

There was a regular meeting of the Board of Trustees of the Village of Clayton on Monday, June 12, 2017, at 5:30 PM in the Municipal Building.

**PRESENT:**

Norma Zimmer, Mayor  
John Buker, Trustee  
Michelle Grybowski, Trustee  
Nancy Hyde, Trustee  
Tony Randazzo, Trustee

**ABSENT:**

Rob Stevenson, W/WW Manager

**OTHERS:**

Kevin Patenaude, Police Chief  
Terry Jones, DPW Supt.  
Geneva Phelps-Miller, Clerk-Treasurer

**VISITOR(S):**

None

**Community Residents:**

See sign-in sheet (on file in Clerk's office)

**Pledge of Allegiance/Call to Order:**

Mayor Norma Zimmer led the Pledge of Allegiance and called the regular meeting to order at 5:30 p.m.

**Appointment:**

Mayor Zimmer announced the current Clerk is on an extended leave of absence, and proposed appointing Village Treasurer Geneva Phelps Miller to act as Interim Clerk. Trustee Grybowski presented a **MOTION** to approve the appointment; Trustee Hyde seconded; the motion was carried.

**Visitor(s):**

Dan Churchill of Ridgeview Communications addressed the Board with his request to place a telecommunications tower on the Village water tower. Mr. Churchill's current site will no longer be available beginning in August. The Board advised Mr. Churchill that the Village has entered into a long-term contract with OmniPoint Communications (T-Mobile), to oversee the placement of towers. After discussion, the Board agreed to provide Mr. Churchill with a copy of the contract so he can contact them directly with his request.

Diane Luicana presented a business proposal to the Board, requesting permission to offer walking tours, including a history tour and family fun tour, under the business name of Clayton Walking Tours. She stated she will have "true locals" run the history tours, and she will oversee the family fun tours. Customers would sign up for a tour in advance using an on-line reservation site, then would meet at a designated area to begin the tour. This is not a "brick and mortar" enterprise. Each tour would be approximately an hour and half. She intends to include altruistic/pro-bono tours, and will cater to the military. Ms. Luicana stated she is experienced in business as she ran a family business in Pennsylvania. Mayor Zimmer inquired whether she contacted the Thousand Islands Museum. Ms. Luicana stated she worked with the Director and several volunteers to develop the history tour. She see this as a good way to promote the "town." Board members offered several other questions:

- (1) How will people know about your business? Response: She will be a Chamber of Commerce member, and has developed a website.
- (2) How will insurance be handled? Response: A certificate of insurance will be provided to the Village office naming the Village as additional insured.
- (3) What do you plan to charge for the tours? Response: Adults \$15.00; Children \$10.00.
- (4) Who will run the tours? Response: She plans to hire younger people to do the family fun tour. Tour guides will accept tips as well.

- (5) What area will the tours cover? Response: Tours will begin at one end of "River Street" and end at the Antique Boat Museum. The family fun tour would be within 2 blocks south of the river.

Subsequent to Ms. Luicana's presentation, Board members expressed favorable opinions, stating "this will be a great addition to the Village," and "this is a fantastic idea."

**Police Report:**

Kevin Patenaude, Police Chief, presented the Activity Report for May 18, 2017 through June 7, 2017, as well as the dog control officer's May report. The department was busy during the *Pearl Mist* visit. Chief Patenaude noted that the water used by the ship was metered, and more than 16,000 gallons were consumed. Ships are billed for water, security personnel, and a base tonnage rate. Chief Patenaude advised the Board that Officer David took the Sergeant's exam over the past weekend. Results will be available in six to eight weeks.

Village resident Richard Boyanski inquired about four-wheelers and golf carts running on the Village streets. Chief Patenaude advised that ATV vehicles must be licensed, registered and insured in order to operate on Village streets. Common sense is the rule; if people are abusing the privilege, they are dealt with accordingly. The main rule is that neither ATVs, snowmobiles nor golf carts are allowed to operate on the "State Loop."

