

**TOWN OF CLAYTON FIRE DISTRICT
BOARD OF COMMISSIONERS SPECIAL MEETING AGENDA
November 4, 2015 at 7:00 PM
Depauville Social Hall**

Special Meeting Called to Order: Meeting called to order at 7:01 PM by Chairman Lynn Schnauber at the Depauville Social Hall.

Roll Call: Commissioners present: Chairman Lynn Schnauber, Vice Chair Deb Farmer, Hal Matthews, Ray Lowe, Jim Kenney, Tom Grant, Dale Harvey, Lucianne LaPierre (Sec/Treas).

Others Present: Bill Evans

Agenda Amendments: None

Old Business

- A. Approve new members of Clayton Fire Department: Motion made by Commissioner Grant to approve Jessica Davidson, Melvin Bearup, Nicholas VanOsdel as new members of the Clayton Fire Department, 2nd by Commissioner Matthews. Motion carried.

New Business

- A. Adopt Resolution 2015-7: Resolution to Override Tax Cap-Motion made by Commissioner Kenney to override the tax cap for 2016, 2nd by Commissioner Farmer. Motion carried. (see attachment 1)
- B. Adopt Resolution 2015-8: Resolution to Adopt 2016 Budget. Motion made by Commissioner Lowe to adopt the budget for 2016, 2nd by Commissioner Harvey. Motion carried. (see attachment 2)
- C. Adopt Resolution 2015-9: Resolution to Spend Funds Motion made by Commissioner Harvey to spend from the reserve account as stated in Resolution 2015-9, 2nd by Commissioner Grant. Motion carried. (see attachment 3)
- D. Advertize Heavy Rescue 14-6-1: Motion made Commissioner Harvey to put 1985/1995 Heavy Rescue 14-6-1 out for bid or for brokerage, 2nd by Commissioner Matthews. Motion carried.
- E. Fire Scene-Lynn Schnauber

Motion to go into executive session at 7:12 by Commissioner Lowe, 2nd by Commissioner Kenney. Motion carried.

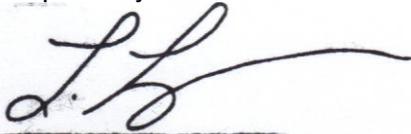
Discussion regarding criminal action resulting from an incident at the fire scene on the date of September 26, 2015 at 3:35 PM.

Motion to exit executive session at 7:24 by Commissioner Lowe, 2nd by Commissioner Harvey. Motion carried.

Motion made by Commissioner Farmer to contact Atty Scott Nortz to represent the Town of Clayton Fire District's interest inclusive of the firefighters and the fire departments in the criminal action resulting from an incident at the fire scene on the date of September 26, 2015 at 3:35 PM, 2nd by Commissioner Harvey. Abstained: Commissioner Schnauber and Commissioner Lowe. Motion carried.

Adjourn: Motion made by Commissioner Grant, 2nd by Commissioner Harvey to adjourn. Motion carried.
Meeting adjourned 7:29 PM

Respectfully submitted



Lucianne LaPierre, Secretary

**RESOLUTION 2015-7
OF
THE BOARD OF FIRE COMMISSIONERS
OF
THE TOWN OF CLAYTON FIRE DISTRICT**

Upon motion duly made, seconded and carried at a meeting of the Board of Fire Commissioners of the Town of Clayton Fire District (the "Fire District") held on November 4, 2015, at which a quorum of the members was present, the following resolution was adopted by a majority vote of the members:

WHEREAS, the Board of Fire Commissioners of the Town of Clayton Fire District must adopt a proposed budget for 2016 and estimate of fund balances in preparation for the annual fire district budget hearing and did so in preparation for the budget hearing, and

WHEREAS, the Board of Fire Commissioners of the Town of Clayton Fire District held the annual fire district budget hearing on notice to the public on October 20, 2015, and

WHEREAS, the Board has considered the proposed budget and comments received on the proposed budget on October 20, 2015 at said budget hearing, and

WHEREAS, the Board has determined that the financial needs of the fire district and fire department(s) for fiscal year 2016 cannot be supported by a budget that would comply with the real property tax cap established pursuant to Section 3-c of the General Municipal Law as the proposed budget for 2016 calls for a real property tax levy that will exceed the real property tax cap permitting only a 0.73 % increase in said tax levy; and

WHEREAS, Section 3-c of the General Municipal Law provides as follows:

A local government may adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, not including any levy necessary to support the expenditures pursuant to subparagraphs (i) through (iv) of paragraph g of subdivision two of this section, only if the governing body of such local government first enacts, by a vote of sixty percent of the total voting power of such body, a local law to override such limit for such coming fiscal year only, or in the case of a district or fire district, a resolution, approved by a vote of sixty percent of the total voting power of such body, to override such limit for such coming fiscal year only.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Fire Commissioners hereby approves a determination to override the real property tax cap for the 2016 budget only in order to permit an annual real property tax levy that will exceed the real property tax cap permitting only a 0.73 % increase in said tax levy and result in a final annual fire district budget in the amount of \$462,020.00 and

The adoption of the foregoing resolution was duly put to a vote and upon roll call the vote was as follows:

Lynn Schnauber	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Deb Farmer	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Dale Harvey	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Hal Matthews	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
James Kenney	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Thomas Grant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Raymond Lowe	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Dated: November 4, 2015

Certification

I, Lucianne LaPierre Secretary/Treasurer of the Town of Clayton Joint Fire District, do hereby certify that the above resolution was adopted at a special meeting of the Joint Fire District of the Town of Clayton held on November 4, 2015 and it's on file and of record, and that said resolution has not been altered, amended or revoked and is in full force and effect.

