

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

PRESENT:

Norma Zimmer, Mayor
Nancy L. Hyde, Deputy Mayor
Allen Heberling, Trustee
Robert Wierzba, Trustee
Joanne Lenhard-Boye, Village Clerk
Terry Jones, DPW Superintendent

ABSENT:

John Buker, Trustee
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:

Dave Powers- Barton & Loguidice

- 1. Resolution 2023-16 Amendment of Bond for Wastewater Treatment Project and REDI Wastewater project.**

Dave explained the Resolution to the Board and the foregoing resolution was offered by Trustee Hyde, and seconded by Trustee Wierzba.

AMENDED AND RESTATED BOND RESOLUTION DATED NOVEMBER 27TH, 2023

AN AMENDED AND RESTATED BOND RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OR A STATUTORY INSTALLMENT BOND OF THE VILLAGE OF CLAYTON NOT TO EXCEED \$12,500,000 THE PROCEEDS OF WHICH ARE TO BE USED FOR THE VILLAGE OF CLAYTON WASTEWATER TREATMENT AND CONVEYANCE SYSTEM IMPROVEMENTS PROJECT AND IMPROVEMENTS TO THE VILLAGE OF CLAYTON WASTEWATER TREATMENT SYSTEM INCLUDING BUT NOT LIMITED TO CONVERTING THE EXISTING CHLORINE CONTACT TO AN INTERMEDIATE EFFLUENT LIFE 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 Clayton, Jefferson County, New York, as follows:

Section 1. The Village Board of Clayton in the interest of certain of its citizens of the Village of Clayton and as Governing Board finds that it is necessary to upgrade and improve to replace the Village of Clayton Wastewater Treatment and Conveyance System that includes but is 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 \$12,500,000.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid Project 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 3. The plan for the financing of such estimated cost is based upon receipt of a grant through the Lake Ontario Resiliency and Economic Development Initiative (REDI), grant up to \$5,000,000 through the New York State Department of Environmental Conservation Water Quality Improvement Project and/or a grant up to \$975,000 through New York State Environmental Facilities Corporation and/or grants/low interest loans through New York State Environmental Facilities Corporation and/or low grants and low interest loans through the United States Department of Agriculture Rural Development and/or Serial Bonds or a Statutory Installment Bond, in an amount not to exceed \$12,500,000, and hereby authorized to be issued, pursuant to the Local Finance Law, for a period in excess of five (5) years.

Section 4. 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. An annual appropriation shall become due and payable.

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 the sale of a statutory installment bond or serial bonds 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 contents and shall be sold in such a manner as may be prescribed by said Mayor consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Mayor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said Village, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation if necessary; provided, however, that in the exercise of these delegated powers, the Mayor shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Mayor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Mayor, the chief fiscal officer of the such Village. 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 51.00 of the Local Finance Law, as the Mayor shall determine consistent with provisions of the Local Finance Law.

Section 8. The Mayor is hereby further authorized, at her sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health

and/or New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in the Bond Resolution, or a portion thereof, by a bond, and/or note of issue of said Village in the event of the sale of the same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law, if advisable, is hereby delegated to the Mayor. Such notes shall be of such terms, form and contents as may be prescribed by said Mayor consistent with the provisions of the Local Finance Law.

Section 10. 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 11. Upon this resolution taking effect, 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 Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 12. This Resolution is subject to permissive referendum, pursuant to Section 36.00(a) of the Local Finance Law.

Section 13. 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:

VOTING

Norma Zimmer	Mayor	yes
Nancy L. Hyde	Trustee/Deputy Mayor	yes
Allen Heberling	Trustee	yes
Robert Wierzba	Trustee	yes
John Buker	Trustee	absent

The Resolution was thereupon declared duly adopted.

John Condino- Barton & Loguidice and Adam Powers- DC Builders

1. **Update on Veteran's Monument Docks and Wave Attenuator** – Dave and Adam reported that the additional attenuator and configuration of the gangway between the docks is still being engineered by his firm. He will meet with Village Board members during December to review the proposal.

Thomas LaClair – Historian

1. **Legends and Lore sign program** – Thomas asked the board’s support to have historic markers made honoring Joseph Lonsway, who is a Purple Heart recipient. This marker would be installed near the Clayton Cemetery. The second would mark the first offering of the Thousand Islands Dressing in a commercial setting, and would be located in the vicinity of the Thousand Islands Inn. This would be part of the Legends and Lore sign program. The Board gave their approval for Thomas to move forward with these applications.

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 Supervisor

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

Terry thanked Mayor Zimmer for all her hard work, and it was a pleasure working with her for 16 years. He went on to congratulate Nancy Hyde for her newly elected position as Village Mayor. Trustee Hyde assured Mayor Zimmer that all her hard work would be well taken care of and that the Village was in good hands.

WATER/WASTEWATER:

Jeff Mosher, WWTP Supervisor – DANC

1. **Monthly Report** – Jeff went over his monthly report with the Board. This report is filed at the Village Clerks office. Jeff also thanked Mayor Zimmer for all her services.

CONSENT AGENDA:

- | | |
|---|--------------------------|
| 1. DRAFT Meeting Minutes November 13 th , 2023 | |
| 2. Payroll (P/R #11) 10/12/2023 to 10/25/2023 | \$ 35,257.41 |
| 3. Pre-Pay Abstract 11/21/2023 | \$ 1,032.35 |
| 4. Abstract -11/27/2023 | |
| General Fund | \$136,882.72 |
| Water Fund | \$ 32,449.43 |
| Sewer Fund | <u>\$ 54,593.27</u> |
| Total | \$223,925.42 |
|
5. Capital Projects |
\$ 103,931.89 |

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

Trustee Hyde made a **MOTION** to approve capital projects agenda item #5; Trustee Wierzbica seconded all in favor motion carried.

CLERK:

1. **Adam Powers Planning Board replacing Patrick Dewey effective January 1st, 2024**

Trustee Hyde made **MOTION** to approve Adam Powers as stated above; Trustee Heberling seconded; motion carried.

2. **Planning Board Alson Taylor 1st Alternate**

Trustee Hyde made **MOTION** to approve Alson Taylor as stated above; Trustee Wierzba seconded, motion carried.

3. **Planning Board Tom Williams 2nd Alternate**

Trustee Hyde made **MOTION** to approve Alson Taylor as stated above; Trustee Heberling seconded, motion carried.

MAYOR:

1. **Mayor elect's contact information**

Nancy Hyde - Phone: 315-771-6864 Email: mayorhyde@villageofclayton.org

2. **Wi-fi Access for businesses with cameras/speakers** - Mayor Zimmer asked the Board to approve Justin Taylor to access the free wireless for the business owners that have cameras and speakers on their building in the Village.

Trustee Heberling made **MOTION** to allow Justin Taylor to access the free wireless for the business owners that have speakers and cameras on their building; Trustee Hyde seconded; motion carried.

1. Mayor Zimmer announced that Clayton has been awarded a \$90,000 grant to update the Local Waterfront Revitalization Program. Clayton Local Development will administer the grant and oversee updating Clayton's LWRP. The LWRP helps assure that waterfront development is well designed and in compliance with local, state and federal laws.

ADJOURNMENT:

Trustee Hyde presented a **MOTION** to adjourn the regular meeting at 6:15 p.m. Trustee Heberling seconded; motion was carried.

Respectfully,

Joanne Lenhard-Boye, Village Clerk