

There was a regular meeting of the Board of Trustees of the Village of Clayton on Monday March 9th, 2020 at 5:30 p.m.

PRESENT:

Norma Zimmer, Mayor
Nancy L. Hyde, Trustee
Michelle T. Grybowski, Trustee
Jeremy Kellogg, Trustee
Steven Badour, Trustee

ABSENT:

Terry Jones, DPW Superintendent

OTHERS:

Kevin Patenaude, Police Chief
Meagan Ervay -WWTP 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 Zimmer led the Pledge of Allegiance and opened the meeting at 5:30 p.m.

VISITOR(s):

John Condino, B&L Senior Project Manager

Updated the Board with the next FEMA Site meeting which is March 17th, 2020. John also handed out a letter from The State Historic Preservation Office (SHPO). He explained that in this letter SHPO understands that there are temporal and financial concerns regarding this project that require a letter from the SHPO so that funds may be committed. SHPO does not oppose the obligation of funds as long as there is a commitment from the Village of Clayton to conduct any SHPO recommended cultural resource investigations prior to construction.

Matt Cooper, B&L Project Manager –

Presented Bond Resolution 2020-05, this resolution is attached below:

The following resolution was offered by Trustee Hyde, who moved its adoption, seconded by Trustee Badour, to wit:

BOND RESOLUTION 2020-05

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OR A STATUTORY INSTALLMENT BOND OF THE VILLAGE OF CLAYTON IN AN AMOUNT NOT TO EXCEED \$2,500,000 THE PROCEEDS OF WHICH ARE TO BE USED FOR IMPROVEMENTS TO THE VILLAGE OF CLAYTON WASTEWATER TREATMENT SYSTEM INCLUDING BUT NOT LIMITED TO CONVERTING THE EXISTING CHLORINE CONTACT TO AN INTERMEDIATE EFFLUENT LIFT STATION, EXPANDING THE FILTRATION/DISINFECTION BUILDING, INSTALLING LARGER FILTERS AND UV DISINFECTION SYSTEMS RATED FOR HIGHER CAPACITY AND IMPROVEMENTS TO THE RIVERSIDE DRIVE PUMP STATION TO INCLUDE EXPANDING THE PUMP STATION WET WELL AND INSTALLING DRY PIT SUBMERSIBLE PUMPS WITH INCREASED CAPACITY IN THE EXISTING DRY WELL.

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 System including but not limited to converting the existing chlorine contact to an intermediate effluent lift station, expanding the filtration/disinfection building, installing larger filters and UV disinfection systems rated for higher capacity and improvements to the Riverside Drive Pump Station to include expanding the pump station wet well and installing dry pit submersible pumps with increased capacity in the existing dry well . The maximum cost of such specific objects or purposes as determined by the engineers hired by the Village is \$2,500,000.

Section 2. A Negative Declaration Determination of Non-Significance pursuant to the State Environmental Quality Review Act, was adopted by the Board of Trustees on September 5, 2018.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid 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 of the Local Finance Law.

Section 4. The plan for the financing of such estimated cost for such objects or purposes is by the issuance of serial bonds or a statutory installment bond and/or grants through the Lake Ontario Resiliency and Economic Development Initiative (REDI) and/or grants/low interest loans through the New York State Environmental Facilities Corporation and such bonds are hereby authorized to be issued therefore, pursuant to the Local Finance Law, for a period in excess of five (5) years.

Section 5. Subject to the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes of the issuance and sale of the Serial bonds or a Statutory Installment Bond herein authorized, including renewal of such notes, is hereby delegated to the Village Treasurer, the Chief Fiscal Officer. Such Notes shall be of such terms, form and content and shall be sold in such a manner as may be prescribed by said Village Treasurer consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said Village of Clayton, Jefferson County, New York are 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 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds 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 bonds 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 bonds 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 8. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or 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
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, a summary of 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 10. This resolution is subject to permissive referendum, pursuant to Section 36.00 of the Local Finance Law.

Section 11. This 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:

Norma J. Zimmer, Mayor	yes
Nancy L. Hyde, Trustee	yes
Steve Badour, Trustee	yes
Michel T. Grybowski, Trustee	yes
Jeremy Kellogg, Trustee	yes

The resolution was thereupon declared duly adopted.

Matt Cooper also presented to the Board for approval the Agreement between Owner and Engineer for Professional Services on the Wastewater Treatment Plant and Collection System Improvements REDI Funded.

Trustee Grybowski made **MOTION** to approve this agreement, Trustee Badour seconded; Motion was carried.

Matt Cooper also presented the Legal Bond Agreement for services with Barclay Damon for the \$2,500,000 bond.

Trustee Hyde made **MOTION** to approve this agreement, Trustee Badour seconded; Motion was carried.

