

**Regular Village Meeting  
Village of Clayton Board of Trustees  
May 10<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 May 10<sup>th</sup>, 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  
Jeremy Kellogg, Trustee  
Joanne Lenhard-Boye, Village Clerk/Deputy Treasurer  
Alicia Dewey, Treasurer/Deputy Clerk  
Terry Jones, DPW Supervisor

***ABSENT:***

Kevin Patenaude, Chief of Police

***MAYOR'S ACTIONS:***

1. Mayor Zimmer started out the meeting by introducing John Buker for Village Trustee, until December 6<sup>th</sup>, 2021 to replace Trustee Steve Badour who resigned because he no longer lives in the Village.

***POLICE:***

Kevin Patenaude, Chief of Police

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
2. Toby Monica – Request for leave of absence – The Board approved 2 week leave of absence.
3. New hires for Rotary Park Dock
  - Sam Matt – Start date 05/27/2021 at \$13.00/hr.
  - Bill Richardson – Start date 05/27/2021 at \$12.50/hr.
4. New hires for Mary St. Dock
  - Bruce Rosbrook – Start date 05/27/2021 at \$13.00/hr.
  - Brooke Carlisle – Start date 06/10/2021 at \$12.50/hr.

***Trustee Hyde made MOTION to approve new hires listed above; Trustee Chrisman seconded, all in favor; motion carried.***

Terry Jones also shared the news that the Federal Emergency Management Agency (FEMA) has informed the village that it will reduce the amount of money the village must contribute toward FEMA restoration projects by 50%. The \$1.6 million bond to repair damaged waterfront areas, will now be 12.5% instead of the original 25%. Mayor Zimmer added that she has contacted the village attorney Joe Russell to draw up the paperwork for the bond so a public hearing can be scheduled.

***WATER/WASTEWATER:***

Thomas Haynes, DANC

1. Update Report – Going to begin Hydrant flushing in the Village. A notice will be put on the village website so the public is aware.
2. Historic District Project - Form E – The Board approved the modified administrative line budget for the Historic District Project Form E. Thomas answered questions that the Board had before making their decision to approve.

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*Trustee Hyde made MOTION to approve Form E for the modified budget; Trustee Chrisman seconded all in favor motion carried.*

**CONSENT AGENDA:**

1. DRAFT Meeting Minutes April 26<sup>th</sup>, 2021
2. Payroll (P/R #23) 3/18/2021 to 03/31/2021 \$31,313.41
3. Prepay Abstract – 05/10/2021 \$18,765.61
4. Abstract -05/10/2021 \$ 44,415.48
  - General Fund \$ 21,714.30
  - Water Fund \$ 8,672.68
  - Sewer Fund \$14,028.50

*Trustee Hyde made MOTION to approve items 1-4 as presented. Trustee Buker seconded, all in favor; motion carried.*

**5. CAPITAL PROJECTS:**

<i><b>CAPITAL PROJECT'S</b></i>	<i><b>INVOICE</b></i>	<i><b>AMOUNT</b></i>
<i><b>029- HISTORIC DIST PROJ</b></i>	<i><b>TOTAL</b></i>	<i><b>\$540.00</b></i>
<i>Barclay Damon – prof services thru April 28,2021</i>	<i>5119535</i>	<i>\$60.00</i>
<i>Riverside Media – Savvy Citizen app</i>	<i>5925</i>	<i>\$180.00</i>
<i>Riverside Media – monthly communications</i>	<i>5926</i>	<i>\$300.00</i>
<i><b>031- WWTP IMPROVEMENTS</b></i>	<i><b>TOTAL</b></i>	<i><b>\$36,370.50</b></i>
<i>Barton&amp;Loguidice –prof services thru April 24, 2021</i>	<i>117321</i>	<i>\$36,370.50</i>
<i><b>032 – REDI (DOCK &amp; RIVERWALK)</b></i>	<i><b>TOTAL</b></i>	<i><b>\$94.00</b></i>
<i>Barclay Damon – prof services thru April 28,2021</i>	<i>5119560</i>	<i>\$94.00</i>

