

January 8, 2020

The Town Board of the Town of Clayton held their Annual 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:

Lance Peterson
Mary Zovistoski
Pam McDowell
Robert Cantwell
Megan Badour

Donna Patchen
Kenneth Knapp
Allen Heberling
Kimberli Johnston

James Jones
Kathy LaClair
Lloyd Hithers
Alicia Dewey

1. Pledge of Allegiance: The Supervisor opened the meeting at 5:26 PM and led the Assembly in the Pledge of Allegiance.

2. Supervisor:

- Administrative Appointments

- Association of Towns Delegate: Mary Zovistoski
- Deputy Supervisor: Mary Zovistoski
- External Auditor: Bill Dealing, CPA: AUD, Stackel & Navarra: Single Audit/AUP
- Clerk to Supervisor: Alicia Dewey
- Historian: Thomas LaClair

Motion was made by Donna Patchen, seconded by Kenneth Knapp to approve these appointments.

Motion carried.

- Board Appointments

- Heritage Heights Sewer Board: Tom Turgeon; Joseph Kehoe; Teresa Christensen; Dennis Baldwin
- Depauville Sewer Board: Jasper Wilkie; Keitha Haas; Larry Girard; Bob Haver; Lynn Schnauber
- Consolidated Health Board: Mayor Norma Zimmer; Supervisor Lance Peterson.; Dr. Grybowski; Keitha Haas
- Consolidated Health Board Officer: Dr. Grybowski

Motion was made by Kenneth Knapp, seconded by Mary Zovistoski to approve these appointments.

Motion carried.

- Clayton Youth Commission: (see attached for list of addresses)

- Town: Dave Smith; Wanda Phelps; Melissa Storandt; Eric Lashomb; Darin Barton; Kenny Garnsey
- Village: Scott Johnson; Emily Males; Meredith Fox; Tasha Dwyer; Dave Flanders; Jay Kittle

Request was made to hold off on motion until an updated list could be provided.

- Clayton Local Development Corporation: Jack Stopper (Chairman); Jamie Ganter (Vice-Chairman); John Cooper (Treasurer); John Slattery (Secretary); Christopher Bogenschutz; Christine Powers; Kylie Peck; Dennis Weller *Ex Officio Members*: Doug Rogers; Norma Zimmer; Lance Peterson; Bobby Cantwell; Michael Bashaw
- Depauville Library: Tresa Forkey (President); Jan Larrow (Vice-President); Amber Forkey (Secretary); Gail Egeressy (Treasurer); Teresa Gallup; Phil Pond; Keitha Haas

Motion was made by Mary Zovistoski, seconded by Donna Patchen to approve these appointments.

Motion carried.

- Other Appointments

- Registrar: Megan Badour, Town Clerk
- Records Management Officer: Megan Badour
- Records Access Officer: Megan Badour
- Budget Officer: Lance Peterson

Motion was made by Mary Zovistoski, seconded by Kenneth Knapp to approve these appointments.

Motion carried.

- Zoning Officer: Richard Ingerson
- Building Codes Officer: Richard Ingerson
- Assessor: Kimberli Johnston
- Town Constable: Lynn Schnauber
- Depauville Sewer Operator: William Sherman

Motion was made by Donna Patchen, seconded by Kenneth Knapp to approve these appointments.

Motion carried.

- Town Board Committees: (per Town Law 63, 13)
 - Lance Peterson, Sr.: Highway, Sewer Districts & Consolidated Health
 - Mary Zovistoski: Buildings & Grounds and Paynter Center
 - Donna Patchen: Cemetery, Purchasing, Personnel & Youth Commission
 - Kenneth Knapp: Libraries, Chamber, Cerow Park Project
 - TBD: Joint Boards, TIERS, ABM

Motion was made by Kenneth Knapp, seconded by Mary Zovistoski to approve these appointments.

Motion carried.

Highway

Superintendent:

- Appoint Deputy Highway Superintendent: Raymond Robinson

Motion was made by Mary Zovistoski, seconded by Kenneth Knapp to approve this appointment.

Motion carried.

