

) Pledge of Allegiance

PUBLIC HEARING

AUGUST 3, 2016

7:00 PM

MAYOR JOSEPH ORLOW PRESIDING

Trustee William Hayes
Trustee Anthony Girard
Trustee Peter E. Lemery
Trustee Timothy Carota

Michael Muller, Attorney

Approve Minutes from the July 20, 2016 Board Meeting

) Trustee Hayes moved to approve the minutes; seconded by Trustee Carota and the Board unanimously approved. *NOTE change to DATE August 13, 2016 noted as part of Trustee Girard's report. Should be stated as July 13, 2016.

Trustee Carota moved to approve the following bills; seconded by Trustee Lemery and unanimously approved by the Board.

	FY 2016-2017	
	<u>Vouchers 92302-92351</u>	
General Fund		\$50,062.13
Water Fund		7,129.80
Sewer fund		<u>1,814.41</u>
Total		\$59,006.34

Public Form

Mr. Reed Antis was present and asked the Village Board about a piece of property that was for sale on Hudson Street which is the old Town of Moreau Hall offices. It is Mr. Antis understanding that the Town has a potential buyer for the property but this is based on whether a daycare business will be allowed to operate there. Trustee Girard stated that the potential buyer did attend a Village Planning Board meeting to ask questions, but as it was explained to the

) potential buyer that without them owning the building, the Village Planning Board could only listen to their plans. Mr. Antis stated that the interested party is not going to buy the building unless it can be used for their intended use. Trustee Hayes stated that the approval is usually based on what is allowed in that district. Mr. Antis stated that there are other buildings in the area that have commercial businesses and would this building be grandfathered in as a commercial building. Mayor Orlow stated that if this is a viable option for the building, then it will be a great asset to the Village. Trustee Hayes asked Attorney Muller how it works and once a building sits vacant for a period of time does that building's use variance expire. Attorney Muller stated that he was contacted by Building Inspector/Code Enforcement Officer, Joe Patricke. The closest analysis was that the zoning district in which the building is in allows for schools so it would be characterized as a daycare/preschool (children, curriculum and playground). Therefore it fits the use and it has been approximately 3 weeks since the conversation took place. Mr. Antis thanked the Board for all information received.

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Mr. Rick Daley was present to ask how the basketball hoops that still remain in the streets will be handled. Mayor Orlow stated that he has asked the Police Chief, Kevin Judd to speak to the owners of the hoops and have them moved to a driveway or the yard so that they are not a hazard to people.

Mr. Tom Wolf of 6 4th Street, who is a member of Fort Edward Fire District was present and stated that it has been brought to his attention that there is a lot of rumors going around that the South Glens Falls Fire Company will be converting to a Fire District. Trustee Lemery stated that the South Glens Falls Fire Company has talked about. He then stated that it is a better way of running things and the control of money is better. He then stated that it is a lengthy process. Mr. Wolf stated from a tax payer's point of view he is all for it, but the one thing he does not

agree with is the public vote through the referendum. Mr. Wolf then stated that the tax payers are off the hook as far as the heating, the lights and etc. He would no longer pay through taxes and the money would then go to the Fire District. Mayor Orlow stated that he was approached at the beginning of his term regarding this mater. Attorney Muller agreed that it is complex thing. Mayor Orlow then stated that it all goes back to the rumors in which they seem to circulate. As the Mayor then stated, he believes in the Fire Company and that they should be a self-supporting entity.

T. J Chagnon was present and asked for the Village code that prohibits basketball hoops in the Village. Mayor Orlow then stated that the Village does not have a code but that it has in certain situations been a safety issue. Therefore that is why Chief Judd was asked to assist in the removal of them from the streets. Mr. Chagnon then asked about the yard waste in the streets. One gentleman (no name) stated that the Village yard waste is different than the Town of Moreau, because the piles seem be a lot larger than in the Town.

Mr. Harry Gutheil was present and stated that at the last meeting there was discussion on the fund balance and that the Village was above the amount estimated for the end of the year. He then stated that at the last meeting he suggested moving fund balance to the following CD's. (DPW Equipment and Fire Apparatus). He felt that this would be a transfer on the agenda this evening. It was explained that it is an item #5 on the agenda. Mayor Orlow stated that the Village is two months into the budget year with a very bare budget and no room for additional items, and the Board should wait until the end of the year before transferring any funds that are not necessary at this point. He then reminded Mr. Gutheil that he had a hand in this tight budget along with Trustee Girard who presented it to the Village Board for adoption. Mr. Gutheil asked if him and the Mayor were on the same page and then proceeded to state the following.

