

April 27, 2016

The Town Board of the Town of Clayton held their regular meeting in the Town Board Room with the following persons present:

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

Robert W. Cantwell III (Absent)
Donna Patchen

Christopher D. Matthews
William Sherman

Ken Knapp
Gayle Cady
Buck Hardy, Iberdrola
Richard Ingerson, CEO/ZEO
Joseph W. Russell, Town Attorney

Jody Garrett
Pam McDowell, TI Sun
Gunther Schaller
Cindy Grant

Art Cady
Dan Murdie, Iberdrola
Kevin Patchen
Steve Weed

Opening & Pledge of Allegiance: Supervisor Storandt open the meeting at 5:00 PM and led the assembly in the Pledge of Allegiance.

Town Clerk:

Correspondence:

- Notice from NYS Dept. of Public Service – Clean Energy Standards (CES) Programming looking for public participation.
- Letter received from Ross Holbrook regarding proposed 6 mo. Moratorium within the Town of Clayton (MET Towers permitting should be put on hold until after the results of the Wind Moratorium can be analyzed).
- Notice of Highway “CHIPS” apportionment.
- Time Warner (4/20) keeping everyone apprised of ongoing developments,
- NYS Notice of Application Pursuant to Public Lands Law – Moynihan Boat Port.
- EFC - \$175 million in grants through Round 2 – NYS Water Grants program deadline from moved from April 15th to June 20th.
- Transfer Station and Land Clearing Debris at County Route 4: No DEC Violations found.
- Certificate of Training for B.A.R. Members attended by Nancy Hyde, Charles Burlingame, Justin Taylor.
- Acknowledgment from Sue & Charlie Albertson – Chamber of Commerce Civic members concerning staff at Recreation Park and Highway Depts. Staff was timely, professional, courteous & willing support; the staff went out of their way to assist and up keep of the entire facility included neatness, organized, functionality & cleanliness were observed throughout the facilities.
- Grants Action News – April 2016
- View Point – March 2016
- NYS Opportunity on Low Income Forum on Energy.
- Time Warner Cable (4/6) keeping us apprised of channel changes, digital transition, and franchise developments.
- Lee Willbanks (4/12), Executive Director of Save the River advising of St. Lawrence River/Plan 2014 Announcement.
- Lee Willbanks (4/26), Executive Director of Save the River – Copied us on a letter they sent to EPA – St. Lawrence River Final Comments on Proposed No Discharge Zone.

Minutes:

Motion made by Mary Zovistoski, seconded by Donna Patchen, to approve the minutes of April 6th as submitted. Cantwell – absent. Motion carried.

Motion made by Chris Matthews, seconded by Mary Zovistoski, to approve the minutes of April 20th as submitted. Cantwell – absent. Motion carried.

Public- Comment on Agenda Items: None

General Discussion Items:

Bills & Transfers:

Abstract #4 of 2016: **Motion** made by Chris Matthews, seconded by Donna Patchen to approve the payment of Abstract #4 of 2016 in the amount of \$290,959.16. Cantwell – absent. Motion carried.

Prepay Authorization: **Motion** made by Chris Matthews, seconded by Mary Zovistoski, to prepay Acts II for the Riverwalk project in the amount of \$50,075.45 and pay Continental Construction in the amount of \$110,829.06 for the Clayton Opera House Roof Replacement; both will be listed on the May 2016 Abstract. Both pay requests were turned in today for payments. Cantwell – absent. Motion carried.

Budget Amendments: **Motion** made by Chris Matthews, seconded by Donna Patchen, to add BANS payable to the A & B Funds 0626. Cantwell – absent. Motion carried.

Supervisor's Report: **Motion** made by Mary Zovistoski, seconded by Chris Matthews, to approve the March 2016 Supervisor Report, Reconciliations and Balance Sheets. Cantwell – absent. Motion carried.

Richard Ingerson, Zoning Officer:

Proposed Zoning Changes: **Motion** made by Donna Patchen, seconded by Mary Zovistoski, to approve changing the proposed Industrial District setback from County Route 3 and Black Creek Road to 700'; and land inside the 700' setback to revert to Agricultural\Rural Residential, and to refer this to Atty. Joseph Russell to draft the language of incorporation into the Zoning Ordinance. Cantwell – absent. Motion carried.

Special Events Permits: Discussion and review of a Proposed Special Events Instructions and Application. ZEO Ingerson believes that this would help with public safety and liability that could fall on the Town. This is for outdoor events and where no buildings under current occupancy guidelines are utilized. Councilman Matthews believes it is not necessary and only gives more regulation and control. ZEO Ingerson asked the Board to think about this. No fee has to be attached to this, somewhat like the Fireworks Permit. He believes this needs to be considered.