Town Facility

Rates:

- Transfer Site—Rates will remain the same as 2019 with the exception of the bulk rate which will be increased to \$0.55 per cubic foot.
- Cerow Recreation Park—
 - o Event Rates: Will remain the same as 2019
 - o Weddings are \$600 flat fee with Proof of Insurance
 - o Pavilion Rental: \$50/day with Proof of Insurance
 - Ice rates for 2019-2020:
 - \$80/hr contract
 - \$99/hr Old Timers
 - \$105/hr Community non-contract
 - \$120/hr Outside non-contract
 - \$3/day Public Skate admission
 - \$4/session Skate-n-Shoot
 - Ice rates for 2020-2021:
 - \$85/hr contract
 - \$100/hr Old Timers
 - \$120/hr Community non-contract
 - \$125/hr Outside non-contract
 - \$3/day Public Skate admission
 - \$4/session Skate-n-Shoot o Pool: .
 - *\$2/day Daily admission
 - Season membership: \$75 – family(both pool and ice); \$50 – adult; \$25 – student

Advertising:

- Arena Wall Sign: \$250/season
- Ice Board Signage: \$250/season
- In-Ice Signage: \$250/season
- Zamboni Advertising \$300/side/season (3 sides)

Motion was made by Mary Zovistoski, seconded by Donna Patchen to adopt these rates. **Motion carried.**

See attached for 2019

Annual

Resolutions:

1. Adopt the Official Undertaking of Municipal Officers Resolution.

Motion was made by Kenneth Knapp, seconded by Mary Zovistoski. **Motion carried.**

2. Resolution to adopt Robert's Rules of Order as Town Meeting Rules.

Motion was made by Kenneth Knapp, seconded by Mary Zovistoski. **Motion carried.**

3. Resolution to reaffirm "Rules for Public Participation at Town of Clayton Board Meetings" adopted by Resolution on October 31, 2008 and revised June 9, 2010.

Motion was made by Kenneth Knapp, seconded by Mary Zovistoski. **Motion carried.**

4. Resolution to reaffirm "Resolution Regarding Rules for Public Hearings Conducted by the Town Board Town of Clayton", adopted December 9, 2009 and revised April 14, 2010.

Motion was made by Kenneth Knapp, seconded by Mary Zovistoski. **Motion carried.**

5. Resolution to establish two regular meetings per month for Town Board—2nd and 4th Wednesday's of the month at 5PM.

Motion was made by Kenneth Knapp, seconded by Mary Zovistoski. **Motion carried.**

6. Resolution establishing that the second meeting in July will be held on Grindstone Island and the second meeting in August will be held in Depauville.

Motion was made by Kenneth Knapp, seconded by Mary Zovistoski. **Motion carried.**

7. Resolution to designate the Watertown Daily Times as the official Town newspaper.

Motion was made by Kenneth Knapp, seconded by Mary Zovistoski. **Motion carried.**

8. Acknowledge and set the salaries of the elected officials: Supervisor \$28,500; Councilpersons \$4,000; Town Clerk \$36,000; Highway Superintendent \$52,000; Town Justices \$12,250.

Motion was made by Kenneth Knapp, seconded by Mary Zovistoski. **Motion carried.**

9. Acknowledge that no formal action needs to be taken at the organizational meeting to further approve salaries for employees. In accordance with the established policies within the employee handbook, and as per the terms of any applicable bargaining unit the salaries for 2020 have been provided for within the 2020 budget. The Town Board has approved 2020 salaries by its action to approve the final budget on November 13, 2019.

Motion was made by Kenneth Knapp, seconded by Mary Zovistoski. **Motion carried.**

10. Resolution recognizing Town employees who belong to the NYS Retirement System, their retirement number and their number of days worked during a bi-weekly period.