The Village has \$199,000 in a fund balance at the end of the year. Mayor Orlow stated that \$10,000 is in an Unemployment Reserve. Mr. Gutheil stated that the Village has 4x's the fund balance. Clerk-Treasurer Danna Bock asked 4x's what and where did that come from. Mr. Gutheil stated it is 4x's the zero amount of fund balance which was stated that the Village would have. Mr. Gutheil was reminded that all budgets are a projection and since the fund balance is also part of the balance sheet of the budget it therefore is also a projection until the accounts balance at the end of the year. Mr. Gutheil stated that it will take 100 years to get the Fire Truck with \$5,000.00 a year being put away. Mayor Orlow told Mr. Gutheil that he was contradicting himself. Mayor Orlow then stated that he is all for supporting the Fire Company and putting more money away but the budget that was adopted does not support additional money at this time. Mayor Orlow stated this discussion which is brought up by Mr. Gutheil is a reason way he asked for the tax increase. This would not be a discussion and Mr. Gutheil would not be asking the Board to make a decision because the funds would already be in the budget. Mayor Orlow then stated the Village needs to also support the day to day operating cost; which is going to be difficult this year. Mr. Gutheil then stated that there is a couple of million dollars in the checking account and \$75,000 in the contingency which is recommended and approved by the NYS controllers office. Clerk-Treasurer stated that the checking account money is a combination of all operating funds (General, Water and Sewer). Mr. Gutheil then stated that at the last meeting there was a vote on the transfer and it passed. (refer to July 20, 2016 minutes for clarification no vote was taken. There was discussion and Deputy Mayor Carota stated he would like to have the Mayor present prior to any decision).

Mr. Gutheil then stated that he is glad to see the highway crew is interested in working on a water project but he is surprised he had to see it on a website. He then stated that he has not

heard any discussion at a Board meeting about it and he is not even sure the Board knew it was going on. He wants to know if there were engineers involved. The photos he saw the pipe may have been reduced in size, and wanted to know if the pipe was handled properly. He wants to know if anyone can answer him. Mayor Orlow stated that he would refer to Trustee Hayes and Trustee Girard for comments. Trustee Hayes stated that it is not a project they are involved with. Trustee Girard stated that they are glad to see it done and then stated there he has questions as to whether DEC was involved and whether the wet lands were disturbed. Mr. Gutheil then also agreed and asked for explanation. Trustee Hayes stated that he will talk about the remaining part of the project which he is involved with when it is addressed as part of tonight agenda. Mr. Gutheil stated "but you already put pipe in the ground". Mayor Orlow stated that this will be discussed as an agenda item. Mr. Gutheil then asked where the directions for this project came from. Mayor Orlow stated that he and the DPW Superintendent had discussion regarding this, but without the DPW Superintendent being present tonight all of Mr. Gutheil's questions cannot be answered. Mr. Gutheil wanted to know why the water committee was not informed. Mayor Orlow stated to Mr. Gutheil that after three years of being the Mayor he has learned that he needs to stand up for what he believes in and that he depends on the information he is given from the department heads.

Mayor Orlow stated that he has been in the Mayor position for three years and Mr. Gutheil has been a part of this great community for many years as a home owner, a property owner and was the Town Supervisor, but what the Mayor wants to know is what Mr. Gutheil finds positive about the Village of South Glens Falls. Mayor Orlow then stated to Mr. Gutheil that there are positives such as Mr. Gutheil's wife who does a wonderful job with the senior program at the community center. Mayor Orlow stated that motivation for himself to run as Mayor was his

) strong belief in the community, but yet he never hears Mr. Gutheil say anything positive about the community; so again Mayor Orlow asked him what does he find are positives about the Village. Mr. Gutheil stated the he would like to see it stay a good place to live and an affordable place to live.

Mr. Gutheil asked again about the water problems and how much it will cost to get the well online and whether DOH permits were issued. Mayor Orlow stated that at the last meeting Mr. Gutheil stated people have a right to water and that is what the Village is working on. Water/Sewer Operator, John Dixon Jr. stated that the water source that Mr. Gutheil is talking about is already a designated water source of the Village through NYS DOH with its own number and therefore a permit is not needed. What the Village has done is replace pipe that already existed to a well that is already hooked up. Mr. Gutheil asked why the water ban, why the restriction if the well is already hooked up. Mayor Orlow stated that Mr. Gutheil's questions will be addressed as part of the agenda when that item is reached.

