

There was a Regular meeting of the Board of Trustees of the Village of Clayton on Monday February 27<sup>th</sup>, 2023, at 5:30 p.m.

***PRESENT:***

Norma Zimmer, Mayor  
Nancy L. Hyde, Deputy Mayor  
John Buker, Trustee  
Allen Heberling, Trustee  
Thomas Haynes, WWTP Supervisor, DANC  
Terry Jones, DPW Supervisor  
Joanne Lenhard-Boye, Village Clerk

***ABSENT:***

Tony Randazzo, Trustee  
Kevin Patenaude, Chief of Police

**Pledge of Allegiance/Call to Order:**

Mayor Zimmer led the Pledge of Allegiance and opened regular board meeting at 6:10p.m.

Trustee Heberling made **MOTION** to approve DRAFT Meeting Minutes February 13<sup>th</sup>, 2023; Trustee Hyde seconded all in favor motion carried.

***POLICE:***

Kevin Patenaude, Chief of Police

1. **Activity Report** - was submitted to Board. This report is filed at the Village Clerks office.

***DPW:***

Terry Jones, DPW Superintendent

1. **Activity Report** – Terry went over his activity report with the Board. This report is filed at the Village Clerks office.
2. **BOCES – Drug and Alcohol Program Municipal agreement.** – After discussions with the Board.

Trustee Hyde made **MOTION** to approve the agreement; Trustee Buker seconded; all were in favor motion carried.

***WATER/WASTEWATER:***

Thomas Haynes, WWTP Supervisor – DANC

1. **Monthly report** – Thomas went over his monthly report with the Board. This report is filed at the Village Clerks office.
2. **Resolution 2023-02 - DANC TSA for Wastewater System Improvement Project Amendment 1** - Increase from \$50,000.00 to \$55,000.00. Thomas informed the Board that there were some unforeseen conditions at the Riverside Drive Pump Station causing the original design to be revised and delay in equipment deliveries due to the continuing impact of the COVID-19 which will cause the project to be extended to August 31, 2023.

Trustee Buker made **MOTION** to introduce resolution 2023-02; Trustee Hyde seconded, all were in favor motion carried.

**RESOLUTION 2023-02  
AMENDMENT 1**

**DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY  
TECHNICAL SERVICES AGREEMENT FOR  
WASTEWATER SYSTEM IMPROVEMENT PROJECT  
WITH THE**

**VILLAGE OF CLAYTON**

**WHEREAS**, the Development Authority of the North Country (Authority) and the Village of Clayton (Village) entered into an Agreement dated January 28, 2019 for an amount not to exceed \$50,000 to perform services related to the Design Phase, Construction Administration Phase, Project Startup, and Funding/Financial Administrative Assistance. These services are detailed in the original Technical Services Agreement, Item 1 of the Agreement Section, and

**WHEREAS**, the Village was successful in securing funding through a NYS Water Infrastructure Improvement Act (WIIA) Grant in the amount of \$1,957,500, a USDA Rural Development Grant of \$1,000,000, and a USDA Rural Development Loan of \$5,872,000, and

**WHEREAS**, due to delays in receiving regulatory and funding agency approval to proceed with construction, the Village delayed issuing a notice to proceed for the start of construction until August 25, 2021, and

**WHEREAS**, due to unforeseen conditions at the Riverside Drive Pump Station causing the original design to be revised and delay in equipment deliveries due to the continuing impact of the COVID-19 pandemic, the final completion date has been extended to August 31, 2023, and

**WHEREAS**, to extend the Authority's services to support an August 31, 2023 completion with subsequent funding agency closeout will increase the Authority's level of effort, resulting in additional expenses of \$5,000, bringing the not to exceed amount of the contract to \$55,000.

**NOW THEREFORE**, the Authority and the Village agrees to amend the amount of the agreement to \$55,000.

The return of one signed copy of this Amendment, together with the formal resolution of approval, constitutes acceptance of this Amendment and shall be written authorization for the Authority to proceed with contract services up to the amount agreed upon.

