

September 9, 2015

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

Justin A. Taylor	Lance Peterson	Robert W. Cantwell III
Christopher D. Matthews	Mary Zovistoski	Kathleen E. LaClair
Bill Sherman	Alicia Dewey	
Ron Cooper	Jane Carver	Ken Knapp
Kevin Patchen	Steve Dorr	Jody Garrett
Doreen Garrett	Mary Mascott	Ted Mascott
Brody Smith	Pam McDowell	Cindy Grant
Michael Docteur, Jefferson Co. Legis.	Chet Masson	David Storandt

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

Guests:

Michael Docteur, Jefferson County Legislator, spoke recently with Congresswoman Elise Stefanik, about “river topics”, “Save the River Issues” and issues of border traffic. Congresswoman Stefanik will work with her Canadian counterparts in Ottawa on these subjects.

Mary Mascott, member of the Route 12E Property Owners Coalition to Protect and Preserve Residential Zoning, stated that this group is hoping that this can be settled fairly for all involved. They believe this can be settled without doing a zoning change, which would devalue the surrounding property values. Her stance is to let the Comprehensive Plan take care of this. The coalition wants this settled so that every property owner can use their property. She believes that the Town of Clayton could pass a Zoning change, but Jefferson County Supreme Court won’t let it stand. She suggested that the Garretts could go for a “Use Variance” as they have unusual circumstances, which would likely pass the request and that they should go after this as it is “doable” and we all can help this happen.

Ron Cooper, member of the Coalition, agreed with Mrs. Mascott. They have been waiting so that all would get together to help this to happen and that all could enjoy their properties.

Supervisor Taylor indicated that the Town Board had looked at all the options and discussed them. He indicated that all the comments from everyone haven’t gone on deaf ears.

Town Clerk:

Correspondence:

- ❖ Time Warner Cable Updates.
- ❖ Depauville Sewer District minutes of 9/3/2015.
- ❖ NYS Dept. of Public Commission-series of regional informational sessions and public statement hearings regarding two proceedings currently before the Commission. 1st: Examination of low income programs offered by the major electric & gas utilities in NYS. 2nd: Joint Petition by

Time Warner Cable & Charter Communications seeking approval to merge into a new entity called New Charter.

Minutes: Motion by Lance Peterson, seconded by Bob Cantwell III, to approve the minutes of August 26, 2015, as presented. Motion carried.

Public Comment of Agenda Items: None.

Supervisor:

Bills & Transfers: Motion by Bob Cantwell III, seconded by Mary Zovistoski, to authorize payment of Abstract #9 of 2015 in the amount of \$375,685.68. Motion carried.

Budget Amendments: Motion by Chris Matthews, seconded by Lance Peterson, to authorize the attached Budget Amendments for 9/9/2015. Motion carried.

Supervisor's Report for August 2015 & Bank Reconciliations: Motion by Mary Zovistoski, seconded by Bob Cantwell III, to accept the Supervisor's Report for August 2015 & Bank Reconciliations as presented. Motion carried.

Transient Dock Update Usage, Rules & Rates:

Town Board discussion. Nothing yet finalized on rates. Councilman Matthews discussed that we should have been monitoring so we could establish a length of stay. Supervisor Taylor shared a conversation that he had with Al Ortiz, Federal Fish and Wildlife and discussed charging now for operating expenses; and "pick up and drop off from smaller vessels can happen as long as it doesn't interfere with normal transient docking." We should now have a sign in system that includes boat numbers, and length of stay shouldn't exceed 15 days at this time.

Route 12 Sewer Update: Supervisor reported that most easements have been completed. Attorney Russell and councilmen are working on acquiring the final easements required.

Depauville Library Project Update & Change Order: Motion by Mary Zovistoski, seconded by Bob Cantwell III, to approve Change Order #1, with Great Northern Construction LLC for the Depauville Free Library renovations: Relocation of lower level ramp and door – no cost; Extension of completion date – this will be based on the completion of the Town's installation of wall panels for the walkway. – Date shall be extended till October 5, 2015. 1. **Delete** occupancy sensors; Timer for exterior lights (purchased); Outlet in the children's room (purchased). 2. Installing 5X5 foundation pad for ramp (Labor & Materials: \$275). Motion carried.

MD2 Response from Planning Board:

Motion by Mary Zovistoski, seconded by Chris Matthews, to receive the recommendation from the Joint Town/Village of Clayton Planning Board to site the MD-2 District application from Garrett's. Motion carried.

Motion by Bob Cantwell III, seconded by Mary Zovistoski, to accept the completed, Part I – Full Environmental Assessment Form (EAF) application from the applicant Jody C. Garrett. Motion carried.

Motion by Mary Zovistoski, seconded by Bob Cantwell III, to refer the entire packet to the Jefferson County Planning Board for their review at the September, 2015 meeting. Motion carried.

