

Town of Clayton Regular Meeting Agenda

June 10, 2020

The Town Board of the Town of Clayton held their regular meeting at 5:00 PM, remotely due to restrictions of COVID-19. The meeting may be viewed online at:

<https://transcripts.gotomeeting.com/#/s/f10b05f34772800f67635773354ffb062b9a16fc1af953c8ce4ca651505f6ca0>

The following persons present:

Lance Peterson
Mary Zovistoski
Pam McDowell
Kimberli Johnston

Donna Patchen
Kenneth Knapp
Allen Heberling
Steve Dorr, Sr.

Joseph Chrisman
Alicia Dewey
Megan Badour
Susie O'Neill

1. Pledge of Allegiance: The Supervisor opened the meeting at 5:00 PM and led the Assembly in the Pledge of Allegiance.
2. Guests: N/A
3. Town Clerk:
Correspondence:
 - Letter from Charter Communications (see attached)Minutes from 5/27/2020 Workshop Meeting to be approved. Motion made by Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**
4. Public:
Request by Joseph Chrisman to address the Board. Mr. Chrisman was inquiring with regards to the Planned Development District and what the difference between slope zoning and spot zoning would be. Mr. Chrisman noted that spot zoning is not legal to his understanding. It was cited that this is more of a floating district as it is not in the comprehensive plan. However, it was indicated that the new district is in the comprehensive plan.
5. General Discussion Items:
 - A. Bills and Transfers
 - i. Abstract #6 of 2020
Motion was made by Donna Patchen, seconded by Kenneth Knapp, to approve Abstract #6, in the amount of \$205,731.18. **Motion carried.**
 - ii. Transfers: N/A
 - iii. Budget Amendment: N/A
 - iv. New Accounts/Special Entries: N/A
 - B. Supervisor's Report & Bank Reconciliations: Not all Board Members were able to review, this will be tabled until the next meeting.

C. Balance Sheets: None at this time.

D. Resignations and Appointments

i. Resignations: N/A

ii. Positions/Appointments:

Motion made by Kenneth Knapp, seconded by Mary Zovistoski to approve the hours and salary for newly appointed Deputy Clerk, Heather Valadez. **Motion carried.**

E. Rate Changes:

a. N/A

F. Training:

a. Sexual Harassment Prevention- currently a new training is being composed that will be a webinar so as to allow for easy access/viewing for all staff.

b. Workplace Violence Prevention- currently a new training is being composed that will be a webinar so as to allow for easy access/viewing for all staff.

G. Pontoon Boat Canvas: Highway Superintendent, Steve Dorr, has received 3 verbal quotes for the bimini top. At this time the amounts are as follows: \$1,350.00, \$1,500.00, and \$2,200.00. Pending receipt of quotes the board approves to accept the low bid through Daldry Marine Canvas. Motion made by Mary Zovistoski, seconded by Allen Heberling. **Motion carried.**

H. Upper Town Landing Dock Project-TILT:

The proposed dock project will encroach dock fingers into the TILT properly. TILT is accepting of this with the condition that they are reserved one of the dock slips.

Additionally, TILT has requested a fence to partition off their part of the property at the top of the hill. It was agreed that TILT is entitled to one dock slip, which they will be responsible for signage of reserved location as well as enforcing their privilege of access. The town will erect the fence but TILT will be responsible for maintaining this item.

I. Planned Development District:

Councilman Heberling had several questions at the last meeting, he was able to obtain information on the sidewalks as well as the renewable energy systems. However he was not able to obtain answers with regard to maximum density and floating district. Councilman Knapp was concerned that this proposed district would remove authority from the ZBA and provide authority to the Planning Board. Councilwoman Zovistoski indicated that the understanding was that the regulations would apply only if they could not fit into the normal zoning/planning laws.

Introduced by Mary Zovistoski, seconded by Donna Patchen, to introduce the motion. A Public Hearing will be set for June 24 at 5:00 pm. **Motion carried.** Peterson-aye; Zovistoski-aye; Patchen-aye; Knapp-no. Heberling- no. **Passed.**

6. Council Reports

A. Councilwoman Zovistoski: Buildings and Grounds; Paynter Center-Councilwoman Zovistoski indicated that James Jones will be traveling to Grindstone tomorrow to check on the cemeteries and the school house. As information was received in regards to the Canadian Border not opening

until the end of July, Mr. Jones will be reducing staffing from two persons to one person at the town docks.

Councilwoman Patchen: Purchasing, Personnel, Youth Commission, Cemeteries: Nothing at this time.

Councilman Knapp: Libraries; Chamber of Commerce; Arena Project- Libraries in the area are working together to coordinate services. There is a Chamber meeting on 6/11/2020. Information was provided that there will be a new sign placed at the Meek's Farm this summer, perhaps August, depicting the information of local women whom were part of the Women's Suffrage Movement.

Councilman Heberling: TIERS; Joint Boards- TIERS seen an increase in calls. At this time fund raising continues to be on hold. Planning Board has not had a meeting.

7. Public: N/A

8. Adjournment:

Motion was made by Allen Heberling, seconded by Kenneth Knapp to adjourn at 5:52PM. **Motion carried.**

Next Meeting: Wednesday May 27, 2020 at 5:00PM.

TOWN BOARD MEETING
MONDAY, JUNE 10, 2020 @5PM

[speaker unknown]:

00:00 - 00:02

This conference will now be recorded.

- Lance Peterson

00:05 - 00:07

Ok, we got everyone then.

- Ken

00:10 - 00:10

Yep.

- Lance Peterson

00:11 - 00:21

Ok, well, it's a little after five, so, let's just say, I Pledge of Allegiance, pledge allegiance to the flag of the United States of America. To the republic for which it stands. One nation under God. Indivisible with liberty and justice for all for all. Very good. Thank you, folks. Is Legislator Cantwell is he with us or no?

- Alicia Dewey

00:39 - 00:40

I do not see him.

- Lance Peterson

00:41 - 00:42

Very good. Megan, correspondence that needs recording.