*Trustee Hyde made MOTION to approve item #5 as presented. Trustee Kellogg seconded, all in favor; motion carried.*

**OLD BUSINESS:**

1. Paul Lucks Budget questions & answers – Paul Luck Read questions and answers to be entered into the minutes. They are as follows: (copied and pasted from Paul Luck’s FY 2022 Budget questions). **This took 14 minutes to read.**

**RESPONSE TO FY2022 BUDGET QUESTIONS FROM PAUL LUCK**

General Comment: Most of the inquires are quoting increases/decreases between the projected 2021 balance and the 2021-2022 Tentative budget. FY 2020-2021 has been a unique year due to COVID Pandemic and as such the Village has been operating almost under a posterity budget. The projections for 2020-2021 are not ideal for projecting the next year’s fiscal budget. Focus was placed on prior year actuals.

**Revenue**

1. At the March 22, 2021, Board meeting, potential NYS aid of approximately \$200k over 2 years was discussed (38.4% of \$519k expected to be distributed to the Town of Clayton). Is any of this funding anticipated in FY2022 and, if so, how will this impact the Village's FY2022 spending?

Response:

See attached response from NYCOM

1. Article 5-506(f) of NYS Consolidated Law, Village states as a requirement of the budget process: A schedule of wages and salaries to be paid which shall be subdivided by administrative units and shall show

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in parallel columns, for each office or position of employment, the title, the number of persons in the title, the recommended rate of compensation for the title and the total recommended appropriation for the title. No such schedule has been provided for FY2022 Budget. The Town of Clayton has a template used in their budget process which may be useful for reference. Please provide this schedule as required.

Response:

See attached wage sheet

2. The Village's response to a previous FOIL has established that the Village does not have a multiyear capital plan. Lacking a comprehensive Capital Plan, as recommended by NYS, there is exposure to significant unforeseen risk. Is the Board committed to developing a comprehensive Capital Plan during FY2022?

Response:

The Village has a General Asset Management Plan prepared by DANC in December 2011. The Village also adopted a Fund Balance policy in FY 2020-2021. The Village will be assessing the future needs of the Village and monitoring Fund Balance. Acknowledge a Capital Plan needs to be worked on. Unlikely one will be completed by 2022.

1. A1120SalesTaxisdecreasingfrom2021Estimate of \$600,000 to \$580,000 in FY2022 Budget. Why is the FY2022 budget down when it appears the upcoming season will improve compared to FY2021? Please provide quarterly supporting assumptions for FY2021 and FY2022.

Response:

SALES TAX FYE 2019-2020, 2020-2021

June 150,132.76, 129,480.61

Oct 177,819.57, 179,759.58

Jan 150,180.15, 165,145.41

May 145,729.25, 135,000.00

Estimated 623,861.73, 609,385.60

Totals

FYE 2017 \$565,672, FYE 2018 \$593,875, FYE 2019 \$591,889, FYE 2020 \$623,871

Response:

Sales Tax Revenue is reliant on economic stability – in light of the COVID pandemic the board feels estimating sales tax conservatively at \$580,000 is the prudent thing to do. If sales tax revenue is over budgeted it could create a deficit and require monies from fund balance to support the operating budget. 2020 was a record year but the prior 3 years support the budgeted amount of \$580,000.

1. A2801 Interfund Revenues is increasing by \$50k from FY2021E of \$4Sk to \$9Sk. What drives this increase?

Response:

Interfund revenues represent the amount reimbursed to the Village for administrative costs for managing the water and sewer billing, collections, and customer service. It is calculated at 1/3 each for water and sewer and is comprised of wages, Social Security Taxes, Health Insurance, and Retirement for the Clerk, Treasurer, and newly budgeted full time Deputy Clerk Treasurer.

1. A3501 Consolidated Highway Aid is increasing by \$58k to \$123k from an estimate of \$6Sk.

What drives this increase?

Response:

The DPW Superintendent plans for street maintenance each year. Last year due to capital project construction in the Village the projects were put on hold. Since CHIPS will fully fund the projects the amounts in the budget are a wash and do not impact the bottom line. The revenue in A3501 is offset by the expense in A5110.2.

