

There was a regular meeting of the Board of Trustees of the Village of Clayton on Monday, July 24 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:**

None

**OTHERS:**

Kevin Patenaude, Police Chief  
John Farmer, Assistant DPW Superintendent  
Jeff Overstrom, W/WW Manager  
Geneva Phelps Miller, Treasurer and Interim Clerk

**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.

**Police Report:**

Kevin Patenaude, Police Chief, presented the activity report and the July Dog Control Report. It was a busy week. He has spoken with a concerned citizen regarding people climbing trees in the Village Square Park, and advised his department will monitor the park more closely, and whenever people are seen climbing they will be advised to get down immediately to avoid damage to the tree or to themselves.

**DPW Report:**

Asst. DPW Superintendent John Farmer presented the activity report. Today was a busy day due to the extremely heavy rains. Jefferson County will hold its Annual Summer Rabies Vaccination Clinic in Clayton on August 10<sup>th</sup> at the Town Highway Garage from 6:00 p.m. until 9:00 p.m. Speeding on Strawberry Lane was again discussed. Mayor Zimmer will explore the procedure for installation of temporary speed bumps.

**W/WW Report:**

W/WW Manager Jeff Overstrom presented the activity report. Hydrant flushing is scheduled from July 26-August 16, but may be delayed until later in the season, especially after last night's and this morning's heavy rainfalls. Overflows occurred at both Riverside Drive and E. Union St. pump stations. Haulers were here until mid-day today. Flows have now calmed down and operators are watching the radar reports.

Health and Safety Manual: Jeff Overstrom, W/WW Manager, presented the Board with the revised Health and Safety Manual, which includes updates to Sections 3 and 4 required by a recent inspection conducted through Public Employee Safety and Health (PESH) inspector. The revised manual will be distributed to all departments, and all employees will sign off that they have been advised of the updated manual. Trustee Grybowski presented a **MOTION** to accept and approve the revised Health and Safety Manual as presented. Trustee Buker seconded; the motion was carried.

Water System Improvement Project: As part of the Water System Improvement Project, large meters will be replaced and reduced pressure zone devices (RPZs) will be installed where required. In addition, radio antennas will be installed in order to automate the entire meter reading system, which will provide the ability to obtain a history of water consumption in real time. Trustee Grybowski then introduced the following resolution for Board consideration.



**RESOLUTION #2017-18**

**AUTHORIZING REPLACEMENT OF LARGE WATER METERS AND RPZ DEVICES**

**WHEREAS**, the Village has undertaken a public improvement project to upgrade the Village water system, which project includes the repair and replacement of water mains, laterals, and other infrastructure within the municipal water system servicing the Village; and

**WHEREAS**, the Village of Clayton Water Law provides that regular water meters are supplied to property owners at Village expense, but that large water meters are the responsibility of the property owner; and

**WHEREAS**, water customers within the Village with private water hydrants on their property are required to provide reduced pressure zone (RPZ) devices at the service connection to protect the integrity of the municipal water system and satisfy New York State Department of Health requirements; and

**WHEREAS**, the regular water meters within the Village were replaced and modernized in 2014, and are read remotely, but the large water meters within the Village have not been upgraded and modernized, and require manual reading; and

**WHEREAS**, as part of the Water System Improvement Project all of the large water meters and RPZ devices must be replaced to satisfy regulatory requirements, and although the cost for large meters and RPZ devices are regularly the responsibility of the property owner, since the replacement thereof is required by the project, this Board has determined that it is appropriate to include the cost of such meters and devices within the total project cost, as long as the Village is provided access to private properties within the Village to complete installations.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Village of Clayton as follows:

1. The foregoing recitations are incorporated herein and made a part hereof as if fully set forth hereafter.
2. It is the determination of this Board that it is appropriate to include the cost of replacing large water meters and RPZ devices within the Village water system within the total project cost and included within the project financing, since the replacement of these meters and devices is a project requirement, and upgrading and modernizing the large meters for remote reading will promote uniformity and simplify the billing process.
3. As a condition to inclusion of the cost to replace individual large water meters and/or RPZ devices the Village must be granted access to the subject property with a duly executed easement.
4. In the event the Village is not granted access to a property for the installation of a new larger water meter and/or RPZ device through a properly executed easement, the responsibility for such installation to proper design standards shall remain with the property owner.
5. Upon completion of installation the responsibility for repair, maintenance or replacement of any large water meter or RPZ device shall remain with the property owner pursuant to the Village Water Law.
6. This resolution shall take effect immediately.

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

Public Emergency Response Plan – Water Treatment Facility: Jeff Overstrom, W/WW Manager, presented the Board with the Public Emergency Response Plan for the Water Treatment Facility. After review and discussion, Trustee Randazzo presented a **MOTION** to accept and approve the Public Emergency Response Plan, authorizing the Public ERP to be posted on the Village website and Municipal Building bulletin board so that it is readily available to the public. Trustee Buker seconded; the motion was carried.