- MEGAN BADOUR

00:47 - 00:54

What I have received as an update from charter communication, indicating that there will be a change. The Shutter Business Channel and TV essentials will be rebranded to Shutter, effective June first. So this was a week ago and then the TV Venesuela channel will be read that Rebranded to TV V and that is all I have for correspondence.

- Lance Peterson

01:14 - 01:20

Ok, thank you for that Megan. Minutes from the May 27th Workshop meeting.

- Mary Zovistoski

01:21 - 01:25

I think they were done well and I'll make a motion to accept them.

- Ken

01:26 - 01:27

I'll Second, that.

- Lance Peterson

01:29 - 01:30

Second by Kenny. All in favor?

- Ken

01:32 - 01:32

Aye.

- Allen D Heberling

01:33 - 01:33

Aye.

- Lance Peterson

01:35 - 01:36

Motion carried. We're down to comment on non-agenda items. And I believe, Joe, you had you had a question you had you'd like to ask?

- Joe Chrisman

01:48 - 01:49

Yes. On that building, it said, and plus, I read it in the paper about float zoning. And I was wondering the difference between float zoning and spot zoning. Because spot zoning, we all know is illegal.

- Lance Peterson

02:07 - 02:09

That's right, absolutely. And again, I was kind of hoping we would have Richard or Doug here tonight. But Kenny might be able to explain that, quite frankly, spot zoning. Which I know is your something you do for an individual person, just out of the blue, for no good reason whatsoever,

which is illegal. The town of Clayton Does not do that, and will not do that, The floating zone and Kenny or Mary can probably elaborate more. They've been a part of the planning and zoning board for much longer than I have, is kind of like, you guys, I'm sure, will correct me. But it's like the, like the MD2, it's stuff like that. It's just kind of a zone that can float around. Kenny, why don't you explain that?

- Ken

02:47 - 02:55

Essentially, it's a floating district, district, ..., based on what's in a comprehensive plan that's kind of like the standard, so to speak. If it doesn't have a basis in the comprehensive plan and then it's pretty much an automatic spot zoning. I think, that's kind of the, it's, it's, you know, it's kinda area, but that's kinda where the line is.

- Joe Chrisman

03:08 - 03:17

Yes, is this new project in the Comprehensive Plan.

- Lance Peterson

03:27 - 03:30

Ok, I'm sorry, Mary, go ahead.

- Mary Zovistoski

03:32 - 03:40

Yes, it hasn't, there's been talk of the project, but there hasn't been anything officially sent to us.

- Lance Peterson

03:43 - 03:44

Right. Go ahead.

- Joe Chrisman

03:49 - 03:51

But was it in or is it in the plan. Has it even got that far yet?

- Lance Peterson

03:58 - 04:01

We always try to follow the comprehensive plan, that's a big part of the zoning. And, of course, my, to my knowledge, to my knowledge, again, Joe, we had a little conversation, and just, you know, I'm not going to elaborate too much on this, because it's a comment on agenda item. We offered you the current way of being able to ask a question, which We have no problem. But we

normally don't discuss or debate a lot, because, I don't want, I don't want to say anything out of school or, say, anything wrong. This is really again, I was kind of hoping either Richard or Doug would be on here. I'm sure Kenny can explain it but it really doesn't fall to him. But for the most part, I think we're everybody's trying to do their I's and cross their T's, to my knowledge. There isn't a plan pending up there. There was a plan. And I think that fell through Joe, At least I haven't heard a word about the gentlemen in about eight months. And so, I don't know if that plan will move forward or if its dead in the water. But, my understanding also, as these, these kind of projects, specific, and maybe again, I could stand to be standard corrected on here in you, I believe you have to have 50 plus acres to be considered PDD. And then again, you have to have the right project, that follows our comprehensive plan, is kind of the way I understand it. I know it's much more detailed than that, but kind of in layman's terms I think I'm fairly accurate does anyone care to elaborate on that?

- Ken

05:27 - 05:34

Yeah, Lance do you want to discuss it more when we're doing the talk on The PPD rather than that?

- Lance Peterson

05:34 - 05:35

We certainly can.

- Ken

05:36 - 05:42

Yes, I think we can we can think we're better off focusing the talk around that point in the meeting, and Yeah. That might give them That's right.

- Lance Peterson

05:48 - 05:55

If you want to say I'm sure we'll address this further down the agenda here.

- Joe Chrisman

05:56 - 05:57

Thank you.

- Ken

05:57 - 05:57

Yep. Thank you.

- Lance Peterson

05:59 - 06:04

Moving on, now, Bills and transfers abstracts, thanks, everybody, get a chance to go through those.

- Ken

06:06 - 06:06

Yep.

- Lance Peterson

06:08 - 06:11

I did myself, I didn't see anything out of order but could we get a motion for those.

- Donna

06:12 - 06:13

I'll make that motion, Lance.

- Ken

06:14 - 06:15

I'll second.

- Lance Peterson

06:17 - 06:18

Second by Kenny. All in favor.

- Mary Zovistoski

06:19 - 06:22

Aye.

- Lance Peterson

06:25 - 06:29

Supervisor's report and bank reconciliations just none, none at this time, none at this time. When will we see those, the next meeting, you're thinking?

- Alicia Dewey

06:34 - 06:35

You have them now. I don't know. I'm not sure the board had enough time to review them, so when I put them out there, if you wanted to address. If you wanted to wait until the next meeting that.

- Lance Petesron

06:47 - 06:48

I didn't even see him. My bad, I got, you know, I knew there were coming out late. And I didn't get a chance. I'm sorry to say, I didn't. I didn't, I didn't happen to see it, but if the board dead, if the board did, I trust your good judgement, if anybody got a chance for those.

- Donna

07:04 - 07:05

I saw them but I didn't get a chance to look at them Lance.

- Lance Peterson

07:08 - 07:13

In nor did I, Nor did I, anybody else care to, I mean Alan? Mary, I mean, did you get through?

- Mary Zovistoski

07:17 - 07:21

I'd like to wait, myself, and look through them a little closer.