1. A13251 Treasurer Personal Services is budgeted to be \$93k, up from \$53k, an increase of \$40k or 75%.

What drives this increase?

The budget includes a raise for the Clerk and funding for a full time Deputy Clerk.

1. A16204 Operation of Plant Contractual Expenditures is budgeted to increase 139% to \$34k from \$14k. What drives this increase?

Response:

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The Village has been very conservative during the 2020-2021 fiscal year and the time of preparing the budget costs were down. We recommend that focus be put on prior year actuals. This account covers the maintenance of the Village Hall and Library building covering utilities, cleaning supplies, supplies, services contracts etc. \$37,000 is a conservative amount to budget for.

FYE 2017 – 38,679, FYE2018 - \$41,349, FYE2019 - \$26,988, FYE2020 - \$24,182

1. A31201 Police, Pers Services is budgeted to decrease 10% to \$161k from \$179k. What drives this decrease? How many hours will the police force work in FY2022 compared to FY2020?

Response:

Crossing guards fall under the Police Wages line – a separate line was added to the budget this year to more clearly identify the wages of each department. A3120.102 has \$6,573 allocated to it. The Village is working with the Police department to manage the time associated with part time officers and overtime to cover weekends and seasonal events.

1. A31202 Police Equipment and Capital Outlay is budgeted to increase from \$5k to \$63K. What drives this increase?

Response:

The Village board budgeted for a new police vehicle and body camera equipment estimated at \$58,000.

1. A51101 Maintenance of Streets, Pers Services is budgeted to increase 12% to \$228k from \$203k. The two previous years averaged \$280k. How many full-time equivalent employee positions are budgeted compared to FY2020? What tasks/services have been curtailed/eliminated compared to FY2020?

The Village terminated 2 full time FTE's in May of 2020 with an estimated cost of \$75,000 each in wages and benefits. There are currently 5 Full time FTE's in the DPW department. There has been no reduction in the services provided by the DPW department. In 2020-2021 DPW employees covered functions during the summer normally covered by seasonal help. They may have to continue some of that support for the upcoming summer season as well.

1. A51104 Maint of Streets, Contr Expenditures is budgeted to increase to \$150k from \$107k. What drives this increase? Does the Village have a detailed multi-year plan for street maintenance for those streets not affected by the Historic District project?

Response:

A51104 has an increase of \$5,647 from the prior year. This line includes: utilities, phone, internet, fuel, supplies, street signs, safety, contractual services, training, joint garage expenses, road salt and lab services. The budget is prepared with a focus on prior year actuals. \$150,000 is a conservative budgeted amount.

FYE 2017 \$183,287 FYE 2018 \$180,454 FYE 2019 \$130,444 FYE 2020 \$193,120

1. A51122 Perm Improve Highway, Contr Expenditures is budgeted to increase 58k to \$123k from \$65k or 89%. What drives this increase?

Response:

The DPW Superintendent plans for street maintenance each year. Last year due to capital project construction in the Village the projects were put on hold. Since CHIPS will fully fund the projects the amounts in the budget are a wash and do not impact the bottom line. The revenue in A3501 is offset by the expense in A5110.2.

1. A71802/718044 Special Rec Facility, Contr Exp is budgeted to increase \$25k to \$50k. What drives this increase?

Response:

A71804 – Budget was decreased from the prior year by \$5,000. This line includes supplies for the docks, utilities, cleaning services, maintenance, waste collection services, etc. The Village does anticipate an increase in activity from the prior year but still not normal compared to pre-pandemic state.

A71802 – the Village budgeted \$25,000 for maintenance of the Rotary Park bathroom.

1. A90108 State Retirement System (\$156k), A90308 Social Security (\$47k), A90408 Worker's Comp (\$100k). Are these based on NYS guidance or still subject to change?

Response:

A90108 State Retirement – NYS provides a projected estimate – however there may be changes because the NYS retirement system's fiscal year is April 1 to March 31. This does not cause a problem for Towns

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but it can for Villages. Final retirement invoices are sent to Municipalities around the end of October after the state has reconciled the prior year. Amounts are calculated on earnings and retirement tier.

