

There was a regular meeting of the Board of Trustees of the Village of Clayton on Monday, April 11, 2016, at 6:30 p.m. in the Municipal Building.

**PRESENT:**

Norma Zimmer, Mayor  
Tony Randazzo, Trustee  
Jeral Forger, Trustee

**ABSENT:**

Shauna Sherboneau, Trustee  
John Buker, Trustee

**OTHERS:**

Kevin Patenaude, Police Chief  
Jeff Overstrom, W/WW Manager  
Terry Jones, DPW Superintendent  
Geneva Phelps Miller, Treasurer  
Michelle E. Gaeta, Clerk  
Tyler McDonald, Project Engineer DANC  
Pierre, Poker Run America

**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 opened the Meeting at 6:30 p.m.

Public Hearing - 2016-2017 Tentative Budget (6:30 p.m.):

Copies of the 2016-2017 Tentative Budget and Handout were made available to those present. In addition, the tentative budget was posted on the Village's website and available through the Clerk's office on March 28th, with notice of its availability included in the advertised Notice of Public Hearing. Village Treasurer Miller responded to questions and concerns raised by those present, and offered to meet individually with those who desire a more in-depth discussion of the proposed budget. Mayor Zimmer and the Board noted that the budget process this year resulted in a fair and reasonable projected budget. The final budget will be presented for adoption at the April 25, 2016 regular meeting. There being no further comments, Trustee Randazzo presented a **MOTION** to close the public hearing at 6:59 p.m. Trustee Forger seconded; the motion was carried. Mayor Norma Zimmer closed the Public Hearing at 7:00 p.m.

**Police Report:**

Police Chief Kevin Patenaude presented the department activity report.

- Due to losing two part time staff members, the Police department is shorthanded, and would like to hire a part time officer. Police Chief Patenaude will conduct an interview for a part time Officer and report to the Board.
- No parking signs will be posted by this weekend.

**DPW Report:**

Superintendent Jones presented the activity report.

- The sewer lateral and roof drain at the Municipal Building were redone, tree roots 6 feet long pierced into clay tile line, which was rerouted. The storm water and sanitary sewer were separated. The tree had to be completely removed.
- May 14<sup>th</sup> is set for the Annual Dive Cleanup
- The lights in Village Square Park have been repaired
- The Board approved the installation of a washer and dryer at the Mary Street Dock
- TIYLO will be doing their Earth Day Cleanup April 16<sup>th</sup>
- The DPW staff are attending a CPR refresher course Tuesday April 11 from 8:00 am to noon
- Carbon monoxide detectors will be placed in all buildings to be in compliance
- The DPW is making rounds to handle trash that may be left out after the Spring Pickup May 3<sup>rd</sup> to take care of it before the NYS Tourism Conference
- Trash cans are out and painted. Sand barrels will be picked up.

**W/WW Report:** Jeff Overstrom, W/WW Manager reported the following:

- A formal report will be presented at the April 25<sup>th</sup> Board meeting. With the recent rain, there has been no overflow, no bypass pump needed, the contingency plan is working and the staff is responding quickly.
- DANC Project Engineer, Tyler McDonald explained in detail the Sanitary Sewer Inflow Assessment project bid for which is the smoke and dye testing. After discussion, Trustee *Forger* presented a **MOTION** authorizing DANC to prepare bid documents and oversee the bid process to complete the smoke and dye testing of the Village's entire gravity sanitary sewer system to identify potential storm water cross connections into the sanitary sewer. Potential storm sewer cross connections include, but are not limited to, catch basins, curb drains, roof drains, yard drains, etc. Trustee *Randazzo* seconded; the motion was carried. The bid will be published in the TI Sun, the Municipal website and bulletin board.
- Mr. Overstrom discussed Change Order No. 5 for Henderson Brothers to replace the second blower at the wastewater treatment plant. Trustee *Randazzo* presented a **MOTION** to authorize Mayor Zimmer to execute Change Order #5 for the Wastewater Treatment Plant Improvement Project, consisting of Henderson Brothers furnishing and installing the second blower for the WWTP, at a cost not to exceed \$139,000. Trustee *Forger* seconded; the motion was carried.