) Mr. Wolf asked about the fund balance amount that was brought up by Mr. Gutheil. Mr Wolf stated his taxes are higher then his mortgage and at what point do the homeowners have an incentive to do improvements to their house. The Clerk-Treasurer, Danae Bock answered Mr. Wolf by stating that there is not \$188,000 surplus in the Fund Balance. The Fund Balance is the balance of your expenditures and revenues at year end. Mayor Orlow stated that to Mr. Wolf that he would love to have him or any taxpayer in the Village come into the Village office for a meeting. He stated he will go over line by line in the financials. He then stated that the Village ended the year with over \$500,000 not being spent. This was not spent because the departments and the Village did not need the items allowed in the budget, but because everyone including the taxpayers went without. Trustee Girard put together 3 spreadsheets with budget figures in

which the Village Board went item by item to set this year's budget. Mr. Gutheil then asked the Board if they feel the Fund Balance of \$188,000 is a surplus. Mr. Wolf asked that the taxes be adjusted because of the \$188,000. The Clerk-Treasurer tried to explain and correct the wording of Mr. Gutheil statements during his presentation of the Fund Balance. Trustee Lemery stated that at the last meeting the suggested transfer of funds which included the fund balance and Certificate of Deposits might have been a good idea, but after further review of the financials and hearing that certain DPW equipment is broken down he determined that it was too early in the year to be considering this. Mr. Gutheil stated to the Board that the Fund balance of \$188,000 is a surplus. He then stated that Trustee Girard is an accountant and then he asked him to explain it to the Board. Trustee Girard stated that he has heard over and over again about the Budget. He stated the facts are the facts the current budget is a 10% increase over the last year budget, and if the Village does there job and the Mayor continues to meet with the department heads we should be just fine. He then stated that if the Village knew what they know now the tax rate should have been lower with no if, ands, or buts about it. Trustee Girard stated that yes the Village has \$188,000 in surplus or profit and therefore the taxes should not have been raised. Trustee Girard stated the he would imagine that most municipalities in NYS would love to have a 10% increase in their budget. He then stated that the budget went from \$2.3 to a \$2.6 . With doing our job we can come in under the budgeted figures. Mr. Rick Daley was present and stated that the DPW budgets have been cut so much that there is no money to buy 600 feet of drainage pipe for Fairview Street.

Mayor Orlow stated that he will sit down and meet with anyone that has questions regarding the budget or the fund balance.

Mayor Orlow then asked for any additional items to be discussed that were not on the agenda. There were none.

Mayor Orlow then moved on to the agenda.

AGENDA

1) Private Wells

Attorney Muller stated that at the last meeting the Village adopted a moratorium prohibiting all “wells” in the Village. Trustee Lemery stated has talked with a professional about performing a geological study and it would be costly. Trustee Lemery then stated that once the aquifer is damaged then there will be no choice but for the Village to buy water, because the Village source will be drained. Trustee Carota would like a list of the text and cost of the test if the geological study were done. Trustee Lemery stated the cost of a geological study is too high for the Village to support. He was advised to not allow “wells” in the Village. Mayor Orlow stated that the Village has a responsibility to supply water and if there is any damage to the aquifer it will prohibit our supply. Trustee Hayes agrees that wells should not be allowed. Attorney Muller reviewed a current Village code and suggested changes and alterations to code “149-1 Enacting authority and general regulations sections D and E”. Attorney Muller stated that if the Board wants to change the current code to include “wells” then he would ask Trustee Lemery to be involved in the SEQRA process of the change. After further explanation of the SEQRA process the Board unanimously agreed to have Attorney Muller continue the process with Trustee Lemery and when they have a draft document Attorney Muller will submit it to the Village Board for review. Mr. Guthell asked if it will pertain to the entire Village or just to the aquifer area. The law will be Village wide. Bill Georgina asked about the “well hook-up project” and where that well draws

from. Trustee Hayes stated it is deeper than the aquifer and it is located in the beach area. John Dixon Jr Water/Sewer Operator asked about geothermal. Trustee Hayes stated that they are closed circuit pipes. Attorney Muller stated it was more a recycling method.