A90308 Social Security – calculated at 7.65% for budgeted wages

A90408 Workers Compensation – The Village participates in the Jefferson County Self Insured Plan. The county sends the Village notice of apportionment the Village will have to pay into the plan each year.

1. A90608 Hospital, Medical, Dental of \$189k- what is the basis for this budget?

Response:

Health insurance provided by Teamsters - Dictated by Union contracts – rates negotiated for 4 years

2. A90898 Other Employee Benefits (spec)- what is does this amount represent?

Response:

Dictated by Union Contract – employees can be reimbursed up to \$599 for work related expenses not otherwise covered by health insurance.

3. \$34k is budgeted for Library support in FY2022. FY2021 does not show a line item for that support. Where is it included?

Response:

The Library is managing their own accounting now. The amount budgeted for the Library is not under A74104.

Village of Clayton – 2022 Budget Questions – April 12, 2021 – Paul Luck

Additional Questions Based on Revisions to March 25, 2021 FY2022 Tentative Budget

The following questions reflect the FY2022 Tentative Budget posted to the Village’s website that has been updated vs. the copy provided previously.

Revenue

1. A10300 Special Assessment is budgeted at \$66k. What does this represent and why is this amount offset in Expenditures AA99509 Capital Project Transfer?

Response:

This represents the amount owed by Village residents for electrical upgrades associated with the Historic District Betterment Project. The Village residents will be billed on their tax bills as a special line item. Once the assessment revenue is collected it is transferred to the Historic District Project Fund to offset the expense incurred by the Village.

2. A17400 Parking Meter Fees \$21k. What is the assumption underlying this?

3. Response:

Meters were not put up last year. The Village is planning to put them up this year. Pre-pandemic meter fees could be as high as \$40,000 but it is uncertain what the 2021 summer season will be.

Expenditures

1. A99019 Transfer, Other Funds \$23k. What does this amount represent?

Interest associated with the \$2,000,000 REDI BAN

2. A99509 Capital Project Transfer \$66k. See AA10300 above.

Response:

See response under A10300

Paul’s Question: What is the Budget assumption with respect to the \$880K in the Water Fund? The balance in this account is over 130% of FY2022 Budgeted Meter Revenue. As presented previously to the Board, NYS Law allows Water Fund surpluses to be transferred to the Unassigned Fund Balance to, for example, stabilize or avoid tax increases now and in the future, build “rainy day” reserves, among others. Another option: reduce water billing rates.

Response: Water Fund Reserves will stay within water budget and are utilized as outlined in the Asset Management Plan for water projects. If rates were reduced, the Village would not have the funds available to pay for pending improvements that will be needed when assets reach the end of their useful life.

Paul's Question: The Water Fund balance is excessive; based on discussions I have had, an appropriate balance would be approximately 30% of annual billings of \$200K unless there are certain specific near-term projects that have merit and documented tangible benefits/payback. What is the Board's position on

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and plan for these funds? Should water rates be reduced to prevent under burden on residents and business owners?

Response: The Water/Wastewater Asset Management Plan identifies several near-term projects (within the next 5 years) to be completed that will require use of fund balance for all or part of the projects, including meter upgrade to cellular auto-read technology, raw water intake replacement and pigging station installation, water distribution main line replacements, and repairs/replacements for water valves, hydrants, meters, and other system equipment. The Village plans for the repair/replacement of water assets annually through the use of reserves so these repairs and replacements, both planned and unexpected emergency repairs, do not affect annual water rates.

Paul's Question: At the last budget workshop, a new \$185K project was introduced to purchase and install cellular reading capabilities of water meters. The Board approved this for inclusion in the FY2022 Budget funding it from the \$880L Water Fund balance (discussed above). Only anecdotal benefits were briefly discussed. A thorough payback and breakeven analysis, documenting in detail realizable savings and benefits should be developed and presented to the Board and public before the project is undertaken. Subsequently, actual results compared to commitments should be measured and reported at future Board meetings. Does the Board agree with and commit to this request?