- Ken

07:23 - 07:26

No, I mean.

- Lance Peterson

07:32 - 07:35

Do we want a table for the next meeting.

- Ken

07:36 - 07:36

Yes.

- Mary Zovistoski

07:36 - 07:37

Yes.

- Lance Peterson

07:37 - 07:38

Yes, OK, very. Good, very good, will do that, will table them for the next meeting. Sailing down through the balance sheets of course is not at the fine resignations and appointments. We have nothing going on, their positions and appointments, Deputy clerk Valadez, um, clearly, you know, who want, Do you want to take this one Alicia? As far as HR?

- Alicia Dewey

08:02 - 08:06

Megan could probably go with it if she's.

- Lance Peterson

08:06 - 08:07

Yeah, you're there.

- MEGAN BADOUR

08:11 - 08:17

That's OK we would like to appoint Heather Valadez as the deputy clerk for The Town Clerk's office. At this time, I've had some great discussions with Alicia in regards to how that will look. I did speak with some of the board members following the last meeting and was able to address anything that was brought to me. And I feel it's a great partnership, the effort, in way to work in partnership with the town and essentially be able to support that position between Alicia and myself.

- Lance Peterson

08:45 - 08:57

Very good, and for the Board who, and I'm sure you're all up to speed on this, quite frankly, you know, the hours are going to be, the hours are going to be documented kept, separate as far as what will come out of the the clerks budget and what comes out of Town of Clayton's the budget. And, and, again, it's, I. Think it's a joint effort here, that's the hope that will suffice going forward. So, with that being said, can I get up? Can I get a motion for that? We need A? Motion for that?

- Alicia Dewey

09:13 - 09:13

Yes.

- Mary Zovistoski

09:15 - 09:16

Ok. We are just accepting the hours and the salary, right up to her town clerk, right, her Deputies. The hours and the salary.

- Alicia Dewey

09:35 - 09:36

However, you want to endorse that is fine.

- Lance Peterson

09:40 - 09:40

Clearly, yes, That's right, You're right, Mary, we really don't have any site as to how it's going to points there, but I think I think it's a motion that we're, you. Know, we're kind of Sharon, Employee, She's, you know, deputy clerk in town at the same time. So, I think we need a motion that we concur with that. And obviously with the: with, the hours and the rate of pay, So if I could get a motion for that, I will make a motion here with the situation.

- Ken

10:08 - 10:08

Sure. I'll make the motion.

- Mary Zovistoski

10:09 - 10:12

I think you can, also, I'll second.

- Lance Peterson

10:13 - 10:14

Very good. Thank you, Mary. All in favor. Motion carried, thank you for that. We're down or sailing along here, too, to the training. Just, you know, it's, it's time for the sexual harassment prevention training in the Workplace violence Prevention. Alicia, you can clearly, you can add to that if you'd like.

- Alicia Dewey

10:37 - 10:44

I have managed to take those programs and put them in a webinar format. I know Steve got back to me this morning or this afternoon to ask some questions. So, Steve, I will return your e-mail, but they are in a webinar format. They are recorded. So, we have the option that we can either provide it to the employees and recorded manner. Or we can do it in a live webinar, but regardless we will be able to do it without having to be on-site. And I like the fact I can do it without having to do it at 17,000 times. So, it will be more convenient to our employees, especially with limitations on the number of people in one place to the size of our rooms and, etcetera. Plus the department heads will be able to do it when it's convenient to them versus when it's scheduled to do it. So, I'm working out the details on that right now. With buildings and grounds and Highway department. Once I get that, figured out, I will then move to the admin employees and the board, so that we can get all that. And unfortunately, even though we've had

all these other success, you're going on, they're not going to waive our requirement to have mandatory training in this year, so we're a little bit behind the ball on that, but I don't think it will take for us to catch up.

- Lance Peterson

11:59 - 12:01

Very good. And clearly, just because Coronavirus and stuff. Like, that, it's business as usual, These things have to be done. Alicia's got them in order. And she said, no doubt, that they've just got to be done. It's just part of our business here. So, thank you for that, Alicia. And I know you'll, you'll work with those guys and get everything in order. Pontoon Boat Canvas. Steve, I know we talked about that bimini top there and stuff, and even though it was, I can't remember what the numbers were. You did, you did get three written quotes, right?

- Steve Dorr

12:29 - 12:36

Verbal quotes, verbal quotes, 1350, 1500 and 2200.

- Lance Peterson

12:36 - 12:39

1350, 1500 2200 Alicia for the records, Do we need to? We need written notes, just to have them or not.

- Allen D Heberling

12:45 - 12:47

You're muted, Alicia.

- Alicia Dewey

12:53 - 12:58

Sorry, they can be verbal quotes but they have to be reduced to writing in that form that you have Steve. In the future, to have that to be able to give to the board, I think would be helpful before the meeting just so they can see the breakdown. But, no matter which way you go, we have to have that for the auditors attached to the invoice of whatever we end up purchasing.

- Lance Peterson

13:17 - 13:24

I would clearly, clearly, bimini just aren't that, are difficult to think. So I think, you know, the low bidder was 1300, I think we. Accept that.

- Ken

13:30 - 13:30

Yeah. I would agree with her.

- Mary Zovistoski

13:33 - 13:35

Did we get the bids from the same three people?

- Steve Dorr

13:37 - 13:37

What's it?

- Mary Zovistoski

13:41 - 13:42

Did we get the bids from the same Three vendors?

- Steve Dorr

13:42 - 13:43

Yes.

- Mary Zovistoski

13:43 - 13:44

Same three people.

- Alicia Dewey

13:45 - 13:48

Steve who is the lowest bidder?

- Steve Dorr

13:49 - 13:50

Bob Daldry.

- Lance Peterson

13:53 - 14:04

Ok, so can we get a motion to accept that Bob Daldry, low bid of 1300, what was that 1300 Steve?

- Steve Dorr

14:06 - 14:06

- Lance Peterson

14:08 - 14:12

\$1350 to put a bimini top on the pontoon boat.