Notice to Comply – Illicit Sewer Connections: W/W Manager Overstrom and the Board discussed the Notice to Comply letters that will be generated as a result of the smoke and dye testing. Ms. Miller read the draft Notice to Comply correspondence; the Board approved the text of the letter. Mr. Overstrom and Ms. Miller will finalize the list of those to receive the Notice to Comply. The date of compliance will be set for October 31, 2017.

Table of Equivalent Dwelling Units: Trustee Grybowski presented a **MOTION** to approve the revised Table of Equivalent Dwelling Units; Trustee Hyde seconded; the motion was carried. The revised Table will be provided to General Code Publishers for inclusion in the on-line code. The following is the revised Table:

<i>Village of Clayton Table of Equivalent Dwelling Units (EDU)</i>		
<b>DESCRIPTION</b>	<b>CLASS</b>	<b>EDU ASSESSMENT (# EDUs)</b>
<i>Apartment/Condo (per unit)</i>	<i>APT</i>	1
<i>Bar</i>	<i>BAR</i>	Based on Prior Year's Consumption
<i>Car Wash</i>	<i>CAR</i>	Based on Prior Year's Consumption
<i>Church</i>	<i>CHU</i>	1
<i>Dental Office</i>	<i>DEN</i>	Based on Prior Year's Consumption
<i>Fire Department</i>	<i>FIR</i>	Based on Prior Year's Consumption
<i>Golf Course</i>	<i>GLF</i>	Based on Prior Year's Consumption
<i>Golf Course (ClubHouse)</i>	<i>GLF</i>	Based on Prior Year's Consumption
<i>Grocery Store (Neighborhood/Convenience)</i>	<i>GRO</i>	2
<i>Hair Stylist/Barber</i>	<i>HSB</i>	1
<i>Home Business (in Single Residential Unit)</i>	<i>HMB</i>	1
<i>Hostel</i>	<i>HST</i>	Based on Prior Year's Consumption
<i>Hotel</i>	<i>HOT</i>	Based on Prior Year's Consumption
<i>Industrial/Factory</i>	<i>IND</i>	Based on Prior Year's Consumption
<i>Laundromat</i>	<i>LND</i>	Based on Prior Year's Consumption
<i>Library</i>	<i>LIB</i>	1
<i>Marina/Boat Yard (200,000 gals./yr. and above)</i>	<i>MAR</i>	3
<i>Marina/Boat Yard (less than 200,000 gals./yr)</i>	<i>MAR</i>	2
<i>Medical Center</i>	<i>MED</i>	2
<i>Mixed Use/Commercial</i>	<i>MIX</i>	1 EDU for each Business; 1 EDU for each Apartment; Annual Review
<i>Motel</i>	<i>MOT</i>	Based on Prior Year's Consumption
<i>Museum (&gt; 3 buildings)</i>	<i>MUS</i>	3
<i>Museum (3 buildings or less)</i>	<i>MUS</i>	1
<i>Office Building</i>	<i>OFC</i>	1
<i>Opera House</i>	<i>OPH</i>	Based on Prior Year's Consumption
<i>Other (Garage/Boathouse)</i>	<i>OTH</i>	1
<i>Residence (Single Family)</i>	<i>RES</i>	1
<i>Restaurant (seating less than 30)</i>	<i>RST</i>	Based on Prior Year's Consumption
<i>Restaurant (seating 30 or more)</i>	<i>RST</i>	Based on Prior Year's Consumption
<i>Retail</i>	<i>RTL</i>	1
<i>School Bus Garage</i>	<i>BUS</i>	Based on Prior Year's Consumption
<i>School/Day Care</i>	<i>SCH</i>	Based on Prior Year's Consumption
<i>Senior Housing Complex (Riverview Apartments)</i>	<i>APT</i>	Based on Prior Year's Consumption
<i>Service Station (Gasoline/Auto Repair)</i>	<i>SVC</i>	1
<i>Subsidized Housing (French Bay Apartments)</i>	<i>APT</i>	Based on Prior Year's Consumption
<i>Supermarket</i>	<i>SUP</i>	Based on Prior Year's Consumption
<i>Town Arena</i>	<i>ICE</i>	Based on Prior Year's Consumption
<i>Town Pool</i>	<i>TPL</i>	Based on Prior Year's Consumption
<i>Vacant Lots (buildable, with sewer/water access)</i>	<i>VAC</i>	0.25
<i>Wastewater Treatment Plant</i>	<i>WWP</i>	Based on Prior Year's Consumption
<i>Water Treatment Plant</i>	<i>WPL</i>	Based on Prior Year's Consumption
<i>Yacht Club (clubhouse, bar or restaurant)</i>	<i>YCT</i>	Based on Prior Year's Consumption
-- EDU for establishments not listed will be determined by the Village Board.		
-- A "Home Business" is defined as a business within the home where clients come to the house.		
-- Annual Review will be performed for categories that are "Based on Prior Year's Consumption."		
-- The number of EDUs will be based on historical average water usage, calculated using an average daily consumption of 200 gals.		

