

There was a regular meeting of the Board of Trustees of the Village of Clayton on Monday, May 14, 2018, at 5:30 p.m. in the Municipal Building.

**PRESENT:** Norma Zimmer, Mayor  
Michelle Grybowski, Trustee  
Nancy Hyde, Trustee  
Tony Randazzo, Trustee

**ABSENT:** John Buker, Trustee

**OTHERS:** Kevin Patenaude, Police Chief  
Terry Jones, DPW Superintendent  
Rob Stevenson, W/WW Manager  
Megan Ervay, W/WW Manager  
Geneva Phelps Miller, Treasurer/Interim Clerk  
Joanne Boye, Deputy Clerk

**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 then called the regular meeting to order at 5:30 p.m.

**Police Report:**

Chief Patenaude presented the activity report. Due to the pending retirement of Officer Cobb, effective June 7, 2018, the Board approved carryover of Officer David's unused vacation time into the 2018-2019 fiscal year. Recent conversations with Guardino Elementary Principal Freitag indicate the parking plan is going well and improving every day. There have been some comments regarding additional adjustments, which the Chief has implemented with satisfactory results.

A concerned parent indicated dissatisfaction with the parking plan, noting that she has had little success reaching Superintendent Bashaw. She does understand that this is not a Village issue, but a school-related issue, and she was advised to pursue that avenue for change.

Chief Patenaude maintains his commitment to assist the school in this matter, and believes that as this plays out it will continue to improve. He will reach out to Mr. Bashaw with a suggestion of some sort of traffic pattern be established, perhaps using lines in the parking lot. They may have other plans to tighten this down; plans are meant to be changed; as this thing works through they will make continual changes towards improvement. Trustee Randazzo remarked that no one wants to see anyone hurt, and the school should move towards a permanent solution to this long-standing issue.

In connection with recent complaints of dog waste at the Veterans' Monument, some offenders have been identified. The property manager has advised the offenders that if any more complaints are received they will face eviction. By and large people do the right thing; you will always have those who will not. Stray dogs may also be to blame. Clayton is a dog-friendly, and pet waste stations have been placed at strategic points throughout the downtown area.

**DPW Report:**

DPW Superintendent Terry Jones presented the activity report. Commercial Dive Solutions was here today, and the floating dock should be ready by this weekend for Victoria Day visitors. Mayor Zimmer, Supt. Jones, and FEMA/Homeland Security representatives toured areas sustaining damage from last year's high water levels.

As recommended by Supt. Jones, the Board approved moving Fran Bearup from Laborer to MEO effective June 1, 2018. He has done well the past year, has had a CDL for 20 years or more, and is qualified to operate all Village equipment.

**Water/Wastewater Report:**

W/WW Manager Rob Stevenson introduced the new DANC W/WW Manager, Megan Ervay, who comes to us from Pittsburgh, where she worked at a water filtration plant producing 50 million gals./day. The Board recognized Keith LaLonde, water/wastewater operator, who is retiring after 43 years of service to the Village. It will be a sad day for everyone, and he will be missed.

W/WW Manager Ervay recommended two change orders: one to add three additional mains to the Water System Improvement Project, and the other to determine whether to add Stortz fittings to all hydrants in the Village, or just to the new hydrants. The Board will act on these change orders under the New Business section of the meeting. The low-lift pump stations had some issues with faulting out; National Grid has fixed a wire that was arcing. Hi-lift pumps #1 and #3 also faulted out; the

contractors were in last Friday and did take #1 back for repairs, but stated that #3 can be used as a backup pump. Pump #2 has had no issues. The standpipe work off will be delayed until fall so the plant has time to get the “bugs” worked out; Pumps #1, #2 and #3 must be reliable before they lose the standpipe is taken off-line. As provided in the 2017-2018 budget, repairs to the Sequence Batch Reactors (SBRs) at the wastewater treatment plant are underway and should be finished soon.

**Public Hearing (6:00 p.m.) – Table of Equivalent Dwelling Units (EDUs):**

Mayor Zimmer explained that the previous Table of EDUs contained an excessive number of categories, which made review of annual consumption cumbersome. Consultants recommended the table be simplified, with commercial users assessed according to annual consumption. The public was reminded that 73,000 gallons per year (or 200 gallons per day) is the standard for 1 EDU. This public hearing is for residents to express their opinions on the revised table.

Public comments are summarized below:

- Both old and new tables were to be made available on the Village website; unfortunately this did not happen.
- Commercial properties are bearing the brunt of the burden.
- Why not make consumption/usage the criteria across the Board, since some apartments/single family homes may utilize more than the 73,000 gallons allowed for the 1 EDU they are assessed at.
- Neighboring communities should be compared prior to making changes.
- Higher water usage “does not wear out the water lines.”

Mayor Zimmer agreed that both tables should have been made available. She also reminded the public that the office staff has been short one person for ten months, representing over 1,600 man hours lost. It is unreasonable to expect that the burden can be negated. Fortunately we expect things will smooth out now that an additional person has been hired in the office.

Clayton cannot be compared with neighboring communities, since there have been many improvements to infrastructure over the past few years which may not be the case in surrounding municipalities. Charging commercial properties according to usage is fair since higher usage results in higher treatment costs. The Board will review apartments and single family residences annually, and if it appears the majority is utilizing more than 73,000 gallons per year, it may be prudent to move entirely to consumption-based EDU assessment.

