

Town of Clayton Workshop Meeting Minutes

October 28, 2020

The Town Board of the Town of Clayton held their regular meeting at 5:00 PM in the 3rd Floor Meeting Room of the Clayton Opera House located at 405 Riverside Drive, Clayton, NY with the following persons present:

Lance Peterson	Donna Patchen	Alicia Dewey
Mary Zovistoski	Kenneth Knapp	Megan Badour
Allen Heberling	James Jones	Candy Duswalt
Robert Campany	James Duswalt	Herb Listemann
Elaine Listemann	James Ganter	David Crandall
Jack Stopper	Joseph Chrisman-remote	Paul Luck-remote
Pamela McDowall-remote	Dennis Weller-remote	Joseph Russell-remote
Doug Rogers-remote	Linda McCausland-remote	Ross Holbrook-remote
Susie O'Neil-remote		

1. Pledge of Allegiance: Supervisor Peterson opened the meeting at 5:00 PM and led the Assembly in the Pledge of Allegiance.
2. Town Clerk:
 - A. Correspondence: N/A
 - B. Minutes from the 10/14/2020 Workshop Meeting for approval. Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**
3. Public Comment on Agenda Items: N/A
4. Workshop Discussion Items:

A. Recreation Park Project and REDI Projects:

Recreation Park Project has the building up and semi-enclosed. Due to the weather some of the work has been limited, roofing work is active. Plumbing and heating work will commence once the project has a roof. The Zamboni addition is constructed, but the steel does still need to be set. The concession area has been completely gutted. At this time, because of the weather it is difficult to say exactly when the project will be closed in. Hopeful that within two weeks this will be completed. It looks as though there maybe grant funding to provide coverage for some of the over-run cost of the project, but this is still being looked into at this time.

REDI Projects have had the survey work completed. At this time, probes are being completed for the location of bedrock. It is proposed that the Grindstone project will go out to bid first, in the spring and soon after the Waterfront will follow.

- B. Change in Meeting Dates:** Due to Veteran's Day falling on November 11, 2020, a request was made to change the meeting date for this meeting to November 18, 2020. Additionally, with the December 23 meeting falling so close to Christmas Day, a request was made to

change the meeting date for this meeting to December 31, 2020. Motion was made by Donna Patchen, seconded by Allen Heberling. **Motion carried.**

- C. **Vehicle Replacement Policy:** This policy provides general guidance to officials for the ongoing replacement of Town owned/operated vehicles. This policy provides a timeline for appropriate replacement provided the expected service life and condition of the vehicle. Motion was made by Kenneth Knapp, seconded by Donna Patchen. **Motion carried.** (See attached.)
- D. **41j NYS Retirement:** NYSLRS has a policy that allows for employees to receive additional service credit for their unused, unpaid sick leave at the time of their retirement. The estimated additional annual cost to the Town of Clayton is \$1,107.00. At this time a motion was made to adopt the resolution to allow for this addition to the benefit plan. Motion was made by Mary Zovistoski, seconded by Kenneth Knapp, to approve. **Motion carried.**
Peterson-aye; Zovistoski-aye; Patchen-aye; Knapp-aye; Heberling-aye
- E. **Pandemic Plan:** The State of New York has required that each Town submit a Pandemic Plan by April of 2021.
- F. **Bill Pay Schedule Modification 2021:** At this time, the Town of Clayton has a monthly bill pay schedule. So as to ensure timely payment as well as an equilibrium within the payment cycle, it has been requested to process billing bi-weekly in accordance with board meetings. A motion was made to approve this pay schedule modification starting January 1, 2021, by Donna Patchen, seconded by Allen Heberling.
- G. **Additional Topics:**
 - Discussion of TIERS:** Currently the contract for TIERS services is up for renewal December 31, 2020. The lease agreement expires August 2021, this is set to automatically renew every five years. The service contract is on a different schedule of three years for renewal. There is discussion of how to appropriately make modifications to these schedules to allow for coordination of the two schedules. No decisions at this time, but a subject that will be explored.
 - Buildings and Grounds:**
 - The Opera House has had some concerns with sewer lines. At this time, the third story bathrooms are not able to be utilized. This concern should be resolved within the next several weeks.
 - The DASHER boards were picked up from the purchaser this afternoon and have been paid for in full.
 - Docks are closed effective 10/28/2020 for the season.
 - Punch cards for public skating sales are going well.

