipalities.

Councilman Cantwell: Excused to attend the Fire District meeting.

Councilman Matthews: Would like to have an updated budget on the Dock Project from Rob Campany and separate by engineer also.

Councilwoman Zovistoski: Chamber Visitors Guide is available on line.
Fishing Derby will be February 21st:
Ice Fishing Shanty contest
Broomball games
Depauville Library continuing their programs:
Free Soup in January 17,24 & 31 starting at 11 AM
Make your own Valentines on February 3rd from 6-8 PM

Public: submitted Request to Address the Board:

Adjournment:

Motion by Lance Peterson, seconded by Chris Matthews to adjourn this regular meeting at 7:45 PM.
Cantwell – absent. Motion carried.

Kathleen E. LaClair, Town Clerk