

PUBLIC MEETING
FEBRUARY 18, 2015
7:00 PM
MAYOR JOSEPH ORLOW PRESIDING
2015 Spring Planting Bids

PRESENT

Trustee Anthony Girard
Trustee William Hayes
Trustee Timothy Carota

Brian Abare, DPW Superintendent
Michael Muller, Attorney

Mayor Orlow opened the Public Meeting at 7:00 p.m.

Mayor Orlow asked all to stand for the Pledge of Allegiance.

Bid Openings

Mayor Orlow then stated that the first item to address tonight would be the 2015 Spring Planting Bids. The following bids were received Watkins with a planting bid of \$7,366.00 and a watering bid of \$3,000.00. Toad Flax with a planting bid of \$7,135.00 and a watering bid of \$1,650.00. Grasshopper Gardens a planting bid of \$6,600.00 and a water bid of \$750.00 Mayor Orlow then asked Attorney Muller to review the bids and then to give them to Trustee Carota for review.

Mayor Orlow asked that the minutes from the February 4, 2015 meeting be approved. Trustee Girard moved to approve the minutes; seconded by Trustee Hayes and the Board unanimously approved.

Trustee Hayes moved to approve the Village bills as follows;

FY 2014-2015		FY 2014-2015	
<u>Vouchers 89264-89323</u>		<u>Vouchers 89248</u>	
General Fund	\$49,881.95	General Fund	\$1,948.62
Water Fund	110,641.89	Water Fund	177.15
Sewer Fund	<u>2,247.51</u>	Sewer fund	<u>88.57</u>
Total	\$57,352.41	Total	\$2,214.34

Trustee Girard seconded the motion with the exception to voucher #89273, but once the certified payrolls for the voucher are on file in the Village office the check will be sent. The Board unanimously approved this decision.

Mayor Orlow then asked if there was any public comment on anything that was not on the agenda. Harry Gutheil of Spring Street was present and stated that he is not sure why the agenda states "Public Comments for anything that is not on the agenda." It was explained to Mr. Gutheil that there may be someone in the audience that has something to ask or maybe a suggestion regarding a matter that is not an agenda item and that is why it is on the agenda. It was then explained to him that there is always time for public speaking about the agenda items when that item of the agenda is addressed. The statement "Public Comments for anything that is not on the agenda." does not mean that the public cannot comment on the agenda items when the Board gets to a certain topic that an individual may want to have input on. He then stated that he would not comment on the transfers which is an agenda item, but that he will comment on a past Executive Session. He stated that at the last meeting the Village Board went into an Executive Session and what was talked about in paying the bills on the emergency water tower repair about does not qualify under the Sunshine Law. He then stated that he is not sure if what he had heard is true, but that he feels the money should have been appropriated prior to this meeting in which the bills are being paid. The Clerk-Treasurer asked if she could address Mr. Gutheil's concerns. Mayor Orlow stated yes. She then explained to Mr. Gutheil that back in December the Village

Board was given a memo in which there 4 options on how to pay the bills for the emergency tower repair. All options were based on a quote and not the actually bills which the Village did not receive until the project was completed on January. The January 21, 2015 agenda clearly stated why there was to be an Executive Session. Mr. Gutheil feels that the discussion on how to pay bills should be done in a Public Meeting with public comment allowed. The Clerk-Treasurer disagreed with that and stated that the Village Board makes the decisions on what bills to pay and how to pay them that is why they audit and approve the bills for payment at every Public Board meeting. The public should not be able to make the Board decisions on how to pay a bill that is encompassed within a budget they set. She then explained that the transfers on tonight's agenda are all appropriated accounts with in the budget. She then asked attorney Muller for his input to Mr. Gutheils concerns. Attorney Muller stated to Mr. Gutheil that the topic in the Executive Session that seems to be an issue was not discussed in great depth during the session and that there were options discussed by no motion made. Attorney Muller stated that the Village can discuss finances in an Executive Session and that it would be clearly within the guidelines. There were no more comments regarding this topic.

Mr. Ed Robbins was present and is a Navy Veteran he would ask that the Village Board allow for a moment of silence for 30 seconds at the beginning of the Public Meetings. He said he remembers when this used to happen and ask the Board to consider doing it again. Mayor Orlow thanked him for the suggestion and the Board will discuss his request.

AGENDA

1) 2015 Planting Bids

Trustee Carota moved to accept the lowest planting and watering bids from Grasshopper Gardens with a planting bid of \$6,600.00 and a water bid of \$750.00. Trustee Hayes asked

the time line for the watering bid. The water bid covers from May 16, 2015 to June 26, 2015.

Trustee Hayes seconded the motion and the Board unanimously approved.

2) Fire Company Contract Report – previously tabled

Trustee Carota is now going to present the contract and drivers policy to the Fire Company.

He will report back to the Village Board with any Fire Company comments or suggestions.

3) Cardiac Life AED – additional training date will be Tuesday, February 24, 2015 at 6:00 pm

This is informational only for the Board members, Planning Board members and Zoning Board members. Mayor Orlow will open the Village Complex at 5:30 pm for the training’.