**Visitor(s):**

Don Lingenfelter, Village resident and proprietor of K's Cottages addressed the Board regarding his pending easement for the Water System Improvement Project. He stated that he addressed the Board about a year ago and asked if his signs or the garden around them would be disturbed during the project, and was told "no." He inquired whether that still stands, and said when a municipal project causes his driveway to be impassible, his signs to be taken down, and his yard torn up, he loses business, and said he cannot do that again. Mr. Lingenfelter then thanked the Village and Town for all the help with the bass tournaments and for supporting the charity poker run. Mayor Zimmer advised Mr. Lingenfelter that in order for the water project to be completed, the contractor will require access to his property, and inquired what is needed to make that happen? Mr. Lingenfelter stated the ROW is inside his signs, so they should not be disturbed. Says even one day of his driveway being torn up will make is business less appealing, and he only has a certain time to make his money. Mayor Zimmer stated the Village is doing its best to accommodate everyone's concerns, but the project required all the easements to be obtained in order to move forward.

Bruce Beattie, Village resident and owner of Attilio's Pizza, stated the Board should not allow concessions at Frink Park, especially when the vendor comes in from Syracuse. He does not think it is right. Mayor Zimmer stated due to the high water, the bass fishermen were unable to go to the RiverEdge as planned, and the tournament committee made the decision to request use of Frink Park for the weigh-in and to provide space to feed the participants. This was a private event, which was not required to solicit local businesses, and they selected an out-of-town vendor to provide the concession. Trustee Grybowski acknowledged that it appears there is a legitimate concern here; she feels that every time she goes to an event there are many out-of-town vendors and not so many locals. Mr. Beattie said the fisherman should have to walk to local restaurants. Trustee Randazzo remarked that if it is a private event, it is their prerogative to go out-of-town for their food, providing the event is not open to the public. However, he and the Board plan to take a closer look at permits over the winter, and expects changes will be made in the spring. This will require review and revision of the Village's local law regarding peddler's permits.

**Consent Agenda:**

1. Regular Meeting Minutes July 10, 2017
2. Payroll #3 (Week #29)
3. Abstract #4 - \$76,635.25

General Fund	Voucher(s) A18-109 – A18-141	44,549.91
Water Fund	Voucher(s) F18-024 – F18-034	2,661.28
Sewer Fund	Voucher(s) G18-037 – G18-054	29,424.06
4. Capital Projects:

Riverwalk 3 – ABS #22	Voucher(s) H022-042	743.86
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5. Request for Use of Regional Dock – 9/2/17 – 9:00-11:00 – Annual Sidewalk Chalk Art Festival
6. Annual "Run for the River 5k/10k" – Save the River – Frink Park – Saturday, July 29, 2017 @ 9:00 a.m.

**Interim Clerk Report:**

July 2017 Financials: The Board received the July 2017 financial reports.

Paid Family Leave Act (PFLA): NYCOM has advised that the Paid Family Leave Act (PFLA) is optional for municipal employers, however it can be included as an item during labor contract negotiations.

Financial Services Agreement: The Board reviewed the proposed financial services agreement with the Village's current fiscal advisor, Municipal Solutions, Inc. Municipal Solutions has been serving the Village for several years, and it is Ms. Miller's recommendation to continue the relationship with Municipal Solutions for another two years. The Board approved the contract, authorizing Mayor Zimmer to execute it on behalf of the Village.

Water System Improvement Project: Trustee Grybowski presented a **MOTION** to appoint Geneva Phelps Miller, Interim Clerk, as the MBO for MWBE reporting. Trustee Hyde seconded; the motion was carried. Trustee Grybowski then presented a second **MOTION** approving the engagement letter with EFPR Group to conduct a single audit of the project as required by USDA-RD. Trustee Buker seconded; the motion was carried.

**New Business:**

Board Appointment(s): Trustee Grybowski presented a **MOTION** to accept Larry Aubertine's resignation as a full member of the Joint Planning Board, and to appoint him as an alternate member, term to expire December 31, 2017. Trustee Buker seconded; the motion was carried. Trustee Buker then presented a **MOTION** to approve David

Crandall's resignation as an alternate member, and appointing him as a full member of the Joint Planning Board, to complete the term of Mr. Aubertine, expiring December 31, 2019. Trustee Hyde seconded; the motion was carried.