Response: The meter upgrade to cellular auto-read technology was recommended in the 2020 update to the Water/Wastewater Asset Management Plan and has been considered by the Village Board for several years as a necessary improvement to the existing water meter technology. The upgrade will empower customers to monitor their own water usage as often as they want to log in to their account, and allow the Water Department to monitor the health of the meters and the water system usage daily. The upgrade will save approximately 288 labor hours annually between the clerk and the operators for meter reading and billing tasks, approximately \$14,000 in labor costs annually, which can be applied to other tasks. There will be additional savings in water loss prevention by detecting leaks faster; in 2020 there was approximately \$73,000 worth of excess water loss in the system. By detecting and fixing system leaks within hours of the leak starting, as opposed to weeks or months with the current meter read system, we can cut the water loss, conservatively, by half each year. Saving \$36,500 each year in water loss, the auto-read technology upgrade will see the return on investment in 5 years. The cellular read sensors to be installed as part of this project have an asset life of 20 years.

2. Discussion on office hours and use of Municipal Building – It was decided by the Board that starting June 1<sup>st</sup>, 2021 the Municipal Building would be open to public with new office hours being from 9:00am to 3:00pm. The phones will be answered for the full 8 hours from 8:00am to 4:30pm. The Board also decided that the regular board meetings will go back to in-person with conditions of the State guide lines for COVID-19 at that time.

**NEW BUSINESS:**

1. Low Lift Rental Agreement 2021 to 2022

***Trustee Buker presented a MOTION to approve the 2021-2022 low lift lease; Trustee Hyde seconded; all in favor motion was carried.***

2. Municipal Solutions, Inc. – 2021-2022 Contract Renewal

***Trustee Hyde presented a MOTION to approve the contract renewal for Municipal Solutions; Trustee Buker seconded; all in favor motion was carried.***

3. Request from Alexandria Buduson – Flag Ceremony – The Board approved the flag ceremony event at Frink Park and to allow a Pride flag to hang with the American Flag at Frink Park for the day of the event.

**HUMAN RESOURCES:**

1. Tiffany Ladd new hire – Alicia Dewey announced the village has hired a new person for the Deputy Clerk/Deputy Treasurer position starting May 13<sup>th</sup>, @ \$23.00/hr.

***Trustee Hyde presented a MOTION to approve the new hire for the above position; Trustee Kellogg seconded; all in favor motion was carried.***

***MAYOR'S REPORT:***

1. Request Board approval for Village Clerk to roll over 40 hrs. vacation  
***Trustee Chrisman presented a MOTION to approve 40 vacation hours to be carried over into the next fiscal year for Joanne Lenhard-Boye Village Clerk; Trustee Hyde seconded; all in favor motion was carried.***
2. NYSOGS Consent Request Letters – Mayor Zimmer asked the Board if they would agree to send out 2 letters to residents for their consent to allow dredging project in their area in August. The Board agreed to have these letters sent.
3. Mayor announced that there will be a Joint Town/Village meeting June 9<sup>th</sup>, 2021 @ 5:30pm at the Town office.
4. The Board approved for a bass tournament to be held on August 14<sup>th</sup>.
5. Mayor Zimmer updated the Board on the issue of the break wall on private property in the Village. This wall is not in the Village right-of-way. Mayor Zimmer has a call into the village attorney Joe Russell in order to get a response back to the party that was looking for support from the village to help in repairing this wall.

Trustee Joe Chrisman asked for an executive session and the Board agreed to have one. This was announced at the end of the meeting and was not on the agenda.

***EXECUTIVE SESSION:***

Trustee Chrisman presented a **MOTION** to enter Executive session at 6:45p.m. Trustee Hyde seconded; all in favor motion was carried.

*Legal - Regarding proposed, pending or current litigation;*

Trustee Hyde presented a **MOTION** to close Executive Session at 7:01p.m. Trustee Chrisman seconded; all in favor, motion was carried.

***ADJOURNMENT:***

Trustee Buker presented a **MOTION** to adjourn the meeting at 7:01p.m. Trustee Hyde seconded; all in favor motion was carried.

Respectfully,

Joanne Lenhard-Boye