Motion was made by Kenneth Knapp, seconded by Mary Zovistoski. **Motion carried.**

11. Resolution that any "new hire" or "rehire" must be reflected in Board minutes.

Motion was made by Donna Patchen, seconded by Kenneth Knapp. **Motion carried.**

12. Resolution to pay certain contractors or service providers by voucher:

a. Jay Slate: \$13/hour for seasonal Highway Laborer on Grindstone Island
Motion was made by Donna Patchen, seconded by Kenneth Knapp. **Motion carried.**

13. Set official Town Hall hours for regular business:

- a. Zoning Enforcement/Code Enforcement Office: 7am-3:30pm Monday-Friday
- b. Assessment Office: 8am-4pm MWF, 12pm-8pm TR
- c. Town Clerk's Office: TBD
- d. Supervisor's Office: 9am-4pm Monday-Friday

Motion was made by Donna Patchen, seconded by Kenneth Knapp to adopt Resolution #1 of 2020.
Motion carried.

14. Approve payment of \$1,200 membership dues for the Association of Towns for the year 2020.
Motion was made by Donna Patchen, seconded by Kenneth Knapp. **Motion carried.**

15. Resolution to set mileage rate for 2018 at the established IRS and Federal Rate. IRS Rate for 2020 is \$.575 per mile.
Motion was made by Donna Patchen, seconded by Kenneth Knapp. **Motion carried.**

16. Resolution to set boat mileage rates for employees performing daily work on Grindstone Island
or for island transportation services by staff. A "trip" is considered **over and back** to Grindstone Island at a rate of \$60 per day. In reference to transportation of staff or others on an hourly basis, a "per hour" rate of \$30 per hour will be applied with a \$60 minimum. Both scenarios are **in addition** to receiving their full hourly rate.
Motion was made by Donna Patchen, seconded by Kenneth Knapp. **Motion carried.**

17. Resolution to adopt Community Bank; Watertown Savings Municipal Bank; and Citizens Bank of Cape Vincent as Town Banks.
Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**

18. Resolution that no bills incurred by the Town of Clayton are valid without a voucher and that all vouchers that are to be paid must be delivered to the Town no less than five (5) business days prior to the regular Board meeting, unless otherwise approved by the Town Supervisor.
Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**

19. Resolution authorizing Town Supervisor to sign checks or in absence, his Deputy.
Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**

20. Authorize the Town Superintendent of Highways to make highway purchases in an amount not to exceed \$10,000 without prior approval of the Town Board as per Highway law.
Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**

21. Authorize the Supervisor to execute contracts for insurance Renewals for the year 2020.
Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**

22. Resolution for Supervisor to sign agreement with Village for the Hawn Memorial Library for \$9,000.
Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**

23. Resolution for Supervisor to distribute 2020 funds to Clayton Chamber of Commerce and Village of Clayton in accordance with current Bed Tax Agreement.
Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**

24. Resolution for Supervisor to sign contract with the Paynter Center for \$7,500 for Senior Services.
Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**

25. Resolution for Supervisor to sign a Town of Clayton Ambulance District agreement with TIERS for \$105,000 contract for expenses related to Emergency Services in the Town of Clayton, \$8,500 ambulance payment and \$36,500 reserved for capital.
Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**

26. Resolution for Supervisor to sign contract with TI Museum for \$2,500 for expenses related to housing the Town Historian.

Motion was made by Kenneth Knapp, seconded by Donna Patchen. **Motion carried.**

27. Resolution recognizing the current agreement with the CLDC regarding a 2020 contribution of \$15,000, at the discretion of the Town Board, for expenses related to economic development in the Town of Clayton.

Motion was made by Kenneth Knapp, seconded by Donna Patchen. **Motion carried.**

28. Resolution to appoint Rob Company, PE, as Town Engineer per agreement (see attached).

Motion was made by Kenneth Knapp, seconded by Donna Patchen. **Motion carried.**

29. Resolution to appoint Joseph Russell, Barclay Damon, LLP, as Town attorney at the rate of \$200 per hour.

Motion was made by Kenneth Knapp, seconded by Donna Patchen. **Motion carried.**

30. Resolution to adopt the Comprehensive Financial Policy, embodying all Town financial policies into one document, and to revise the fixed assets threshold to \$3,000.

