

June 22, 2016

The Town Board of the Town of Clayton held a regular meeting at 5:00 p.m. in the Town Board Room at 405 Riverside Drive, Clayton, NY with the following persons present:

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

Robert W. Cantwell III
Donna Patchen

Christopher D. Matthews
William Sherman (absent)

Alicia Dewey
Pamela McDowell
Erin Greene
Dan Throop

Robert W. Cantwell Jr.
Cathy Haller
Andrew Wood
Cindy Grant

Donna Cantwell
Fred Schmidt
Justin A. Taylor

Pledge of Allegiance: Supervisor Storandt opened the meeting at 5 p.m. and led the assembly in the Pledge of Allegiance.

Town Clerk:

Correspondence:

- o Volunteer Transportation Center request for 2017 Budget allocation.
- o Notice of Hearing on Tentative Equalization Rate of 100% for the 2016 Assessment Roll.
- o Excellus BC/BS Notice of request to NYS Dept. of Financial Services for a Rate Request Change.
- o Notice of Sanitary Sewer Smoke Testing being completed by the Village.
- o Notice from Jefferson County Recycling & Waste Management – list of holidays closed thru the end of this year.
- o Grants Action News – June, 2016.

Minutes: Motion was made by Bob Cantwell III, seconded by Donna Patchen, to approve the minutes of June 8th as amended with “....the first pay period after May 27, 2016” -end of sentence under Assessor, page 3. Motion carried.

Public – Comment of Agenda Items: None.

Workshop Items:

TIPAF Agreement: Supervisor Storandt indicated that the Town Board and Thousand Islands Performing Arts Fund are one year out before their next Agreement renewal. This Town Board is looking for some background as to the start of the Agreement(s).

Former Town Supervisor Robert W. Cantwell Jr., who was Town Supervisor at the inception of the Partnership, indicated that the discussions of their Partnership actually had started in 1999. And for background, TIPAF had started in 1980. Mr. Cantwell referred to Local Law #1 of the year 2001, which authorized the Town to support and promote arts, education, recreation and cultural affairs within the Town and to enter into agreements with private patrons and/or institutions and professional organizations concerned with arts, education, recreation and cultural affairs and to provide benefits to such institutions, organizations and patrons in connection with the promotion of arts, education, recreation and cultural affairs with or without consideration. This Local Law was done at a meeting of March 28th, 2001.

Following the Local Law was a resolution done on July 11, 2001-Resolution #26 of 2001, was to accept in principal the TIPAF's proposal to raise funds for improvements to the upper three floors of the Town Hall. The Town had wanted to take the Town Hall to full utilization and TIPAF wanted to raise funds for the improvements needed to do so. The Town Board agreed that this was the best use of the upper three floors of a Town Hall as a Community and Performing Arts Center. The Town then started immediate negotiations with representatives of TIPAF to work out the details of how to best accomplish these joint goals.

April 9, 2003 – Resolution #29 of 2003 - Acknowledged that the Town Board had determined it to be in the best interest of the Town of Clayton to dedicate the Town of Clayton Town Hall building to such uses of furthering the arts and cultural affairs of the Clayton Community. The Town Board also recognized that the Town Hall building has significant historical significance to the Town of Clayton having been previously used as an opera house and the site of a local museum. It was also determined by the Town Board that, except for a portion of the Town Hall building that is required to be used from time to time for the governmental operations of the Town of Clayton, the best and highest use of the Town Hall building also known as the Clayton Opera House is for the promotion of arts, education, recreation, and cultural affairs. It was determined that the first, second and third floors of the Town Hall building be renovated to facilitate the building's use as an arts and cultural affairs center for the Clayton community, and has engaged in mutual cooperation activities with private entities to facilitate those renovations. By the authority granted by this Town Board by the provisions of Article 9 of the Constitution of the State of New York, Articles 2 & 3 of the Municipal Home Rule Law, Town Law, and Local Law #1 of the Year 2001, did dedicate those portions of the Town Hall building not required for the governmental operations of the Town of Clayton for use in perpetuity as a community and performing arts center for the promotion of arts, education, recreation and cultural affairs and to foster the promotion of the Town of Clayton as a regional cultural center.

In mid to late April, 2003 an outline of a DRAFT Agreement was written by Mary Mascot in collaboration with the Town of Clayton for the direction of the Clayton Opera House. On May 5, 2003 the Thousand Islands Opera House presented the final Letter of Agreement which laid down all the collaboration for renovation and operations of the Clayton Opera House at which time Morse Dial, then President of the Thousand Islands Performing Arts Fund and Mr. Cantwell, then Supervisor for the Town of Clayton signed.

Mr. Cantwell recalled that at much of this same timeframe, the town was working on getting grants for the Frink renovation, the Riverwalk and the Opera House. We had received a grant from Senator James Wright in the amount of \$100,000; A \$50,000 member Item from Assemblyman Darrel Aubertine; and another \$200,000+ grant from Senator James Wright. A question in the narratives for each grant inquired as to what was happening in the Town & Village of Clayton. T.I.P.A.F. also had set a goal that raised \$2.1 million for the renovations of the Opera House and the Town of Clayton did in-kind in the form of cash for work associated with the projects. Everyone in State Government wanted and did, come to Clayton to see this growth and to help out.