Lucianne LaPierre, Secretary/Treasurer

**RESOLUTION 2015-8
OF
THE BOARD OF FIRE COMMISSIONERS
OF
THE TOWN OF CLAYTON FIRE DISTRICT**

WHEREAS, the Board of Fire Commissioners of the Town of Clayton Fire District must adopt a proposed budget for 2016 and estimate of fund balances in preparation for the annual fire district budget hearing and did so in preparation for the budget hearing, and

WHEREAS, the Board of Fire Commissioners of the Town of Clayton Fire District held the annual fire district budget hearing on notice to the public on October 20, 2015, and

WHEREAS, the Board has considered the proposed budget and comments received on the proposed budget on October 20, 2015 at said budget hearing, and

WHEREAS, the Board has determined that that financial needs of the fire district and fire department(s) for fiscal year 2016 cannot be supported by a budget that would comply with the real property tax cap established pursuant to Section 3-c of the General Municipal Law as the proposed budget for 2016 calls for a real property tax levy that will exceed the real property tax cap permitting only a 0.73 % increase in said tax levy; and

WHEREAS, Section 3-c of the General Municipal Law provides as follows:
A local government may adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, not including any levy necessary to support the expenditures pursuant to subparagraphs (i) through (iv) of paragraph g of subdivision two of this section, only if the governing body of such local government first enacts, by a vote of sixty percent of the total voting power of such body, a local law to override such limit for such coming fiscal year only, or in the case of a district or fire district, a resolution, approved by a vote of sixty percent of the total voting power of such body, to override such limit for such coming fiscal year only.

WHEREAS, previously at this meeting this Board of Fire Commissioners passed a resolution to override the real property tax cap for the 2016 Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Fire Commissioners hereby approves the Final Budget for the Town of Clayton Fire District for 2016 attached hereto and made a part hereof in the amount of \$ 462,020.00

The adoption of the foregoing resolution was duly put to a vote and upon roll call the vote was as follows:

Lynn Schnauber	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Deb Farmer	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Dale Harvey	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Hal Matthews	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
James Kenney	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Thomas Grant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Raymond Lowe	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Dated: November 4, 2015

Certification

I, Lucianne LaPierre Secretary/Treasurer of the Town of Clayton Joint Fire District, do hereby certify that the above resolution was adopted at a special meeting of the Joint Fire District of the Town of Clayton held on November 4, 2015 and it's on file and of record, and that said resolution has not been altered, amended or revoked and is in full force and effect.

Lucianne LaPierre, Secretary/Treasurer

**RESOLUTION 2015-9
OF THE BOARD OF FIRE COMMISSIONERS
OF THE TOWN OF CLAYTON FIRE DISTRICT**

At a duly called special meeting of the Town of Clayton Joint Fire District, Town of Clayton, Jefferson County, New York, held at the Depauville Social Hall, Depauville, New York, on the 4th day of November, 2015, at 7:00 PM.

The meeting was called to order by Chairman Lynn Schnauber and upon roll being called, the following Commissioners were Present: Lynn Schnauber, Deb Farmer, Dale Harvey, Hal Matthews, James Kenney, Thomas Grant, Raymond Lowe.

The following resolution was offered by Commissioner Harvey, who moved its adoption, 2nd by Commissioner Grant, to wit:

Whereas The Fire District Commissioners and the Clayton Volunteer Fire Department agree that the currently-in-service cutters & spreaders (Jaws) are currently usable but in fair to poor condition and inadequate in certain emergency situations and

NOW, THEREFORE, BE IT RESOLVED that the Fire District authorizes the expenditure of up to Twenty one thousand eight hundred and ninety dollars (\$21,890.00) from the Fire District's "Type" reserve fund to purchase a new cutters and spreaders (Jaws), and

BE IT FURTHER RESOLVED, This resolution shall be published in its entirety in the official newspaper within (10) ten days of adopting the resolution and to ensure public transparency post the resolution in the Thousand Islands Sun and on the Town of Clayton Web Site for a period of thirty (30) days, and

BE IT FURTHER RESOLVED, that this resolution is subject to a permissive referendum.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Lynn Schnauber	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Deb Farmer	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Dale Harvey	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Hal Matthews	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
James Kenney	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Thomas Grant	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Raymond Lowe	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Dated: November 4, 2015

Certification

I, Lucianne LaPierre Secretary/Treasurer of the Town of Clayton Joint Fire District, do hereby certify that the above resolution was adopted at a special meeting of the Joint Fire District of the Town of Clayton held on November 4, 2015 and it's on file and of record, and that said resolution has not been altered, amended or revoked and is in full force and effect.

Lucianne LaPierre, Secretary/Treasurer