**DPW Report:**

DPW Superintendent Terry Jones presented the activity report. He discussed "displaced boaters" – people who are unable to use their docks due to the extremely high water this year. The Town Dock by the hotel is allowing them to dock there for \$25 a week until June 21<sup>st</sup>, but there is a waiting list. Supt. Jones requested the Board approve accommodating the overflow at the Village's Mary Street Dock, at the same rate as the Town charges. He said the Village dock could accept 10 to 12 boats. He is optimistic the water levels will decrease within 30 days. Village taxpayers would have first chance at the spots. The Board felt the Village should charge the same as the Town in order to be less confusing to the public, and instructed Supt. Jones to verify Town rates and notify the dock attendants to use the same rates for the duration.

Supt. Jones is working with the County to auction some of the Village's equipment in July, and has ordered the 2018 International plow truck, which should be delivered in September. Treasurer Miller will complete the documentation to enter into a five-year lease purchase agreement with Key Government Finance at 3.222%. The first payment will be due at closing, June 15<sup>th</sup>, in the amount of \$35,057.00.

**W/WW Report:**

W/WW Manager Rob Stevenson was unable to attend the meeting, but requested the Board be advised the chlorine cylinder replacement project is underway.

**Consent Agenda Items:**

**MOTION** by Trustee Grybowski, 2<sup>nd</sup> by Trustee Hyde to approve the Consent Agenda as follows:

1. Minutes – May 22, 2017 Regular Meeting
2. Minutes – June 06, 2017 Special Meeting
3. Payroll #26 (Week #21) – 05/04/2017-05/17/2017 - \$76,415.65
4. Payroll #26A (Week #23) – 05/18/2017-05/31/2017 - \$73,933.37
  
5. Abstract #24A (2016-2017) - \$11,916.16

|              |                              |          |
|--------------|------------------------------|----------|
| General Fund | Voucher(s) A17-68 – A17-683  | 3,916.57 |
| Water Fund   | Voucher(s) F17-201 – F17-203 | 1,415.51 |
| Sewer Fund   | Voucher(s) G17-308 – G17-310 | 6,584.08 |
  
6. Abstract #1 (2017-2018) - \$36,108.07

|              |                              |           |
|--------------|------------------------------|-----------|
| General Fund | Voucher(s) A18-001 – A18-030 | 18,402.38 |
| Water Fund   | Voucher(s) F18-001 – F18-007 | 6,197.60  |
| Sewer Fund   | Voucher(s) G18-001 – G18-013 | 11,508.09 |

**Interim Clerk Report:**

Bartlett Point Grinder Pump Station Relocation Project: The Board reviewed three (3) quotes obtained by Tyler McDonald, DANC Project Engineer, to perform the survey work for the Project, as follows:

1. LaFave, White & McGivern - \$3,750.00
2. Thew Associates - \$3,960.00
3. Aubertine & Currier - \$4,650.00

After discussion, Trustee Grybowski presented a **MOTION** to accept the lowest quote, and to contract with LaFave, White & McGivern at a cost of \$3,750.00 to perform the necessary survey work for the Bartlett Point Grinder Pump Station Relocation Project. Trustee Randazzo seconded; the motion was carried.

Trustee Grybowski then presented a **MOTION** to approve the Project Schedule submitted by DANC Project Engineer, Tyler McDonald, with substantial completion expected by November 16, 2017 and final completion by December 8, 2017. Trustee Randazzo seconded; the motion was carried.

Water System Improvement Project: The following resolution was offered for Board consideration:

**RESOLUTION #2017-16  
 Resolution Authorizing Award of Contracts for Construction of  
 Water System Improvements**

WHEREAS, the Village Board of the Village of Clayton adopted Resolution #2015-09 on August 24, 2015, authorizing the issuance of Serial Bonds in an amount not to exceed \$6,500,000 for improvements to the Low Lift Pump Station and Water Treatment Plant, as well as upgrading the distribution system, and

