

There was a Regular meeting of the Board of Trustees of the Village of Clayton on Monday February 12th, 2024, at 5:00 p.m.

PRESENT:

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

ABSENT:

Robert Wierzba, Trustee

Pledge of Allegiance/Call to Order:

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

Trustee Heberling presented a **MOTION** to enter executive session at 5:01 p.m; Deputy Mayor McDowell seconded, all in favor motion carried.

EXECUTIVE SESSION:

1. Legal Litigation

Trustee Riddoch presented a **MOTION** to adjourn the Executive Session meeting at 5:13 p.m., and enter back into the Regular meeting: Deputy Mayor McDowell seconded; all in favor motion was carried.

Deputy Mayor McDowell presented a **MOTION** to adopt Resolution 2024-03 per discussions in executive session; Trustee Riddoch seconded; all were in favor motion carried.

REQUEST TO BE ON AGENDA:

Jonathan Taylor, Taylored Architecture PLLC –

1. Discuss the new Thousand Islands Arts Center – Jonathan handed out architectural drawings for the Board to view. He explained that a fire protection sprinkler system will be required in the new building, which will be located on James Street. He explained the existing water lines to the lot are not sufficient to support the sprinkler system, and he requested permission to remove part of the sidewalk and cut into James Street to hook into the water pipes beneath the road. This would mean tearing up the new road that was just put in with the Historic District Project. Jeff Mosher with DANC supervisor of the Villages Water/Sewer Department was at the meeting to discuss different options that could be done. Terry Jones DPW Supervisor explained that when a roadway is dug up and refilled, it tends to settle lower or higher than the road around it. Over time, snow plowing peels up the pavement and water seeps into the cracks that form. This is a brand new road put in during the Historic Project and digging it up already is just a place for failure in the future.

The Board did not decide during the meeting and will discuss at a later time.

VISITOR:

John Condino, John Condino – Barton & Loguidice

1. **Update on REDI project for additional wave attenuator** – John informed the Board that he will be having a meeting next week to answer any questions about this project. He is hoping that after that we can start ordering materials needed and be able to get started on this in the early spring. There is an amended bond resolution he asked the Board to approve.

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

2024-02 - AMENDED BOND RESOLUTION

**AMENDED AND RESTATED BOND RESOLUTION DATED FEBRUARY 12, 2024
A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OR A
STATUTORY INSTALLMENT BOND OF THE VILLAGE OF CLAYTON IN AN
AMOUNT NOT TO EXCEED \$7,110,000 THE PROCEEDS OF WHICH ARE TO
BE USED TO COMPLETE STRUCTURAL REPAIRS AND IMPROVEMENTS
AND REPLACEMENTS INCLUDING, BUT NOT LIMITED TO THE
RIVERWALK, MARY STREET BOAT LAUNCH AND DOCK, THE VETERANS
MEMORIAL DOCKS AND THE FRINK PARK REGIONAL DOCK.**

BE IT RESOLVED, by the Village Board of the Village of Clayton, Jefferson County, New York, as follows:

Section 1. The structural repairs and improvements and replacements including, but not limited to the Riverwalk, Mary Street Boat Launch and dock, Veterans Memorial Docks and the Frink Park Regional Dock, are in the interest of the citizens of the Village of Clayton. The estimated cost of such objects and purpose as determined by Barton & Loguidice, D.P.C., the engineers hired by the Village, for such purposes is \$7,110,000.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid construction is twenty (20) years, pursuant to subdivision 7 of paragraph a 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 by the issuance of a Serial Bonds or a Statutory Installment Bond not exceeding \$7,110,000 and/or grant funding under the Lake Ontario Resiliency and Economic Development Initiative (REDI) and such bonds are hereby authorized to be issued therefore, 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 Serial Bonds or a Statutory Installment Bond 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 Village Treasurer consistent with the provisions of the Local Finance Law.

Section 6. All other matters, except as provided herein relating to such obligations,

including determining whether to issue such obligations having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said obligations, prescribing the method for the recording of ownership of said obligations, appointing the fiscal agent or agents for said obligations, providing for the printing and delivery of said obligations (and if said bond are to be executed in the name of the Village by the facsimile signature of its Village Treasurer), including the consolidation with other issues, shall be determined by the Village Treasurer. It is hereby determined that it is to the financial advantage of the Village not to impose and collect from registered owners of such obligations any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such obligations 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 52.00 of the Local Finance Law, as the Village Treasurer shall determine.

Section 7. 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 8. Upon this resolution taking effect, the same be published in full in T.I. Sun, the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 9. This resolution is subject to permissive referendum, pursuant to Section 36.00(a) of the Local Finance Law.

