

**Regular Village Meeting**  
**Village of Clayton Board of Trustees**  
**April 26<sup>th</sup>, 2021**

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There was a scheduled Regular Meeting by video conference meeting with “GOTOMEETING APP” due to the COVID-19 Virus, with the Board of Trustees of the Village of Clayton on Monday April 26<sup>th</sup>, 2021 at 5:30 p.m. The meeting may be viewed online at [www.villageofclayton.com](http://www.villageofclayton.com) and a transcript is attached to these minutes.

***PRESENT:***

Norma Zimmer, Mayor  
Nancy L. Hyde, Deputy Mayor/Trustee  
Joe Chrisman, Trustee  
Joanne Lenhard-Boye, Village Clerk/Deputy Treasurer  
Alicia Dewey, Treasurer/Deputy Clerk  
Terry Jones, DPW Supervisor

***ABSENT:***

Jeremy Kellogg, Trustee  
Kevin Patenaude, Chief of Police

***VISITOR(S):***

1. John Condino, Barton&Loguidice – updates on FEMA projects
2. Matt Cooper, Barton&Loguidice P.E- Gave updates on the Wastewater Collection & Treatment Improvements Project and the Inflow & Infiltration Study.

***Design:***

1. Final Design Complete – Approval by USDA-RD. Pending approval by DEC.

Design Parameter:

Peak flow capacity increase from 2.0 MGD to 4.5 MGD

Project Schedule

- Bidding – April 2021, Bid opening – May 14<sup>th</sup>, at 1:30pm
- Award Contracts –May 2021
- Construction Start – June 2021
- Construction Complete – June 2022

***Funding:***

2. Wastewater Improvements Project Budget - \$8,830,000
  - USDA RD - \$1,000,000 grant **awarded**
  - USDA RD - \$5,872,000 loan **awarded**
  - NYS WIIA - \$1,958,000 grant **awarded** (max 25% after other grant)
  - WQIP - \$5M max grant **pending** (resubmit 2021?)
3. REDI Project Budget – \$2,370,000
  - REDI - \$2,251,500 grant **awarded** (95%)
  - Local Share - \$118,500

***Permits:***

- DEC has issued the new SPDES permit
- SI/SD Determination – Awaiting Flood Hub Concurrence
- DOT Work Permit-Pending approval of plans

***Action Items:***

- B&L Agreement Amendment approval – Trustee Hyde made **MOTION** to approve B&L Agreement Amendment, Trustee Chrisman seconded all in favor motion carried.

**Inflow and Infiltration Study:**

- Preliminary Engineering Report (PER) for I/I study completed. Submitted to NYS
- DEC and EFC for approval. Awaiting comments
- Final 50% of EPG grant to be released upon EFC approval of PER

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***POLICE:***

Kevin Patenaude, Chief of Police

1. Submitted his activity report. This report is filed at the Village Clerk's office.

***DPW:***

Terry Jones, DPW Superintendent

1. Presented his activity report, this report is filed at the Village Clerks office. Terry also informed the Board on FEMA updates of the ongoing delays with FEMA to authorize the stabilization of the Riverwalk and construction of a new dock that was damaged on Halloween of 2019. Senator Schumer's office has been contacted and working with us to move FEMA along to get a response.
2. Issues on 708 Riverside Drive retention wall - Marty Muggleton gave the Board a brief update on the history and the documentation that he had sent Mayor Zimmer. He has asked the Board to commit to repair the wall again from the multi-page assessment of the wall as conditioned October 2<sup>nd</sup>, 2019. This will be further discussed at the scheduled workshop meeting May 5<sup>th</sup>, 2021 at 1pm.

***WATER/WASTEWATER:***

Thomas Haynes, DANC

1. Monthly Report – Presented Water/Sewer monthly report to the Board. This report is filed at the Village Clerk's office.
2. 2020-08 Resolution – Northern Border Regional Commission Grant application – This resolution was explained to the Board.  
***Trustee Hyde made MOTION to approve Resolution 2020-08, Trustee Chrisman seconded, all were in favor motion carried.***
3. Sewer Application-French Creek Marina & Campground – ***Trustee Hyde made MOTION to approve the Sewer Application for French Creek Marina & Campground, Trustee Chrisman seconded, all in favor motion carried.***
4. Thomas Haynes addressed the ad that was placed in the TI Sun on April 21<sup>st</sup>, 2021 titled: ATTENTION: Village of Clayton Water Customers- He went into great length to explain the asset management plan that goes back to 2009, and this was updated in November of 2020. This plan explains all the improvements that have been made to the Water/Sewer plant. Things can and do happen, and when they do it costs thousands if not millions to fix or update. Mayor Zimmer added that water consumptions have gone down by 80 EDU's probably due to COVID-19.