**Consent Agenda Items:**

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

- Meeting Minutes March 30, 2016 with minor corrections
- Abstract #21 – \$32,549.40

General Fund	Vouchers A16-573 through A16-589	20,936.19
Water Fund	Vouchers F16-199 through F16-207	2,804.44
Sewer Fund	Vouchers G16-274 through G16-285	8,808.77
- Municipal Property Usage Requests:
  - Municipal Building: Clayton Cemetery Assoc. May 5, 2016 7pm - approx. 8pm
  - Poker Run America July 22 – 24, 2016
    - 7/23 Village Docks at Rotary Dock approximately Noon -2
    - 7/24 10am – 4pm
      - Streets and Docks
      - Frink Park – 10 parking spaces
      - Launch ramp
  - Frink Park Dock and TI Regional Dock: Temporary boat trailer parking: Clayton Chamber of Commerce "Ultimate Air Dog" Competition 6/10-6/12 with set up on 6/9
  - Mary Street Dock: Reservation Request July 16
  - TI Regional Dock: Clayton Chamber: FLW Bass Tournament from 2-4:40 for weigh-ins for the following dates: July 20-23, October 1-2. The September 24-26 dates event may be held at the Antique Boat Museum.
- Training: Webinar Series for New Village Officials 4/12, 14, 19, 21 – M. Gaeta \$60

**Public Comment (Non - Agenda Items):**

There were general comments and inquiries on the following:

- costs associated with past legal charges against businesses as well as the powerline easements.
- figures on the projects on burying the lines, and sewer costs, and the project scope, time lines as well as the effect to the homeowners, costs to taxpayers
- timing regarding passing a referendum
- Mayor Zimmer addressed the inquiries by discussing in length the parameters currently in place now and where the projects stand, timing, scheduling and the different costs associated with different projects, Bond Resolutions, and Estoppel Notices and Permissive Referendum. Treasurer Miller stated that the Village is working on a comprehensive long range capital plan with project dates and timelines, costs and taxpayer impact.
- Pierre from Poker Run America thanked everyone for approval of the event, and discussed how he'd like to grow the event to help make a major impact to the Village. He spoke of statistics and crowd numbers in other areas where the event had been greatly successful to bring in revenues. There was a discussion regarding the benefit to the Wounded Warriors and information was shared about other local charities.
- Amendment to the Public Comment from the Regular Board Meeting dated February 22, 2016 as follows: Brad Minnick co-owner of the Thousand Islands Inn, addressed the Board, discussing the current litigation at length. Mayor Zimmer and the Board responded that upon advice of counsel they have been instructed not to discuss the matter.

**Clerk Report:**

Village Clerk Michelle Gaeta presented the Activity Report and the following:

- a. NYS 970L Sewer Lateral Improvement Project:

The following resolution was offered by Trustee Forger, who moved its adoption, seconded by Trustee Randazzo, to wit:

**BOND RESOLUTION DATED APRIL 11, 2016  
A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS NOT EXCEEDING  
\$770,000.00 FOR THE VILLAGE OF CLAYTON SEWER LATERAL IMPROVEMENTS  
PROJECT IN CONJUNCTION WITH THE NYSDOT 970L ROAD PROJECT**

BE IT RESOLVED, by the Village Board of the Village of Clayton, Jefferson County, New York, as follows:

Section 1. The Sewer Lateral Improvement Project in conjunction with the NYSDOT 970L Road Project, in the Village of Clayton, in the interest of its residents, is hereby authorized at a maximum cost of \$770,000.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid force main replacements and generator is forty (40) years; pursuant to subdivision (a)(4) of Section 11.00 of the Local Finance Law. It is further determined that no down payment is required pursuant to Section 107(d)(3)(d) of the Local Finance Law.

