

November 28, 2018

The Town Board of the Town of Clayton held their regular meeting at 5:00PM in the Town Board Room of the Town Offices located at 405 Riverside Drive, Clayton, NY, with the following persons present:

David M. Storandt, Jr. Lance Peterson	Mary Zovistoski William Sherman (absent)	Donna Patchen (absent) Kathleen E. La Clair
James Jones Allen Heberling	Kenneth Knapp	Pam McDowell

(Lance Peterson, Deputy Supervisor was chairing the meeting, Donna Patchen emailed at 4:45pm she wouldn't make the meeting and Supervisor Storandt was out sick, but when called, attended the meeting and voted to meet quorum.)

Pledge of Allegiance: The Deputy Supervisor opened the meeting at 5:00 PM and led the Assembly in the Pledge of Allegiance.

Guest: None

Town Clerk:

Correspondence:

- ✓ Depauville Free Library Board of Trustee Minutes of Thursday, November 8, 2018 was received.
- ✓ KIMCO Steel Sales LTD. Shreddable Picked Up is priced at GT \$65.00 effective November 5th.
- ✓ Received Charter Communications quarterly Franchise Fee payment of \$11,152.20 for the period from July 1, 2018 to September 30, 2018.
- ✓ Received notice of the Jefferson County Pilots Town Taxes for 2018 (Parcels under JCIDA jurisdiction only). Tax amount was \$3,436 and without the PILOT would have been \$13,791.69.
- ✓ Invitation to the Annual Christmas Celebration at the Opera House on the 3rd floor at 6PM on December 12th. RSVP to the Village Office this year.
- ✓ Notice of Public Hearing concerning New NY Broadband Program Phase 3 Hughes Network Systems, LLC Projects. Statements and comments about the project will be accepted until 12.00pm on Friday, December 21, 2018.

Minutes: Motion was made by Mary Zovistoski, seconded by David Storandt, to accept the minutes of November 14, 2018 as submitted. **Motion carried.**

Public comments on Agenda Items: None

BAR Appointments: **Motion** was made by Mary Zovistoski, seconded by David Storandt, to reappoint Michael Pavlot to a full term on the Board of Assessment Review starting October 1, 2018 to September 30, 2023. **Motion carried.**

Motion was made by David Storandt, seconded by Mary Zovistoski, to reappoint Jonathan Taylor and Justin A. Taylor to one year terms as Temporary Members to the Board of Assessment Review starting October 1, 2018 to September 30, 2019. **Motion carried.**

Transfer \$20,000 from A200.01 to GT200.00 for BAN payoff: **Motion** was made by Mary Zovistoski, seconded by David Storandt, to authorize the transfer borrowing of \$20,000 from A200.01 to GT200.00 for paying off a BAN \$148,443.75 due on December 28th. We would be borrowing from ourselves and paying this back from the money received from Rural Development the first part of 2019. **Motion carried.**

Transfer \$242.67 from GT200 to A200 for National Grid Billing: **Motion** was made by Mary Zovistoski, seconded by David Storandt, to authorize the transfer payment of \$242.67 for the Route 12 Sewer GT fund to reimburse the A-fund for the National Grid Bills. **Motion carried.**

Award Welding 2019 Bid: **Motion** was made by Mary Zovistoski, seconded by David Storandt, to award the only bid received for the 2019 Fiscal year Welding Work at Service Provider's to Patch Seaway at the hourly rate of \$90. **Motion carried.**

Award Copier Bid: Two bids were received: David Storandt - \$110 & Alicia Dewey - \$75. **Motion** was made by Mary Zovistoski, seconded by Lance Peterson, to award the bid to David Storandt @ \$110. **Motion carried.**

Award Dump Truck Bid: Two bids were received: De Vino Used Trucks & Parts (Newark, NJ) - \$888.00 & JSSJR ENTERPRISES, INC. (Lanesboro, Massachusetts) - \$3490.00. **Motion** was made by Mary Zovistoski, seconded by David Storandt, to award the 1996 MACK Tandem Axle Dump Truck to JSSJR Enterprises, Inc. in the amount of \$3490.00. **Motion carried.**

Highway Garage Furnace Quotes: Three quotes were received for the Highway Garage waste burner Furnace. 1) Hyde Stone - \$8700; 2) Gilco-Inc. - \$6049; 3) Gilee's - \$5950. **Motion** was made by Mary Zovistoski, seconded by David Storandt, to award the quote to Gilee's @ \$5950. **Motion carried.**

Opera House Rear Door Replacement Quotes: Three quotes were received for Opera House Rear Door Replacement: 1) Northern Glass - \$5,948; 2) Sampson Glass - \$5,507; 3) Wellesley Island Building Supply - \$4,329. **Motion** was made by Mary Zovistoski, seconded by David Storandt, to award to Northern Glass @ \$5948 including installation costs. (They would be installing the doors and the job and doors would be warrantied. **Motion carried.**

Approval for Excavator Training for Dasno, Dorr, and Meeks & Robinson: **Motion** was made by Mary Zovistoski, seconded by David Storandt, to approve Steve Dorr, Bucky Robinson, Mark Meeks and Keith Dasno to attend the Certified Excavator Program at a cost of \$25 per person at Alexandria Bay Municipal Building, on December 5th, 2018. **Motion carried.**

Engineer and Legal RFP Discussion:

Legal: Two proposals were received: 1) Trespasz & Marquardt, LLP – This was strictly for Bond Counsel only. Not what we were looking for.

