

There was a Regular meeting of the Board of Trustees of the Village of Clayton on Monday May 13th, 2024, at 5:00 p.m.

PRESENT:

Nancy L. Hyde, Mayor
Robert McDowell, Deputy Mayor
Robert Riddoch, Trustee
Robert Wierzba, Trustee
Michael Kinnie, Trustee (appointed)
Joanne Lenhard-Boye, Village Clerk
Terry Jones, DPW Superintendent

Pledge of Allegiance/Call to Order:

Mayor Hyde led the Pledge of Allegiance and opened the Regular meeting at 5:00 p.m.

Mayor – Appointed Michael Kinnie as Trustee to fill former Trustee Heberling’s position. Village Clerk had Michael Swear in and sign oath book.

VISITOR:

John Condino – Barton & Loguidice

1. SEQR – Additional Wave Attenuator – John discussed the SEQR with the Board and after discussions between the Board.

MOTION made by Trustee Riddoch to approve the SEQR with a Type 1 Action, Trustee Wierzba seconded, all in favor motion carried.

2. Resolution 2024-12- John presented Resolution 2024-12 declaring the intent of the Village of Clayton Village Board to act as lead agency.

Proposed Action: Village of Clayton REDI Funded Infrastructure Improvements Project – Wave Attenuator Extension at Veterans Memorial Monument (Project)

RESOLUTION DECLARING THE INTENT OF THE VILLAGE OF CLAYTON VILLAGE BOARD TO ACT AS LEAD AGENCY

WHEREAS, the Village of Clayton (Village) is proposing the Village of Clayton REDI Funded Infrastructure Improvements Project (Project), located in the Village of Clayton, Jefferson County, New York; and

WHEREAS, the Project has been classified as a “Type I Action” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4; and

WHEREAS, it is the intent of the Village of Clayton Village Board to assume the role of “Lead Agency” for purposes of conducting a SEQRA/SERP assessment of the Project; and

WHEREAS, Part I of a Full Environmental Assessment Form (FEAF) has been completed, reviewed by the Village of Clayton Village Board, and will be circulated to all Interested and

Involved Agencies for purposes of establishing the Village of Clayton Village Board as “Lead Agency” in accordance with 6 NYCRR Part 617.6(b).

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, that the Mayor of the Village of Clayton hereby is authorized to sign Part I of the FEAFF (page 13); and it is further

RESOLVED AND DETERMINED, that the Village of Clayton will send said Part I of the FEAFF and associated site figure to the attached list of “Interested and Involved Agencies” under cover of a “Notice of Intent to Establish Lead Agency” letter for purposes of establishing Lead Agency status under the SEQRA/SERP; and it is further

RESOLVED, that the Mayor of the Village of Clayton and the Village Board, together with the Village of Clayton Attorney and B&L, are hereby authorized to take all actions, serve all notices, and complete all documents required to give full force and effect to this determination.

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

	Yes	No
Nancy Hyde, Mayor	<u> x </u>	_____
Robert McDowell, Trustee/Deputy Mayor	<u> x </u>	_____
Robert Wierzba, Trustee	<u> x </u>	_____
Robert Riddoch, Trustee	<u> x </u>	_____
Michael Kinnie, Trustee	<u> x </u>	_____

The foregoing resolution was thereupon declared duly adopted.

3. Change Order #2 for Bath House – John discussed change order #2 with the Board. This change order was an addition to a modified work scope for the renovations at the Rotary Park Bathroom Roof Replacement Project. The original contract amount was \$298,000.00. The revised total project cost is now \$150,606.83

MOTION was made by Trustee Wierzba to approve change order #2, Trustee Riddoch seconded, all in favor motion carried.

David Powers – Barton & Loguidice

1. SEQR – Water Main Project - David discussed the SEQR for the Water Main Project.

MOTION was made by Trustee Riddoch to approve the SEQR amendment still remaining as a Type 1 Action, Trustee Wierzba seconded, all in favor motion carried.

2. Resolution 2024-11 – David presented the resolution to the Board, regarding the state Environmental Quality Review Act Process Amendment for the Village of Clayton Water Main and Intake Replacement Project. This was approved with a roll call vote.

