

There was a Regular meeting of the Board of Trustees of the Village of Clayton on Monday June 24<sup>th</sup>, 2024, at 5:00 p.m.

**PRESENT:**

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

**ABSENT:**

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

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

**VISITOR:**

Barton & Loguidice - John Condino – Barton & Loguidice

**SEQR Forms** – Trustee Riddoch made **MOTION** to approve SEQR forms along with the Full Environmental Assessment Form Part – 3 Evaluation of the Magnitude and Importance of Project Impact and Determination of Significance with the determination being Type 1 Actions and Conditioned Negative Declarations; Trustee Wierzba seconded; all were in favor motion carried.

**1. Resolution 2024-18 – REDI Neg Declaration -Wave Attenuator Extension**

**Proposed Action: Village of Clayton REDI-Funded Infrastructure Improvements Project – Wave Attenuator Extension**

**RESOLUTION DETERMINING THAT THE PROPOSED VILLAGE OF CLAYTON REDI-FUNDED INFRASTRUCTURE IMPROVEMENTS PROJECT – WAVE ATTENUATOR EXTENSION IS A TYPE 1 ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT**

**WHEREAS**, the Village of Clayton (Village) is proposing the **Village of Clayton REDI-Funded Infrastructure Improvements Project – Wave Attenuator Extension** (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**, Barton & Loguidice, DPC, on behalf of the Village of Clayton Village Board, sent a letter and Part 1 of a Full Environmental Assessment Form (FEAF) to other potentially “Interested Agencies” and “Involved Agencies” (as these terms are defined in the SEQRA Regulations found at 6 NYCRR Part 617.2) on May 16, 2024, indicating the Village’s desire to serve as the “Lead Agency” (as this quoted term is defined in the SEQRA Regulations) and to complete a coordinated review of the Project (in accordance with 6 NYCRR Part 617.6); and

**WHEREAS**, responses from Interested and Involved Agencies were requested, and each of the potentially Interested and Involved Agencies has agreed to, or raised no objections to, the Village of Clayton Village Board serving as Lead Agency for the Project; and

**WHEREAS**, pursuant to the SEQRA Regulations, the Village of Clayton Village Board has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, and (b) examining the FEAF for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the FEAF, together with other available supporting information, to identify the relevant areas of environmental concern:

**NOW, THEREFORE, BE IT**

**RESOLVED** that, the Village of Clayton Village Board hereby establishes itself as Lead Agency for the Project; and

**BE IT FURTHER RESOLVED**, that based upon an examination of the FEAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the Village’s knowledge of the area surrounding the Project, the Village of Clayton Village Board makes the determination that the Project will not have a significant adverse environmental impact and that the Project will not require the preparation of a Draft Environmental Impact Statement; and

**BE IT FURTHER RESOLVED**, that as a consequence of such findings and declaration, and in compliance with the requirements of SEQRA, the Village of Clayton Village Board, as Lead Agency, hereby directs the Village of Clayton Mayor to sign the FEAF Part 3 – Determination of Significance indicating that a Negative Declaration has been issued for the Project; this Resolution shall take effect immediately and will be properly noticed.

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

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

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 presented to the Board. This report is filed at the Village Clerk’s Office. Mayor Hyde asked Terry to look into prices for a new roof for the Municipal Building.

**CONSENT AGENDA:**

|  |                     |
|--|---------------------|
| 1. Revised Meeting Minutes May 28 <sup>th</sup> , 2024 |                     |
| 2. DRAFT Meeting Minutes June 10 <sup>th</sup> , 2024  |                     |
| 3. Prepay Abstract 06/17/2024                          | \$ 1,032.67         |
| 4. Payroll (P/R #02) 06/06/2024 to 06/19/2024          | \$ 44,606.81        |
| 5. Abstract -06/24/2024                                |                     |
| General Fund   | \$173,347.99        |
| Water Fund   | \$ 19,614.35        |
| Sewer Fund   | \$ 34,230.87        |
| <b>Total</b>   | <b>\$227,193.21</b> |

**MOTION** made by Deputy Mayor McDowell to approve consent agenda items #1-5 on condition that the bill for Grossman St. Amour in the amount of \$17,650.00 be held for 30 days, or the board receives some satisfactory information on the AUD; Trustee Kinnie seconded, all in favor motion carried

6. **Capital Projects** **\$ 112,433.75**

**MOTION** made by Deputy Mayor McDowell to approve Capital Project agenda item #6; Trustee Wierzba seconded all in favor motion carried.

**CLERK:**

1. **Request for use of Municipal Building** – Tanya Roy Clayton Theater Week July 22 July 26, 2024. The Board heard of the way the building and sidewalks and bathrooms sink all had paint on them last year, so they are requesting a \$100.00 security deposit for this years request. If they agree to the security deposit, then the board all agrees to approve the request.

**NEW BUSINESS:**

1. **Resolution 2024-15** to rescind Joint Town/Village of Clayton Code Enforcement Officer Intermunicipal Agreement.