Rob Campany, Town engineer:

Route 12 Sewer Project: Pump station near Seaway Avenue is causing a problem in the revised system design. We will need to consider an upgrade to this station and 6000' of supply pipe, which will cause a \$600,000 increase cost to the project. We can amend our current application to have this covered under the original grant, which will reduce our project scope (not desired). Or we can add users that would add project scope or split the pump station out of a the current project and separate out as an upgrade. To do this would require us to do an additional grant and add additional users to help defray costs.

Mr. Campany will be meeting with Rural Development next week. He will run the numbers to see the updated budget that would be needed. Funding agencies have to give permission for the

project to go to Bid. The first grant needs to be completed by 2018. This update is for Board information only and no action required at this time.

Solar Consortium Project: The Tri-County Consortium is maintained through B.O.C.E.S. The Consortium is soliciting to the Town, Villages and County to those that are willing to opt in. They need only to put up land and sign the Agreement. The question is do we want to commit land for 20 years. The Consortium is looking for sites between Chaumont and Waddington area. The County Route 5 pit has 3-phase and would be acceptable. County Route 4 parcel is less desirable as no 3-phase in that area. The Town would be compensated a token amount for a land lease and the project is subsidized by NYSERDA. The Board can let Mr. Company know at the Consortium participation deadline on May 20th; the Town will need to sign the agreement with the developer. The solar panels have a 20-year warranty against defects and the developer would sign over the panels to the Town at the end of the 20-year project for demolition or continued operation. The panels lose approximately 1% effectiveness per year; panels would have to start replacement at 25 years to extend useful project life or removed at the expense to the Town.

Water Testing: Hwy. Superintendent Sherman has been testing each corner at our sand/salt pile. After eight tests a handful of results looked above EPA guidelines. Mr. Company stated that testing should be done twice per year, in the spring and fall. You can test at the well or by faucet upstream of any water purification equipment. But you need to keep monitoring. A salt reduction plan needs to be implemented to use less salt on Town roads.

Depauville Sewer Sand Beds: Mr. Company looked at last week and took some pictures of the area. He indicated that there are some ponds of water on one of the beds where the sands were clogged with organic matter. Mr. Company explained there is a total of 30" of sand on top of each of the beds. He suggested that the top 8" needs to be replaced and down to 16" might need to be rototilled to the surface. Hwy. Superintendent Sherman commented this could be completed by Town personnel and cost for the sand hauled by Town dump trucks.

Docks: Councilman Matthews inquired about final numbers on the Dock project. Mr. Company stated he should have these within a couple of weeks, possibly by the next Board meeting.

Heritage Heights Sewer Property Financing: Motion made by Chris Matthews, seconded by Donna Patchen, to authorize payment of the Ingerson property with the sign on it at Heritage Heights, for \$23,000 to be pre-paid before the next bill paying, with said money to come out of the Community Development Fund. Cantwell – absent. Motion carried.

Motion by Chris Matthews, seconded by Donna Patchen, to authorize Alicia to engage Attorney Mark Gebo to draft BAN paperwork for the Heritage Heights Sewer District to reimburse the Community Development Fund. Cantwell – absent. Motion carried.

Docks:

Staffing: Interviews were conducted today from 10am-2 pm by Mary Zovistoski, Keith Wood and Justin Taylor. More interviews will take place next Wednesday. We will notify everyone of the decision within two weeks. A final list of hires should be ready by May 11th.

Rules/Regulations: Tentative "drop off" and "pickup rates" were distributed to the Board members along with a work sheet. The Board will wait until Councilman Cantwell is back before making approval.

Reservation System: The Board previously approved FareHarbor, an "online booking system" for managing booking schedules and collecting electronic payments. The docks committee has found that no one else does online reservations and that this function needs to be done by a live person. Alternate means for collecting electronic payment also needs to be addressed.

Attenuator Fencing: Motion made by Mary Zovistoski, seconded by Donna Patchen to approve payment of Change Order #5, Field Allowance closeout and Fence at Utility Retaining Wall in the amount of \$1,961.54. Cantwell – absent. Motion carried.

Transfer Site/Fence Removal: The scrap section will be cleaned up during the Village pickup and we will take out the stone. We also will be removing between 10'-20' of fencing on the Bannister sideline.

TIPAF Opera House Lease: Councilwoman Zovistoski and Supervisor Storandt met with TIPAF to discuss terms for extending their lease of the Opera House. They will meet again in 6-8 weeks to finalize negotiations.