***CONSENT AGENDA:***

1. DRAFT Meeting Minutes April 12<sup>th</sup>, 2021
2. Payroll (P/R #22) 3/04/2021 to 03/17/2021 \$30,813.93
3. Abstract -04/26/2021 \$ 34,376.12  
General Fund \$ 14,181.70  
Water Fund \$ 2,560.25  
Sewer Fund \$ 17,634.17

***Trustee Hyde made MOTION to approve items 1-3 as presented. Trustee Chrisman seconded, all in favor; motion carried.***

**4. CAPITAL PROJECTS:**

<b>CAPITAL PROJECT'S</b>	<b>INVOICE</b>	<b>AMOUNT</b>
<b>029- HISTORIC DIST PROJ</b>	<b>TOTAL</b>	<b>\$1,460.08</b>
<i>New Century Electric work done through March 31,2021</i>	<i>Pay app 19</i>	<i>\$1,460.08</i>
<b>031- WWTP IMPROVEMENTS</b>	<b>TOTAL</b>	<b>\$772.50</b>
<i>Barton&amp;Loguidice – prof services thru March 27,2021</i>	<i>116672</i>	<i>\$772.50</i>
<b>032 – REDI (DOCK &amp; RIVERWALK)</b>	<b>TOTAL</b>	<b>\$43,060.87</b>
<i>Barton&amp;Loguidice – prof services thru March 27,2021</i>	<i>116875</i>	<i>\$43,060.87</i>

*Trustee Hyde made the MOTION to approve capital projects item #4 as presented. Trustee Chrisman seconded, all in favor; motion carried.*

**OLD BUSINESS:**

1. Lori Durand – The Board will not approve a fence being added for outside dinning at the Koffee Kove.

**NEW BUSINESS:**

1. Village Clerk read the email's from public regarding the 2022 budget even though the public hearing was held on April 12<sup>th</sup>, 2021.
2. Resolution 2021-07 – Adopt Village of Clayton Budget for 2021-2022  
 Mayor Zimmer read aloud the tax rate as 7.812377 percent and the Village Board maximum compensation for 2022 which are Mayor \$5,000.00 per annum, Deputy Mayor \$575.00 per annum and a total for all Trustees of \$11,000 per annum.  
*Trustee Hyde made the MOTION, to approve Resolution 2021-07 to adopt Village of Clayton's 2021-2022 Budget, Trustee Chrisman seconded all in favor, motion carried.*

**CLERK:**

1. Request for use of Frink Park – Sunset Series Christian concerts on Sundays for June, July and August from 6:30pm to 8:30pm– This was approved by the Board.
2. Water/Sewer Bill – Account #44 requesting to have penalty removed – Board agreed to remove November's 2020 penalty, but did not approve for March 2021 penalty.

**MAYOR'S REPORT:**

1. Response to Paul Luck's 26 questions from Public Hearing – Mayor Zimmer will be getting a written response to all answers to the questions from Paul Luck. The only question she does not have an answer for is the concern that the Village does not have a Capital Plan. She asked Trustee Hyde and Trustee Chrisman how they felt about committing to working on a Capital Plan for 2022. Mayor Zimmer did not commit to this. Trustee Chrisman was willing to try and work on a Capital Plan. Trustee Hyde would be willing to commit on this being a goal for the Village, but did not feel comfortable committing to having this done by 2022.
2. Advisory opinion from Kristin O'Neil to Paul Luck regarding Open Meetings Law – Mayor Zimmer updated the Board on the Advisory opinion response to Paul Luck. The Mayor commented that she was happy that Kristin O'Neil reached out to her and let her respond to the claim that was submitted.

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3. 150<sup>th</sup> Celebration meeting – Fire Department is celebrating their 135<sup>th</sup> year next year. The Historian thought it would be good to combine some events and put on a nice event.
4. Mayor Zimmer requested that the Board be prepared at the next meeting to discuss office hours and opening the Municipal Building to the public.
5. Audits – Annual Audit is in its final review and expect to have it sometime in May. The State Comptroller's office audit has wrapped up all his questions and is putting everything together, and thought it would be about 4 to 5 weeks before he presented the Audit.
6. Flag etiquette – Village of Clayton does have a flag policy and the flag at the Municipal Building does need a light on it.

***PUBLIC COMMENTS:***

Paul Luck village resident had comments on the Water/Sewer funds that are available in general fund. He advised the Board on where money should go in specific funds. He also spoke on the transparency comments by Mayor Zimmer.

***ADJOURNMENT:***

***Trustee Hyde presented a MOTION to adjourn the meeting at 6:43 p.m. Trustee Chrisman seconded; all in favor motion was carried.***

Respectfully,

Joanne Lenhard-Boye, Village Clerk