Trustee Randazzo noted that the EDU assessments allow for a small municipality to plan for necessary infrastructure improvements and future planning of those projects. When asked whether the Village properties pay at the commercial rate, the answer was “absolutely yes.” Trustee Hyde then presented a **MOTION** to close the public hearing at 6:19 p.m. Trustee Randazzo seconded; the motion was carried. The Board again approved the Table of Equivalent Dwelling Units (EDUs) which was revised at the March 12, 2018 meeting.

**Consent Agenda:**

Trustee Grybowski presented a **MOTION** to approve the Consent Agenda, as presented. Trustee Hyde seconded; the motion was carried.

1. DRAFT Meeting Minutes April 23, 2018
2. Week #19 (P/R #24)
3. Abstract #23 - \$41,350.18

General Fund	Voucher(s) A18-653 – A18-689	22,997.69
Water Fund	Voucher(s) F18-175 – F18-183	3,362.02
Sewer Fund	Voucher(s) G18-301 – G18-317	14,990.47

4. Capital Projects:

<b>022-RIVERWALK 3</b>	<b>ABS #25</b>	<b>\$1,190.61</b>
<i>Legal – Menter Law Firm</i>	<i>Voucher H022-052</i>	<i>20.00</i>
<i>Engineering – Fisher Associates</i>	<i>Voucher H022-053</i>	<i>1,170.61</i>
<b>026-SANITARY SEWER LATERALS</b>		<b>NONE</b>
<b>027-WATER SYSTEM IMPROVEMENTS</b>		<b>NONE</b>
<b>029-CLAYTON HISTORIC DISTRICT</b>	<b>ABS 29#</b>	<b>\$540.00</b>
<i>Legal – Menter Law Firm</i>	<i>Voucher H029-065</i>	<i>540.00</i>

5. DPW Training – Flagger School @ County Highway Bldg. – 05/15/18 7:30-Noon – J. Babcock, F. Bearup, T. Monica
6. DPW Training – MSHA (Mining, Safety & Health Administration) @ JCC – 05/22/18 (4); 05/23/18 (4)

**Treasurer/Interim Clerk:**

Ms. Miller introduced Joanne Boye, new Deputy Clerk, noting that training is proceeding smoothly, and Joanne is catching on quickly.

**New Business:**

FEMA: The Board approved the proposal submitted by Barton & Loguidice for engineering and funding assistance services to aid the Village in submitting a claim to FEMA for repairs to damages caused due to 2017's high water levels, at a cost not to exceed \$5,000.00.

Water System Improvement Project: Trustee Randazzo presented a **MOTION** to approve Change Order #3-02, Additive Bids #1 through #3 to include three additional water mains to the construction contract with W.D. Malone Trucking & Excavating, at a cost not to exceed \$913,360.25. Trustee Grybowski seconded; the motion was carried.

Change Order #3-03 in the amount of \$22,942.50 to add Stortz hydrant fittings to all Village hydrants was tabled until the May 29, 2018 regular meeting. The Board wants to be sure there is enough remaining in the project's contingency funds to cover this additional cost.

Bartlett Point Grinder Pump Station Relocation: Trustee Randazzo presented a **MOTION** to approve Pay App #1 in the amount of \$83,576.72, submitted by W.D. Malone Trucking & Excavating. Trustee Grybowski seconded; the motion was carried.

**Old Business:**

2018-2019 Low Lift Apartment Rental Agreement (tabled from April 23, 2018): Trustee Randazzo presented a **MOTION** to approve the addition of two sentences to the 2018-2019 rental agreement as recommended by Village Attorney Russell, with the language underlined in the document for ease of reference, and approving the agreement as revised, with no increase in the monthly rent. Trustee Hyde seconded; the motion was carried.

**Mayor's Report:**

Mayor Zimmer reported that Riverwalk 3 is currently on track for completion by July 4<sup>th</sup>. Board members have been reviewing the website and will provide suggestions for change. NYSDOT will host a PowerPoint information session on June 5, 2018, from 5:00 until 8:00 p.m. to share the state's final design plans for the downtown street project. Village Board members will attend the presentation as members of the public.

Homes for Our Troops has scheduled landscaping of the McDermott family's new home on June 2<sup>nd</sup>. Members of the public are encouraged to attend. Signup will begin 9:30 a.m.

Trustee Hyde invited the public to attend "Police Day" at the Library tomorrow.

**Public Comment:**

Several comments were made by those present about various items of concern, with discussion regarding the public ROW included in the Riverwalk 3 project. Mayor Zimmer remarked that most of the businesses are trying to provide access from the water as well as from the street, and there will be a permanent public right-of-way in perpetuity.

**Executive Session:**

*Purpose: Discussions regarding proposed, pending or current litigation.*

Trustee Hyde presented a **MOTION** to enter Executive at 6:45 p.m. Trustee Grybowski seconded; the motion was carried.

Trustee Grybowski presented a **MOTION** to close Executive Session at 7:30 p.m. Trustee Buker seconded; the motion was carried.

**Adjournment:**

Trustee Hyde presented a **MOTION** to adjourn the meeting at 7:31 p.m. Trustee Grybowski seconded; the motion was carried.

Respectfully Submitted,

Geneva Phelps Miller, Interim Clerk