WHEREAS, pursuant to advertisements dated March 22, 2017 and March 29, 2017, bids were received by the Village on May 4, 2017 and May 11, 2017 as follows:

| <b>Contract No. 1A – General</b>  |                             |                                 |
|-----------------------------------|-----------------------------|---------------------------------|
| <b>Bidder</b>                     | <b>Total Base Bid Price</b> | <b>Total Additive Bid Price</b> |
| Continental Construction, LLC     | \$991,461.00                | \$1,074,228.00                  |
| Henderson Bros. Contracting, Inc. | \$1,057,834.00              | \$1,131,329.00                  |
| M.A. Bongiovanni, Inc.            | \$1,211,400.00              | \$1,299,900.00                  |
| Engineer's Estimate               | \$1,282,700.00              | \$1,332,700.00                  |

| <b>Contract No. 1B – Electrical</b> |                             |                                 |
|-------------------------------------|-----------------------------|---------------------------------|
| <b>Bidder</b>                       | <b>Total Base Bid Price</b> | <b>Total Additive Bid Price</b> |
| S.C. Spencer Electric, Inc.         | \$259,200.00                | \$275,300.00                    |
| Engineer's Estimate                 | \$350,000.00                | \$355,000.00                    |

| <b>Contract No. 1C – HVAC</b>            |                        |
|--|------------------------|
| <b>Bidder</b>                            | <b>Total Bid Price</b> |
| Hyde-Stone Mechanical Contractors, Inc.  | \$69,800.00            |
| Black River Plumbing, Heating & AC, Inc. | \$76,000.00            |
| ENI Mechanical, Inc.                     | \$98,300.00            |
| Engineer's Estimate                      | \$83,000.00            |

| <b>Contract No. 1D – Plumbing</b>       |                        |
|---|------------------------|
| <b>Bidder</b>                           | <b>Total Bid Price</b> |
| Hyde-Stone Mechanical Contractors, Inc. | \$24,975.00            |
| ENI Mechanical, Inc.                    | \$64,500.00            |
| Engineer's Estimate                     | \$42,500.00            |

| <b>Contract No. 2 – 1-MG Standpipe Rehabilitation</b> |                        |
|---|------------------------|
| <b>Bidder</b>   | <b>Total Bid Price</b> |
| Global Contracting & Painting, Inc.                   | \$537,500.00           |
| Amstar of Western New York, Inc.                      | \$756,000.00           |
| Utility Service Co., Inc.                             | \$1,036,131.00         |
| Engineer's Estimate                                   | \$624,500.00           |

| <b>Contract No. 3 – Water Distribution System Improvements</b> |                             |  |  |   |
|--|-----------------------------|--|--|---|
| <b>Bidder</b>  | <b>Total Base Bid Price</b> | <b>Additive Bid #1 (Washington Island)</b> | <b>Additive Bid #2 (Franklin Street)</b> | <b>Additive Bid #3 (Cantwell Terrace)</b> |
| W.D. Malone Trucking & Excavating, Inc.                        | \$1,754,657.50              | \$227,971.00                               | \$317,046.25                             | \$368,343.00                              |
| Marcellus Construction Company, Inc.                           | \$1,896,619.00              | \$251,883.00                               | \$337,686.00                             | \$361,264.00                              |
| J.E. Sheehan Contracting Corp.                                 | \$2,252,370.00              | \$228,845.00                               | \$341,930.00                             | \$440,475.00                              |
| Lawman Heating & Cooling, Inc.                                 | \$2,474,290.66              | \$252,514.08                               | \$360,206.28                             | \$463,553.65                              |
| North Country Contractors, LLC                                 | \$3,174,810.00              | \$426,610.00                               | \$606,160.00                             | \$647,822.00                              |
| Engineer's Estimate  | \$2,246,490.00              | \$195,765.00                               | \$312,275.00                             | \$460,375.00                              |

WHEREAS, O'Brien & Gere Engineers, Inc. has reviewed the bids received and provided a recommendation for award of the contracts, by letter dated May 18, 2017 (attached).

WHEREAS, low bids are within the available project budget.