Clayton Historic District Improvement Project: Mayor Zimmer and Trustee Hyde, members of the Village stakeholder committee formed early on in the project design, reported on the committee's recommendation for the selection of ornamental lighting for the project. Mayor Zimmer then introduced the following resolution for Board consideration:

**RESOLUTION #2017-19**

**AUTHORIZING ORNAMENTAL LIGHTING SELECTION  
FOR CLAYTON HISTORIC DISTRICT PROJECT**

**WHEREAS**, the Village of Clayton is proceeding with a Historic District Improvement project which will involve the removal of overhead electrical and telecommunication wiring and the removal of utility poles in project area; and

**WHEREAS**, part of the project will involve the replacement of standard National Grid street lighting within the project area with historic district lighting that is more aesthetically pleasing and consistent with the Village's intent to improve the historic district area; and

**WHEREAS**, as part of this project the Village was tasked with selecting the style of ornamental lighting they would like to be included in the project and to determine whether the Village will be responsible for lighting maintenance or to continue with the Village's current practice of leasing the lighting infrastructure from National Grid; and

**WHEREAS**, a Committee of Village stakeholders evaluated alternatives and provided a recommendation to the Village board and is recommending the Village proceed with the following: 1) that the Village continue to lease lighting from National Grid since the Village does not have the equipment or labor resources to properly maintain and service new lighting infrastructure; and 2) that the Village will utilize the Armory Square Aluminum Lighting Pole with accessory outlet option with the Edgewater Luminaire without crowns with a flag pole attachment for their new ornamental lighting.

**NOW, THEREFORE, BE IT RESOLVED** that the Village Board does hereby accept the Committee's recommendation and authorize and direct the Mayor to execute any and all documents necessary between National Grid and the NYS Department of Transportation to incorporate the Village's selection for ornamental lighting into the Historic District Project.

Subsequent to review of the proposed resolution, Trustee Buker inquired whether the lighting would be owned by the Village or leased from National Grid. Mayor Zimmer and Trustee Hyde stated that the lighting would be leased from National Grid, as are the current street lights. Trustee Buker stated that he would like to see an analysis of the costs of leasing vs. ownership of the ornamental lighting. Mayor Zimmer stated that approval of the lighting selection must be provided to National Grid before it can continue the project design. After considerable discussion, the resolution was tabled to the August 14, 2017 regular meeting.

**Old Business:**

EDU Changes/Notifications: In connection with the proposed changes in EDUs and notification to customers affected, the Board agreed that, since the current review does not follow the annual schedule (December/January review with notification to customer by January 31), customers should have at least the same amount of time to prepare for increases in EDUs as they would have in other years. After discussion, the Board decided that, for this review, increases in EDUs will take effect in July 2018. Decreases in EDUs will take effect with the November bill. Customers will be notified by the end of July of the changes in their EDUs. The Table of EDUs will be reviewed by Board members and discussed at the next regular meeting.

**Mayor's Report:**

Consolidated Health Committee: Mayor Zimmer presented the quarterly Consolidated Health Committee report, stating there are no current health concerns in the Town or Village.

Riverwalk 3: Mayor Zimmer reported on the recent Riverwalk 3 progress meeting, stating the project remains on hold due to the continuing high water levels. The contractor is tracking water levels, and will advise whether construction will commence or whether it may be postponed until the spring. This year's record high water levels were unanticipated, and the funding agency has taken the situation into consideration, extending the grant period to accommodate the unanticipated delay.

Jefferson County Shared Services: The State-mandated County-wide Shared Services Committee is making progress in exploring new ways for local governments to share services. Mayor Zimmer will continue to attend the monthly meetings.

NYS DOT Route 970L Project ("State Loop"): Mayor Zimmer reported the location of handicapped parking spaces has been decided and provided to NYS DOT for inclusion in the project design.

Village Justice Court: Mayor Zimmer reported on correspondence from Town Supervisor Storandt regarding dissolution of the Village Justice Court. She advised Supervisor Storandt that nothing can be done since a Village Justice was elected during the last election, to a four-year term, and nothing can be done until that term ends. In addition, the matter is subject to a mandatory referendum as it entails the abolishment of an elected position.

Mayor Zimmer also discussed the Complete Streets Program.

**Executive Session:**

At 7:57 p.m., Trustee Hyde presented a **MOTION** to enter executive session to discuss personnel matter(s) regarding specific individual(s). Trustee Grybowski seconded; the motion was carried.

At 8:10 p.m., Trustee Buker presented a **MOTION** to close executive session. Trustee Hyde seconded; the motion was carried.

**Regular Meeting (Resumed):**

The Board agreed to hire temporary help to assist in the Village office during the current staff shortage.

**Adjournment:**

At 8:12 p.m., Trustee Grybowski presented a **MOTION** to adjourn; Trustee Hyde seconded; the motion was carried.

Respectfully Submitted,

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Geneva Phelps Miller, Interim Clerk