RESOLUTION 2024-11

RESOLUTION REGARDING THE STATE ENVIRONMENTAL QUALITY REVIEW ACT PROCESS AMENDMENT FOR THE VILLAGE OF CLAYTON WATER MAIN AND INTAKE REPLACEMENT PROJECT

WHEREAS, the Village of Clayton (Village) is proposing the Village of Clayton Water Main and Intake Replacement Project (Project); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6NYCRR Part 617 (the “Regulations”), the Village desires to comply with SEQRA and the Regulations with respect to the Project; and

WHEREAS, pursuant to the State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6 NYCRR Part 617, the Village of Clayton previously completed the SEQRA process and passed a Negative Declaration for the proposed Project on August 22, 2022 (Resolution No. 2022-13);

WHEREAS, the Village amended their original SEQRA documents to include replacement of approximately 285 LF of 8” water main on Mary Street; replacement of approximately 1,000 LF of 8” water main on John Street; and adjustment of approximately 1,125 LF of water main on another segment of John Street from 6” main to 8” main;

WHEREAS, pursuant to the SEQRA Regulations, the Village of Clayton Village Board, as Lead Agency, considered the significance of the potential environmental impacts of the amended Project by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, (b) examining the amended FEAF for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the FEAF and Part 3 Evaluation Document, together with other available supporting information, to identify the relevant areas of environmental concern, and (c) thoroughly analyzing the identified areas of environmental concern:

NOW, THEREFORE, BE IT RESOLVED, that the Village of Clayton Village Board amended Parts 1, 2, and 3 of the FEAF for the Project and that the overall project scope, intent, and location has not changed; and it is further

RESOLVED, that the Village of Clayton Village Board has completed a review of the amended SEQRA FEAF documents and confirms that the project remains a Type I Action and has been reconfirmed through this resolution to not have any significant adverse impacts on the environment, as provided in the amended FEAF documents attached hereto and hereby made a part thereof; and it is further

RESOLVED, that the Mayor of the Village of Clayton is hereby authorized to take all actions, serve all notices, and complete all documents in order to give full force and effect to this amended SEQRA process; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

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

	Yes	No
Nancy Hyde, Mayor	<u> x </u>	_____
Robert McDowell, Trustee/Deputy Mayor	<u> x </u>	_____
Robert Wierzba, Trustee	<u> x </u>	_____
Robert Riddoch, Trustee	<u> x </u>	_____
Michael Kinnie, Trustee		_____

The foregoing resolution was thereupon declared duly adopted.

POLICE REPORT:

Kevin Patenaude, Chief of Police

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

DPW REPORT:

Terry Jones, DPW Supervisor

1. Activity Report – was given to the Board. This report is filed at the Village Clerk’s Office.

CONSENT AGENDA:

1. DRAFT Meeting Minutes April 08 th , 2024	
2. Payroll (P/R #23) 03/28/2024 to 04/10/2024	\$ 36,915.06
3. Payroll (P/R #24) 04/11/2024 to 04/24/2024	\$ 36,037.00
4. Teamsters Health & Hospital May	\$ 17,567.22
5. Prepay Abstract – 04/24/2024	\$ 19,314.02
6. Abstract -05/13/2024	
General Fund	\$ 59,855.06
Water Fund	\$ 20,777.77
Sewer Fund	\$ 18,859.75
Total	\$ 99,492.58

MOTION was made by Deputy Mayor McDowell to approve consent agenda items #1-6; Trustee Riddoch seconded all in favor motion carried.

7. **Capital Project Abstract 05/13/2024** **\$ 54,904.36**

MOTION was made by Deputy Mayor McDowell to approve Capital Project agenda item #7; Trustee Wierzba seconded all in favor motion carried.

