

Wednesday, January 13, 2021 | 5:00pm | Annual Meeting

## Town of Clayton Annual Meeting Minutes

Wednesday, January 13, 2021

The Town Board of the Town of Clayton held their annual meeting at 5:00 PM, remotely due to restrictions of COVID-19.

The following persons attended remotely:

Lance Peterson	Kenneth Knapp	Megan Badour	Kimberli Johnston
Mary Zovistoski	Allen Heberling	James Jones	Rob Company, St.
Lawrence Engineering			
Donna Patchen	Alicia Dewey	Pam McDowell	Debra Sullivan, Barclay
Damon			
Steve Dorr, Sr.			

1. Pledge of Allegiance: The Supervisor opened the meeting at 5:00 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 Kenneth Knapp, seconded by Donna Patchen to approve these appointments. **Motion carried.**

- Board Appointments
  - Heritage Heights Sewer Board: Tom Turgeon; Dennis Baldwin; Chris Matthews
  - 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
  - Clayton Youth Commission: (see attached for list of addresses)

- Town: Sara Matthews; Nicci Hudson; Melissa Storandt; Eric Lashomb; Darin Barton; Kenny Garnsey
- Village: Scott Johnson; Emily Males; Meredith Fox; Tasha Dwyer; Rachel Costantino; Jay Kittle
- Clayton Local Development Corporation: Jamie Ganter (Chairman); John Cooper (Treasurer); Kylie Peck (Secretary); Christine Powers; Jack Stopper; Dennis Weller; Tom LaRochelle Ex Officio Members: Doug Rogers; Norma Zimmer; Lance Peterson; Bobby Cantwell; Michael Bashaw; Chris Bogenshutz
- Depauville Library: Tresa Forkey (President); Jan Larrow (Vice-President); Gail Egeressy (Treasurer); Phil Pond; Keitha Haas; Colleen Schimpf; Doreen Hanson

Motion was made by Mary Zovistoski, seconded by Allen Heberling 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
  - Zoning Enforcement Officer: Richard Ingerson
  - Building Codes Enforcement Officer: Richard Ingerson
  - Assessor: Kimberli Johnston
  - Town Constable: Lynn Schnauber
  - Depauville Sewer Operator: William Sherman

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

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

Town Clerk:

- Appoint Deputy Clerk/Deputy Registrar: Mariah LaClair

Highway Superintendent:

- Appoint Deputy Highway Superintendent: Raymond Robinson

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

**Motion carried.**

Town Facility Rates:

- Transfer Site—See Attached (as adopted in 2020)
  
- Cerow Recreation Park—
  - o Event Rates: \$600 base price, plus \$1 per attendee per day
  - o Pavilion Rental: \$50/day Resident - \$100/day Non-Resident
  - o Ice rates for 2020-2021:
    - \$85/hr contract
    - \$100/hr Old Timers
    - \$120/hr Community non-contract
    - \$125/hr Outside non-contract
    - \$2/day Public Skate admission
    - \$4/session Skate-n-Shoot
  - o Ice rates for 2021-2022:
    - \$90/hr contract
    - \$100/hr Old Timers
    - \$120/hr Community non-contract
    - \$200/hr Outside non-contract
    - \$3/day Public Skate admission
    - \$5/session Skate-n-Shoot
  - o Pool:
    - \$3/day Daily admission
    - Season membership: \$75 – family; \$50 – adult; \$40 – student

o 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 Allen Heberling, seconded by Donna Patchen to approve these rates. **Motion carried.**

Annual Resolutions:

1. Adopt the Official Undertaking of Municipal Officers Resolution.  
Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**
2. Resolution to adopt Robert's Rules of Order as Town Meeting Rules.  
Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **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 Mary Zovistoski, seconded by Kenneth Knapp. **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 Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**
5. Resolution to establish two regular meetings per month for Town Board—2nd and 4th Wednesday of the month at 5PM.  
Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **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 Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**
7. Resolution to designate the Watertown Daily Times as the official Town newspaper.  
Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**