2) Barclay & Damon (Joseph W. Russell): General: \$200 per hour for attorney time and their municipal paralegal rate of \$85 per hour. Litigation: \$225 for attorney and \$125 for paralegal.

Motion was made by Mary Zovistoski, seconded by David Storandt, to award the proposal to Barclay & Damon (Joseph W. Russell). **Motion carried.**

Engineering: Due to the complexity of the volumes of Engineering Proposals, the Board will TABLE this portion of award until the December meeting so that they may compare the proposals received.

Highway Hire: **Motion** was made by Mary Zovistoski, seconded by David Storandt, to approve the hiring of Tyler Mitchell starting on December 1st, as a P/T seasonal labor thru December 31st, 2018, working full time + over time during this month of December at \$12.00 p/h. **Motion carried.**

MSHA Workshop: Motion was made by Mary Zovistoski, seconded by David Storandt, to approve the attendance of a workshop session from 7:30am to 4 pm at the Hilton Garden Inn, Watertown on February 21st for the Mine Safety Training at a cost of \$92/person for Steve Dorr and Raymond Robinson. **Motion carried.**

Workshop Items:

Public Hearing – 5:30 pm Tax Cap Override Local Law 3 of 2018: **Motion** was made by Mary Zovistoski, seconded by Dave Storandt to open the public hearing at 5:30 PM. **Motion carried.**

One Speaker: Allen Heberling questioned why the increase in the Tax Cap this year. It seems that the Village, Jefferson County and now the Town were doing an increase in taxes.

Answer: It's mainly due to the Recreation Park Project. After 40 years, the building needs upgrades and in order to stay viable for acts, hockey, skating, etc., it is a necessity for the upgrades. The total project was scaled back to do just what is needed at this time.

Motion was made by David Storandt, seconded by Mary Zovistoski, to close the public hearing at 5:43 pm as no others were in attendance to speak. **Motion carried.**

Motion was made by Mary Zovistoski, seconded by David Storandt, to adopt Local Law #3 of 2018 – A local law to override the tax levy limit established in General Municipal Law §3-c. Peterson-aye; Zovistoski-aye; Storandt – aye; Patchen – absent. **PASSED.**

Solar Moratorium: Councilwoman Zovistoski stated she has received emails and letters concerning Solar and read a letter submitted by Bob Purcell. Councilwoman Zovistoski followed by stating that no

one is against solar power, however we need to focus on our Zoning/Planning laws that are in place. We don't want to be in a position that we are forcing our zoning and planning boards to make judgement calls on a weak policy as it is unfair to everyone. Councilwoman Zovistoski made a MOTION to enact a one year moratorium to make amendments to our zoning ordinance and send to Attorney Joe Russell to draft the right wording to enact the moratorium. (There was no second).

Further discussion followed and Ms. Zovistoski removed her Motion from the floor.

The consensus of the Town Board was to let the Zoning & Planning Boards meet next week and see what the outcome of the Planning Board Public Meeting brings. Then after those meetings, send to Atty. Joe Russell to draft the right wording to enact the moratorium to make amendments to the Zoning Ordinance.

Motion was made by Lance Peterson, seconded by Mary Zovistoski, to appoint Kenneth Knapp as Councilman to replace Nolan Knapp who had resigned. Motion carried.

Workshop Meeting 12/26: Motion was made by Mary Zovistoski, seconded by David Storandt, to cancel the meeting of Wednesday, December 26th and reschedule the year-end meeting to Monday, December 31st meeting at 11:00 AM to pay bills and close out the year. **Motion carried.**

Report James Jones:

- ✓ Fort Drum has rented the Skating for a day on December 5^t, they have submitted a letter concerning "proof of Liability Coverage" as the US Government is Self Insured. They are looking for waiver of needing added insurance coverage. **MOTION** was made by Mary Zovistoski, seconded by David Storandt. **Motion carried.**
- ✓ Dave Converse was at the Opera House last week retesting airborne mold spores to see if moving our offices and remediation was needed. It turns out that the spores counts were low enough, offices will not need to be moved. The recommended minor remediation work is to replace the tiles that were removed and put a wax sealer on the tiled flooring.
- ✓ Mr. Jones will need to fill the position vacated by Chris Badour. He is interviewing several applicants and will bring back a name for the December 12th meeting.

Public submitted requests to address the Board: None.

Adjournment: Motion was made by Mary Zovistoski, seconded by David Storandt, to adjourn this regular workshop meeting at 6:05 PM. **Motion carried.**

Kathleen E. La Clair, Town Clerk