- Mary Zovistoski

14:14 - 14:20

I can accept that as soon as we get it in writing to the office, Correct.

- Lance Peterson

14:27 - 14:27

Well, I think that. I think the writing that I think we can accept verbal bids, but I think the, I think the ones in writing or just for is just, for office use Alicia. Can't we just take verbal bids, or no?

- Alicia Dewey

14:39 - 14:46

How about we do a motion to accept it pending the receipt of those bids at the office?

- Lance Peterson

14:48 - 14:49

So, that sounds good. Ok, can I get a motion for that?

- Mary Zovistoski

14:54 - 14:54

I'll do that motion.

- Allen D Heberling

14:56 - 14:56

I'll second.

- Lance Peterson

14:59 - 15:00

All in favor?

- Donna

15:00 - 15:01

Aye.

- Lance Peterson

15:02 - 15:04

Motion carried, thank you. Now, it sounds like we're going to spend a little time possibly under the PDD thing. I'm gonna skip that and come back to it and go to the upper town Landing Dock project and the 1000 islands land trust. Now, obviously, you do with that project. We have over there with our reading up on The Upper Town Landing, when we put our long extension on there and our fingers encroaches over in front. The 1000 islands land trust property that they hold, now, clearly, it's, it's, you know, encroaching on the waterpark, OK. So, we reach out to the Land Trust and ask if they had any issues that are what their thoughts are and they responded saying that And I think, everybody, I brought everybody up to speed on this but for the public and who doesn't know it, gracefully, gracefully going to let us do that. They did make a request that we would have one dock slip that would be strictly for the Land Trust. And also they had some concerns up on the hill, mostly up on the hill. You know, with the property borders them, you know, people dump off stuff, pop up there to go to the dump. And I think some of the possibly blows over on the land trust property, and some of the white goods may rollover on and pieces, get on there and stuff. And there was an issue and ask if we can, erect a fence, some sort there. And I think I've got a consensus from the board that that was OK. But a couple of things. We're gonna just want to make sure we're all on the same page on before, will respond back to the land trust. And I think Mary brought it up now. Clearly we're not going to be responsible for the signage on the reserve slips, so to speak, you know, if they want a sign reserved land trust, they can supply that. And also, we're not responsible for policing that slip. I mean, if somebody send the response, you know, the Town of Clayton can't run over their to police, that obviously they're going to have the police about themselves. Concerning the time's up on top of the Hill. Clearly, we don't have the wherewithal nor is it even feasible to build that. That's all the way down to the river North unnecessary because they've never and nobody ever encroaches down there, they're very rough terrain in. A very steep hill, as we all know, because we walk up and down, but it's more up on top flat part, clearly. I don't think we're looking for anything fancy just a fence will denote the boundary. And again, we go over there once a year and the land trust, has stewards that are over there, all the time. So, we will supply the fence and erect the fence. And I don't think we have any intention of maintaining the fence going forward now, is that the way we understand? I'm asking my board, is that the way we understand this?

- Allen D Heberling

17:41 - 17:41

Yes.

- Ken

17:42 - 17:43

Yes.

- Mary Zovistoski

17:43 - 17:44

That's how I would like. That they do the maintenance on the fence as far as mowing, or if they have to paint that at some point, but especially mowing around it so that it's clear boundary that not just, you know, something that falls over, and it's just another piece of rubble on their sides.

- Lance Peterson

18:03 - 18:04

And well, OK, so for all in agreement with that, I will get something back. I'll get something back to the land trust and and just bringing them up to speed on that. And I'm sure that'll be acceptable. Clearly, you know, obviously the other side of the fence or, you know, that's what they do over there. They maintain trails and stuff like that, so that short little piece, a fence. I don't think it's going to be any big deal to them and I think it's all And this is all in good faith and it's going to work out very good for both parties so With the board's approval, I will respond to the Land Trust like that, if you don't mind, if that's when port approval.

- Ken

18:40 - 18:41

That's good with me.

- Mary Zovistoski

18:41 - 18:41

Yes.

- Donna

18:41 - 18:44

Yes, I agree.

- Lance Peterson

18:44 - 18:45

OK, very good. Thank you for that. I don't I don't need a motion for that, do I?

- Alicia Dewey

18:45 - 18:45

I don't think so.

- Lance Peterson

18:53 - 18:58

Ok, OK, now let's go to the PDD, the Plan Development District. Obviously, you know, there's, There's been some questions and concerns on this. I know I didn't read every word out, but I

knew I know you and Doug had quite a conversation on this, because you have some questions: Allen, did you did your questions get answered?

- Allen D Heberling

19:18 - 19:28

A number of them did, so, and he did provide clarification on item D, which was about sidewalks? ...were they not required? And, uh. There was an earlier clause, that I, almost, have passed over that could address that. So, that item's trust, there was also, a question on head on renewable energy systems. And the response from Doug was that, if I could come up with some verbiage, it would address that. And in my e-mail response to that, I gave to him today that, it might be better just to reference our existing solar and wind laws that are already on our books rather than leave kind of a, oh, open-ended reference to alternative energy systems that could be used in a planned development district. So, well, one of the things I learned from working on the wireless standards is that ambiguities or redundancy is evil. So, it's better to just reference back to existing, oh, documents and ordinance that we already have the covers, that's specific to specific issues. The other item that he addressed was, I had asked about maximum density, and essentially, the answer I received was that it's not defined. And so, that leaves me still feeling a little uneasy, because in a e-mail that I sent earlier today, I had a letter that was issued by the mayor of Middleburg, Virginia, in which they were addressing concerns about how a transition area between suburban. Urban, what they call policy areas, for zoning, and their rural well, The county was, a moving to change the density from 10000 units, in a rather large, narrow strip. It separates the county into east and west, to 30,000 units, and about, I believe it was 10 million square feet of commercial space. So there was a significant concern there now, I'm not equating us to the type of density is that they're talking about, But I do think it's worthwhile to have somewhere in our planning and zoning documents, what we mean by terms such as maximum density. And it's a more complex issue, then can be answered. Than in, just quick e-mail exchange so that that one still nearer than any other one had to do with the concept of floating district. And, um, whether or not that was going to supersede the Oh, existing process that we have currently, we're reviewing zoning applications and how development will move forward. And the will is still open your book. So those two issues were the only two items left on my list that I needed to resolve further.

