

There was a regular meeting of the Board of Trustees of the Village of Clayton on Monday, January 14, 2019, 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.

**Visitor(s):**

Anthony Young, P.E and David Powers, I.E from Barton & Loguidice came to update the Village Board on Wastewater Collection & Treatment Improvements Project, Long Term Control Plan Update, Inflow & Infiltration Project and FEMA Flood Damage Project. .

*Wastewater Collection & Treatment Improvements Project:*

*Background:* Combined Sewer Over flows (CSO) were plugged in 2015 which resulted in hauling and overflows during wet-weather events. Completed the Preliminary Engineering Report (PER) in August of 2018. This report identified improvements to the Village's wastewater treatment plant at Riverside and East Union pump stations to eliminate the need for the "orange monster" during wet-weather events. The SEQR Bond Resolution and Funding Applications were completed in July-September 2018. SPDES Permit expires in September 2019, may remove some of the CSOs completely from permit.

*Funding:* NYS Water Infrastructure Improvement Act (WIIA) we had a successful grant application in November 2018 of \$2,207,500.

NYS DEC Water Quality Improvement Project (WQIP) we had an unsuccessful application in 2018. In July of 2019 we will be submitting another application.

*Anticipated Schedule:* Project design begins in February of 2019. Close on Short Term Financing in summer of 2019, Submit project plans and specification for approval in winter of 2020. Project Bidding Phase, spring of 2020. Award Bids Summer of 2020. Construction Starts Summer of 2020 and Construction Completed in winter of 2021.

*Inflow and Infiltration Study:* Village was awarded a \$100,000 Engineering Planning Grant (EPG) in December of 2018 and the next step will be to execute engineering agreement.

*FEMA Flood Damage:* There was an approved Scope and Cost Report in December 2018 for total cost of \$194,002.23  
75% FEMA Contribution

12.5% New York State Contribution  
12.5% Local Contribution (Village)

*Anticipated Schedule:* Project design begins February 2019, Submit project plans and specifications for approval Spring of 2019, Bidding Phase Summer of 2019, Award Bids, Fall of 2019, Construction Start Winter of 2019 and Construction Completed Spring of 2020

Dave Powers of Barton and Loguidis Engineering gave a brief report on FEMA repairs for 2017 high-water damage. He updated the Village as to the executed agreement with the firm and the report that he is working on. The repairs will be made at the Centennial Park, the public docks and Riverwalk 3. Dave Powers assured the Village Board that this expense will be covered by the FEMA money.

**Police Report:**

Chief Patenaude presented the activity report, everything is going fine. Chief of Police is starting to look at his department's budget. This will be the year to purchase a new police vehicle. Chief Patenaude has mailed out a letter to NY State Assemblyman Mark Walczyk to try and get some funding to ease the burden on the Capital Reserve Budget that he has for police equipment. Mayor Zimmer let Chief Patenaude know that Tina DeNigro from EFPR is putting together a schedule for budget dates.

**DPW Report:**

DPW Superintendent Terry Jones presented the activity report and his Year in Review Highlights for 2018. Started off with informing the Board about the Energy Audit he had with Paul Pierce from Smart Wat. Paul came in several years ago and did an audit and also did some work here at the Municipal Building, changed over some exterior lights to LED. Changed over some ballast for us. Terry Jones had Paul go into the Village and look at the Parks and also had him go to the Sewer Plant and Hawn Memorial Library. He will have a report drafted by end of week, and ready to present to the Board by the next meeting.

**Water/Wastewater Report:**

W/WW Supervisor Megan Ervay presented her monthly activity report. Full details on this report is filed at the Village office.

Megan Ervay had 2 Change orders that she discussed in detail with the Board for their approval. Continental Construction, Inc change order No. 1A-5 for Water System Improvements Project, and S.C. Spencer Electric, Inc. change order No. 1B-3, also for the Water System Improvements Project.

Trustee Hyde presented a **MOTION** to approve Change Order 1A-5; and Trustee Buker seconded; the motion was carried.

Trustee Randazzo presented a **MOTION** to approve Change Order 1B-3; and Trustee Buker seconded; the motion was carried.

W/WW Supervisor Megan Ervay had a Water/Sewer bill that is for the Water/Sewer plant and she presented to the Board that the Water Sewer Plant should be credited for an error that she found within the billing system. Historically the plant was never charged for sewer, so her guess for this error was that when they put in the new meter and it was entered into the system it defaulted to charging for both water and sewer. The bills for July and November should be credited the cost of the sewer fees on each bill. For the July 2018 bill \$4,885.17 should be credited, and for the November 2018 bill \$4,373.13 should be credited back to the Village. Megan Ervay assured the Board that the system has been fixed so future bills with not have a sewer charge on them.

Trustee Randazzo presented a **MOTION** to approve the credits for Sewer charges on Account number 1052; Trustee Grybowski seconded; motion was moved.

