

Pledge of Allegiance

PUBLIC HEARING

AUGUST 17, 2016

7:00 PM

MAYOR JOSEPH ORLOW PRESIDING

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

Brian Abare, DPW Superintendent
Michael Muller, Attorney
Kevin Judd, Police Chief

Approve Minutes from the August 3, 2016 Board Meeting

Trustee Hayes moved to approve the minutes; seconded by Trustee Carota and the Board unanimously approved. *NOTE change to page #1 Public Form to Public Forum, and change to page #11 Trustee Carota tree removal cost \$3,200.00 to \$3,700.00. Trustee Hayes stated that he does not feel that there should be 6 to 7 pages of public speaking in the minutes before the agenda part of the meeting starts. He would like to see that the public be able to speak during the public meeting about any item not on the agenda and he then stated that the public is given plenty of time to talk during the meeting. Trustee Lemery seconded the minute's and the Board unanimously approved.

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

FY 2016-2017

FY2016 -2017

	<u>Vouchers 92387-92438</u>	<u>Vouchers 92385-92386</u>
General Fund	\$61,625.12	Community Development \$20,210.00
Water Fund	14,935.92	Total
Sewer fund	<u>3,698.99</u>	\$20,210.00
Total	\$80,260.03	

Public Forum – 5 minute intervals

Mr. Charlie Granger would like to ask about the fund balance sheets that were placed on the chairs this evening, but there is no name on the page. Mayor Orlow stated that it will be addressed as part of the meeting and item #2 of the agenda.

Mr. Granger then asked for an explanation regarding Trustee Hayes part of the Minute approval sections. Trustee Hayes stated that if something is on the agenda then it does not have to be discussed prior that agenda. Mr. Granger then asked when something is on the agenda when will the public be able to comment. Mayor Orlow stated that the public can speak at the end of the meeting during the public forum regarding items on the agenda and that way the Board can discuss and conduct business without interruption. Mr. Granger stated that he thinks that public should be able to comment during the agenda items so that their points of view can be considered. Mayor Orlow asked the Board for their opinions. Trustee Carota stated that the agenda is just Board business. Mr. Granger stated that as a tax payer and a citizen of this Village it is very hard to get a hold of the board members and feels there is no way other than the meetings to talk with the Board. Then when he does talk to the Board he feels limited and the Board thinks he is being angry. The Mayor feels that if there is something important to someone then they need to be on the agenda. Mr. Granger thinks the Mayor should use the word compassion and he finds that the Village is full of compassionate people. He thinks that Harry Gutheil is a very compassionate person and he does not feel that Harry gets angry. Mayor Orlow stated that he has respect for Harry for the help he gave during budget time to Trustee Girard.

Trustee Girard stated that he would like to give credit to Trustee Carota also for the budget.

Trustee Girard thinks the Public should be able to speak during the agenda items. Trustee Lemery agreed with Trustee Girard but then stated that it is a discussion time and not an

argument time. There were no additional comments and no final decision on public speaking before, after or during the meetings.

Ms. Brigid Martin stated that she thinks the Board does a good job and everyone here has the Village interest at heart. She understands the Board wanting to stay on topic. She asked the Mayor to stay on topic and stop the personal attacks. Questions should not be taken personal and the meeting should stay on track with less personal information discussed. Mayor Orlow explained to Ms. Martin that he would like to see the social network slander of the Village stopped. Mayor Orlow then stated that he would like to address the concerts. Ms. Martin asked if it was Village business being addressed and she wanted to hear about the fund balance. Mayor Orlow stated that yes it was and it was his meeting. There was no further discussion and Ms. Martin left the meeting.