- Mary Zovistoski

23:04 - 23:06

My understanding from Doug? Is that if we ... It does not. It does not supersede. Our existing zoning Would say would be what they would use. If We don't have it in our existing, then they are able to apply to apply for this special zoning. But if they can do the project within our zoning, they don't need a loading zone. Does that answer your question? That was my understanding when I toss.

- Allen Heberling

23:34 - 23:34

It does.

- Mary Zovistoski

23:36 - 23:37

That was my question too.

- Allen Heberling

23:37 - 23:38

So yeah. Go ahead.

- Ken

23:40 - 23:46

Say the actual word uses those districts that the zoning will be considered. That's that's a actual verb within the document. I mean, it's not adhere to or anything else, just says consider. I myself, there's some basic flaws that You know, nobody even wants to do. I mean, why are we cutting the zoning Board of appeals right out of the permitting process, which is what this does? I Mean, the Zoning Board of Appeals is actually a quasi legal body that puts down legal decisions in this does not have any place for that. I question that greatly. And that's kind of what this whole flexible things about is that, number one, what they want to do could be translated into a more normal process zoning. You know what I mean, where it does go through a normal type of, regulations and stuff like that, all that stuff, could be worked at. I mean, it's not necessary to have this flexible zoning because then there is no set standards in a sense. And granted, the people sitting on this board and people on the planning board right now, maybe not, you know, make a decision that is regretful on something like this. But that's, we're not going to be able to insure who's going to be out there in the future and stuff, and it takes away the certainty to our zoning. I Mean, it's, it's, I just have an issue with that. I mean, all of this could be done by other means, and the follow normal procedure, or any one of us, or any other commercial entity. If they need to do something that is not allowable and zoning, they go to the zoning board of Appeals for Variance. And I didn't see the issue with that process. It's worked quite well for everything else in our town.

- Lance Peterson

25:37 - 25:41

So who said that process isn't going to be followed?

- Ken

25:42 - 25:43

It's it's in the bill. You read through it, and the flexible zoning takes all of that stuff and puts it into a lump that is dealt with by the planning board. You will not find the ...

- Lance Peterson

25:53 - 25:54

The Planning Board and then the Town board, right?

- Ken

25:57 - 26:10

Yeah, but essentially.

- Lance Peterson

26:10 - 26:18

I thought it was kind of project specific Ken, and, you know, again, this is how I'm thinking, it's project specific, you know, you got 50 acres up, their planned development district, for somebody, has an idea to develop that district. And clearly, they come up with the idea that the planning board, and if it's not worthy of, you know, the town board doesn't even seem, quite frankly, it's the way I see it. Or they can pass it along and say what you are, or if I do think it's worthy, they can say, look, we think this thing has some merit, that's what they like to do. And then it comes to the town board, you know, once all, everybody, everything from satisfied, and so on and so forth. But I don't think anybody can just go up there, the Freewheeling just because it's a development district. But, you know, you can enlighten me on that.

- Ken

26:44 - 26:47

That's not exactly what I'm saying, is that I'm saying is that right now typical zoning is, if you are going to do something that you are, you need something different than what our zoning regulations is, then you have the ability to go to the drawing board of appeals, right? I mean, yeah, they decide those kinds of decisions. Now, we're taking power away from placing it all in the planning board and their recommendations. And we, on this board, who might not be thoroughly versed in this thing, have to weigh in, too. And I just think that there's no reason in the world why we should be taking the ZBA out of the equation. I mean, they are the experts on our zoning and how it impacts and everything else, they've made decisions that are good for people, they made decisions that have upset people in terms of what's come before. But they're pretty well balanced when it comes to, you know, one thing or the other. And I just, I fail to see why we'd want to cut them out of the deal.

- Allen D Heberling

27:46 - 27:46

So how. Sorry. So how to document it to be modified to make that issue addressed?

- Ken

27:57 - 28:05

I think, first of all, you can mean essentially, you can come up with regulations that you know. I mean, we can go through it line by line, but there's like I say, there's no reason why we can't incorporate a preplanned development zoning law into our zoning. And here we're doing that,

but we're basically doing it completely different way than any other zoning. And I just know, I'm not getting the reasoning for it other than it makes it a hell of a lot easier for them, which is great, but does it give everybody in this town the protections that are warranted? You know, I'm not saying that everything is bad or whatever, I'm just saying, you got to play devil's advocate a little bit on this. And, you know, I think it's very important that if we're going to propose something that does a whole different style of zoning, a whole different methodology, and everything, I mean, that's a big deal. And I just, again, I don't think it's necessary to do these types of projects. We've got projects in our town already like heritage sites and stuff that are basically essentially moralists, preplanned development or residential development. So there's this, the particulars can be translated into actual zoning ordinances is all I'm saying, and you know, and I say that, if somebody wants to do something that's not allowable in our zoning, then they need to go for the ZBA like everybody else to us and say, Hey, I want to variance, whether it's use setback or what. And that's kinda my position on the whole thing. And that's, again, I don't have an issue with preplanned developments. Per se, It's, it's what we're talking about here is this flexible zoning, I do have an issue with, and that's kind of the bottom line with me. And I don't see any reason to change that aspect of this law, as far as I can tell.

- Joe Chrisman

29:59 - 30:00

That was my biggest concern. That's why I. Wanted to try to get the definition between the two.

- Ken

30:05 - 30:08

Joe, I think you gotta stay kind of out of the conversation a little bit.

- Joe Chrisman

30:10 - 30:11

Oh, sorry.

- Joe Chrisman

30:12 - 30:12

I'm sorry. Yeah, we don't, We don't. Have open open debate on this stuff. So, I'm sorry to say that.

- Joe Chrisman

30:19 - 30:21

I apologize.

