

There was a special meeting of the Board of Trustees of the Village of Clayton on Wednesday, September 5, 2018, at 8:30 a.m. in the Municipal Building.

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

ABSENT: Michelle Grybowski, Trustee

OTHERS: Pam McDowell, *TI Sun*

PURPOSE:

The meeting was called to order by Mayor Zimmer. The purpose of the meeting was to adopt two resolutions as follows: The SEQR Negative Declaration Resolution, and the Bond Resolution.

RESOLUTION #2018-19

**SEQR NEGATIVE DECLARATION
WASTEWATER TREATMENT PLANT (WWTP)
AND SANITARY SEWER CONVEYANCE SYSTEM PROJECT**

WHEREAS, the Board of Trustees of the Village of Clayton owns a wastewater treatment plant (WWTP) and sanitary sewer conveyance system serving the Village Residents; and

WHEREAS, to date, the Village has in recent years experienced high flows due to heavy precipitation events sometimes causing overflows and release of raw sewage directly into the St. Lawrence River; and

WHEREAS, it is necessary for the Village to make improvements to the Wastewater Treatment and Conveyance System to address the overflow issues (the "Project"); and

WHEREAS, the Project is a Type I Action pursuant to the State Environmental Quality Review Act and the regulations promulgated therewith ("SEQR"); and

WHEREAS, the engineer for the Village has prepared and submitted to the Board of Trustees a Long Form EAF relative to such improvements to the Wastewater Treatment and Conveyance System; and

WHEREAS, at regular meeting of this Board held on July 24, 2018, Part I of the Long Form EAF was duly accepted for filing by this Board, this Board declared itself lead agency for the SEQR review and directed the attorney for the Village to circulate that notice together with Part I of the EAF to the other involved agencies; and

WHEREAS, by letters dated July 24, 2018, Part I of the EAF was forwarded to each of the other involved agencies and more than thirty (30) days have elapsed; and

WHEREAS, pursuant to 6 NYCRR part 617, this Board has reviewed Part II of the Long Form EAF to determine whether the Wastewater Treatment and Conveyance System Improvements Project will have a significant effect on the environment; and

WHEREAS, pursuant to Article VIII of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation, to wit: 6 NYCRR Part 617, this Board has determined that the Action will not have a significant effect on the environment, and will not cause a significant impact on the environment, and therefore, the preparation of an Environmental Impact Statement is not required.

NOW, THEREFORE, be it resolved by the Board of Trustees of the Village of Clayton as follows:

1. Based upon the examination of the Long Form EAF and the criteria set forth in 6 NYCRR Part 617, this Board makes the following findings.

- A. The proposed Action constitutes a Type I action pursuant to 6 NYCRR Part 617 and this Board has conducted a coordinated review.
- B. No potentially significant adverse impacts on the environment are noted on the EAF and none are known to this Board.
- C. There will be no substantial adverse change in existing air or water quality.

- D. There will be no hazard to human health.
- E. There will be no substantial change in the use or the intensity of use on the land.
- F. There will not be created a material conflict with the community's current plans or goals as officially adopted.
- G. None of the criteria listed in 6 NYCRR section 617.11 will be present in the proposed Inspection and no similar criteria will be present which will adversely impact on the environment.

2. The notice of Determination of Nonsignificance attached here o is hereby adopted and accepted by this Board as its Negative Declaration in connection with this inspection.

3. The Village Clerk for the Village of Clayton is hereby directed to file in the Village Clerk's office in the file readily accessible to the public the Negative Declaration attached hereto, and to publish the Negative Declaration in the Environmental News Bulletin.

4. All subsequent notices concerning this inspection shall note that this Board has issued a negative declaration.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A motion to adopt the foregoing resolution was made by Trustee Hyde and seconded by Trustee Randazzo, and upon a roll call vote of the Board was duly adopted as follows:

Mayor Zimmer	Voting Aye
Trustee Buker	Voting Aye
Trustee Grybowski	ABSENT
Trustee Hyde	Voting Aye
Trustee Randazzo	Voting Aye

RESOLUTION #2018-20

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS NOT EXCEEDING \$10,000,000.00 FOR THE VILLAGE OF CLAYTON WASTEWATER TREATMENT AND CONVEYANCE SYSTEM IMPROVEMENTS PROJECT

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

Section 1. The improvements to the Village of Clayton Wastewater Treatment and Conveyance System are in the interest of the citizens of the Village of Clayton. The estimated cost of such specific objects or purposes as determined by the engineers hired by the Village is a maximum cost of \$10,000,000.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid improvements to the Village of Clayton Wastewater Treatment and Conveyance System Project 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 107.00 of the Local Finance Law.

Section 3. The plan for the financing of such estimated cost for such objects and purposes is by a grant of up to \$5,000,000 through the New York State Department of Environmental Conservation Water Quality Improvement Project and/or a grant of up to \$957,500 through the New York State Environmental Facilities Corporation and/or low interest financing through the New York State Environmental Facilities Corporation and/or the issuance of serial bonds not exceeding \$10,000,000 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, the same be published in full in the Thousand Islands 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 pursuant to Section 36.00 of the Local Finance Law.

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.

A motion to adopt the foregoing resolution was made by Trustee Randazzo and seconded by Trustee Buker, and upon a roll call vote of the Board was duly adopted as follows:

Mayor Zimmer	Voting Aye
Trustee Buker	Voting Aye
Trustee Grybowski	ABSENT
Trustee Hyde	Voting Aye
Trustee Randazzo	Voting Aye

ADJOURNMENT:

Trustee Buker presented a **MOTION** to adjourn the meeting at 9:05 a.m. Trustee Hyde seconded; the motion was carried.

Respectfully Submitted,

Joanne Lenhard-Boye
Village Clerk