2) Union Prescription Plan

Mayor Orlow stated that right or wrong the CSEA Emerald Prescription Plan is printed as the union's prescription plan in both of the union contracts. Mayor Orlow read two different sections of the CSEA contract to the Board and the public. Sections are on file with the Minutes. Mayor Orlow then polled the Board to ask if they wanted to go to the next step which would be contracting with labor attorneys to proceed with litigation. Mayor Orlow then polled the Board to get their feeling as to which way they want to go. Trustee Hayes stated not to continue, Trustee Carota asked Attorney Muller if there was anything else that could be done. Attorney Muller stated that he went as far as he could go with the demands that were set forth by the CSEA union and the Mayor asked him at that point to cease until the Board discussed further. Trustee Carota agreed to end all discussions. Trustee Lemery agreed to cease the discussions. Trustee Girard agreed to cease and stated it's in the contract and there is not much choice. Attorney Muller asked if it was an official motion by the Board. The answer was yes.

3) Water/Sewer Projects Update

1. Prospect Street and Beach Road Bid Tabulations
Attorney Muller stated that he has reviewed the bid of lowest bidder and all paperwork was submitted properly. Trustee Hayes stated that the consultants recommend that the Village accept Casale Construction bid as the lowest bidder with a total cost of \$405,000.00. If approved there will be a start date of September 2016. Trustee Hayes

moved to accept the bid, Trustee Girard seconded the bid and the Board unanimously approved. Mayor Orlow received a call from Town of Moreau resident Terry Clark who wanted the Village Board to know that the Town also hired Casale for a project in the Town. The project ended with water in Mr. Clark's basement as default of Casale. Trustee Hayes did follow up with a call to a Town employee who stated that if Casale are laying pipe which is what the Village project is they will be okay, but if they were subcontracting to run plumbing in the homes it might not be a good idea.

2. Well Hook-up, Water Treatment Plant Source

Trustee Girard stated that they had meet with Chazen Companies regarding this. There are three options: 1. Tower the price is \$85,000.00, 2. Air stripper price is \$85,000.00 3. Aerator price is \$23,000.00 lease for 2 weeks with engineer on site and to purchase was \$30,000.00. Additional information from the engineers will be coming. Trustee Lenery asked Water/Sewer Operator John Dixon Jr if he had a preference. This is the first Mr. Dixon has heard of the information stated by Trustee Girard. Mr. Dixon then stated that there is a test with the Lowery System for a month for \$700.00, but the total cost of the entire system is \$75,000.00. He then stated that it would supply a series of tests to see what the limits would be through batch testing. It was agreed that the system purchase should be able to run max capacity. Mr. Wolf suggested speaking with GE regarding their air stripper on Fort Edward Rd. Mayor Orlow will met with Mr. Wolf after the meeting.

3. Income Survey Results Update

Consultants are short by two surveys. There was another attempt today to try and obtain the additional ones still needed. The next step will be to try and get the participation

from individual streets. The final analyst will determine how to proceed for the future of this process. Mayor Orlow stated that it is very important the surveys are completed and returned.

4) Warren County SPCA – Animal Control Proposal

Mayor Orlow stated that he has invited the SPCA to attend our next meeting for a brief discussion about the services they can offer the Village.

5) Certificate of Deposit increases using end of year Fund Balance account

Mayor Orlow stated that this was discussed as part of the public forum and at this time it was mutual consensus to wait and see how things play out during the year.

6) 2016 Annual Holiday Parade

1. South Glens Falls High School Band Sponsorship - \$500.00
2. Over-time pay for Village employees (CSEA & Police) – Trustee Carota,

Trustee Carota moved to approve all parade expenses; seconded by Trustee Hayes and the Board unanimously approved.

7) Animal Control Report – on file

8) DPW Report – None

9) Trustee's Report

Trustee Hayes -None

Trustee Girard – None

Trustee Lemery – None

Trustee Carota – With the recent 4 emergency tree removals totaling \$3,200.00 the tree budget is basically used up. There will be no additional tree work unless it is an emergency.

10) Mayor Report –

He and Joe Patricke, Village Code Enforcement Officer dealt with some safety issues at the China Buffet.

He also stated that the Village will be cracking down on property maintenance (cars with flat tires parked in yards/driveways, un-mowed lawns, etc.

NYS Department of Labor did a surprise visit to the Village on a complaint from the Animal Control Officer against the Village. No violations were found and the case was dismissed.

Department Head meeting on August 16, 2016 at 11:00 AM.

The Sand Bar Beach area has had improvements by the Town and is looking great.

Met with Mickey Hayes of the Hayes Group and they are disturbed by the negative individuals of the Village and the Town of Moreau. They feel it is worth looking into sponsoring a few concerts for the summer. Mayor will report more at a later date.

Village progress at this point pertains to the Michael Group, Cumberland Farms, Cerone Builders, Common Roots is looking into an expansion.

Public Forum

The Mayor asked if there was any additional information.