4) Resolution – Water Treatment Plant Bond Obligation

Trustee Hayes reviewed the Bond Obligation resolution. He then asked if there were any questions regarding it. There were none. Trustee Hayes moved to approve the resolution; seconded by Trustee Girard. A voice vote was taken Trustee LaFave Absent, Trustee Carota Yes, and Mayor Orlow Yes.

There is a tentative closing date of March 10, 2015 for the USDA loan. The location and time have not been set as of now.

The ACH transfer forms with the bank will be finalized tomorrow.

Mayor Orlow thanks Trustee Hayes for his time and effort in this project.

5) Change date of March 18, 2015 Public Board Meeting

Trustee Carota approved the date of March 19, 2015 for the Public Board Meeting; seconded by Trustee Girard and the Board unanimously approved.

6) 2015-2016 NYCOM Membership dues

Trustee Girard moved to approve the 2015-2016 NYCOM membership dues for \$2,008.00; seconded by Trustee Carota and the Board unanimously approved.

7) 2015 Adirondack Regional Chamber of Commerce Membership Dues

After much discussion Trustee Carota moved to not renew the membership for the 2015 year; seconded by Trustee Girard and the Board unanimously approved.

8) Resignation of Planning Board member Steve Alheim

Trustee Carota moved to accept with regret the resignation of Planning Board member Steven Alheim; seconded by Trustee Girard and the Board unanimously approved.

9) Resignation of Planning Board member Daniel Symer

Trustee Carota moved to accept with regret the resignation of Planning Board member Daniel Symer; seconded by Trustee Girard and the Board unanimously approved.

10) Appoint Alternate Planning Board member Gayle Osborn as a Planning Board member

Trustee Carota moved to appoint Alternate Planning Board member Gayle Osborn as a new member of the Planning Board; seconded by Trustee Girard and the Board unanimously approved.

11) Account Transfers

Trustee Carota moved to approve the following transfers:

1. FROM: A1325.0200	EQ	C/T Equipment	\$700.00
TO: A1325.0404	CE	C/T Supplies	\$700.00
2. FROM: FX8320.0200	EQ	P/S Equipment	\$15,000.00
FROM: FX8320.0401	CE	P/S Electric	\$7,500.00
FROM: FX8320.0406	CE	P/S Heat	\$2,000.00
FROM: FX8310.0411	CE	Engineering	\$10,000.00
FROM: FX1990.0400	CE	Contingency	\$26,950.00
TO: FX8340.0400	CE	Transmission Repair	\$61,450.00
3. FROM: FX1990.0400	CE	Contingency	\$3,050.00
FX9901.0091		Infrastructure Water	\$25,000.00
FX9710.0700		Bond Interest	\$9,033.50
TO: FX3040.0400		Town Emergency Water	\$37,083.50

*Water Tower Emergency invoices

Trustee Girard seconded the motion and the Board unanimously approved.

12) January 2015 Financial Report

Trustee Girard moved to approve the January 2015 Financial Statment; seconded by Trustee Hayes and the Board unanimously approved.

13) DPW Report

Trustee Hayes asked if anything could be done to clean the sidewalks better. DPW Superintendent, Brian Abare stated that he does what he can but might leave an inch of snow on the ground, but would hope the homeowners or the business owners would remove anything left behind by the DPW employees.

Mayor Orlow read a letter from the Adirondack Friends Meeting of 27 Saratoga Avenue in which they express their appreciation to the DPW for their excellent services to the community.

14) Trustee's Report

Trustee Carota -None

Trustee Hayes – The Waste Water study grant is ongoing and quotes for testing are being requested at this time. There should be a meeting established in the next week or so.

Trustee Girard – Stated that the new street design for snow removal has not been a benefit to the Village homeowners or the Village business owners, and he would like to ask the Board to give some lenience before penalties are implemented.

Mayor Report

Attended the NYCOM Legislative meeting in Albany and found it to be very helpful and also now knows that it might several times of applying for funding before it is granted, but feels that the Village pursuing funding is well worth the effort.

He stated that since he has been in office he has tried several formats to allow public conversation and public opinion. This will be offered at the beginning and the end of the

meetings. This does not mean that if the public cannot comment on an agenda item at the time the item is being addressed.

Attorney Muller stated that he has received a telephone call from former Mayor Phinney and his wife Joan. They are now Florida residents and get a reimbursement for health care up to the max of the current Medicare plan on our Village insurance. Mr. and Mrs. Phinney have now received a 1099 for the money they received from the Village. The administrative office placed the money in the 1099 Box 7 – Non-employee Compensation; the Phinney’s would like to see if the money can be moved to Box 3 – Other Income which will not cost them a Social Security tax on the income they are receiving.’ Clerk-Treasurer Danae Bock stated that if an IRS AMENDMENT is to be done she would like Board acceptance/direction to do so. She feels that legally that Village office administration has done everything right. If there are other options granted in this particular case then she would like the Boards opinion to do so. Attorney Muller has spoken with the IRS regarding this and the Clerk-Treasurer has contact the local account firm of Jenkin, Bethel, and Beecher for advice. When there is additional information they will report back to the Board.

Mayor Orlow then asked for a motion to adjourn the meeting. At 7:58 pm Trustee Hayes moved to adjourn the meeting; seconded by Trustee Carota and the Board unanimously approved.

Clerk-Treasurer