RESOLUTION #47 of 2015:

RESOLUTION #47 of 2015 was introduced by Mary Zovistoski, seconded by Chris Matthews, a resolution to set a Special Meeting and Public Hearing for October 14, 2015 at 7 PM in the Opera House to hear all concerned with

permitting a Marine Development 2 (MD2) floating zone to tax map parcel #19.20-1-32.2, St. Lawrence Spirits Distillery, 38289 Route 12 E, Clayton, New York for the applicant to operate a farm-based distillery, tasting room and restaurant on the property. The Town Board authorizes the Town Clerk to advertise in both the Watertown Daily Times and Thousand Islands Sun within the 30-day window timeframe. Taylor-aye; Peterson-aye; Cantwell III-aye; Matthews-aye; Zovistoski-aye. **PASSED.**

No action will be taken by the Town Board until the County Planning Board has reviewed the application and provided their recommendation to the Town.

Disposition of Outdated Equipment: Motion by Lance Peterson, seconded by Mary Zovistoski, authorizing the disposition of antiquated and outdated computer equipment first to the local Libraries and then to Employees. Motion carried.

Potsdam Local Government Training: Supervisor Taylor informed the Town Board members they should think about attending some of these conferences. The Local Government Conference will be held on Tuesday, October 13th at SUNY Potsdam. Early Registration needs to be completed before September 30th; after that the fee is \$50; and \$60 the day of the event. There is a registration form that needs to accompany the registration fees. We have a couple of people that have already indicated they would like to attend. Please see the Town Clerk by 9/23 if interested in going.

Budget Dates: Motion by Lance Peterson, seconded by Mary Zovistoski, to set Budget Workshop dates for Tuesday, October 6 at 7:00 AM, Friday, October 9 at 7:00 AM and if needed Tuesday, October 13 at 7:00 AM. Motion carried.

Meeting Date Changes: Motion by Lance Peterson, seconded by Mary Zovistoski, to make changes for the holiday months of November and December as follows: Hold : November 4th and 18th at 5 PM; Cancelled: November 11th and 25th; December 23rd cancelled, hold Year-end meeting on December 30th at 8 AM. Motion carried.

Moffat & Nichol/TIOGA Agreement: We have just received a completely signed agreement with Moffatt & Nichol/Tioga Construction for the Clayton Transient Docking Facility – Wave Attenuator and Shoreline Stabilization as of August 31, 2015.

Zoning/ Building Fee Permit Refund: Supervisor Taylor discussed a request asking for a return of fees submitted last year in the Zoning/Building Dept. The applicant did not move forward on his project and after 10-11 months is requesting this fee to be returned. Board discussion followed and consensus of the Board is to forward this to our attorney, Joseph Russell, to review and advise.

RESOLUTION – SWIMMING POLICY:

RESOLUTION #48 OF 2015 was introduced by Lance Peterson, seconded by Bob Cantwell III, a resolution to prohibit nudity at Town –owned facilities including the Cerow Recreation Park Pool and Transient Docking Facility. Taylor-aye; Peterson-aye; Cantwell III-aye; Matthews-aye; Zovistoski-aye. **PASSED.**

Pro Shop Status: Motion by Bob Cantwell III, seconded by Chris Matthews, to rent out the small room at Rec. Park, approximately 100 Square foot for a monthly charge of \$50. We will need a minimum number of hours of operation in the contract and a Certificate of Insurance will be required. Motion carried.

Chamber of Commerce Fishing Tournaments:

- **BASS Federation:** 10/10 & 10/11 - **Motion** by Mary Zovistoski, seconded by Chris Matthews to support their use of the new docks for this tournament. Motion carried.

- 7/20/16 Fishing Derby
- 9/24 & 9/25/16 Fishing Derby
- BASS Federation: 10/8/16 & 10/9 16
- Alexandria Bay LWRP: Notice from Dept. of State, Steve Ridler, Coastal Program Assistant Manager, Office of Planning and Development, that the Secretary of State has been asked to approve the joint Local Waterfront Revitalization Program (LWRP) for the Village of Alexandria Bay and Town of Alexandria.

Highway Superintendent's Report:

-  Chip sealing is completed.
-  Still have some cleanup work to do at the Depauville Library.
-  Guard rail cattle pass on House Rd. is taken care of.

Council Reports:

Mary Zovistoski: Hawn Library is still looking for a Librarian.
Depauville Free Library this Saturday, September 12, 2015 will have the unveiling of their new Children's Room and North Country Archaeology Center at 11:00 AM.
The 18th Annual Vintage & Classic Street Meet will be held on September 19 & 20, 2015 at the new location on Mary Street.

Public submitted requests to address the Board: None.

Adjournment: Motion by Chris Matthews, seconded by Lance Peterson, to adjourn this regular meeting at 6:33 PM.
Motion carried.

Kathleen E. LaClair, Town Clerk