Section 10. 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	
		YES	NO
Nancy L. Hyde	Mayor	x	_____
Robert McDowell	Deputy Mayor	x	_____
Allen Heberling	Trustee	x	_____
Robert Wierzba	Trustee	absent	_____
Robert Riddoch	Trustee	x	_____

The resolution was thereupon declared duly adopted.

Dave Powers- Barton & Loguidice

1. **Water Main Input Project** – The steps to move forward would be for the Board to decide on how much of this project the Village will take on now that the WIIA Grant has been awarded for \$4,940,400. The Board approved for B&L to move forward with this project last year with the hopes of receiving the grant. The Board wants to see the full amount of the WIIA Grant used and decided that Alternative no. 3 should be done. This will replace the main water line intake that draws the villages water from the St. Lawrence River. It will also replace lines on James Street and side streets.

Deputy Mayor McDowell made the **MOTION** to choose Intake, James St., and Side Street Replacement (Alternative no. 3) to take full advantage of the WIIA Grant that the Village has been given; Trustee Heberling seconded; all were in favor motion carried.

Dave will have a resolution and amended contract for our next meeting with the proper changes for the time frame of the project that will be 5 years from closing. As the Village moves forward B&L agreed to no changes for at least a year.

2. **Waste Water Proj. (REDI)** – Dave gave an update on this project letting the Board know that S.C. Spencer will be coming on site to finish the gas detection at the pump station on Riverside Drive, and on the generator at the treatment plant and then this project will be closing.

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 Clerk’s Office.

2. **Streetlight additions** - Terry noted to the Board where some street lighting may be beneficial in some dark areas on Bartlett Point Road.

3. **Town/Village Barn – Cleaner** – This will be discussed more at the Joint meeting on February 26th, 2024 at 5pm.

CONSENT AGENDA:

1. DRAFT Meeting Minutes January 22 nd , 2024	
2. Payroll (P/R #17) 01/04/2024 to 01/17/2024	\$ 47,529.91
3. Payroll (P/R #18) 01/18/2024 to 01/31/2024	\$ 38,937.46
4. Teamsters Health & Hospital February	\$ 17,567.22
5. Abstract -02/12/2024	
General Fund	\$ 32,674.47
Water Fund	\$ 12,897.70
Sewer Fund	\$ 32,694.38

Deputy Mayor McDowell made a **MOTION** to approve consent agenda items #1-5; Trustee Heberling seconded all in favor motion carried.

6. **Capital Projects** \$ 5,490.50

Deputy Mayor McDowell made a **MOTION** to approve capital projects item #6; Trustee Heberling seconded all in favor motion carried.

OLD BUSINESS:

1. **Chamber of Commerce Trolley** – Deputy Mayor McDowell informed the Board that he did speak with the Village’s insurance company in reference to using a Village vehicle to tow the Chamber Trolley’s during events in the Village He was informed that this would be too much risk for the Village. He will be sending out an email letting the Chamber know that the Village cannot put the Trolley’s on Village’s insurance plan.

NEW BUSINESS:

1. **DANC Contract Amendment No. 1 REDI Improvement Project**

Trustee Heberling made MOTION to approve Amendment No. 1 listed above; Trustee Riddoch seconded; all in favor motion carried.

CLERK:

1. **Sewage Sludge Removal bid – Placing Ad in TI Sun** – Board approved
2. **Tentative annual budget schedule 2024-2025** – Board approved
3. **Laura Duell-Request dates to play at Frink Park 3:30pm -8:30pm** - Board approved

TREASURER:

1. **Clerk presented the financial reports for November and December 2023**, Statement of Activity/Bank, Reconciliation/Budget vs. Actual to the Board

Trustee Heberling made MOTION to accept the November and December Treasurer reports; Trustee Riddoch seconded; all were in favor motion carried.

MAYOR:

1. Informed the Board that the Village’s lawyer is still working on the policy for the camera’s downtown.

Tim Doney, the new Town Supervisor, introduced himself to the Board and is eager to form a more unionized Town/Village. He believes that is what is most beneficial for the community. He is aware of the number of short-term rentals in the Village and would like to work with the Village to devise some regulations that would benefit the community that reside here. Tim confirmed that there will be a Joint Meeting on February 26th, 2024 and will approve a new cleaner for the Town/Village barn at this meeting.

ADJOURNMENT:

Trustee Heberling presented a MOTION to adjourn the regular meeting at 6:54p.m. Trustee Riddoch seconded; all in favor motion was carried.

Respectfully,

Joanne Lenhard-Boye, Village Clerk