

**October 28, 2015**

The Town Board of the Town of Clayton held their regular workshop meeting at 5:00 pm in the Clayton Opera House at 403 Riverside Drive, Clayton, New York 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	
Dave Storandt	George Scales	Linda Scales
Bruce MacFarlane	Philip A. Siebert	Chris Bogenschutz
Pam Fox	Michael Casselman	Brian Russell
Sue Magee	Stephen Anderson	Jaime Weinberg
George Bowes	Pia Hogue	Peggy Trowbridge
Miriam Bowes	Betty Willoughby	Beth Kolakowski
Melody Brabant	April Ingerson	Susie O'Neill
Joe Chrisman	Steve Dorr	Pam McDowell
Andrew Wood	Larry Aubertine	Dennis Horton
Ken Deedy	John Buker	Ken Knapp
Christopher Neville	Guy Sweet	Pedro Rodriguez Jr.
Jared Ey	Cheyenne Littlefield	Bill Heyman
Kelly Wood	Karen Calhoun	Terry Fox
Matt Heineman		

**Pledge of Allegiance:**

Supervisor Taylor opened the regular workshop meeting at 5:00 pm by leading the assembly in the Pledge of Allegiance.

**Town Clerk:**

**Correspondence:**

- ✓ National Animal Shelter Week & 16<sup>th</sup> Annual Open House will be at the Jefferson County Dog Shelter on November 8<sup>th</sup> from 10 am to 4 pm.
- ✓ NYS DEC-Acting Commissioner Marc Gerstman, sent an acknowledgment letter in response of Supervisor Taylor's support letter to Governor Cuomo, concerning the proposal of the IJC to revise its water level regulations for Lake Ontario & the St. Lawrence River. The Governor has indicated he will not take a position on changes in water level regulation until satisfactory information is available that addresses the concerns of communities, residents and businesses.
- ✓ Letter received from Nortrax informing that they will be closing their facility in Plattsburgh, NY at the end of the business day on Monday, November 30, 2015. On December 1<sup>st</sup>, phone calls going to the Plattsburgh location will automatically roll over to their Gouverneur, NY facility. At present they're working out a parts drop in the Plattsburgh area.
- ✓ Time Warner Cable keeping customers apprised of developments affecting their subscribers in the Central New York Division.
- ✓ Notice of Public Hearing by the Town/Village of Clayton Planning Board on November 5<sup>th</sup> at 7 pm, here, for the purpose of considering a (3) lot minor subdivision for Daniel & Heather Ludlow.

- ✓ Copy of Notice from Geneva Phelps-Miller, Clerk/Treasurer of Village of Clayton sent to Jefferson County 911 addressing for Parcel #20.56-1-2.3 @ 891 Graves Street (Town of Clayton property – TIERS location).
- ✓ Menter, Rudin & Trivelpiece, P.C. notice of transferring John Lanzione, 2014 Tax Cert. Defense to storage files for eight years, at which time they will be destroyed.

**Minutes: Motion** by Bob Cantwell III, seconded by Lance Peterson, to accept the 10/14/15 minutes as received. Motion carried.

**Resolutions:**

**RESOLUTION #51 OF 2015**, was introduced by Bob Cantwell III, seconded by Mary Zovistoski, a resolution to extend into Agreement No. D005386 with the State of New York Department of Transportation for the Fixed Lump Sum Municipal Snow and Ice Agreement to expire on June 30, 2017. Taylor-aye; Peterson-aye; Cantwell III-aye; Matthews-aye; Zovistoski-aye. **PASSED.**

**Public – Comment of Agenda Items:** None.

**Supervisor:**

**Budget Transfers:**

**RW 2.0 Payment:** The \$87,861.28 Riverwalk 2 Grant fund was automatically deposited to the General Account and now we need to transfer this to the RW account. Motion by Mary Zovistoski, seconded by Lance Peterson, to transfer the \$87,861.28 from the General Account to the RW Account. Motion carried.