8. Acknowledge and set the salaries of the elected officials: Supervisor \$32,000; Councilpersons \$4,000; Town Clerk \$28,500; Highway Superintendent \$53,500; Town Justices \$12,250.  
Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **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 2021 have been provided for within the 2021 budget. The Town Board has approved 2021 salaries by its action to approve the final budget on November 18, 2020.  
Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **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 Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**
11. Resolution that any “new hire” or “rehire” must be reflected in Board minutes.  
Motion was made by Allen Heberling, seconded by Donna Patchen. **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 Allen Heberling, seconded by Donna Patchen. **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: 8:30am-4:30pm Monday-Friday
  - c. Town Clerk’s Office: 8am-11:30am, 12:30pm-5pm Monday-Friday, 5:30pm-8:30pm Tuesdays and Thursdays, 8am-12pm Saturdays
  - d. Supervisor’s Office: 9am-4pm Monday-FridayMotion was made by Allen Heberling, seconded by Donna Patchen. **Motion carried.**
14. Approve payment of \$1,199 membership dues for the Association of Towns for the year 2020.  
Motion was made by Allen Heberling, seconded by Donna Patchen. **Motion carried.**
15. Resolution to set mileage rate for 2021 at the established IRS and Federal Rate. IRS Rate for 2021 is \$.56 per mile.  
Motion was made by Allen Heberling, seconded by Donna Patchen. **Motion carried.**
16. Resolution to adopt Community Bank; Watertown Savings Municipal Bank; and Citizens Bank of Cape Vincent as Town Banks.  
Motion was made by Allen Heberling, seconded by Donna Patchen. **Motion carried.**

17. 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 Allen Heberling, seconded by Donna Patchen. **Motion carried.**

18. Resolution authorizing Town Supervisor to sign checks or in absence, his Deputy.

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

19. 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 Allen Heberling, seconded by Donna Patchen. **Motion carried.**

20. Authorize the Supervisor to execute contracts for insurance Renewals for the year 2021.

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

21. Resolution for Supervisor to sign agreement with Village for the Hawn Memorial Library for \$9,000 for 2021.

Motion was made by Mary Zovistoski, seconded by Allen Heberling. **Motion carried.**

22. Resolution for Supervisor to distribute 2021 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 Allen Heberling. **Motion carried.**

23. Resolution for Supervisor to sign contract with the Paynter Center for \$10,000 for Senior Services for 2021.

Motion was made by Mary Zovistoski, seconded by Allen Heberling. **Motion carried.**

24. 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 for 2021.

Motion was made by Mary Zovistoski, seconded by Allen Heberling. **Motion carried.**

25. Resolution for Supervisor to sign contract with TI Museum for \$2,500 for expenses related to housing the Town Historian for 2021.

Motion was made by Mary Zovistoski, seconded by Allen Heberling. **Motion carried.**

26. Resolution recognizing the current agreement with the CLDC regarding a 2021 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 Mary Zovistoski, seconded by Allen Heberling. **Motion carried.**

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

Motion was made by Mary Zovistoski, seconded by Allen Heberling. **Motion carried.**

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

Motion was made by Mary Zovistoski, seconded by Allen Heberling. **Motion carried.**

29. Resolution to adopt the Comprehensive Financial Policy, embodying all Town financial policies into one document.

Motion was made by Mary Zovistoski, seconded by Allen Heberling. **Motion carried.**

30. Adoption of the Employee Handbook v. 2020-03, inclusive of all policies within.

Motion was made by Mary Zovistoski, seconded by Allen Heberling. **Motion carried.**

31. 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 and as revised and presented on January 13, 2021.

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

32. Resolution for a Code Enforcement Fee Schedule, adopted March 26, 2008, revised by motion on October 8, 2008 and November 8, 2017 and as revised and presented on January 13, 2021.

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

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

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

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

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

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

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

36. 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 Kenneth Knapp, seconded by Donna Patchen. **Motion carried.**

37. 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

e. Clayton Harbor Municipal Marina: \$200.00 Custodian: James Jones, Recreation Supervisor  
Motion was made by Kenneth Knapp, seconded by Donna Patchen. **Motion carried.**

38. 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 Kenneth Knapp, seconded by Donna Patchen. **Motion carried.**

39. 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 Kenneth Knapp, seconded by Donna Patchen. **Motion carried.**

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

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

Pending Litigation: Jan 2020

A. Status of pending General Litigation: None

**Adjournment:**

Motion was made by Allen Heberling, seconded by Mary Zovistoski to adjourn meeting at 5:20 PM.  
**Motion carried.**

Next Meeting: Wednesday January 27, 2020 @ 5 pm

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Megan Badour, Town Clerk



Town of Clayton Regular Meeting Minutes

Wednesday, January 13, 2021

The Town Board of the Town of Clayton held their regular meeting at 5:20 PM, remotely due to restrictions of COVID-19.