- Lance Peterson

30:22 - 30:24

Yup, Nope, nope, nope, not a problem. So, we understand. And here you go, I just assume, that goes back to the ZBA. I mean, are they, are they? Should know all this?

- Mary Zovistoski

30:43 - 30:45

It doesn't really matter who was on it today? Because it could change by, these projects come to us, and then if they don't fit into our planning, because there's some, something so special about this project, but it doesn't fit into any of our zoning, that's why they come to us kinda like the MD2. It didn't fit into our Zoning. So we have to decide whether or not we accept that project and into this new district or not, because every district has different rules and regulations. And because it's 50 acres, it's not going to be in a lot of residential areas. It could be set out by itself somewhere anyway. But it has to Fit into our regular zoning. For process, as it does, that kicks in and then it comes to us, understanding is, if we accept it, goes down to the planning board and zoning and they work out all the details.

- Lance Peterson

31:52 - 31:54

Here's my thoughts for that.

- Mary Zovistoski

31:55 - 32:09

If it doesn't fit into regular zoning, they have to try every way, through the planning and zoning board to get it through normal channels before they can go into this process. ... Development, try all the processing. That's the normal first. Just like they. Did with the goal. To all of that, which they take before they can even apply for this special district, is my understanding. So it's not You can't just walk in and say we want to do a planned Development, they have to try The only process.

- Ken

32:47 - 32:48

Well, that may be Mary but I just don't see the language that directs that to happen.

- Mary Zovistoski

32:47 - 32:48

Well, I think, you know, kind of.

- Lance Peterson

32:49 - 32:52

Language and that's my ..., I'm sorry.

- Mary Zovistoski

32:53 - 32:57

Well, that's my understanding talking to Doug Rogers. But, maybe you need to make that clear in a clear sentence. This Is not just ... That wasn't. The first step, That's the last step.

- Ken

33:15 - 33:17

Yeah, no, I mean, I'm just saying that. I think there's a lot of areas that need to be looked at, and, you know. In its current form I'm just simply not going to support it. Just because a large problem with using things slightly everybody else does, you know, that's just me.

- Lance Peterson

33:37 - 33:40

Can't we as a town Board, I'm sorry, can I don't mean to interrupt them. Sorry, For that town board looked at the ...Or the planning board passed along to the soundboard and let's just say for whatever reason, you know, we are the governing body. For the most part, Why can't we? Not no one here, one here. Let's see what they have to say. Why can't we do that? We can clearly do that as a tunnel board, the governing body. If we're not comfortable with something that's going on, we can just send it to the ZBA. We have that authority. And, of course, we're uncomfortable with. That's what we do or, you know, something that needs to be tweaked or so on and so forth. I just think it's going to run through. I don't think anything is going to get past. You know, all the powers that be here, I really don't, I just really don't. I thought it was kind of a project specific zoning. And again, as I don't wanna be redundant, that, quite frankly, there's, you know, everybody's going to be on top of that. Anything are in all reverts back to our What does it, in the law, refers back to what is in the law? Quite frankly, and then you know, and obviously the other stuff, we go through the planning board and the board that we refer to, the ZBA. We'll let it goes back to this idea. And I don't think I've interacted inaccurate and saying that, But maybe I am. I don't know, but we can do all the steps that we deem necessary to make sure the project is fruitful for our community. I'm just saying. Nobody is Trying to convince you Ken. One thing we've always been able to do, we can agree to disagree, and. And, and, and, you know, you understand your. Concerns, I really don't know.

- Ken

35:17 - 35:28

And, like I say, I mean, that's, that's just my position on the thing, and, yeah, that's kind of where I'm coming from and, you know, there you go. I mean, I think it's, there's a lot of room to improve it, I'll put it that way and I haven't seen an effort to do it now. So, in terms of planning, feedback, from them, so.

- Lance Peterson

35:44 - 35:49

Well, I think it, You know, and, again, I'm not, you know, you know, it looks, and I'm just trying to state the obvious. I know that, you know, Doug, and I think there's an app for trying to be made to a piece what Alan had there. But listen, here, we have, you know, when we appreciate your opinion can, and thank you for that. Really don't know, everybody, we all have. No way. That's why we're all on this board. Not all of us think, like, it's not, it's not a bunch of quotes here. So, with that being said, you know, we, we know where to put it back on the table. If we feel we're ready to put, to put this to vote, I'll put this the vote. Obviously, Allen had some questions, both of them got answered. I don't know that nobody's trying to ram this thing through by any stretch of the imagination. It's been known to docket for a longtime, my bad for not getting in front of the board sooner than this, but clearly with a coronavirus and everything else that's been going on. I think the planning board, we have to respect. We have to respect their opinion on this. You know, I trust their good judgement, That's why they, you know, they're, they're bright people on that board and there's bright people involved in every aspect of that. So, with that being said, with that being said, I'd like to. Put a motion and see if I can get a motion to accept the PDD the Plan Development District.

- Ken

37:08 - 37:08

I believe You gotta set a public hearing up first.

- Lance Peterson

37:11 - 37:13

Sorry, I always get out. I always got out of whack and.

- Mary Zovistoski

37:18 - 37:18

Are you going to do a roll call or do you just wanted to motion.

- Ken

37:20 - 37:21

Well, I'm not sure for a public hearing.

- Ken

37:24 - 37:26

I think we have to do a public hearing.

- Lance Peterson

37:27 - 37:28

If we, are we the Board? Ready to move ahead with the public hearing on this? I mean, if we're not comfortable with it, obviously, we're not. So are we ready to move ahead with the public hearing on this? Is that the proper public hearing Alicia?

- Alicia Dewey

37:50 - 37:50

Yes, I think that you want a motion, you have a motion to introduce it first, and then you would have a motion to set public hearing. You can do it all at once.

- Lance Peterson

38:03 - 38:09

Either way, however you want to do a motion to introduce the plans, the PDD?

- Mary Zovistoski

38:09 - 38:10

I'll make the motion.

- Allen D Heberling

38:13 - 38:14

As it currently is?