The following bills need to be pre- paid: Barrett Paving, Inv#594685 in the amount of \$14,974.90; Suit-Kote, Inv#74175, in the amount of \$2,436.72; and Suit-Kote Inv#74039 in the amount of \$6,750 for a total of \$24,161.62. Motion by Bob Cantwell III, seconded by Chris Matthews, to pay these bills. Motion carried.

**Budget Status:** Public Hearing is set for 11/4 at 6 pm for the Preliminary Budget. We're \$100 under the Tax Cap amount. The Town Clerk will make copies of the Preliminary Budget available for the public.

**General Code Project:** Base Codification amount is \$11,774. The Board should review this proposal as it is valid for a total of 6 months.

**Personnel :**

**Historian:** The Town Board should be thinking of names for the Historian position. We haven't advertised yet for this position.

**Rec. Park:** We have advertised for both full & part-time laborers position. The full time position will likely start the middle of November and the part-time position will start about January 1<sup>st</sup>.

**Bids for Cerow Park Tables:** None.

**Assessment-Recommendations:** Assessor Tim Ritter has sent a request to the Town Board recommending that during Grievance Day proceedings, we should have a recording clerk present to take notes documenting the property owner's names, parcel numbers, assessment information and

grievance request. This is commonplace in most towns and can be very valuable in the deliberation process which normally occurs at a later date.

**TIERS Project Update:** Councilman Cantwell III updated the TIERS project. Ground work is just about complete with concrete to be poured early next week. The Capital Campaign is at about 50% received.

**Transient Dock Update:**

**Dock Details:** We will be marketing two (2) docks. A number of people have already called to get details on reserving for this next boating season.

**Dock Rules & Rate:** Nothing yet, Councilman Matthews and Cantwell III are still working on.

**Route 12 Sewer Update:** The subpoenas are being delivered this week.

**Heritage Heights: Motion** by Chris Matthews, seconded by Mary Zovistoski, to approve Taylor Robbins to be added to the Heritage Heights Sewer users. Motion carried.

**Association of Towns – Training School 2016:** Supervisor Taylor encouraged Board Members attendance.

**Highway Superintendent:**

-  Rick Orvis has returned back to work for the winter season.
-  We have three (3) trucks ready to go for the winter season.

**Council Reports:**

**Mary Zovistoski:** Punkin Chunkin went very well; 3,450 pounds of food were collected by the youth division for the Food Pantry.  
Business with a Twist will be November 12<sup>th</sup> from 5-7 pm, at the T.I. Arts Museum.

**Public Submitted Requests to address the Board:**

**Clayton Country Jam:**

**Mac MacFarlane:** Requested to give the Town Board his side of the Country Jam debriefing. He has done the promoting of this three day, Yellow Ribbon event of concerts from 9/9-9/11 for the fifth year in a row. This past year's ticket count for the three days was 2,250 people, which is the highest ticket count of the five years of the Country Jam. He has already started with the talent, fireboat rainbows, arranged to have Blackhawk flyovers from Fort Drum, parade starting at 10am, hanging the American Flag over the street using the ladder truck, he is currently working with the TI Museum to get another artifact from Ground Zero. He has already talked with the broadcasting companies and they're pretty much on board. He has other ideas listed to put in place.

Mr. MacFarlane stated that he went to a meeting with Julie Garnsey and Christina Randazzo at the Opera House, that was scheduled discussion and to firm up the use of the Opera House for next year. He was told that there wouldn't be any as they were going to do something else in that timeframe; that he hadn't lived up to his part of cleaning up; that he had left the bathrooms in a mess and that the garbage was not removed from the Opera House. He was informed that the Opera House would not be renting the space to him for this event.

This was the first he had heard any problems that they had and feels that they should have discussed this with him to come to a better understanding so as to not have this happen again.

Mr. MacFarlane stated that he doesn't keep any of this money and gives it all to local charities. His family has lived in this area since the 1930's and he wanted to have something for the community

and give something back to the community. He stated that the money to put these events comes from his pocket and he feels this is a good way to give back to his community.