Motion was made by Kenneth Knapp, seconded by Donna Patchen. **Motion carried.**

31. Adoption of the Employee Handbook v. 2018, inclusive of all policies within.

Motion was made by Kenneth Knapp, seconded by Donna Patchen. **Motion carried.**

32. Resolution for a Zoning & Planning Fee schedule for the Town, adopted January 5, 2005, revised by motion on October 10, 2013 and November 8, 2017.

Motion was made by Kenneth Knapp, seconded by Donna Patchen. **Motion carried.**

33. Resolution for a Code Enforcement Fee Schedule, adopted March 26, 2008, revised by motion on October 8, 2008 and November 8, 2017.

Motion was made by Kenneth Knapp, seconded by Donna Patchen. **Motion carried.**

34. Resolution to adopt Town Clerk's Fee Schedule, adopted December 30, 2015.

Motion was made by Kenneth Knapp, seconded by Donna Patchen. **Motion carried.**

35. Resolution to comply with requirements of NYS Environmental Quality Review Act.

Motion was made by Kenneth Knapp, seconded by Donna Patchen. **Motion carried.**

36. Resolution that any employee of Town wanting to travel to schools, seminars, etc., who expect reimbursement must get Board permission.

Motion was made by Donna Patchen, seconded by Donna Patchen. **Motion carried.**

37. Resolution affirming the Town Board's support for Resolution #23 of 2003 related to simplifying and enhancing the zoning and planning processes within the Town and Village of Clayton.

Motion was made by Donna Patchen, seconded by Mary Zovistoski. **Motion carried.**

38. Resolution authorizing Petty Cash Funds (in accordance with Town Law Section 64, Subdivision

1(a) and the Town of Clayton Comprehensive Financial Policy) as follows:

- a. Town Clerk: \$200.00 Custodian: Megan Badour, Town Clerk
- b. Tax Collector: \$200.00 Custodian: Megan Badour, Tax Collector
- c. Transfer Site: \$50.00 Custodian: James Jones, Recreation Supervisor
- d. Recreation Park: \$50.00 Custodian: James Jones, Recreation Supervisor

Motion was made by Donna Patchen, seconded by Mary Zovistoski. **Motion carried.**

39. Approval of \$20 fee for dishonored checks, as authorized by Section 85 of General Municipal Law (Section 5-328 of the General Obligations Law sets the maximum fee at \$20.00).

Motion was made by Donna Patchen, seconded by Mary Zovistoski. **Motion carried.**

40. Resolution for the Town of Clayton Tax Collector to keep up to \$5.00 over payment of town taxes submitted and to pool said money and use to compensate for under payment amounts tendered.

Motion was made by Donna Patchen, seconded by Mary Zovistoski. **Motion carried.**

41. A resolution of the Town of Clayton Board regarding Town contributions to Employee Health Savings Accounts, Health Reimbursement Arrangements and Flexible Spending Accounts.

Motion was made by Donna Patchen, seconded by Mary Zovistoski. **Motion carried.**

Pending Litigation:

Jan 2020

A. Status of pending General Litigation:

- a. N/A

B. Status of Tax Assessment Review Actions

- a. Schmidt v. Town of Clayton*
- b. Chen v. Town of Clayton*
- c. Cooper v. Town of Clayton*

Request to enter Executive Session:

Motion was made by Kenneth Knapp, seconded by Mary Zovistoski to enter executive session to discuss personal appointments at 5:53 PM. **Motion carried.**

Enter into Open Meeting:

Motion was made by Donna Patchen, seconded by Mary Zovistoski to re-enter regular meeting at 6:10 PM. **Motion carried.**

Town

Clerk:

- Appoint Deputy Clerk/Deputy Registrar: Nicole Cornaire, rate to be determined.

Motion was made by Kenneth Knapp, seconded by Mary Zovistoski to approve this appointment.

10. Adjournment:

Motion was made by Kenneth Knapp, seconded by Mary Zovistoski to adjourn meeting at 6:18 PM.
Motion carried.

