

There was a Regular meeting of the Board of Trustees of the Village of Clayton on Monday August 14<sup>th</sup>, 2023, at 5:30 p.m.

**PRESENT:**

Norma Zimmer, Mayor  
Nancy L. Hyde, Deputy Mayor  
John Buker, Trustee  
Allen Heberling, Trustee  
Robert Wierzba, Trustee  
Joanne Lenhard-Boye, Village Clerk

**ABSENT:**

Terry Jones, DPW Supervisor  
Kevin Patenaude, Chief of Police

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

Mayor Zimmer led the Pledge of Allegiance and opened the regular board meeting at 5:30p.m.

**VISITORS:**

**John Condino** – Barton & Loguidice

1. John updated the Board with his report on the REDI and FEMA projects
2. Pay App No. 7 for FEMA Flood Damage Project –

Trustee Hyde made **MOTION** to approve Pay App No. 7 to D.C. Building Systems, Inc. for \$173,109.00; Trustee Heberling seconded, all were in favor motion carried.

**Mayor Zimmer** asked John to share his conversation with Mark Morgia about the Development Agreement for the French Creek Development Project that was approved by the Village Board at its July 10<sup>th</sup>, 2023 regular meeting. John explained to the Board that Mark Morgia, an owner of French Creek Properties LLC, did not want to hold up \$10,000 in an escrow account for legal and engineering fees. John Condino informed the Board that Mark would prefer \$2,500 dollars for fees that may occur. After discussions were had, the Board decided not to amend the Development Agreement and felt that \$10,000 was a very reasonable amount, being the size of the project. The Board's decision was to keep the Development Agreement as is with \$10,000 being given to the Village Clerk and held into an escrow account to be used for legal and engineer fees. Any remaining amount in the escrow account will be given back to French Creek Properties LLC as the Development Agreement states.

**David Powers** – Barton & Loguidice

1. Wastewater Treatment Imp Project (Electrical Construction)- Change Order No.3 decrease of \$40,000 – David explained that this change order reduces the field order allowance item from \$75,000 to \$35,000. The project has reached the punch list phase therefore the entire allowance is no longer required.

Trustee Heberling made **MOTION** to approve Change Order No. 3 in the decrease amount of \$40,000; Trustee Hyde seconded, all in favor motion carried.

2. Wastewater Treatment Imp Project (General Construction) - Change Order No.4 increase \$40,336.92. David informed the Board that this change order includes the additional costs associated with paving and restoration at the WWTP site. The contractor paved areas that were deteriorated and/or impacted by project that were not originally identified. In addition, various project delays due to COVID-19 and supply chain deficiencies delayed final paving as well which resulted in excessive inflation. The total change order amount to capture additional work and inflation shall be \$40,336.92.

Trustee Hyde made **MOTION** to approve Change Order No. 4 with an increase amount of

\$40,336.92; Trustee Heberling 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. Mayor Zimmer congratulated Kevin Patenaude on his 35-year anniversary with the Village.

**DPW:**

*Terry Jones, DPW Superintendent*

1. **Activity Report** – was submitted to the Board. This report is filed at the Village Clerks office. Deputy Mayor Hyde congratulated Terry Jones on his 30-year anniversary with the Village.

**CONSENT AGENDA:**

- |    |  |                     |
|----|--|---------------------|
| 1. | DRAFT Meeting Minutes July 24 <sup>th</sup> , 2023 |                     |
| 2. | Payroll (P/R #4) 07/06/2023 to 07/19/2023          | \$ 45,521.95        |
| 3. | Pre-Pay Abstract 07/31/2023                        | \$ 17,657.91        |
| 4. | Abstract -08/14/2023                               |                     |
|    | <b>General Fund</b>                                | \$ 18,506.03        |
|    | <b>Water Fund</b>                                  | \$ 637.08           |
|    | <b>Sewer Fund</b>                                  | \$ 3,891.07         |
|    | <b>Total</b>                                       | <b>\$ 23,034.18</b> |
| 5. | <b>Capital Projects:</b>                           | <b>\$877,210.87</b> |

Trustee Heberling made **MOTION** to approve consent Agenda items **#1-4**; Trustee Hyde seconded all in favor motion carried.

Trustee Hyde made the **MOTION** to approve consent agenda item **#5** Capital Projects as presented; Trustee Wierzba seconded, all in favor; motion carried.

**REQUEST TO BE ON AGENDA:**

1. *Tory Carpenter – Traffic concerns-* Village resident Tory Carpenter came to the meeting to discuss her concerns with traffic near Strawberry Lane. The Board informed her that the Village is paying for a traffic study which should be beneficial to the community.

2. *Shawn Cherchio – Water/Sewer bill acct 914-0* – Mr. Cherchio came to board meeting to discuss his water/sewer bill. He had a significant water leak last year which drove up his EDUs from four to twelve EDUs. He is asking the Board to reconsider his EDUs and drop them back to a four being that this is the amount of consumption he is really using without the leak. He is also asking the Board to drop his penalty charges because of his situation. The Board told him they understood his concern, but they wanted to investigate this further before deciding. The Board will contact him when they come to a decision.

**CLERK:**

1. Presented the PIVOT second quarter statistics for 2023
2. Requested Board's approval to hire Bernard Coffey and Mildred Clark as Crossing Guards; start date Sept 6<sup>th</sup>, @ 15.00 /hr.

Trustee Hyde made **MOTION** to hire two new Crossing Guards listed above; Trustee Buker seconded, all in favor motion carried.

**PUBLIC COMMENTS:**

1. Tracy Brabant & Ann Major Stevenson had comments on traffic issues.

**MAYOR:**

1. DRI Grant applications are out again.
2. Mayor Zimmer informed the public that she has been in touch with Michael Flick from Department of Transportation about traffic flow and safety. Having the traffic flow study done will most certainly solve some of these concerns the public has.
3. Mayor Zimmer announced Jennifer Pelton, Director of Adult Residential Services at Transitional Living Services will be coming to our next meeting on August 28<sup>th</sup>.

**TRUSTEE REPORT:**

1. Deputy Mayor Hyde announced that the Paynter Center has opened a fitness center that will be open from 9am to 3pm. If anyone has any questions or would like to find out more information, they may call the center at 315-686-3553

**ADJOURNMENT:**

Trustee Wierzba presented a **MOTION** to adjourn the regular meeting at 6:45 p.m. Trustee Hyde seconded; all in favor motion was carried.

Respectfully,

Joanne Lenhard-Boye, Village Clerk