

March 9, 2016

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

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

Robert W. Cantwell III
Donna J. Patchen

Christopher D. Matthews
William J. Sherman

Keith Wood
Richard A. Ingerson
Gunther A. Schaller
Ken Knapp
Kevin Patchen
Fred Bach Jr.

Alicia Dewey
Cindy Grant
Pam McDowell
Julie Garnsey
Terra Bach

Attorney Joseph W. Russell
Larry Aubertine
Michael J. Docteur
Twyla Webb
Jaqualynn Collins

Meeting Opened and the Pledge of Allegiance: Supervisor Storandt opened the meeting at 5:00 pm and led the assembly in the Pledge of Allegiance.

Guest: Michael Docteur, Jefferson County Legislator discussed “wind turbines”. He indicated that the Wind Company will probably not get a P.I.L.O.T. with Jefferson County. There are some concerns for one of the approaches to an airfield at Fort Drum. Jefferson County doesn’t want any trouble with the next BRAC. Legislator Docteur showed the Town Board two maps, one an overview within a 5 mile radius of the Fort airport radar.

Other topic of discussion included a brief discussion concerning the Watertown Airport. Numbers at this time of year are slightly down, however overall the Airport is doing very well.

Town Clerk:

Correspondence:

- Notices have gone out to three (3) for B.A.R. required training, full member Nancy Hyde and alternates Charles Burlingame and Justin Taylor.
- Received the Depauville Sewer meeting minutes of March 3th.
- Time Warner Cable – keeping locals apprised of recent developments.
- Time Warner Cable – supporting documentation of our franchise fee due the municipality.
- ACR Health-View Point February 2016 issue received.
- Notice of mandatory Workplace Violence Training, ppe, and Lockout, tagout, etc. is scheduled for Thursday, March 17th at 8:00am at Recreation Park. There will be an alternative date of March 24th at 8am.
- Notice of Overview & Q & A Session for HRA/HAS/FSA on Thursday, March 24th at 12:30 at Recreation Park.
- Justice Ramseier – February 2016 report to NYS Comptroller.

Minutes:

Workshop meeting on 2/24/16: Motion made by Bob Cantwell, seconded by Mary Zovistoski, to approve the minutes of February 24th as presented. Motion carried.

Special Board meeting on 3/1/16: Motion made by Mary Zovistoski, seconded by Bob Cantwell, to approve the Special meeting minutes of March 1st with the change of “under Rates: Check in time will be at noon. Check out time will be at 11am”. Motion carried.

Public Comment on Agenda Items: None.

General Discussion Items:

Bills & Transfers: Motion made by Chris Matthews, seconded by Bob Cantwell, to approve the payment of Abstract #3 in the amount of \$227,889.28. Motion carried.

Budget Amendments: Motion made by Mary Zovistoski, seconded by Donna Patchen, to create new COBRA Health Insurance coverage fund and to change accounts to align with AUD. Motion carried. (Attach to Minute Book).

Supervisor’s Report for February 2016, Bank Reconciliations & Balance Sheets: Motion made by Chris Matthews, seconded by Bob Cantwell, to approve the Supervisor Report for February 2016, Bank Reconciliations and Balance Sheets. Motion carried.

Heritage Heights Sewer Property: Councilmen Matthews and Cantwell met this AM with Jerry Ingerson, who represents Gertrude Ingerson Trust. Their discussion concerned the possibilities of the Town of Clayton purchasing Tax Map # 20.18-1-14.91, Revised Lot #98, 1.61 acres at Heritage Heights. This parcel is on Valley Drive (left hand side as driving in) and borders NYS Route 12. This parcel has the Heritage Heights pumping station, and in the past, has been the “overflow” to the pumping station. Councilman Matthews feels that the Town should purchase this parcel for the Heritage Heights Sewer. Mr. Ingerson is asking \$23,000 for the parcel that is assessed for \$29,400.

Motion made by Chris Matthews, seconded by Mary Zovistoski, to authorize Atty. Joseph W. Russell to draft purchase agreement to the Ingerson Trust for this parcel to be funded by the Heritage Heights Sewer District. Motion carried.

ZBA Appointment: Michael Ingerson was appointed by the Town, however, has not yet been appointed by the Village to the Zoning Board of Appeals. Twyla Webb is looking for a full time position to either ZBA or the Planning Board. The Town at this time does not have any full time positions available for either board. The Town Board consensus is to hold off anymore appointments until next meeting.

Motion by Bob Cantwell, seconded by Chris Matthews, to accept a resignation letter from Roland “Bud” Baril from the Planning Board effective March 15, 2016. Motion carried.

Depauville Sewer Generator Quotes:

Honda Quotes:

<u>Vendor’s Name</u>	<u>Descrip. Item</u>	<u>Quote Price</u>
1. Nathan Hydraulic	10,000 Watt	\$4,999
2. Harbor Freight	10,800 Watt	\$3,553
3. McQuade & Bannigan	10,000 Watt	\$4,599
4. Power Source	12,000 Watt	\$4,125

Briggs & Stratton Quotes:

1. Harbor Freight		\$2,000
2. Nathan Hydraulic	Generic-10,000 Watt	\$1,479

3. Harbor Freight	Predator-11,000	\$1,500
4. Power Source	10,500	\$3,275

Motion made by Bob Cantwell, seconded by Chris Matthews, to purchase from Power Source, the Honda Generator, 12,000 Watt for \$4,125, as the vendor is local and will likely provide better service of the equipment. Motion carried.

