

There was a regular meeting of the Board of Trustees of the Village of Clayton on Monday, October 22, 2018, at 5:30 p.m. in the Municipal Building.

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

OTHERS: Kevin Patenaude, Police Chief
Terry Jones, DPW Superintendent
Megan Ervay, W/WW Manager
Joanne Lenhard-Boye, Village 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 police report. Chief Patenaude also wanted to warn everyone of the Counterfeit money being passed to commercial businesses. You can identify these bills because they have blacked out the Chinese writing and they have figured out how to pass the marker test. In one week 37 bills passed out and Chief felt it important to let residence and businesses know this information.

Punkin Chunkin was a success. Allot of people coming and going between 6,000 to 8,000 people. Used the whole street this year. All the parking lots were full and busses were being utilized. Chief wanted to thank the Volunteer Fire Department. They are always a big help with this event.

DPW Report:

DPW Supt. Jones presented the DPW report. He reported he finally has a full staff everyone is back to work. Paved Barlett point road, North Shore, South Shore and Dulles Lane. Parking Meters have all been removed for the season. For Storm and Sewers, he reported his men capped off a yard drain that was tied into the sanitary sewer at the corner of Mary Street and Franklin Street. Municipal Building had Hoover Heating and Cooling repair a water leak in the boiler. As of Sunday 10/21/2018 all dock staff is done for the season. W.D. Malone has completed installing water mains. They are now working on restoration.

LED Lights, Wanted to add another 20 lights, if we can we will add 17 lights with a price quote. The conversion grant will total \$11,000 towards the LED lighting. Board approved for Jones to move forward on this.

Water/Wastewater Report:

The Authority has been working with Barton & Loguidice to complete an updated. Long Term Control Plan to address the issues with sanitary/storm sewer overflows at Riverside Drive and East Union Street. The Water Infrastructure Improvement Act Grant has been submitted for this project. Smoke and Dye testing completed on September 5th

The Water Project is making progress. The total funds that have been spent to date, including administrative, technical, and construction costs, are \$4,418,936.62. Old filter #1 has been removed and the new filter has been installed. New filter #1's initial startup date was July 30th. There have been several issues with getting the filter to operate properly. A Filter to Waste valve was installed to address the initial turbidity spike when the filter is put into service. Contractors, engineers, the Village, and the Authority are working to resolve the issues and get filter #1 in service for its 14 day performance period.

Distribution main replacement work has been moving forward. Franklin and Mary St both have been approved to be put into service and most of Washington Island water services have been installed. Contractors have had several instances where field maps were inaccurate, which caused difficulty with locating services, valves, and mains.

Smoke and Dye Testing: 23 out of 79 properties have made necessary repairs.

These repairs and work done are being tracked by T. Jones and M. Ervay. The identified issues that the Village is responsible for have been completed.

Water Operations: Water Treatment Plant in August 2018 the WTP produced 7,986,000 gallons for a monthly average of 258,000 gallons per day treated water. An average daily chlorine residual of 2.3 mg/L was maintained for disinfection. During the month of August there were no resident complaints in accordance with NYSDOH permit limits and water quality. Water loss calculations based on metered water produced and water billed for the period from March to June reflect a calculated water loss of 34%. American Water Works Association's (AWWA) recommended acceptable limit for water loss is 10%. With leak detection and planned improvements in the distribution system, water loss will continue to decrease to meet or exceed the

AWWA's recommended limit. However, water main breaks, new water main flushing, hydrant flushing and sewer flushing by DPW are not accounted for in the metered water calculations, it is these losses that account for the 10% limit by the AWWA.

CONSENT AGENDA

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

1. DRAFT Minutes – September 10, 2018
2. Payroll Week #39 (P/R #9) – \$47,263.49
3. Abstract #8 – Vouchers #993-#1041 – \$67,200.84

General Fund	\$16,251.98
Water Fund	\$11,803.84
Sewer Fund	\$37,492.76
Library Fund	\$1,652.26

4. Capital Projects

022-RIVERWALK 3	ABS #32	\$72,142.82
<i>Fisher Associates – Pay App #24</i>	<i>Voucher H022-063</i>	<i>51,989.45</i>
<i>Fisher Associates – Pay App #25</i>	<i>Voucher H022-064</i>	<i>20,153.37</i>
026-SANITARY SEWER LATERALS	ABS #8	\$124.00
<i>DANC – NBRC Grant Administration</i>	<i>Voucher H026-017</i>	<i>124.00</i>
027-WATER SYSTEM IMPROVEMENTS	ABS #45	\$272,333.58
<i>DANC – TSA</i>	<i>Voucher H027-136</i>	<i>1,494.00</i>
<i>Obrien & Gere – 60233-46</i>	<i>Voucher H027-137</i>	<i>27,163.66</i>
<i>Hyde-Stone Mechanical – Pay App #8 – 1D</i>	<i>Voucher H027-138</i>	<i>1,372.25</i>
<i>WD Malone Trucking & Excavation – Pay App #8 – C3</i>	<i>Voucher H027-139</i>	<i>242,303.67</i>
029-CLAYTON HISTORIC DISTRICT	ABS #37	\$10,750.54
<i>DANC – NYSDOT TSA</i>	<i>Voucher H029-080</i>	<i>1,925.00</i>
<i>Barclay Damon – Legal</i>	<i>Voucher H029-081</i>	<i>300.00</i>
<i>Hage & Hage</i>	<i>Voucher H029-082</i>	<i>8,525.54</i>