BE IT RESOLVED that the Village Board hereby awards contracts as follows, *contingent upon receipt of approval from the New York State Department of Health and USDA Rural Development*:

- Contract No. 1A – General, to Continental Construction, LLC, in the amount of \$1,074,228.00 (Total Additive Bid Price)
- Contract No. 1B – Electrical, to S.C. Spencer Electric, Inc., in the amount of \$275,300.00 (Total Additive Bid Price)
- Contract No. 1C – HVAC, to Hyde-Stone Mechanical Contractors, Inc., in the amount of \$69,800.00
- Contract No. 1D – Plumbing, to Hyde-Stone Mechanical Contractors, Inc., in the amount of \$24,975.00
- Contract No. 2 – 1-MG Standpipe Rehabilitation, to Global Contracting & Painting, Inc., in the amount of \$537,500.00
- Contract No. 3 – Water Distribution System Improvements, to W.D. Malone Trucking & Excavating, Inc., in the amount of \$1,754,657.50 (Total Base Bid Price)

BE IT FURTHER RESOLVED that the Village Board hereby authorizes the Mayor to execute agreements associated with these construction contracts and issue notices to proceed to contractors on behalf of the Village, contingent upon review and approval of the contract documents by the Village Attorney.

The foregoing Resolution was offered by Trustee Grybowski, and seconded by Trustee Hyde, and upon a roll call vote of the Board of Trustees was duly adopted as follows:

|                   |            |
|-------------------|------------|
| Mayor Zimmer      | Voting Aye |
| Trustee Buker     | Voting Aye |
| Trustee Grybowski | Voting Aye |
| Trustee Hyde      | Voting Aye |
| Trustee Randazzo  | Voting Aye |

Clayton Historic District Project: The Board approved repayment of the 2014 DANC Loan for the initial National Grid survey in the amount of \$30,000.00, to be paid from the capital project. The Village will receive \$30,000 credit from National Grid which will be included in the final project budget.

**Committee Reports:**

There were no committee reports. However, Mike Hooson, Chamber representative, reported the Food & Wine Show attendance was 3,999. There were approximately 100 vendors; most vendors reported their sales were the same or just a bit less than 2016, but they continue to be excited about attending this venue.

**New Business:**

The Board reviewed correspondence from Scott Docteur, Director of the Watertown Jefferson County Area Transportation Council regarding its first public meeting scheduled on June 14, 2017. As none of the Board members is available to attend, Treasurer Miller volunteered.

The Board reviewed e-mail correspondence from Kimberly DesChamp, who has requested the use of Frink Park to offer QiGong classes on the waterfront for a week near the end of July. The Board agreed that the downtown park is much too busy at that time of year, and Centennial Park would be much quieter and in keeping with the theme of the classes, or she might decide to use Village Square Park. Ms. DesChamp will be advised of the Board's decision.

**Old Business:**

Water System Improvements Project: Mayor Zimmer stated NYS Dept. of Health's concerns about the location of the current Low Lift Pump Station have been resolved. The pump station will be relocated and renamed as the Bartlett Point Grinder Pump Station. The cost of the project will be covered by the Sewer Fund.

"Run for the River": The Board discussed the annual "Run for the River" request submitted by Save the River, scheduled next year on July 18, 2018. The organizers have expressed concern that the downtown area will be under construction next summer for the NYS Dept. of Transportation's State Loop street reconstruction and rehabilitation project along with the Clayton Historic District Project. The final project design is not yet complete, and nothing has been put to bid, so it is premature to speculate on the road conditions at this time.

"Poker Runs America": This event is scheduled for July 29, 2017, with participants coming from all over the country. The organizers have inquired whether the Rotary Park docks will be sufficiently above water so they can hold their event. Mayor Zimmer noted that there is currently a 5mph limit along the River, especially near the shoreline and in the narrows. Unfortunately the event is at the mercy of the weather.