Depauville Library – Roof & Parking Lot: The Masonry project on the chimney is completed. The Library roof will be stripped and a new roof placed starting next week. There has been a question concerning the town doing some paving at the Library. We have had several complaints that the Election Primary was moved downstairs without consulting the Town. The Town authorized a letter to be sent to the County Board of Elections to make sure that Elections will be moved back upstairs.

Resignations/Appointments: We have received notice from Candie Pecor that she will be retiring as of Thursday, May 26th. **Motion** made by Chris Matthews, seconded by Mary Zovistoski, to accept the resignation of Mrs. Pecor with regret and wish her well in her retirement. Cantwell – absent. Motion carried.

Discussion of extending part-time clerk hours to work with Candie between now and her retirement date to help make a smooth transition. Nothing finalized.

Training Requests: Tim Ritter, Sole Assessor is attending the assessors meeting at the County Building on Thursday 4/28/16 at 1:00 pm. Assessor Ritter would also like to attend Cornell for a four-day course.

Kim Johnston, Clerk to the Assessor has checked the ORPS education website and the Mass Valuation course that she didn't get to take last fall is being offered in Essex County, Lake Placid in August. The Mass Valuation course is needed to finish her basic certification.

Motion made by Mary Zovistoski, seconded by Chris Matthews, to authorize Kim Johnston to attend Lake Placid for the Mass Valuation Course. Cantwell – absent. Motion carried.

The Town Board would like more information on the Cornell classes for Mr. Ritter and Ms. Johnston.

Local Law #2 of 2016: Supervisor Storandt stated that the Jefferson County Planning Board had met and reviewed this application pursuant to General Municipal Law, Section 239m, last night. They forwarded a copy of their letter that acknowledges that the project does not have any significant County-wide or intermunicipal issues and is of local concern only. The County Board felt the Town should consider establishing the moratorium for up to one year to allow for the Town's Comprehensive Plan update, and an update of the wind energy facility law.

Supervisor Storandt stated that any information rec'd at the public hearing would be incorporated with the minutes. This resolution for Local Law #2 of 2016 constitutes a Type 2 action under the provisions of the New York State Environmental Quality Review Act.

RESOLUTION NO. 47 OF 2016:

RESOLUTION NO. 47 OF 2016, was made by Councilwoman Mary Zovistoski, seconded by Councilman Christopher D. Matthews, a resolution to adopt Local Law #2 of 2016, a Local Law to Establish a Moratorium on Applications for the Review and Approval of Permits for Wind Energy Facilities within the Town of Clayton. Storandt – aye; Cantwell – absent; Matthews – aye; Zovistoski – aye; Patchen – abstain. **PASSED.**

Supervisor’s Report: Supervisor Storandt attended the Grand Opening ceremony at the Clayton Yacht House.

Highway Superintendent Report:

-  Currently hauling sand.
-  Village trash pickup day is Monday and we will be helping out.
-  Getting the trucks ready for the summer season.
-  Road trash pickup has started.
-  Going to Grindstone Island about the middle of May to do grading of roads.
-  Working on Budget for the Roads.
-  Will be doing mainland road construction after the July break.

Council Reports:

Mary Zovistoski: Upcoming events for Depauville Library include: Story Time (Fridays at 10AM), Beekeeper Meeting (5/10), Learning how to write your life story (6/1), Ice Cream and Blueberry Social Story Time (7/14), International Day of Friendship Story Time (7/30).

Donna Patchen: ZBA meeting had five (5) variances at their last meeting. Planning Board met on April 7th, the Board has 62 days from the close of the public hearing to make final determinations. Planning Board met again on Fairview Manor - St. Lawrence Spirits. Islander Marine will need more detailed landscaping. Cemeteries: We are in the 2nd year of a two-year contract for mowing at Grindstone Island Cemeteries. No contractual updates needed this year.

Public – Submitted Requests to Address the Board:

Ken Knapp: Thank you for doing a moratorium. It is possible if the Comprehensive Plan isn’t completed in that time frame to add another six months moratorium. The Comprehensive Plan is meeting a couple times a month.

Steve Weed: He is here to offer the Town Board 24-hr access by on-line video of their Board meetings. Several municipalities including the City of Watertown do this. The meetings are posted on the following day by noon. Cost would run about \$250 per meeting. You could also do “live” interactive meetings as well, with the capability of typing in a question and receiving an answer as the meeting is going on.

Adjournment: Motion was made by Chris Matthews, seconded by Mary Zovistoski, to adjourn this regular meeting at 7:03 PM. Motion carried.

Kathleen E. LaClair, Town Clerk