- Lance Peterson

38:16 - 38:17

Yes.

- Donna

38:19 - 38:20

I'll second it, Lance.

- Lance Peterson

38:22 - 38:23

Very good I'm also in favor, so, all in favor.

- Donna

38:31 - 38:31

Aye.

- Lance Peterson

38:33 - 38:34

Those opposed?

- Ken

38:35 - 38:35

No.

- Allen D Heberling

38:37 - 38:37

No.

- Lance Peterson

38:39 - 38:42

Noted that Ken and Allen are opposed to this.

- Donna

38:43 - 38:45

By majority vote motion carried. Can we also, Can I get a motion to set a public hearing? When would we want to? When do we want that to take place? So, you know for a public hearing, you know, I would like to kick. This around a little bit. Later, I get back to on site meetings. And I think it would behoove us to probably have the public hearing on site. But if we can't, we can't, I don't know. I don't know. We wanted to do this at our, at our workshop meeting, to, do we want to do this public hearing? When do we want to do this?

- Donna

39:30 - 39:31

When are we going back ...?

- Lance Peterson

39:35 - 39:38

Ok, we don't, We don't know that yet, Alicia And I have been kicked around a little bit. So, why don't we, why don't we start the public hearing for our next meeting, and then obviously, we're gonna listen to the public. We're not going to, you know, move forward on it, right, that we're gonna have to weigh in and think, and give us some more thought, and then we'll address it, Possibly the meeting, following that So, if we can set the public hearing for on the 24th, I believe it is.

- Mary Zovistoski

40:14 - 40:15

Can you make sure that you send out all the planning board first, so that they can make an effort to be there also?

- Lance Peterson

40:12 - 40:14

Yes, Yes, we can do that. And let's just make it for, let's make it for 5 30 on the 24th.

- Alicia Dewey

40:18 - 40:21

Do you just want to make it 5 Lance? Because there isn't really a lot of other stuff. It's a workshop meeting? So, it's not like there's a lot of business to get through before your public hearing. I'd hate for you to sit on the computer for 20 minutes.

- Lance Peterson

40:34 - 40:35

I understand. We can do that. We can do that. Let's make it for five o'clock. The other thing that we talked about, and Alicia and I talked about, that I've been discussing just a little bit, and I think down and I've talked about today. Folks, I think as much as we enjoy our trips to Grindstone and I don't know that, that's, I don't know that that's possible to share, to be honest with you. You know, the amount of people that they attend and their facilities over the large and with the mask and what were. You know, in the gathering and so on and so forth. Just the Board's thought on that as far as going to grindStone. My eye, my thought, is we probably shouldn't.

- Donna

41:18 - 41:18

I agree.

- Ken

41:19 - 41:20

Yeah, I think you're right.

- Mary Zovistoski

41:22 - 41:26

Right now, we can correct in a room, and there's 9 or 10 of Us. So, even if a double it is not enough people.

- Ken

41:32 - 41:33

Yes, that's going To do, and I think, they're gonna need some lead time anyway, if they were to do that. So I think, you know, given this point in time, I don't, I don't see it.

- Lance Peterson

41:47 - 41:50

All right, very good, very good, will make them aware of that. You know what I regret Alicia we can that we just unfortunately, we won't be able to. We won't be able to make the trip to the island.

- Ken

41:56 - 41:59

Maybe Depauville too, Lance. That's possible too.

- Lance Peterson

42:01 - 42:08

Yup, and I know Depauville is a week or two later kind of just kind of holding out a little bit of hope maybe see where we're at with that one. But thank you.

- Ken

42:11 - 42:12

So, OK. Yeah, but I'm like, you can, we can probably make that decision right now too, but I'm just going to my glasses, have full. I'm going to hope that we can, We can, we can get to the ... will possibly know who knows. So. With that being said, with that being said yeah. All right, supervisors report obviously will cover the highway ... I went to the meeting there. They are continuing to know. The answer to the ... Are still working on that, are still working on that consolidated health? We got a meeting coming up there in a few months. Nothing to report. Their sewers are in good shape. But, you know, we last, if you remember the last, maybe we want to pull the plug for doctor Environmental to take care of the. Hired him to do that And I haven't had any communication with the Antique Boat Museum. And so, with that being said. Steve, what have you got for us tonight?

- Steve Dorr

43:23 - 43:29

Well, everybody's back to work getting caught up, as it, two weeks ago, at least a little closer? Trucks are all. In. One are ready to go, They're getting inspected, there were 13 vehicles need to get inspected. Getting through that, uh, there a Tyler's been around and mowed the county roads is needed, Kevin was all around, one lab, was opened in a whole bunch of roads, attractive, rural parts, coming from it. Guys, are out washing Bridges to the county to get that out of the way, and, as you all know, we did receive word on our chips money, up to 80%. So, I'd like to move

ahead with my paving projects. Have those and Alicia tomorrow. Everybody's doing well with our plan so far. We're getting a lot of stuff done. Questions?

- Ken

44:25 - 44:30

Good, good Steve did the tractor break, or the mower break.

- Steve Dorr

44:30 - 44:31

The mower.

- Lance Peterson

44:32 - 44:34

Ok Good.

- Steve Dorr

44:36 - 44:37

Yep, OK.

- Steve Dorr

44:37 - 44:40

Ok, anything anybody have anything for, Steve?

- Ken

44:46 - 44:49

Say, I hope you're done plowing snow.

- Steve Dorr

44:49 - 44:50

Me, too.

- Lance Peterson

44:54 - 44:56

Ok, very good, is Jimmy with us.

- Mary Zovistoski

44:59 - 44:59

No. He's not here tonight. He's not here tonight.

- Lance Peterson

45:05 - 45:06

I talked to Rob this morning a little bit. I talked to Rob poured concrete, just to bring you up to speed on that project. They're pouring concrete up there today. I didn't get a chance to stop and take a look at it, but it sounds like the American pretty good progress up there. They really haven't run into too many surprises that surprises, they've run into, have been very, very minimal labor. And materials, So, that's that's good notes anyways, and everybody got the assessor's report, Kim's report, Kim are you with us?