Mr. Harry Gutheil stated there were no agendas on the back and asked if he could get a copy. Mr. Gutheil was given a copy. Mr. Gutheil asked about item #2 of the agenda. Mayor Orlow stated that when the Board addresses item #2 of the agenda there will be discussion. Mayor Orlow stated that at the last meeting he had a hard time understanding the questions on the fund balance. He thought that there would have been more research on the fund balance before it was presented the way it was. Mr. Granger stated that he would like to point out that there are good people in the Village, and Mayor Orlow agreed and asked that everyone start focusing on that. Mayor Orlow stated that he has had many people come to him and talk negative about the Village. He stated it has gotten to the point that he feels he is constantly defending the Village and its employees. The employees do a great job but continually get dragged into the negativity of what is portrayed as bad. Lately he has been told that he should replace the Clerk-Treasurer and that NYS should investigate her, and why because of what has been put out there as mislead

information that has nothing to do with her. He then stated there is no reason for such attacks. He then asked the Board if they thought as the Clerk-Treasurer she does her job. Mr. Wayne Bruce from the audience objected to the Mayor's request. Ms. Bock stated to Mr. Bruce that it was okay. Mayor Orlow continued with Trustee Hayes who said he had the upmost support for her, Trustee Carota stated he thinks she is going a great job, Trustee Lemery stated that he thinks she does a great job and Trustee Girard stated he has no problem. Ms. Bock then thanked the Board there comments.

There were no additional comments and Mayor Orlow stated that the Board would now address the agenda.

AGENDA

1) Warren County SPCA – Animal Control Proposal

Mr. Jim Martin was present and wanted to give the Board information about the services that Warren County SPAC can provide the Village. He stated that the proposal he supplied to the Board is negotiable. Mr. Martin introduced Darlene Hayes, Chair of the Board and Cheyenne who is a foster mom to all the adopted animals. Trustee Lemery asked about the animal care and medical care. Mr. Martin stated they are capable of handling all animal care. Trustee Lemery asked if there were any animal calls that they don't respond to. The answer is no they have encountered everything. Trustee Lemery stated how is it handled when there is a big animal and how is that animal taken care if it is injured. Mr. Martin stated that they have the capability to take care of all animal. Trustee Lemery then asked about animal cruelty, impound fees and investigations. Mr. Martin stated all cost associated are included in the price quoted. Trustee Lemery asked if all his questions were included in the quoted price. Mr. Martin stated everything is negotiable and all wildlife is including in the proposal.

Mr. Martin then stated that the tools/items that he currently donated to the Village Animal control can be kept and used regardless of whether the Village agrees to accept the proposal. Mayor Orlow thanked him for the use and the quick response to supply the Village with equipment needs. Trustee Carota asked how the proposal of \$550.00 a month was reach. Mr. Martin stated it was based on the Village population in comparison to other municipalities. Trustee Carota then asked if they will be patrolling the Village. Mr. Martin stated yes and the car will be marked. Mayor Orlow then asked if there were any additional questions for Mr. Martin. There were no additional comments or questions and the Board will discuss this at a later date.

2) Fund Balance Discussion

Mayor Orlow read a letter to the public that he will be placing on the Village website. He stated that the letter should give a clearer explanation to the Village Fund Balance. (on file with the minutes). Mr. Charlie Granger wants to know what the Mayor read and if it was a Board statement or a Mayor statement. The Mayor stated that it is from him as the Budget Officer of the Village. Clerk-Treasurer, Dannaë Bock was asked to put together the figures that make up the fund balance of \$188,000.00. She then reviewed what she was requested to put together. (on file with the minutes) Trustee Girard stated that he feels that there should be \$138,000.00 that should have not been used for anything. He said as he looks at the fund balance explanation sheet he feels that we have already paid for the Certificates of Deposits and we have already committed the money into those accounts. The Clerk - Treasurer stated that the Village does not charge themselves for the Certificate of Deposits that are set up in the Budget as an Inter-Fund Transfer and not an expense. Trustee Girard stated that he needs to review what has been presented and feels that he was blindsided by the sheets presented

