

There was a regular meeting of the Board of Trustees of the Village of Clayton on Monday, July 9, 2018, at 5:30 p.m. in the Municipal Building.

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

**ABSENT:** None

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

**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.

**Visitor(s)**

Trustee Buker introduced Boy Scouts of America Troop 70 from Watertown, New York, who were strongly represented at the meeting. Their public service component requires them to attend community meetings, and the boys chose Clayton. They are having fun on Wellesley Island this week. The Board commended the Troop for their community spirit and interest in local government.

**Police Report:**

Chief Patenaude presented the activity report. Although anonymous correspondence is generally not acknowledged, Chief Patenaude decided to address one of the concerns expressed regarding use of golf carts in the Village. Chief Patenaude shared his research with Board members, noting that all golf carts qualify for insurance at a relatively low cost. He expressed concern with the letter's statement that "we routinely turn a blind eye to these violations," noting there is a difference between that statement and using judgment appropriate to the situation. He conferred with law enforcement from Sackets Harbor, Henderson Harbor, and Alexandria Bay, who stated they handle this matter with discretion and use the same policy as the Clayton PD. Using discretion allows for an open field to regulate, and he proposed that we regulate use to the hours between sunrise and sunset; and carts should be operated only by licensed drivers. Regarding concerns about visibility, in his judgment the carts are more visible than electric wheelchairs, which are operated through a "joystick," are not as easily controlled due to front casters, and their smaller size results in decreased visibility. Golf carts are primarily used by elderly residents and visitors; he will work with Heinz Wahl of French Creek Marina in an effort to educate operators in the Village's discretionary policy and also to encourage them to invest in insurance. The Clayton PD will be vigilant about safe operation; when it becomes unsafe the individuals will be instructed not to do so again; if they continue, they will be ticketed. It should be noted that there are vehicles similar to golf carts that can be registered and licensed in New York State due to having an assigned VIN as well as mandatory safety equipment and lights. Basically, Clayton and surrounding resort areas are all taking the same stance regarding use of golf carts, and will continue to do so in a responsible manner.

**DPW Report:**

DPW Superintendent Terry Jones presented the activity report. He commended John Farmer, Assistant DPW Superintendent/Working Foreman on his outstanding performance of his duties while Supt. Jones was on vacation. He handled several difficult issues with confidence and skill. The Board agreed, noting that the holiday week went very well.

**Water/Wastewater Report:**

W/WW Manager Megan Ervay presented the activity report. Work on the water treatment plant filters began last week, and things are running smoothly so far. Interviews for a new water/wastewater operator trainee will be conducted this week. Permission was granted to approve Erik Dingman and Marshall Green attending a Rural Water Association training session in August to be held in Alexandria Bay at a cost of \$40.00 each. They will keep their phones on in case of an emergency.

Matt Cooper of Barton & Loguidice presented a Progress Report on the LTCP Update and PER, noting they are on an accelerated schedule to meet funding deadlines. Generally an evaluation and investigation of the wastewater collection system and plant would take 4-5 months, and they have only been engaged for 2 months. The deadline for filing this year's Consolidated

Funding Application (CFA) is fast approaching. Mr. Cooper reviewed the Progress Report, which included possible solutions to be considered for improving I&I (inflow and infiltration) as well as remedies for the Riverside Drive and E. Union Street pump stations.

The CFA deadline is July 27<sup>th</sup>. In order to prepare the application, the Village Board must identify which components of the proposed project should be included in the application. Mr. Cooper has conferred with the Development Authority of the North Country (DANC) and recommends the Village Board authorize B&L to file a Water Quality Improvement Programs (WIQP) grant requesting \$5,000,000 for rehabilitation of the Riverside Drive Pump Station and the E. Union Street Pump Station. It is recommended the Village submit a second application for the engineering planning grant at this time.

After discussion, the following two resolutions were presented for Board action:

**RESOLUTION #2018-08**

**AUTHORIZING THE SUBMISSION OF A 2018 CONSOLIDATED FUNDING APPLICATION  
FOR A WATER QUALITY IMPROVEMENT PROGRAM GRANT**

**WHEREAS**, the Village of Clayton desires to prepare a 2018 New York State Consolidated Funding Application (CFA) to improve the Village's Collection System and Wastewater Treatment Plant; and

**WHEREAS**, the cost of the Village's Collection System and Wastewater Treatment Plant Improvement Project is estimated to be \$8,000,000; and

**WHEREAS**, the Village of Clayton is seeking \$5,000,000 million in grant funds to make improvements to the Village's collection system to prevent sanitary sewer overflows and to make improvements at the Village's wastewater treatment plant to handle additional flows that will be transmitted to the treatment plant through the collection system; and

**WHEREAS**, the New York State Department of Environmental Conservation Water Quality Improvement Program (WQIP) has been identified as eligible funding sources for this project; and

**WHEREAS**, the Village is eligible to apply for up to \$5,000,000 million from the WQIP.

**THEREFORE, BE IT RESOLVED**, that the Clayton Village Board authorizes the submission of a single Consolidated Funding Application seeking maximum funds from the WQIP of up to \$5,000,000 million; and

**BE IT FURTHER RESOLVED**, that the Village Mayor or her assigned designee, is hereby authorized to submit a CFA grant application on or before July 27, 2018 for improvements to the Village's Collection System and Wastewater Treatment Plant Improvement Project and if received, to enter into any necessary contracts to administer said grants.