- Kimberli johnston

45:38 - 45:38

Sure am.

- Lance Peterson

45:40 - 45:42

Ok, anything you want to add to that? Obviously, we all got through it. We all got through it, Kim. Is there anything you want to add to that?

- Kimberli johnston

45:47 - 45:55

Just Justin came in today and signed all of the determinations, and then Mike Pavlov came in and sign one. That just was able to and those went in the mail. So, I think we're in good shape.

- Lance Peterson

46:03 - 46:04

Good, good. Very good. Very good. Does anybody have anything?

- Ken

46:10 - 46:10

No, sir.

- Kimberli johnston

46:13 - 46:14

Thank you.

- Lance Peterson

46:16 - 46:19

I know the codes ... don't know Richard, Richard ... On tonight, but I do know that when I walked in, his office, this morning, he told me, I got checks laying all over the place here, so, I didn't want to hold them up and we'll get them in, The bank would need the money, Richard. So, it seems like it seems like there's some projects out there, and people are anxious to get going on. And that's good news with the economy. Even though we're not all that healthy, at least it appears in, Our economy is at this time, or at least, people are willing to do projects. So, that's. About all I have for that. Mary, what do you have for us?

- Mary Zovistoski

46:54 - 46:58

Well, Jim is going to go to Grindstone tomorrow, said, Check out this school house. Look at both cemeteries in the water on the schoolhouse word today that the Canadian border will not be opening up insult least July 21st so that means the docks will be slower. So he is going to reschedule his people, so there's only one person down there and two. So, we're going to save a little bit of dock attendant money. That's all I have.

- Lance Peterson

47:31 - 47:32

Good, That's good, thank you. That's well done. Save all the money, we can't hear. Anything else, Mary.

- Mary Zovistoski

47:37 - 47:42

Now, it's not good news that the Canadian border for any of us, is going to be close that long. It's not good for business. We get a lot of Canadian tourist in town. So.

- Lance Peterson

47:49 - 47:50

Yes, we do. You know, you know, especially by. Boat, they love to come shooting across there and probably, the village doc and the transit docking spending the night or two and they do, I think, bring in quite a bit of revenue. And, I know the shopkeepers, you're going to miss them also. So, hopefully, you know, hopefully we can rebound from that. Thank you for that, Mary. Donna, you got anything for us this evening.

- Donna

48:12 - 48:12

I do not.

- Lance Peterson

48:14 - 48:20

Ok, you Ken, libraries, Chamber, you got, you got boards in the arena project. I'm sorry, I'm sure you're up to speed on that. I don't want to steal your thunder on the arena project, their body.

- Ken

48:26 - 48:27

Got good thunder, dude, that's fine. No, basically the Chamber meeting is tomorrow. I'm sure they're going to want to know when they can do something which I can't really answer because nobody has ESP but, um, And the library's their work, and they're coordinating all three libraries, including the Cape, are trying to coordinate everything they're doing to kind of roll into what, you know, what they can do. And, I wanted to say that one thing, with the Depauville library, just as we put it together, that one historic sign couple of years ago, there's going to be placed this, summer, Bob Meeks, the old Meeks farm. And that is about women's suffragettes. Because, way back when there was three women from the ..., they got together, what's old Bob's house now. And they march their butts right down to the government and debated that women get free rights are equal rights. So, actually, it's a very early movement in terms of that in our country. So it's a kind of a big deal. And, you know, I think, because we're gonna get it installed beginning August. At this point, I think we're like, Maybe the second week of August. We might have some ceremony. That's up there, you know. Because of the COVID thing, but anyway, it's, it's very cool. I'll get a picture of it and send it to you guys.

- Mary Zovistoski

49:57 - 50:00

... What we knew about the date, yeah.

- Ken

50:03 - 50:13

That's what I want to do is once you get a date firmed up an and you set it up so that, you know, as many people as possible can attend, even if we're spread out a little bit. Because you can it's a big designation, really, in terms of our little chunk of the world, you know, played a role in that whole thing. So, it's pretty cool.

- Lance Peterson

50:24 - 50:25

Yes, It is an um, Kenny. When you get more information on that, I know you'll pass it onto the board will make every effort to to attend the ceremony.

- Ken

50:31 - 50:31

Absolutely.

- Lance Peterson

50:32 - 50:34

All right. Thanks. Thanks, Ken. Thank you for that. Allen, what do you have for us this evening?

- Allen D Heberling

50:42 - 50:45

I've been in conversation with Doug Rogers on the planning board. So that's still an ongoing conversation.

- Allen D Heberling

50:49 - 50:53

And I don't believe they've had any online. Meetings are teleconferences like town the Village Boards have been doing. As far as TIERS, they had a meeting the fourth Thursday of May. And pretty much they were saying that the returning of snowbirds and tourists are starting to see an uptick in the number of transports and calls that are going out on. And are also continuing their training of their EMTs and paramedics are also looking to, at some point, to appeal to hold their fundraising events. But they've been delayed until the proper phase is available for them to do that with the COVID-19. So that's pretty much what I'm looking at.

- Lance Peterson

51:49 - 51:49

Oh, Good. Good. Good. Thanks for that. Thanks for that, Allen. I know they like to stay proactive with training and such. Very good, thank you for that. Do we have any, Megan, Do we have any requests to address the board on non agenda items?

- MEGAN BADOUR

52:07 - 52:10

I do not have any requests to address the board on Non agenda.

- Lance Peterson

52:12 - 52:13

Very good. Anybody have anything else to add? If not, we'll look for a motion to adjourn.

- Ken

52:20 - 52:21

I'll make that motion.

- Allen Heberling

52:21 - 52:21
I'll second.

- Lance Peterson

52:24 - 52:25
All in favor?

- Allen D Heberling

52:25 - 52:25
Aye.

- Allen D Heberling

52:25 - 52:26
Aye.

- Lance Peterson

52:29 - 52:29
Motion carried. Thank you very much everybody.