this evening. The Clerk-Treasurer stated that she was asked to clarify what made up the fund balance and this is what she was able to put together from the end of year results of the Village's finances. She then stated that she does not feel that this was not intended to blindside anyone but just to give clearer explanation to the public as to what the actual fund balance is. She will put all pages from the AUD in Trustee Girard's office mailbox; so that he knows were all the numbers of calculation were derived from that were discussed this evening. Mr. Brain Abare asked if the \$30,000.00 from the fund balance will still eventually be applied to the Fire Truck and the DPW Equipment Certificate of Deposits. Ms. Bock stated that there was \$48,000.00 left in usable fund balance and therefore as the year goes on that would be a Board decision. Mayor Orlow stated that in the past three years there have been audits in the Village and yet there is speculation on the Village finances. Mayor Orlow stated that at the end of last year he met with all the department heads and the Post Star. The Post Star reporter was given almost the same exact numbers that were discussed tonight. Those numbers never made it to the newspaper article. Attorney Muller then asked the Clerk-Treasurer if the Cash in Time Deposits that states there is a Fire Apparatus CD with \$75,000.00 in it is in aggregate accumulating account for a series of years. She answered yes through inter-fund transfers. So Attorney Muller then explained to Trustee Girard that no matter how you look at it the numbers will come out the same. Attorney Muller stated that as the CD's increase from year to year so does the fund balance. Trustee Girard stated that it has been paid out and if the revenues are higher than its expenses that are an increase that should be showing. Attorney Muller stated that if the revenue exceeds your expenses then you will have a surplus and it is entirely possible at that time to add to a reserve account of any kind, but it should be done at the end of the year and not as a projection of what might

happen at the end of the year. Trustee Girard then said that he disagrees with \$75,000.00 being shown and it should state \$25,000.00. Clerk-Treasurer asked if there were any other questions. Mr. Harry Gutheil stated that he got his numbers from the Annual Audit Documents filed with the state. The Clerk - Treasurer agreed and said that yes all the numbers on the sheet she presented are from the AUD also. The fund balance does state \$188,000.00 but what was not stated by Mr. Gutheil is what makes up the fund balance total. Mr. Gutheil disagrees with the numbers and keeps talking about cash flow. The Clerk-Treasurer asked Mr. Gutheil to stop trying to create an issue, because as Attorney Muller stated the numbers are not going to change and that these numbers are from the AUD and the end of year financials. Mr. Granger commented that he sat down with Mr. Gutheil and got an explanation from him of what the totals are because Mr. Gutheil knows numbers. Mr. Wade asked if the CD's were taxable. Attorney Muller stated the Village is tax exempt. Attorney Muller then asked everyone to focus on the CD part of the sheet. That money is put away for a specific purpose, and there is a possibility that at the end of the year there will be a surplus. TJ Chagnon, DPW Employee was present to ask if one of the CD's set up for the purpose of DPW Equipment could be used to purchase new truck box. It was stated that the truck box was allowed as part of the DPW budget for this year. At this point Mayor Orlow polled the Board to see if there were any other questions on what was presented for the fund balance. Trustee Girard has had discussion during this meeting, Trustee Hayes and Trustee Lemery have clarification and no questions. Trustee Carota does not have any questions at this time. Mayor Orlow then read his final comments which will also be on file with the minutes. At this time several other budget items were referred to but nothing that pertained to the fund balance. Mayor Orlow stated that this item will be closed.

3) Water/Sewer Projects Update

1. Well Rejuvenation – Report from Trustee Girard (on file with the minutes).
2. Income Survey Status – Trustee Hayes stated that 25 additional surveys were dropped off to residents in hopes they will be returned. At this time 7 surveys have been returned.
3. Water Grant – Trustee Hayes stated that this grant was for the water tank project and was submitted on June 20, 2016. At this point Phase #1 of the grant awards have been announced, but unfortunately the Village did not appear on the list. The hope is that the Village will receive an award in the next phase. Mayor Orlow asked what the grant amount is if awarded to the Village. Trustee Girard and Trustee Hayes stated \$400,000 to \$600,000.
4. Sewer Grant Update – The Village has been denied this grant in the past. The Village has reapplied on a recommendation from the Environmental Facility Corporation (EFC).
5. Main Sewer Station – This is roughly a \$11,000.00 to do a bypass at the main sewer plant on 1st Street. Rozell construction was awarded the proposal at the last meeting.
6. Prospect Street Project – Casala construction was approved and signed at the last meeting. This project will take approximately 45 days. Trustee Lemery asked if there will be oversight on the project. There will be onsite engineers.