Trustee Hyde presented a **MOTION** to adopt the resolution as set forth above. Trustee Grybowski seconded, the motion was carried unanimously, and the resolution was thereupon declared and duly adopted.

**RESOLUTION #2018-09**

**AUTHORIZING THE SUBMISSION OF A 2018 CONSOLIDATED FUNDING APPLICATION  
FOR AN INFILTRATION & INFLOW ENVIRONMENTAL PLANNING GRANT**

**WHEREAS**, the Village of Clayton desires to prepare a 2018 New York State Consolidated Funding Application (CFA) to perform an engineering study of the wastewater collection system; and

**WHEREAS**, the New York State DEC/EFC Wastewater Infrastructure Engineering Planning Grant (i.e. EPG) program has been identified as an eligible funding source for this project; and

**WHEREAS**, the Village is eligible to apply for up to \$100,000 from EPG to fund the study of inflow and infiltration in the Village's collection system.

**THEREFORE, BE IT RESOLVED**, that the Village Board authorizes the submission of a Consolidated Funding Application seeking maximum funds from EPG not to exceed a total request of \$100,000; and

**BE IT FURTHER RESOLVED**, that the Village authorizes a local match of \$20,000 for a total project cost of \$120,000; and

**BE IT FURTHER RESOLVED**, that the Mayor or her assigned designee, is hereby authorized to submit a CFA grant application on or before July 27, 2018, and if received, to enter into any necessary contracts to administer said grants.

Trustee Hyde presented a **MOTION** to adopt the resolution as set forth above. Trustee Buker seconded, the motion was carried unanimously, and the resolution was thereupon declared and duly adopted.

**Consent Agenda:**

Trustee Hyde presented a **MOTION** to approve the Consent Agenda, as presented, and adding Voucher #88 in the amount of \$80 for water operator training. Trustee Randazzo seconded; the motion was carried.

1. DRAFT Minutes – Special Meeting June 13, 2018
2. DRAFT Minutes – June 25, 2018
3. Abstract #3 (2018-2019) – Vouchers #46 – 47 and #50 – 88 (#48 – 49 Library) – \$87,718.92
  - General Fund \$51,352.59
  - Water Fund \$11,121.72
  - Sewer Fund \$25,244.61

**Treasurer/Interim Clerk:**

2017-2018 Justice Court Audit: The following resolution was offered by Trustee Hyde, who moved its adoption, seconded by Trustee Randazzo, to wit:

**RESOLUTION #2018-10  
ANNUAL JUSTICE COURT AUDIT**

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

**WHEREAS**, pursuant to the Uniform Justice Court Act, §2019-a, each Village Justice must present his or her records and docket to the auditing Board of the Village of Clayton for annual audit; and

**WHEREAS**, such records and docket must be examined by the auditing board of the Village of Clayton or the Village of Clayton Board of Trustees shall cause them to be examined and a report thereon submitted to the board by an officer or employee of the Village or a certified public accountant or public accountant;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Clayton that the 2017-2018 Village Justice Court records and Docket have duly been examined by the auditing board of the Village of Clayton, and that the fines therein collected have been turned over to the proper officials of the Village as required by law.

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	Voting Aye
Trustee Grybowski	Voting Aye
Trustee Hyde	Voting Aye
Trustee Randazzo	Voting Aye

The resolution was thereupon declared duly adopted.

Municipal Solutions – Financial Services Agreement: After review, Trustee Hyde presented a **MOTION** to approve the general financial services contract with Municipal Solutions for a two-year period. Trustee Grybowski seconded; the motion was carried.

**New Business:**

Board Appointment: Trustee Grybowski presented a **MOTION** to approve the appointment of Terese Christensen as an Alternate Member of the Joint Town/Village Planning Board, for a seven-year term expiring December 31, 2024.

**Old Business:**

Charity Poker Run: Mayor Zimmer reviewed with the Board the list of terms and rules for the Charity Poker Run that were agreed to by Bobby Cantwell at the June 25, 2018 meeting. The list includes contact numbers for event organizers. Mayor Zimmer will deliver the list to Mr. Cantwell prior to the event.

**Mayor’s Report:**

Mayor Zimmer presented an update on the Riverwalk 3 project. Cement trucks are expected to be here tomorrow. There are still issues with use of the alleyway for rubbish, which must cease.

Discussion was had regarding the street sweeping schedule, noting there are still a few who do not abide by the parking schedule. The Annual Update Document is being prepared, will be filed on time, and Tina Denigro, Manager of EFPR Solutions, will present it to the Board at the August 13<sup>th</sup> meeting.

Trustee Buker noted there has been some progress on the proposed dive park. The Village's insurance agent will research the matter and report back to Mr. Buker.

*Historic District Improvement Project:* The deadline for filing paperwork with the NYS Dept. of Transportation has been pushed back to July 19<sup>th</sup>. Mayor Zimmer and the project committee are actively seeking additional funding for the project

**Executive Session:**

*PURPOSE: discussions regarding proposed, pending or current litigation*

Trustee Hyde presented a **MOTION** to enter executive session at 6:46 p.m. Trustee Buker seconded; the motion was carried.

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

**Adjournment:**

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

Respectfully Submitted,

Geneva Phelps Miller, Interim Clerk