Section 3. The plan for the financing of such estimated cost is by a grant through the United States Department of Agriculture through its Rural Utilities Service and/or the issuance of serial bonds not exceeding \$770,000 of said Village, hereby authorized to be issued therefor pursuant to the Local Finance Law, for a period in excess of five (5) years.

Section 4. The faith and credit of the Village of Clayton, Jefferson County, New York is hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall annually be levied on all sewer users of said Village, sewer rents sufficient to pay the principal of and interest of such bonds as the same become due and payable.

Section 5. All other matters, except as provided herein relating to such obligations, including determining whether to issue such obligations having substantially level or declining annual debt service and all matters related thereto, prescribing whether to manual or facsimile signatures shall appear on said obligations, prescribing the method for the recording of ownership of said obligations, appointing the fiscal agent or agents for said obligations, providing for the printing and delivery of said obligations (and if said bond are to be executed in the name of the Village by the facsimile signature of its Village Treasurer), including the consolidation with other issues, shall be determined by the Village Treasurer. It is hereby determined that it is to the financial advantage of the Village not to impose and collect from registered owners of such obligations any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such obligations shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Village Treasurer shall determine.

Section 6. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object of purpose for which said Village is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit of proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. Upon this resolution taking effect, a summary of the same be published in the *Thousand Island Sun* the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 8. This resolution is subject to permissive referendum.

Section 9. This amended resolution shall constitute a statement of official intent for the purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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

Mayor Zimmer	Voting Aye
Trustee Buker	ABSENT
Trustee Forger	Voting Aye
Trustee Randazzo	Voting Aye
Trustee Sherboneau	ABSENT

The resolution was thereupon declared duly adopted.

- b. Low Lift Apartment: Trustee Randazzo presented a **MOTION** to approve the 2016-2017 Rental Agreement for the low-lift apartment. Trustee Forger seconded; the motion was carried. The tenants will be informed that drone use on municipal property is prohibited.
- c. New York Rural Water Association letter and 20 year recognition certificate has been received and will be posted in the Municipal Building

**Treasurer Report:**

Treasurer Miller presented the Activity Report and the following:

- a. 2015-2016 Independent Audit: Trustee Randazzo presented a **MOTION** to approve the audit engagement letter with EFPR Group (formerly Toski & Co.), at a cost not to exceed \$9,200. Trustee Forger seconded; the motion was carried.
- b. Proposed Local Law #1 of 2016 regarding the Tax Levy Limit Override was discussed. Trustee Forger then presented a **MOTION** to schedule the Public Hearing for Local Law #1 of 2016 for April 25, 2016 at 7:00 pm and to approve Local Law #1 of 2016. Trustee Randazzo seconded, the motion was carried. A notice will be published in the TI Sun on April 20, 2016, and posted to the Village website, and Municipal bulletin board.
- c. The 2016-2017 Relevies will be submitted at the April25, 2016 meeting

**Committee Reports:**

- Mayor Zimmer presented the following:
  - Planning board: Islander Marina, Theresa Street yoga studio and five town houses
  - Storage facility, 78 units on Old State Road

**New Business:**

- a. Discussed docks and moorings pricing, employee scheduling, flyer/brochure, tabled to the April 25, 2016 meeting
- b. Discussed mobile home park license fees, tabled to the April 25, 2016 meeting

**Old Business:**

**Mayor's Report:**

Mayor Zimmer reported the following:

- NYS Tourism Conference in May 2016
- Discussed the water issue in the Town of Orleans
- The CLDC, the Planning Board and the ZBA are looking for members

**Executive Session:**

Trustee Randazzo presented a **MOTION** to enter into Executive Session at 8:45 pm to discuss Collective Negotiations. Trustee Forger seconded; the motion was carried.

Trustee Randazzo presented a **MOTION** to close the Executive Session at 9:15 pm. Trustee Forger seconded; the motion was carried.

**Adjournment:**

Trustee Randazzo presented a **MOTION** to adjourn the meeting at 9:16 pm. Trustee Forger seconded; the motion was carried.

Respectfully Submitted,

Michelle E. Gaeta, Clerk