4) Information – Moreau Community Center Block Party – September 10, 2016

This is informational only. If there's anyone that can help with raffle baskets it would be greatly appreciated.

5) Information - Community Emergency Services – Grand Opening, August 19, 2016

This is informational and will take place at the Historical Society building, 53 Ferry Boulevard.

6) Gazebo – Debra Madison, September 9, 2016

Trustee Carota moved to approve the request; seconded by Trustee Hayes and unanimously approved by the Board. The applicant is requesting electrical power for the event.

7) Approve Financial Statement, July 2016

Trustee Carota moved to approve the financial statement; seconded by Trustee Lemery and the Board unanimously approved.

8) Flu Shot Clinic - Rite Aid

Trustee Carota moved to approve this. There is no cost to the Village. Trustee Girard seconded the motion and the Board unanimously approve.

9) Concerts sponsored by Hayes and Hayes Group and House of Alund

Trustee Carota moved to approve all 3 items for August 23 & 30 2016.

1. Gazebo User Fee – Waiver
2. Use of Village Vehicle and Equipment
3. Employees – DPW

Trustee Lemery seconded the motion and the Board unanimously approved.

Trustee Hayes stated that the Village Museum will also be open from 1PM to 8 PM on those two days also.

10) Account Transfers

1. FROM:	A9901.0915	Interfund	DPW Building	\$25,009.24
TO:	A1441.0400	CE	Engineering	\$15,009.24
TO:	A1640.0200	EQ	Garage Equip/Fixtur	\$5,000.00
TO:	A1640.0407	CE	Bldg. Repairs/Maint	\$5,000.00

*Certificate of Deposit to be closed out as part of Budget adoption

Trustee Carota moved to approve the following and for the close-out of the DPW Building

CD. Trustee Lemery seconded the motion and the Board unanimously approved. Mayor Orlow stated that there will be funds available from Senator Cathy Marchione to construct the DPW wash bay. Trustee Girard stated that the Board should have been aware of the fact

that the Village was getting the funds. Mayor Orlow agreed and suggested to Trustee Girard that they work on better communication.

2. FROM: FX1990.0400 CE Contingency \$35,000.00
TO: FX8340.0403 CE Trans Rehab \$35,000.00
*Prospect Stree/Beach Road Project

Trustee Hayes stated that there was a difference in the bid and what was budgeted. Trustee Girard stated unfortunately it came in higher than the budgeted amount. Mayor Orlow stated Trustee Girard this would be another example of communication. Trustee Hayes moved to approve the transfer, seconded by Trustee Carota and the Board unanimously approved.

11) DPW Report – On File

12) Trustee's Report

Trustee Hayes – None

Trustee Carota – None

Trustee Girard – The Planning Board met on August 10, 2016 and approved an addition for Stewart, Inc. Saratoga Avenue. He also stated there will be a right turn only sign installed as you exit the Stewart store on Rt 9.

Trustee Lemery- None

13) Mayor Report – SEQRA Form for Local Law 3-2016

Attorney Muller reviewed the Short SEQRA form with the Board and the audience. Trustee Carota asked if the short form would provide all the information needed for Local Law 3-2016. Attorney Muller stated that the long form is just a longer form with no additional information and he will supply the long form if the Board feels it is necessary. Trustee Carota stated that he feels the short form is fine. A Public Hearing will take place on September 7, 2016.