5. Public Hearings:

- A. Preliminary Budget 2021
 - Motion** made by Mary Zovistoski, seconded by Donna Patchen, to open the Public Hearing at 5:30 pm, to hear all those interested to speak on the Preliminary Budget for 2021.
 - Joseph Chrisman requested to speak. Mr. Chrisman indicated that he was able to view the budget and noted that there is a fund set aside to cover an assistant for the Zoning Officer. Mr. Chrisman indicated that on multiple occasions it has been noted that concerns have been brought forth citing reasoning for incomplete or slow processes to be that of being understaffed. Mr. Chrisman advocated that since this is a line in the budget, the position should be filled and could assist with alleviating some of these concerns, so it should be funded.

Motion to close the Preliminary Budget hearing was made by Kenneth Knapp, seconded by Donna Patchen at 5:33 pm.

A **motion** was made to table adoption of the preliminary budget until the November 18, 2020 meeting by Mary Zovistoski, seconded by Allen Heberling.

Supervisor Peterson read the Town of Clayton rules and regulations for public hearings.

B. Proposed Local Law 3 2020: Add Section on Planned Development District to Zoning Ordinance

Motion made by Allen Heberling, seconded by Mary Zovistoski, to open the Public Hearing at 5:45 pm, to hear all those interested to speak on the Planned Development District.

Clerk Badour acknowledged having receipt of communication from the following persons: Linda McCausland, Candy Duswalt, Paul Luck, Ross Holbrook, Mr. Anderson and the CLDC.

Speakers:

Linda McCausland:

Mrs. McCausland indicated that she believes the PPD as a floating district is not a good idea. As cited in her letter to the Town Board September 20, 2020, Mrs. McCausland referenced several different Councilmen/women having referenced modifications to the plan themselves. In closing Mrs. McCausland also brought forth the concern of renewable energy. (See attached.)

Ross Holbrook:

Mr. Holbrook addressed the board by reading a letter he had previously sent the Town Board. Mr. Holbrook cites his concern of controversy is with the legislation, not the concept. Mr. Holbrook states that the draft of the PDD was never made public and this should occur. (See attached.)

Dennis Weller:

Mr. Weller addressed the board by indicating that he was on the original board that created the PDD. With this being said, he stated that as part of this board, they were never asked to review the plan after it was rewritten from the original plan. He would request that the boards work together to create a plan that works in harmony.

Doug Rogers:

Mr. Rogers opened by stating in that he echoes what Mr. Weller had just spoke about. Mr. Rogers stated that he would be willing to work with a board or committee that would plan to meet everyone's needs. He referenced an Association of Town's article that recently addressed the issue of density. Mr. Roger's suggested a change in procedures.

Paul Luck:

Mr. Luck stated that he sees the benefit, and that flexibility is good until it is not. He was thankful for the opportunity to provide dialogue on the topic. Mr. Luck requested that the Town Board reject the PDD as written. (See attached.)

Susie O'Neil:

Ms. O'Neil stated that she feels the plan is a restructure, that is good. However, she cited concern with the Planning Board having no responsibility with the regulation once this plan is approved. Ms. O'Neil did also direct comment to the previous concerns brought forth by Town Board members.

James Ganter:

Mr. Ganter, representative for the CLDC, cited that they have faith that this PDD will be processed correctly, stating they are not zoning experts, just assisting with the process. (See attached.)

Candy Duswalt:

Mrs. Duswalt addressed the board by reading a letter that she had previously sent the Town Board. She believes the Planning Board is not equipped to handle Floating Zoning. Mrs. Duswalt additionally cited several concerns with the abilities of the Planning Board. (See attached.)

Herb Listemann:

Mr. Listemann spoke with regards to making sure that the plan is what is best for the community, not what will be best for developers that will come in, complete the work and then leave, having no commitment to the town. He cited making sure that the plan is in line with the Comprehensive Plan.

James Duswalt:

Mr. Duswalt discussed smart growth and prior knowledge of plans not working.

Dave Crandall:

Mr. Crandall indicated that the plan must include the preservation of rural and urban characteristics of the location. PDD does require a developer to identify natural features, locate every building, and every use. Although density may be increased, it works to preserve natural space. Mr. Crandall also indicated that a PDD must have two public meetings prior to approval.

Motion to close the Public Hearing was made by Allen Heberling, seconded by Mary Zovistoski at 6:22 pm.

Motion to table PDD until the November 18, 2020 meeting was made by Donna Patchen, seconded by Kenneth Knapp.

H. Public Requests to Address the Board: N/A

I. Adjournment:

Motion was made by Mary Zovistoski, seconded by Allen Heberling to adjourn at 6:23PM. **Motion carried.**

Next Meeting: Wednesday, November 18, 2020 at 5:00PM.