The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:

|                             |        |     |
|-----------------------------|--------|-----|
| Norma J. Zimmer, Mayor      | voting | yes |
| Nancy L. Hyde, Deputy Mayor | voting | yes |
| Tony Randazzo, Trustee      | voting | yes |
| John Buker, Trustee         | voting | yes |
| Allen Heberling             | voting | yes |

3. **Village Health and Safety Manual 2023** – Thomas asked the Board to approve the Health and Safety Manual for 2023.

Trustee Hyde made **MOTION** to approve the Health and Safety Manual for 2023; Trustee Buker seconded; all were in favor, motion carried.

4. **New Century Electric Change Order 2** – Meter endpoint project. Thomas asked the Board to approve the New Century Electric Change Order with a decrease of (\$3,130.44).

Trustee Hyde made **MOTION** to approve the New Century Electric Change Order for the decrease of the above amount; Trustee Buker seconded all were in favor, motion carried.

**CONSENT AGENDA:**

- |  |                     |
|--|---------------------|
| 1. Payroll (P/R #19) 1/19/2023 to 02/01/2023   | \$ 39,545.02        |
| 2. Teamsters Health & Hospital January Payment | \$ 18,283.25        |
| 3. Abstract -02/27/2023                        |                     |
| General Fund                                   | \$ 49,521.89        |
| Water Fund                                     | \$ 13,310.72        |
| Sewer Fund                                     | <u>\$ 20,546.19</u> |
| <b>Abstract Total</b>                          | <b>\$ 83,978.80</b> |

Trustee Hyde made **MOTION** to approve audited consent Agenda items 1-3; Trustee Heberling seconded all in favor motion carried.

4. Capital Projects: **\$ 99,209.65**

Trustee Hyde made the **MOTION** to approve the audited consent agenda item #4 Capital Projects as presented; Trustee Heberling seconded, all in favor; motion carried.

**OLD BUSINESS:**

1. Lease agreement – Town Justice Court - Board members discussed, and all agreed that they will email the Village Clerk by March 8<sup>th</sup>, 2023 with their final decisions on the Town Lease agreement for the Justice Court. This information will be ready for the next meeting on March 13<sup>th</sup>, 2023.

**WORKSHOP MEETING 02/21/2023 FOLLOWUP:**

1. Justin Taylor had put together a meeting follow up from workshop meeting on 02/21/2023 – Mayor Zimmer asked the Board to vote on this at tonight’s meeting.

Trustee Heberling did not feel comfortable voting on the use of these cameras being that these cameras had microphones and the Village could be in violation of the rights of citizens privacy since conversations have the potential to be overheard. The Board decided to look into having this feature disabled.

Mayor Zimmer asked the Board if they were ok with the Wi-Fi service being free for the owners that host access points on their buildings. The Board all agreed that this was a good idea.

Trustee Heberling made **MOTION** to approve a single Wi-Fi service voucher will be offered to the building owners that host access points on their buildings, at no cost, and that provide the 120 volt AC outlets that power the units; Trustee Hyde seconded; all were in favor, motion carried.

**REQUEST TO BE ON AGENDA:**

1. Tracy Brabant Village resident requested the Board look at amending Zoning Code § 132-80. Development of nonconforming lots of record.

***MAYOR'S COMMENTS:***

1. NYCOM's 2023 Local Government Achievement Awards – Mayor Zimmer informed the Board that she would be putting the Village of Clayton's name in for this award. Showcase innovative projects and programs undertaken by NYCOM member cities and villages that have improved quality-of-life, resulted in cost savings, established cooperative partnerships, created new or unique approaches to issues, and/or streamlined the delivery of services. Winning submissions will be recognized at an awards ceremony during NYCOM's 114<sup>th</sup> Annual Meeting at the Sagamore Hotel (May17-19, 2023) highlighted in an upcoming issue of NYCOM's Municipal Matters magazine and featured in the Best Practices section of the NYCOM website.

Mayor Zimmer asked the Board for approval to apply for the award and a draft of the application would be given to board before submission. The Board approved this request.

**PUBLIC COMMENT:**

1. Ann Stevenson, a Village resident spoke on the French Creek Project.

***ADJOURNMENT:***

Trustee Heberling presented a **MOTION** to adjourn the regular meeting at 7:15 p.m. Trustee Hyde seconded; all in favor motion carried.

Respectfully,

Joanne Lenhard-Boye, Village Clerk