POLICE REPORT:

Kevin Patenaude, Chief of Police - presented his activity report at the meeting, this report is filed at the Village Clerk's office.

DPW REPORT:

Terry Jones, DPW Superintendent – was absent for the meeting but handed in his Activity Report. This report is filed at the Village Clerks office.

Manasseh Burt, DANC I.E. Project Engineer - gave the Board an update on the DOT Project and also presented a change order with total cost increased by \$3,800 on the New Century Contract.

Trustee Hyde made **MOTION** to approve the changed order, Trustee Badour seconded Motion was carried.

WWTP:

Meagan Ervay -WWTP Manager – presented

1. Muni-Link Billing Software – was discussed and after attorney approval this will be put into place.
2. Resolution 2020-06 – Standardizing New Sewer Main on PVC Pipe –

Trustee Hyde made motion to approve Resolution 2020-06, Trustee Badour seconded; Motion was carried.

2020-06

RESOLUTION STANDARDIZING NEW SEWER MAIN ON PVC PIPE

WHEREAS, the Village of Clayton, Jefferson County, New York, has existing sewer collection system main that is PVC, and

WHEREAS, Village employees are experienced and trained in the operation, maintenance and repairs associated with PVC pipe, and

WHEREAS, the Village maintains a spare parts inventory necessary to complete emergency repairs to PVC pipe which may be needed in the event of sewer main breaks and without use of Village staff could result in public and environmental health issues, economic impacts to local businesses, and added costs to the Village to retain outside contractors to complete repairs

WHEREAS, to allow new sewer mains to be installed that are of different composition (i.e., HDPE or Concrete) for replacement or sewer main extension projects would be inefficient and uneconomical for the Village to properly maintain and would not be consistent with the majority of new pipe that is installed in the Village's system

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

For reasons of efficiency and economy and pursuant to the authority conferred by General Municipal Law Section 130(56), it is determined by the Board of Trustees that there is a need for standardization in the material of construction for new sewer main piping.

CONSENT AGENDA:

1. DRAFT Meeting Minutes February 24th, 2020
2. Payroll (P/R #20) – \$41,580.67
3. Abstract #19 - \$45,569.47

General Fund \$18,644.99
Water Fund \$ 9,379.98
Sewer Fund \$17,544.50

4. Capital Projects

CAPITAL PROJECT	INVOICE #	AMOUNT
029 – HISTORIC DISTRICT EXPENDITURES		\$102,450.63
<i>Charter Communications – Re-wire to Manholes/Tradesman Flagging</i>	<i>CHTR14987</i>	<i>\$96,932.38</i>
<i>Municipals Solutions, Inc. – Service from 07/01/2019 to 11/30/2019</i>	<i>13364</i>	<i>\$5,518.25</i>
031-WWTP & COLLECTION SYS		\$123,114.76
<i>Barton & Loguidice – December Services</i>	<i>107742</i>	<i>\$55,872.32</i>
<i>Barton & Loguidice – January Services</i>	<i>108389</i>	<i>\$22,161.56</i>
<i>Barton & Loguidice – February Services</i>	<i>108696</i>	<i>\$41,724.50</i>
<i>DANC – Tech Services 12/30/2019-02/07/2020</i>	<i>086223</i>	<i>3,356.38</i>

Trustee Hyde presented a **MOTION** to approve the Consent Agenda items, and Capital Projects 1-4, as presented. Trustee Badour seconded; all were in favor and motion was carried.

CLERK: Asked Board to approve to retroactively appoint Francis Bearup, DPW department from laborer to MEO effective date June 1st, 2018.

Trustee Grybowski made **MOTION** to approve this request, Trustee Kellogg seconded; Motion was carried.

PUBLIC COMMENTNS:

Susie O’Neill resident of the Village of Clayton addressed the Mayor with a question regarding Deputy Mayor. She wondered if Mayor will be appointing a Deputy Mayor. Mayor said she knows she still needs to do this and that she will be doing it soon. She also asked how long did the commercial businesses have to repay for the utility services once the project is complete. Mayor Zimmer explained that property owners had the option to pay in full, or pay 1/5 amount and have balance in 1/5 amounts added to property taxes. The last option is to pay in full at the end of project. Service will not be connected without signed documentation.

Her last question was on the Village policies regarding the use of business email and personal email. Mayor and the Board were not sure if this was specifically in the policy handbook. Mayor informed that we need to update the Village Policy Handbook and that is going to cost money. Going to try to have this as a line item on the budget for 2020.

Trustee Hyde presented a **MOTION** to close the regular meeting at 6:21 pm. Trustee Kellogg seconded; motion was carried.

Respectfully,

Joanne Lenhard-Boye, Village Clerk