March 20, 2007, the second Agreement had been prepared and signed. Mary Mascott was the then President of Thousand Islands Performing Fund and Mrs. Donna Cantwell was the Executive Director.

The duration of the terms of agreement would have an initial term of five (5) years and would renew automatically for five-year terms unless a notice of non-renewal was given by either the Town or TIPAF at least 180 days prior to an expiration date.

Mr. Cantwell stated that TIPAF has been deeply vested and invested by virtue of fundraising over \$2.1 million from private sector and investing many dollars since the initial agreement to bring quality entertainment.

On a question why the agreement was limited to five years? Mr. Cantwell stated it was picked because we didn't know what either party would be doing after the five year period. The Town would retain ownership of the building; however, if the Town were to leave the building for a newer building, the Thousand Islands Performing Arts Fund would take over the building in its entirety. If the Town decided to sell, then they would have to check on the legal ramifications due to being a governmental status.

Justin Taylor was on the Town Board when this started. The Board did not want to see the building not being utilized. It seemed like a win-win situation TIPAF, a Not-For-Profit entity would take over the management of the top three (3) floors of the building, manage it and utilize for the purpose of bringing affordable entertainment to the community. Mr. Taylor indicated that the Town subsidizes by virtue of maintenance and repairing of the structure of the facility its mechanical and other systems (excluding stage lighting and sound) and its fixtures in good working order, including electricity, fuel, and water. The Town pays for the cost of utilities, including electricity, fuel, water and sewer but excluding telephone costs. The Town continues to carry fire and general liability insurance on the facility at the same level as by TIPAF; and TIPAF provides an insurance certificate showing that the Town is an additional insured.

Others speaking on behave of TIPAF included Donna Cantwell, Fred Schmidt & Dan Throop.

Comments included: Communications needs to be better – possibly five year term is too long; both parties need to feel equal; TIPAF not trying to make big money; trying to keep ticket prices variable and reasonable; No one is turned away we strive to provide space as needed; TIPAF has put together a feasible and sustainable facility that is a key part of the cultural and social community, they have helped with the growth of the Community and share the vision of the Community. TIPAF is hoping that this is allowed to continue. Need to develop a good relationship with each other.

Zoning Amendment:

Introduce: Motion made by Chris Matthews, seconded by Mary Zovistoski, to introduce Amendment #38 to the Zoning Ordinance of the Town of Clayton. Motion carried.

Set Public Hearing: Motion made by Bob Cantwell III, seconded by Donna Patchen, to hold a Public Hearing on July 13, 2016 at 6:00 pm, for Amendment #38 to the T/C Zoning Ordinance. Motion carried.

Jefferson County Planning: Motion made by Chris Matthews, seconded by Mary Zovistoski, to send proposed Amendment #38 –to the Zoning Ordinance and the completed Part I of the EAF to the Jefferson County Planning Board for their review on July 26th. Motion carried.

EAF – Part 1: Motion made by Mary Zovistoski, seconded by Donna Patchen, to accept and authorize the Town Supervisor to sign the Part I EAF as completed. Motion carried.

Budget Transfers: Motion made by Mary Zovistoski, seconded by Chris Matthews, to transfer \$2,990 from the Frink Redevelopment Account to the General Account, to reimburse ourselves for the work by our Staff on the “Dock” project. Motion carried.

TIERS Letter: TI Rescue recently registered with the General Service Administration (GSA) which will allow them to obtain government surplus equipment such as medical devices, cardiac monitors, and even vehicles such as used ambulances or SUV’s and multiple other items. TIERS are required to now submit a letter from their municipality that supports receiving these subsidies of tax dollars and municipal continued support into the future. **Motion** made by Bob Cantwell III, seconded by Donna Patchen, to authorize the Town Supervisor to write and sign a letter of support. Motion carried.

Transient Docks:

Insurance: Supervisor Storandt acknowledged the Insurance Company had thought our Dock Rules are very comprehensive. Mr. Haverin, Insurance Risk Control Field Representative, indicated he would only add information about alcohol consumption not allowed on the docks.

Motion made by Mary Zovistoski, seconded by Bob Cantwell III, to adopt the updated Dock Rules. Motion carried.

Justin Taylor, Dock Master suggested and discussion of comments:

- 1) Closing out the “BIG” Grant.
- 2) Marketing of Docks- People are using “Blogging” to acknowledge the stay at the docks. Have reviewed additional advertising: “Active Captain” Sponsor Level \$699 per year and America Great Loop Cruises Assoc. - \$597 per year. You can “update” your information and can “respond” to blogging. We may want to re-evaluate what we are currently using for marketing to either replace with these additional ads or use in conjunction with.
- 3) Opening Ceremony – Supervisor Storandt is working on this.
- 4) Name Change of docks – The Town Board will decide soon on the official name.
- 5) Discussion of Rates – People are shopping around; looking to see if rates include power.
- 6) We’re also looking to see about adding a flag pole at the docks.
- 7) People are utilizing the Riverwalk and the facilities.

Public – Submitted requests to address the Board: None addressed.

Adjournment: Motion was made by Mary Zovistoski, seconded by Chris Matthews, to adjourn this regular meeting at 6:00 p.m. Motion carried.

Kathleen E. LaClair, Town Clerk