There was none. He then asked that the Board close the Public Meeting. At 8:35 Trustee Carota moved to approve; seconded by Trustee Hayes and unanimously approved by the Village Board.


Clerk-Treasurer

Retired and part-time employees in the bargaining unit are not eligible for dental insurance coverage. Upon retirement dental insurance coverage shall cease.

~~_____~~ All full-time employees in the bargaining unit shall be enrolled in the CSEA Emerald Prescription Drug Plan. The Village shall pay the premium in full for such prescription plan.

Section 6. N.Y.S. Disability Benefit Law

The Village and the CSEA agree to comply with the NYS Disability Benefits Law that disability benefits under this law are not payable to an employee while he is receiving full remuneration in the form of sick pay.

When the Village is reimbursed by the New York State Disability Benefit Law Insurance Carrier for continuing an employee wage during a period of non job connected disability, the Village will credit an employee sick leave benefit to the nearest day by dividing the reimbursement received by an employee's daily wage rate at straight time.

Section 7. Effective June 1, 1989, all full-time employees in the bargaining unit shall be enrolled in the CSEA Platinum Vision Program. The Village shall pay 100% of the Premium.

ARTICLE XI

GRIEVANCE PROCEDURE

The following method to resolve disputes regarding working conditions or interpretation of this agreement follows the guide lines established under N.Y.S. General Municipal Law:

Step 1. An employee may present a grievance orally within ten (10) days of the occurrence of dispute for discussion with the Superintendent of Public Works. Within

[REDACTED] The insurance plan or the benefit structure of the plan shall not be changed without mutual agreement between the Village and CSEA. The Village shall have the right to change insurance carriers for health insurance purposes. The Village agrees that the benefits will be equal to or better than the plan currently in effect.

Section 3.

For Employees hired on or after June 1, 1995 the Village will provide 100% medical health insurance for a retiring full-time employee (individual, dependent two 2 person, family or Medicare coverage).

For Employees hired on or after June 1, 1995 the Village will provide single health insurance coverage for a retiring full-time employee who is age 62 or older and who is vested in the retirement system. Said coverage shall remain until the employee is eligible for Medicare. The employee shall be responsible for 30% of the premium. The retiring employee may apply the value of all unused sick hours at the time of retirement at the rate of 100%, to supplement their health insurance premium costs. The retiring employee will therefore pay 30% for the annual premium on a monthly basis until the individual is eligible for Medicare coverage.

Section 4. All full-time employees in the bargaining unit shall be entitled to participate in the Empire Blue Cross Blue Shield Dental Care Program including basic coverage plus rider "A" (or its equivalent) or a dental insurance plan equal to or better than such current dental insurance coverage.

The Village shall pay 100% of the dental insurance premium for individual or family coverage.

South Glens Falls Animal Control Officers Report for July, 2016
confidential information

Dave at 273-2715 information on nuisance dogs.

Unknown female questions on what to do with unwanted chipmonks?

Male on lower trail concerned about a young goose with injured leg. Removed fish line from leg and released, seemed ok.

two cars on lower trail, looking for the beach, escorted them off trail and in right direction, notified PD.

Pat Toomey, 25 Woodlawn, 330-7517 questions on skunks?

Susan England, 5 Baker Ave., sick young skunk, died 793-4892

Mr. Lyons- upper trail two dead skunks, removed

Gave warning to two different joggers with dogs that it was to warn for them.

Female, unlisted number about two dogs loose on Feeder Dam Road, referred to town

Heidi 20 Harrison Ave., 233-3957 skunk problem

Dog loose at Harrison Ave., School, gone on arrival

Dead cat corner of 2nd and Hudson St., removed.

John Wood, 41 Jackson Ave. , questions on skunks? 220-1630

Robert Farrell, 623-2020, stop and see him at his office (make an appointment)

Robert Newton, Main Street, skunk problem, explained I had a trap next door as the skunk had chased owners dog. i have to check the trap daily, also have two people have their own traps out and will call me for removal if they get a skunk in trap.

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Mary dog loose Leland and Washburn, 415-7804, referred to town

Truck driver on Main Street, geese in road accross from the mill, moved back down by the boat launch.

children throwing stones at baby duck, gave lecture and warning.

Upset male on lower trail yelling and using language when I asked not to jog with his dog on a lease, notified SGFPD of incident.

Also requested people not sit on picnic tables or use an cooker on them.

People asking why the musuim wasn't open referred to Trustee Hayes.

E. G. Robbins, DCO

8/1/16

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