Next Meeting: Wednesday January 22, 2020 @ 5 pm

Megan Badour, Town Clerk

January 8, 2020

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:

Lance Peterson
Mary Zovistoski
Pam McDowell
Robert Cantwell
Megan Badour

Donna Patchen
Kenneth Knapp
Allen Heberling
Kimberli Johnston

James Jones
Kathy LaClair
Lyoyd Hithers
Alicia Dewey

1. Pledge of Allegiance: The Supervisor opened the meeting at 5:03 PM and led the Assembly in the Pledge of Allegiance.

2. Guest:

A. Legislator Cantwell- discussed reappointments and appointment of new legislator, Cory Grant.

3. Town Clerk:

Correspondence:

- Association of Towns information provided on Annual Training.

Minutes: Motion was made by Kenneth Knapp, seconded by Mary Zovistoski, to accept the minutes of December 31, 2019 Year-End Workshop Meeting as submitted. **Motion carried.**

4. Public comments on Agenda Items: None

5. General Discussion Items:

A. Bills and Transfers

- i. Abstract #1 of 2020

Motion was made by Mary Zovistoski, seconded by Donna Patchen to approve Abstract #1, in the amount of \$529,469.00 . **Motion carried.**

- ii. Transfers: N/A

- iii. Budget Amendment: N/A

- iv. New Accounts/Special Entries: N/A

B. Supervisor's Report & Bank Reconciliations: February Meeting

C. Balance Sheets: February Meeting

D. Resignations and Appointments:

i. Resignations

- a. N/A

ii. Positions & Appointments

- a. Christopher Matthews, BAR, term expires 12/31/2020

Motion was made by Kenneth Knapp, seconded by Donna Patchen to appoint Christopher Matthews to BAR for a term ending 12-31-2020. **Motion carried.**

iii. Rate Changes

- a. N/A

E. Training

- i. NYC AOT Training- reminder for registration.

F. Financial Disclosures- reminder to turn in new disclosure forms.

G. Rescind Tax Cap Override Local Law 2019

Introduced by Mary Zovistoski, seconded by Kenneth Knapp to set a Public Hearing to be held January 22, 5:30 pm. Motion made by Mary Zovistoski, seconded by Donna Patchen. **Motion carried.** (see attach book)

H. Eastern Water District IMA.

Motion was made by Donna Patchen, seconded by Kenneth Knapp to approve Eastern Water District IMA with Town of Orleans. **Motion carried.** (see attach book)

I. Fireworks Permit Application: Fire and Ice

Motion was made by Mary Zovistoski , seconded by Kenneth Knapp to approve Application. **Motion carried.**

6. Supervisor's Report: TIERS Budget & Finance, ABM, CLDC, Consolidated Health District, Highway, Sewer Districts: Meeting for CLDC to be held 1/9/2020.

7. Department Head Reports:

A. Highway Superintendent: Sander has been repaired and appears to be functioning well. Additionally, the new plow was put into service.

- B. Assessor: Last reported we had 1 apportionment, we are now increased to 4-5. If Ag Districts to not renew their exemption they will be deleted. (see attach book)
- C. Codes/Zoning: No report.

8. Council Reports:

A. Councilwoman Zovistoski: Building & Grounds and Joint Boards:

Reported that the Joint Boards did not meet.

Transfer Site rates continue as existing for the year 2020, with the exception of bulk which will be increased effective immediately. (see attach book)

Report James Jones: Town Offices boiler was leaking and has been repaired, warranty is being checked into.

B. Councilwoman Patchen: Purchasing, Personnel, Youth Commission, Cemeteries: No report.

C. Councilman Knapp: Chamber, Libraries and Paynter Center:

Reported that he attended the Cerow Park Pre-Bid Meeting, it was stressed during this meeting that the facility is to remain operational. Bids are due January 22, 2020, no completion date provided until bids arrive.

Report James Jones: A road may need to be built to maintain access via East Line Road. Additionally, fill materials were questioned.

Chamber meeting is scheduled for tomorrow.

9. Public: Submitted Requests to Address the Board: N/A

10. Adjournment:

Motion was made by Mary Zovistoski, seconded by Kenneth Knapp to adjourn at 5:25 PM. **Motion carried.**

Next Meeting: Wednesday January 22, 2020 @ 5 pm

Megan Badour, Town Clerk