**Mayor's Report:**

Statewide Scenic Area of Significance ("SASS"): Mayor Zimmer discussed correspondence from a concerned citizen group, requesting the Village Board provide a letter on its position regarding the "SASS" proposal. Some time ago, around ten local communities investigated designating the St. Lawrence River and the Thousand Islands region as a Statewide Scenic Area of Significance (SASS). Most decided this would create an additional layer of government, and did not go forward with the designation. The Town of Clayton has raised the issue again, and had scheduled a meeting for June 14<sup>th</sup>, but it is now cancelled. Mayor Zimmer asked the Board members what their opinion of the matter is. After discussion, all Board members agreed to issue a position letter to the Town on its opposition to adding this additional layer of government to our region. Trustee Buker stated that New York State should not be able to dictate what is done in our own region. Trustee Hyde noted the Town and Village currently have a great LWRP and Comprehensive Plan which should cover protecting our resources. She does not believe a "SASS" designation will add to the number of tourists visiting the area. Trustee Randazzo reminded the Board he voted "No" two years ago and has not changed his mind. Trustee Grybowski feels as a Town and Village we are actively involved in maintaining our scenic areas, and there is no need for interference from another layer of government. Mayor Zimmer stated that only two areas in New York State have been designated (one in Long Island and one in the Hudson Valley), and noted she was opposed two years ago and feels the same now. Therefore, it was unanimous to provide a letter to the Town expressing the Village Board's opposition to the SASS designation for Clayton.

Riverwalk 3: Mayor Zimmer reported on a conference call with the contractor and the project engineer, who will decide in the first part of July whether the project will commence this year. The contractor anticipates a four-month construction period, but is concerned that if the project is delayed too long and goes into late October or November it would have to be put off until the spring to complete. NYS Dept. of State has allowed a grant extension due to the high-water levels this year, and the fact that the delay is due to the weather and not self-made. Materials have been purchased and are stored, but it is not safe yet to begin construction.

Mayor Zimmer notified the Board of Mike Bourcy's appointment as head of the Jefferson County Planning Department.

The mandated Shared Services plan proposed by the Governor to be developed by Jefferson County and its Town Superintendents and Village Mayors offers no credit for existing shared services. 51% of the municipalities must attend meetings; the next one is June 21<sup>st</sup>.

**Public Comment:**

The Keystone Fireworks representative was present to request the Board's permission to place a tent on private property at the corner of James Street and Brooks Drive. The Board expressed concerns about hours of operation and parking availability. The planned hours of operation are 9:00 a.m. until 9:00 p.m., and there is plenty of parking in the lot where the tent will be erected. The Board also expressed concerns about the peaceful enjoyment of the neighbors, as it borders a residential area. In the end, Mayor Zimmer advised that it is not up to the Board to make this decision provided a Certificate of Liability Insurance is provided naming the Board as additional insured, approval has been obtained from the codes/zoning officer, and any other permits or approvals have been secured. There was brief conversation regarding a moratorium until the Village's permit process and requirements are updated. In the end, the Board was asked to offer either a "yes" or "no" vote. Trustee Grybowski then offered a **MOTION** to deny the request; Trustee Hyde seconded. The vote was four (4) against, one (1) abstaining (Trustee Buker).

2017-2020 Police Contract: Mayor Zimmer and Trustee Randazzo reported labor negotiations have been settled with the Teamsters Police Officers' bargaining unit. New full-time police officers will pay 20% of the monthly health insurance premiums; the three-year contract provides for wage increases of 1.5%, 2% and 2% and eliminates the sick-time "cash-out" provision upon leaving employment or retirement. Current full-time police officers may elect to cash-out all or a portion of the sick leave balances as of May 22, 2017. This is a one-time offer, which will be available once the signed contract is received back from the NYS Teamsters agent.

**Executive Session:**

At 7:28 p.m., Trustee Hyde presented a **MOTION** to enter executive session to discuss personnel matter(s) regarding specific individual(s). Trustee Buker seconded; the motion was carried.

At 7:57 p.m., Trustee Buker presented a **MOTION** to close executive session. Trustee Randazzo seconded; the motion was carried.

**Adjournment:**

At 7:58 p.m., Trustee Randazzo presented a **MOTION** to adjourn; Trustee Hyde seconded; the motion was carried.

Respectfully Submitted,

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Geneva Phelps Miller, Interim Clerk