OLD BUSINESS:

1. Dock Fees 2024 – The board discussed the dock fees for 2024 fees and these will be inserted into the minutes for future reference. The changes were:

Seasonal (Commercial) from \$200.00 to \$350.00

(added) Annual Boating Events \$ 1,000.00 (Per Board determination)

(added) **FREE INDIVIDUAL SEASONAL RAMP PASS FOR VILLAGE TAXPAYERS**

****MUST HAVE****

- **Copy of Village Taxes**
- **Copy of Boat Registration/MUST be in Tax owner’s name**

MOTION was made by Trustee Riddoch to approve changes made to the 2024 dock fees, Trustee Wierzba seconded, all in favor motion carried.

CLERK:

1. Joint Town/Village of Clayton Planning Board March Meeting Minutes- Clerk presented to Board

2. Tax Warrant 2024 & Notice –

MOTION made by Deputy Mayor McDowell, seconded by Trustee Wierzba, all in favor motion carried.

For the General Fund	\$1,544,420.00
For Water Relevy	\$17,431.33
For Sewer Relevy	\$23,179.08
For Sidewalk Snow Removal	\$900.00

Being for all purposes a total of **\$1,585,930.41**

3. Hire Seasonal Laborers - Dock Staff to begin on or after May 16th, 2024.

- Dock Masters – Paul Shortsleeve & Samuel Matt @ \$15.50/hr.

MOTION made by Deputy Mayor McDowell, seconded by Trustee Wierzba, all in favor motion carried.

• Dock Attendants- Craig Cratsenberg, Rob Farmer, Adam Bond, Bill Richardson, Ryan Calhoun & Ridge Hurley all @ \$15.00/hr.

MOTION made by Deputy Mayor McDowell, seconded by Trustee Wierzba, all in favor motion carried.

4. Flower and Parks Maintenance start date was April 15th 2024

- Heidi Szonn @ current rate of \$15.00/hr. **After June 1st, the rate increases to \$17.00/hr. per approved budget.**

MOTION made by Trustee Kinnie, seconded by Trustee Wierzba, all in favor motion carried.

- Gayle Cady @ current rate of \$15.00/hr.

MOTION made by Trustee Kinnie, seconded by Trustee Wierzba, all in favor motion carried

5. Parking Attendant – Patrick Youngs @ current rate of \$15.50/hr.

MOTION made by Deputy Mayor McDowell, seconded by Trustee Riddoch, all in favor motion carried.

6. Clerk to attend NYALGRO Conference Alexandria Bay June 9-11.

MOTION made by Deputy Mayor McDowell, seconded, by Trustee Riddoch, all in favor motion carried.

NEW BUSINESS:

1. Library Building Use Agreement 01/01/2024 to 12/31/2028

MOTION made by Trustee Kinnie, seconded by Trustee Wierzba, all in favor motion carried

2. Clayton Chamber of Commerce 2024-2025 agreement

MOTION made by Trustee Wierzba, seconded by Deputy Mayor McDowell, all in favor motion carried

3. CLDC 2024-2025 grant writings agreement

MOTION made by Deputy Mayor McDowell, seconded by Trustee Riddoch, all in favor motion carried

4. CLDC 2024-2025 local economic agreement

MOTION made by Deputy Mayor McDowell, seconded by Trustee Riddoch, all in favor motion carried

5. Appoint Ron Duford- as vice-chair of the Joint Town/Village of Clayton Planning Board

MOTION made by Deputy Mayor McDowell, seconded by Trustee Wierzba, all in favor motion

carried

6. Resolution 2024-10 – Establishing Energy Benchmarking requirements for Municipal Buildings

**CLEAR ENERGY
ESTABLISHING ENERGY BENCHMARKING REQUIREMENTS FOR
CERTAIN MUNICIPAL BUILDINGS**

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

WHEREAS, buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use; and

WHEREAS, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the Village of Clayton is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

WHEREAS, the Village of Clayton, Board of Trustees desires to use Building Energy Benchmarking - a process of measuring a building’s energy use, tracking that use over time, and comparing performance to similar buildings - to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Village of Clayton; and

WHEREAS, the Village of Clayton, Board of Trustees desires to establish procedure or guideline for the Village of Clayton’s staff to conduct such Building Energy Benchmarking; and

NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED, that the following specific policies and procedures are hereby adopted;

BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES

§1. DEFINITIONS

(A) “Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(B) “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.