He stated that he feels that this is a personality conflict and that this can be easily talked out. However, he reports that the Executive Director of the Opera House has told him that this is non-negotiable.

Mr. MacFarlane is asking the Town Board to use their powers to help make this right and to help get this back on board. He appreciates their time and thanked the Board for listening and hopes they will help make it happen.

Supervisor Taylor stated that the Town Board has a contractual relationship with the Thousand Islands Performing Arts fund to operate the upper two (2) floors of the Opera House. The Board would hope that the two parties could come to some kind of agreement to work out these issues that would be beneficial to all or that a community not for profit organization could sponsor the Clayton Country Jam utilizing the Opera House.

**Philip A. Seibert:** Spoke in favor of the organization that Mr. MacFarlane has done and that these events have spotlighted the American Legion. He thanked him for his community involvement and for bring this to our community.

**Sue Magee** asked the Town Board to use their influence with TIPAF to relent and let this 9/11 events continue. She stated that Mac has done a great job for our community and has brought this 3-day event to our Troops overseas as well.

**Linda Scales** expressed that it is important to have these acts here and that Mac has made a difference in this community.

**Terry Fox** expressed that he has worked with Mac for the last 5-years. He stated that Mac is a promoter of this area and should be able to utilize the Opera House for this occasion. He stated that our Opera House is beautiful and this is a great way to showcase it. He questioned "why should people be shut out of using this beautiful building? It should be opened to all." He reported that Mac has brought the 9/11 artifacts to the area, a parade and a fitting tribute that is broadcast to our troops overseas and that Mac is here to stay in this community.

**Susie O'Neill** expressed that the problem seemed to be from the bar being run on the first floor of the Opera House. Mac paid rent for the use of the building for these 3-days. She felt that the bar, which was run by Coyote Moon, seemed to be the problem. Ms. O'Neill, who was the festival marketing director, said she emailed Mrs. Ives about this issue, but hasn't received any acknowledgement from her. Ms. O'Neill asked the Town Board if they could work with Mr. MacFarlane and TIPAF to try and come to some kind of agreement.

**Councilman Matthews** explained that TIPAF are our tenants and that the organizers should be talking to TIPAF's Board of Directors about this issue and not us. He noted that we can pass this along, but that the Town needs to be very careful, whether the Board agrees or disagrees as we can't pressure TIPAF.

**Andrew Wood** stated that he is a former TIPAF board member and former interim Director and that he was very surprised that none of the present TIPAF Board was present this evening to hear the community's input. He suggested that TIPAF and Mr. MacFarlane should get together and discuss this further to make these problems disappear. The Opera House has all their Board members listed on their web site page and he encouraged that the public should go online and tell them their concerns.

**Pam Fox** expressed that she had gone online and that TIPAF had removed her post on their Facebook page. She stated that the room we're now standing and sitting in was at one time the Thousand Islands Museum for over 15 years. If there was a problem or potential problem we went to the Town Board, discussed it and moved on. She stated that this is a public building, for community

events and she could think of nothing better than military related and 9/11 related events being held here.

**Supervisor Taylor** reminded the folks in attendance that when the 3.2 million dollar renovations of Opera House was done in 2006 and 2007, that TIPAF and the Town received 1.5 million dollars in grant funds and that 1.7 million dollars was private sector donation and that no local taxpayer dollars were used to complete the project. The Town maintains the general structure of the building.

**Jaime Weinberg** who recently passed his NYS Bars to be an Attorney, offered to help mediate, free gratis.

**Matt Heineman** stated that he had run the spot light for a show and at the end of the show had helped others pick up the trash and he himself had removed trash from the building. This is a great tribute show to our Military, Firefighters and Police and shouldn't be gotten rid of.

**Adjournment:**

**Motion** by Bob Cantwell III, seconded by Chris Matthews, to adjourn this regular workshop meeting at 6:07 pm. Motion carried.

---

**Kathleen E. LaClair, Town Clerk**