5. Trustee Grybowski presented a **MOTION** to approve Change order 1A-2 as set forth, Trustee Randazzo seconded, the motion was carried.
6. Trustee Randazzo presented a **MOTION** to approve Change order 1A-3 as set forth. Trustee Grybowski seconded, the motion was carried.
7. Trustee Randazzo presented a **MOTION** to approve Change order 2-2 as set forth. Trustee Grybowski seconded, the motion was carried.

RESOLUTION #2018-21

AMENDED BOND RESOLUTION DATED OCTOBER 22, 2018 AUTHORIZING THE ISSUANCE OF SERIAL BONDS NOT EXCEEDING \$1,000,000 FOR THE VILLAGE OF CLAYTON SEWER LATERAL IMPROVEMENTS PROJECT IN CONJUNCTION WITH THE NYSDOT 9701 ROAD PROJECT.

WHEREAS, the Village of Clayton (the "Village") by bond resolution dated March 26, 2016, authorized the issuance of not to exceed of \$770,000 serial bonds of the Village to provide financing for the specific objects or purpose of a Sewer Lateral Improvement Project in conjunction with the NYSDOT 9701 Road Project in the Village; and

WHEREAS, it is necessary to amend the bond resolution dated March 26, 2016 to increase the amount not to exceed to \$1,000,000. This is an increase of \$230,000 of the bond resolution dated March 26, 2016;

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

Section 1. The Village is hereby authorized to issue up to \$1,000,000 principal amount of serial bonds for the specific objects or purposes of Sewer Lateral Improvement in conjunction with the NYSDOT 9701 Road Project,

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes 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 the issuance of serial bonds and/or by a grant through the United States Department of Agriculture through its Rural Utilities Service and/or the issuance of serial bonds not exceeding \$1,000,000 of said Village, hereby authorized to be issued therefor pursuant to the Local Finance Law. The proposed maturity of the bonds shall be in excess of five (5) years.

Section 4. The faith and credit of the Village is hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. Provisions shall be made annually in the budget of the Village by appropriation for the amortization and redemption of the bonds to mature in such year and payment of interest due in such year. Annual taxes and sewer rents shall be made in each year sufficient to pay the principal of and interest on such bonds becoming 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 or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or such obligations are authorized in violation of the provisions of the Constitution.

Section 7 Upon this resolution taking effect, a summary of the same be published in the TI 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. The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows: The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Norma Zimmer	Voting Aye
Trustee John D. Buker	Voting Aye
Trustee Nancy L. Hyde	Voting Aye
Trustee Michelle T. Grybowski	Voting Aye
Trustee Anthony Randazzo	Voting Aye

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.

CLERK

Discussed with the board a letter that was needed by Lyric Coffee House to waive the 30 day notice period in order for them to obtain a liquor license. Board approved letter presented.

Water bill Account #273 late fee was waived do to confusion with the closing.

MAYOR'S REPORT

Anyone that is near the Chamber of Commerce should stop in and thank them for all their hard work for setting up for this event (Punkin Chunkin) This is allot of work. She discussed with everyone how all the business did in the Village and maybe what some businesses should be doing to produce business on their own. Maybe have a parking pass. Hotel was providing parking and charging 10 dollars and Hotel gave this money to Charity. Some new things happened that worked well. This event keeps growing and all positive things. Very dedicated volunteers

Mayor Zimmer discussed with the board that the Village Office needs two check signers. With the boards permission Mayor Zimmer is stopping by WSB to get permissions to be one of those signers, and G. Miller will be coming off the list on Nov 1, 2018 and the Mayor will be added on immediately. All the board members agreed on this being done.

Trustee Hyde discussed the importance of communication with the Village when the project starts. Trustee Hyde got together with Kristi Dipple about the importance of communication and they will want companies to put together a RFP for this project.

ADJOURNMENT

Trustee Grybowski presented a **MOTION** to enter Executive Session at 6:13 p.m. for the purpose set forth below. Trustee Buker seconded; the motion was carried.

EXECUTIVE SESSION

Purpose: the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation

Trustee Randazzo presented a **MOTION** to close Executive Session at 7:23 p.m. Trustee Buker seconded; the motion was carried.

Respectfully submitted,

Joanne Lenhard-Boye
Village Clerk