Supervisor Megan Ervay reported to the Board that the annual EDU'S updates are just about completed. She has been working with the office staff to fix all issues with the new meters that were installed. She is in the process of sending out updated bills for EDU's that were not charged correctly. Meagan Ervay commented "We are maybe looking at just about 20 consumers that have issues with meter readings. Most of these are Commercial Owners that should have been well aware that something was off with their bill". Before she sends out letters with updated bills, Trustee Randazzo would like the board to be emailed and kept in the loop of all actions that will be taken.

Supervisor Megan Ervay requested approval from the Board to send Dustin Orvis to an Educational Class in May 2019. Board approved this request.

**Consent Agenda:**

Trustee Buker presented a **MOTION** to approve the Consent Agenda, Trustee Hyde seconded; the motion was carried.

1. DRAFT Minutes – December 27<sup>th</sup>, 2018 with Minor Corrections
2. Payroll Week #1 (P/R #16) – \$37,367.36
3. Abstract #15 – Vouchers #1374,1375,1377-1400,1403-1416 – \$44,576.43

General Fund	\$32,144.95
Water Fund	\$3,780.19
Sewer Fund	\$8,284.04
Library Fund	\$367.25

**New Business:**

Addendum to Employee Handbook – Cell Phone Policy: The Board discussed the new policy and Trustee Grybowski had some concerns that we don't seem to have any type of enforcement or violation described. She does not feel as though this will have any clout without these things in writing. Trustee Hyde thinks the cell phone policy is great, but it comes back to a source of enforcement such as we see with the sign laws and other types of policies. Trustee Hyde was looking at 2019 to be able to know what policies are in place and how they would all be enforced for all departments. She mentioned that we still have not finished up the dress code policy from last year The Board is happy to see these policies put into place, but just want to see the enforcement of the policy in writing. Mayor Zimmer said this is part of our Human Resources getting these things taken care of and she would go back to HR and discuss the policy further.

Trustee Grybowski presented a **MOTION** to approve Barclay Damon Legal Agreement on Barclay Damon Letter Head dated January 8<sup>th</sup> 2019 for bond counsel services for the Village of Clayton Trustee Buker seconded; the motion was carried.

The new Draft Sign Law was discussed by the Board. Mayor Zimmer asked if anyone had any suggestions or comments about the new Law. Trustee Hyde had mentioned that the ZBA had met to talk about the sign law at their last meeting and they went through it with a fine tooth comb. She said they did make some minor changes, but she has not seen the changes as of yet. Trustee's Hyde's suggestion to the ZBA was to maybe go through this one more time just to make sure they have it right. Mayor Zimmer commented that she thought they did a really good job on defining what the law was before and what has changed. She also let the Board know that the Town will be having another planning board meeting and we will be notified as to when that is.

**Mayor's Report**

Mayor Zimmer updated the Board on NY970L Project. She informed the Board that there is still no word from DOT as to why they rejected the bids. She wanted the DOT to put a press release out to the public for reasons why the project bids were rejected, and what were the steps moving forward. Mayor Zimmer feels that it is the DOT's responsibility to get the word out to our public as to why the bids were rejected. This has now put us in a holding pattern.

Mayor Zimmer commented that there are two things she is sure of, “now that the project has been pushed back, there will be no construction in the Village until after Labor Day of 2019, and the DOT is going to return our deposit of \$2.97 million” with interest.

Trustee Randazzo said we must have faith and stay positive regarding this project and if the bids were not right then the DOT is looking out for the Village by rejecting the bids rather than awarding it to someone who’s not the best fit for the project.

Trustee Hyde agreed with Trustee Randazzo and commented that “until we hear anything more, it’s business as usual”.

**Adjournment:**

Trustee Buker presented a **MOTION** to adjourn the meeting at 7:00 p.m. Trustee Hyde seconded; the motion was carried.

**Executive Session:**

*Purpose: Discussions regarding proposed, pending or current Legal matters  
To Discuss Personnel Matter(s) Regarding Specific Employee(s)  
Discuss Union Negotiations*

Trustee Grybowski presented a **MOTION** to enter Executive Session at 7:03 p.m. for the purpose set forth above. Trustee Buker seconded; the motion was carried.

Trustee Buker presented a **MOTION** to close Executive Session at 7:52 p.m. Trustee Hyde seconded; the motion was carried.

Trustee Buker presented a **MOTION** to enter Regular meeting at 7:52 p.m. Trustee Grybowski seconded; the motion was carried.

The Board approved the following employee’s salaries: *Pam Pavao, Deputy Clerk/Treasurer* from \$16.95/hr., to \$17.25/hr. *Joanne Lenhard-Boye, Village Clerk* from \$16.00/hr., to \$17.00/hr. *Marchelle Wild, Village Treasurer* from \$15.00/hr., to \$17.00/hr. This pay increase will begin next pay period for Week#5 – Payroll#18 pay period ending on January 23<sup>rd</sup>, 2019.

Trustee Grybowski presented a **MOTION** to adjourn the meeting at 7:53pm; Trustee Buker seconded; the motion was carried.

Respectfully submitted,

Joanne Lenhard-Boye Clerk