The following persons attended remotely:

Lance Peterson	Kenneth Knapp	Megan Badour	Kimberli Johnston
Mary Zovistoski	Allen Heberling	James Jones	Steve Dorr, Sr.
Donna Patchen	Alicia Dewey	Pam McDowell	
Rob Company, St. Lawrence Engineering		Debra Sullivan, Barclay Damon	

1. Pledge of Allegiance: The Supervisor opened the meeting at 5:20 PM and led the Assembly in the Pledge of Allegiance.
2. Guests:
  - Rob Company-  
Arena Update- at this time the arena remains on target for a completion date of March; there have been some set-backs that could not be foreseen due to Covid-19, however, over-all the project is still on track.
  - Redi-Grant Projects-  
Grindstone Upper Town Landing- Drawings should be to the State next week, hopefully permits will be issued within 6-8 weeks to be able to complete the design and get the project out to bid. Looking for a start date of July 15, 2020.  
The Shoreline and Riverwalk Projects will fall in line following the Grindstone project.
3. Town Clerk:
  - Correspondence:
    - Charter Communications provided updates on programming. (see attached)
  - Minutes from 12/31/2020 Workshop Meeting to be approved. Motion made by Allen Heberling, seconded by Mary Zovistoski. **Motion carried.**
4. Public: N/A
5. General Discussion Items:
  - A. Bills and Transfers
    - i. Abstract #1 of 2021  
Motion was made by Donna Patchen, seconded by Kenneth Knapp, to approve Abstract #1, in the amount of \$881,782.71. **Motion carried.**
    - ii. Transfers: Moving funds (\$100,000.00) from the general fund to the Highway Reserve account which was just created (see attached). Motion was made by Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**

At this time, a motion was made to purchase a new truck, replacing truck 781, for the cost of approximately \$165,000.00. Motion to purchase made by Mary Zovistoski, seconded by Kenneth Knapp. **Motion carried.**

iii. Budget Amendment: N/A

iv. New Accounts/Special Entries: N/A

B. Supervisor's Report & Bank Reconciliations: N/A

C. Balance Sheets: N/A

D. Resignations and Appointments

i. Resignations: N/A

ii. Positions/Appointments: N/A

E. Rate Changes:

A motion was made to approve the final step increase for Tyler Mitchell.

(+ \$0.50/ hour) to \$21.81/ hour effective 01/01/2021. Motion made by Donna Patchen, seconded by Kenneth Knapp. **Motion carried.**

F. Training: Reminder to Board Members to register for AOT Conference if interested.

G. NYS Retirement Resolution #41 of 2021:

Resolution to create the title Confidential Clerk to the Justices with an 8-hour standard work day for NYS Retirement purposes. Motion was made by Allen Heberling, seconded by Mary Zovistoski. **Motion carried.**

6. Supervisor's Report: N/A

7. Department Head Reports:

A. Highway Superintendent: Steve Dorr- Crew is working on soffit, continuing with brush and tree clean-up.

B. Buildings & Grounds: James Jones- Beginning to focus on needs of the cemeteries for the Spring.

C. Assessor: Kimberli Johnston- (see attached)

D. Codes/Zoning: Richard Ingerson-N/A

8. Council Reports

- Councilwoman Zovistoski: Buildings and Grounds; Paynter Center has not yet met this month. Cerow Park project moving along well.
- Councilwoman Patchen: Purchasing, Personnel, Youth Commission, Cemeteries: N/A
- Councilman Knapp: Libraries; Chamber of Commerce; Arena Project- Library meeting later this month, Chamber of Commerce meeting scheduled for tomorrow.
- Councilman Heberling: TIERS; Joint Boards- Councilman Heberling discussed his work on the battery storage concerns as well as the PDD with several members of the Joint Boards.

9. Public: N/A

10. Adjournment:

Motion was made by Allen Heberling, seconded by Donna Patchen to enter executive session for the purposes of discussing pending legal issues at 5:47 PM. **Motion carried.**

**Motion was made by Ken Knapp, seconded by Mary Zovistoski to leave executive session and return to open session at 6:11pm.**

**No decisions were made.**

**Motion was made by Allen Heberling, seconded by Donna Patchen to adjourn the meeting at 6:12pm.**

Next Meeting: Wednesday, January 27, 2021 at 5:00PM.