**RESOLUTION #2024-15**

RESCINDING JOINT TOWN/VILLAGE OF CLAYTON CODE ENFORCEMENT OFFICER (CEO)  
INTERMUNICIPAL AGREEMENT

The following resolution was offered by Trustee Wierzba, who moved its adoption, seconded by Trustee McDowell

WHEREAS, the Village of Clayton entered into a Joint Town/Village of Clayton Code Enforcement Officer (CEO) Intermunicipal Agreement with the Town of Clayton on December 5th, 2016; and

WHEREAS, said IMA is no longer applicable to the use of the Joint CEO Intermunicipal Agreement; and

WHEREAS, The Village of Clayton Board of Trustees will hire separate from the Town their own Code Enforcement Officer.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Clayton that the Joint CEO Intermunicipal Agreement, dated December 5th, 2016, is hereby rescinded, and is therefore no longer considered in effect as of June 24th, 2024.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

|                       |         |
|-----------------------|---------|
| Mayor Hyde            | yes     |
| Deputy Mayor McDowell | yes     |
| Trustee Wierzba       | yes     |
| Trustee Riddoch       | yes     |
| Trustee Kinnie        | abstain |

The foregoing resolution was thereupon declared duly adopted, June 24th, 2024.

2. **Rescind resolution 2024-15** - Joint Town/Village of Clayton Code Enforcement Officer Intermunicipal Agreement.

**MOTION** made by Trustee Kinnie to rescind resolution 2024-15; Trustee McDowell seconded, all in favor motion carried.

3. **New Hire Code Enforcement Officer** - Tom Gardner starting June 10<sup>th</sup>, 2024 at \$450/month

Trustee Riddoch made **MOTION** to approve the new hire of Tom Gardner as Code Enforcement Officer starting June 10<sup>th</sup>, 2024 at \$450/month; Trustee Wierzba seconded, all in favor motion carried.

4. **Approve the following adjustments to the FY2025 budget** - Personnel expense of Code Enforcer: Move \$4,050.00 from line-item AA.8010.400.000 to AA.8010.100.000. Also Move \$315.00 from line-item AA.8010.400.000 to AA.9030.800.000 – Social Security

Trustee Kinnie made motion to approve the adjustment listed above; Trustee McDowell seconded, all in favor motion carried

5. **New Hire Police Officer full time** - Dustin Shawcross starting in July, 2024 at \$34.23/hr. Trustee McDowell made **MOTION** to approve the hiring of the new full time police officer listed above; Trustee Kinnie seconded, all in favor motion carried.

6. **2024-19 Resolution** - to approve retainer agreement for legal services under Kendall, Harrienger

& Burrows.

**Resolution 2024-19**  
**Attorney for Legal Services**

**WHEREAS**, the Village Board is responsible for performing governmental functions as authorized by the NYS Constitution and applicable laws which may, from time to time, include the use of attorneys to achieve those ends; and

**WHEREAS**, the Law Office currently providing services will cease to exist as of June 15, 2024, while the individual attorneys who provide municipal services practice in a newly named Law Office and the same location; and

**WHEREAS**, the Village Board is authorized to retain attorneys upon such terms as it deems appropriate in pursuit of, and to accomplish, those objectives and desires to do so.

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board of the Village of Clayton, New York hereby

1. Retains Kendall, Harrienger & Burrows to provide legal services for, and on behalf of, the Village of Clayton and to serve as its attorneys effective June 17, 2024.
2. The attorneys are hereby authorized to obtain the Village's files, electronic and otherwise, from the current attorneys and to take steps as would be necessary to represent the Village's interests.
3. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, Wierzba and seconded by Board Member, Riddoch, and upon roll call vote of the Board was duly adopted as follows:

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

7. **Northern New York Water Works Conference** – Erik Dingman and Marshall Green to attend conference. Board approved

8. **Board received 2024 May Financial Reports** – Cash Summary, Statement of Activity, Period to Date Actuals

**MOTION** made by Trustee Wierzba; Trustee Riddoch seconded; all were in favor motion carried.

***BOARD REPORTS:***

Trustee Kinnie:

1. Another Climate Community meeting will be held in July 2024.
2. Would like the Board to consider June 19<sup>th</sup>, as a holiday for the Village of Clayton.
3. Moving forward for any water or sewer increases, he would like to have the board think about increasing the variable consumption fee rate and leave fixed rate as is.

Deputy Mayor:

1. Letter to Commercial Businesses – Deputy Mayor suggested to send a letter to all the commercial businesses about the village ordinances for signs on the sidewalk blocking pedestrians from getting through and wheelchair accessibility. Trustee McDowell will draw up a draft letter and send it out to the Board for approval.

***MAYOR:***

1. Mayor Hyde attended a Small Business Tour meeting at the Antique Boat Museum to help small businesses in the community.
2. The Gouverneur passed a resolution for National Tarton Day. Someone from Mark Walczyk's office will be presenting this to the Mayor on June 26<sup>th</sup>, 2024 at 3 pm at the Municipal Building.

***PUBLIC COMMENT:***

1. Paul Miller resident at 517 Alexandria Street presented his concerns with the Transitional Living Facility here in Clayton. Cigarette butts and yelling and screaming are out of control. Mayor Hyde suggested calling the director of the facility and letting her know his concerns.

***EXECUTIVE SESSION:***

Trustee McDowell made **MOTION** to enter into executive session at 6:30pm; Trustee Kinnie seconded all in favor motion carried.

The Board entered back into regular session at 7:01p.m.

Trustee Riddoch made **MOTION** to hold a public meeting for June 29<sup>th</sup>, 2024 at the Municipal Building beginning at 10am to discuss the survey that was done at the end of Union Street with the VanReenen's who own property at the end of Union Street; Trustee Wierzba seconded all in favor motion carried.

***ADJOURNMENT:***

Trustee Riddoch presented a **MOTION** to adjourn the regular meeting at 7:02p.m. Trustee Wierzba seconded; all in favor motion was carried.

Respectfully,

Joanne Lenhard-Boye, Village Clerk