(C) “Commissioner” shall mean the head of the Department.

(4) “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the Village of Clayton that is 1,000 square feet or larger in size.

(5) “Department” shall mean the [Department selected to enforce the Benchmarking Policy].

(6) “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) “Energy Performance Score” shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) “Energy Use Intensity (EUI)” shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(11) “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(12) “Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(13) “Weather Normalized Site EUI” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

§2. APPLICABILITY

(1) This policy is applicable to all Covered Municipal Buildings as defined in Section 2 of this policy.

(2) The Commissioner may exempt a particular Covered Municipal Building from the benchmarking requirement if the Commissioner determines that it has characteristics that make benchmarking impractical.

§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

(1) No later than May 1, 2017, and no later than May 1 every year thereafter, the Commissioner or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Commissioner or his or her designee from the Department shall begin inputting data in the following year.

§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

(1) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) no later than September 1, 2017 and by September 1 of each year thereafter for Covered Municipal Buildings; and

(2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

- (a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and
- (b) For each Covered Municipal Building individually:
 - (i) The status of compliance with the requirements of this Policy; and
 - (ii) The building address, primary use type, and gross floor area; and
 - (iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and
 - (iv) A comparison of the annual summary statistics (as required by Section 5(2)(b)(iii) of this Policy) across calendar years for all years since annual reporting under this Policy has been required for said building.

§5. MAINTENANCE OF RECORDS

The Department shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

§6. ENFORCEMENT AND ADMINISTRATION

(1) The Commissioner or his or her designee from the Department shall be the Chief Enforcement Officer of this Policy.

(2) The Chief Enforcement Officer of this Policy may promulgate regulations necessary for the administration of the requirements of this Policy.

(3) Within thirty days after each anniversary date of the effective date of this Policy, the Chief Enforcement Officer shall submit a report to the Board of Trustees including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Commissioner determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

§7. EFFECTIVE DATE

This policy shall be effective immediately upon passage.

§8. SEVERABILITY

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

The vote on the foregoing resolution was as follows:

Nancy Hyde, Mayor	yes
Robert McDowell, Deputy Mayor	yes
Robert Riddoch, Trustee	yes
Robert Wierzba, Trustee	yes
Michael Kinnie, Trustee	yes

This resolution was adopted.

7. LGSS Engagement Letter 2025

MOTION made by Trustee Wierzba, seconded by Deputy Mayor McDowell, all in favor motion carried

8. Municipal Solutions Contract 2024-2025

MOTION made by Trustee Wierzba, seconded by Deputy Mayor McDowell, all in favor motion carried

9. Board Received March 2024 Financial Reports – Cash Summary, Statement of Activity, Period to Date Actuals

MOTION made by Trustee Riddoch, seconded by Deputy Mayor McDowell, all in favor motion carried

10. Village of Clayton Sewer & Water Service Application Lisa & Timothy Thompson –

The board discussed these applications and agreed to approve with the contingency on getting the easement from neighbor.

MOTION made by Trustee Wierzba, seconded by Deputy Mayor McDowell, all in favor motion carried

11. Wooden Park Entrance - The Board approved for Ms. Dufford, a resident from the Village to speak about the wooden park entrance and putting up a fence or a deterrence from the kids running out into the road. This will be investigated by the board further and no final decision has been made.

MAYOR:

1. Antique Boat Show request letter - The board agreed to send letter to the Antique Boat Museum letting them know that the charge for the boat's being launched will be considered an "Annual Boating Event" at the price of \$1,000 to launch up to fifty boats. All Board members agreed to the Annual requests received via letter from The Antique Boat Museum for there 60th Annual Antique Boat Show & Auction on August 2-4th, 2024.

2. Anonymous note to Mayor Hyde – this was about the parking meters and free water at Rotary Park. The Board discussed this briefly and noted that not much can be done at the present time.

ADJOURNMENT:

Trustee Riddoch presented a **MOTION** to adjourn the regular meeting at 6:55p.m. Deputy Mayor McDowell seconded; all in favor motion was carried.

Respectfully,

Joanne Lenhard-Boye, Village Clerk