TIERS Lease: A “draft” TIERS Lease was presented to the Board. Atty. Joseph W. Russell acknowledged that he has some work yet to do on this proposed lease.

Docks - Staffing: Motion made by Mary Zovistoski, seconded by Donna Patchen, to hire Justin Taylor at \$15 per hour up to a maximum of \$5,000, only through the end of this season, as a part-time clerk to this project. Any additional time and compensation would need the Town Boards approval. Motion carried.

Rules & Regulations: Mr. Taylor would also be working on the finalizations of the Rules & Regulations.

Reservation System: Not discussed.

Zoning Changes-Farm Wineries, etc.:

Richard Ingerson, Zoning Enforcement Officer reviewed discussed proposed amendments from the original proposed amendment #37 recommendations which began back in 2014. Since then, Amendment #37 was completed, to land the MD-2 District to Fairview Manor and all the other proposed amendments were not included.

The Town Board decided that they should wait on #5 Properties within two Districts: MD and MR until they further look at; also the Board would like to keep Industrial – Co. Rt. 3 as it is now. Everything else can be processed for our next amendment to the Zoning Ordinance.

Introduce Local Law #2 of 2016 and set Public Hearing date: Councilman Cantwell introduced Local Law #2 of 2016 which is a Local Law to Repeal Local Law No.1 of the year 2007; Local Law No.1 of the year 2011 and Local Law No.2 of the year 2011, and to further regulate Wind Energy Facilities within the Town of Clayton.

Motion made by Chris Matthews, seconded by Mary Zovistoski, to schedule a public hearing for March 23, 2016 at 6 PM on the 1st floor of the Opera House for Local Law No.2 of 2016, which is to repeal Local Law #1 of the year 2007, Local Law No. 1 of the year 2011, and Local Law No.2 of 2011, and to Further Regulate Wind Energy Facilities Within the Town of Clayton. Motion carried.

Motion made by Mary Zovistoski, seconded by Bob Cantwell to schedule a concurrent Public Hearing for March 23, 2016 at 6 PM on the 1st floor of the Opera House for Amendment #38 to the Town of Clayton Zoning Ordinance which amends the Town Zoning Ordinance by removing Wind Energy Conversion System and Wind Energy Facility from definitions, removing WEFOD Wind Energy Facility Overlay District, and also removing the Overlay District from the Zoning Map, and removing from Article V, Schedules A & B - WEFOD Wind Energy Facility Overlay District. Motion carried.

Motion made by Chris Matthews, seconded by Mary Zovistoski, to accept the Full Environmental Assessment Form Part-1 and authorize Supervisor Storandt to sign this document. Motion carried.

Motion made by Bob Cantwell, seconded by Mary Zovistoski, to refer these actions to Jefferson County Planning as required by 239-M of the General Municipal Law and our Local Planning Board for their input. Motion carried.

Supervisor's Report:

Motion made by Mary Zovistoski, seconded by Bob Cantwell, to cancel the regular meeting of April 13th and to re-schedule a regular meeting for April 6th, at 5PM, 1st floor of the Opera House. Motion carried.

CLDC: Supervisor Storandt reports that the CLDC is still looking for someone to fill the vacancy left by Cary Brick.

Highway Superintendent Report:

-  Pete Roden's last day was Friday.
-  Servicing equipment to be ready for spring work.
-  Crews will be helping with ice removal at the arena on Monday.
-  Steve Dorr and DL Marshall will be attending Safety Training next Tuesday.
-  MSHA Training will be in May.
-  Will be starting salt samples in a couple of days.

Council Reports:

Cantwell: Nothing to report as Paynter Senior Center hasn't met yet this month; Everything else has been discussed throughout tonight's meeting.

Matthews: Spoke with Keith and he will be taking out the ice this Monday.
Rec. Park has had an employee out on leave; he has returned today and is doing well.

Zovistoski: Discussed trip to NYC Assoc. of Towns. Assoc. of Towns suggests getting records on the Web Site as fast as you can. Town can make "basic" calls to Attorneys at Assoc. of Towns (this is free "gratis"). Discussion of meal allotment and what is allowed.

Patchen: ZBA didn't have a meeting this month.
Planning did meet and discussed placement of MET towers. No decisions were made.

Public- Submitted Requests to Address the Board:

- 1) Larry Aubertine inquired as to when the Town Board might be able to appoint a Chairman to the Planning Board. He wondered if he would be chairing the meeting, as he had plans to be at his daughters.
- 2) Cindy Grant expressed her heartfelt thank you to the Town Board for their action of proposing Local Law #2 of 2016. This was a complete surprise and is very much appreciated.
- 3) Gunther Schaller expressed that he was also very shocked and delighted by the Town Boards action with Local Law #2 of 2016. He expressed the Board needs to look at Iberdrola and their failures to comply to an agreement they signed in 2009 with the NYS Governor. He also wondered with the Article 10 provisions, are we digging our own grave by shutting Iberdrola down.
- 4) Ken Knapp expressed that in all probability Iberdrola will go to Article 10. Will that include the MET towers currently being proposed? How can you use a law to break the law? Mr. Knapp appreciates Legislator Docteur's effort at the County level and thanked the Town Board for their efforts to curtail WindTurbines in the township.

Attorney Joseph W. Russell stated we would still be subject to an Article 10; however this now would be another hurdle for the developer.

Adjournment:

Motion made by Chris Matthews, seconded by Mary Zovistoski, to adjourn this regular meeting at 6:40PM. Motion carried.

Kathleen E. LaClair, Town Clerk