Public Forum

Mr. Charlie Granger stated that the Mayor made a comment about his Facebook Page, and what he has seen here tonight is the fact that people's opinions are being squashed. He then stated this is America and the Board is not allowing people to speak. People's characters are being assassinated, and he can read body language. He feels he should be able to speak without public laughter and that respect needs to be granted. He stated that the Mayor chased one person out tonight and tried to chase him out, but he came back because it is his duty as a citizen to make his opinion known. He stated he is appalled at what he has seen here tonight. He stated that it seems like he is being chastised for speaking his mind. He then stated that he criticizes the Village to make it better and that is his goal.

Mayor Orlow stated that he represents 3,500 people and even though some think they are special they are not. He gets calls every day and even though he is an elected official he has had plenty of character assassination. There are so many positives in this Village and to deal with the negative attitudes is exhausting. Mayor Orlow stated that the one thing that is becoming clear is there are more positive people than negative.

Mr. Granger stated that if you are an elected official you should be ready for the criticism.

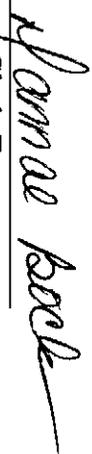
Mr. Wayne Bruce stated that this is a meeting of adults and knocking everyone down is not how this meeting should be run. Mayor Orlow agreed and stated that he would end this part of the meeting.

Executive Session

At 8:50 PM Mayor Orlow then stated that he would ask for a motion to enter into an Executive Session for the discussion of litigation. Trustee Carota moved to enter into the

08/17/2016

Executive Session for the purpose of the Board to discuss a litigation matter with no action to be taken. Trustee Hayes seconded the motion and the Board unanimously approved. Mr. Guthheil asked what the litigation was; Mayor Orlow stated he was not at liberty to discuss it. Attorney Muller stated it is an ongoing issue and he was looking for direction.


Clerk-Treasurer

Dear Residents, Citizens and Fellow Taxpayers of the Village of South Glens Falls,

Most recently the Glens Falls Post Star reported that as a result of a recent Village tax increase there is now a financial surplus from collected tax revenue. To those who can attend Village Board Meetings and to a larger segment of the citizenry who often rely on local newspaper reports to remain informed of Village business, I address this letter .

The Glens Falls Post Star would have you believe that the Mayor and the Board of Trustees "hiked" Village taxes and then created an unnecessary fiscal surplus for the coming year. This is simply not true. It was misstated at a recent Village Board meeting, by a member of the public in attendance, that it appears the Village has a substantial financial surplus based upon a total revenue when compared to the total budgeted annual expenses. The Post Star repeated this misinformation as a lead article in a recent issue, once again demonstrating that the reporter does not grasp what is being discussed.

Simply stated ...the annual budget anticipates total revenue from all sources and that is the expected income stream for the twelve month period of Village business . The Village budget then sets up all of the "approved" expenditures for that budget year. A comparison of those two numbers MATHEMATICALLY demonstrates that *if EVERYTHING* (and w/o exception) goes along according to the budgeted expenditures then... there *could be* a \$180,000.00 +/- surplus. The important thing is that this can NEVER honestly be characterized as a SURPLUS until the Village can safely arrive at or near the end of the fiscal year ...and look back (with 20/20 hindsight). Only then and perhaps with a comfortable conclusion that over that past budget year nothing broke and nothing blew up or fell off (and there were no fiscal calamities that the Village could not cover with available "budgeted" funds)..... whatever remains might safely "at that time"be considered a surplus.

It is entirely prudent that the Village NOT start counting eggs before the hens have even started to roost.

More importantly...there is no harm done in waiting for the budget year to play out. If in fact over the period of this current fiscal year the Village is actually favored with few or no fiscal calamities ..then by all means ...should a surplus be realistically ascertained as a "good possibility" ...the Trustees can then feel comfortable in using a REAL and actually available fund balance for appropriate purposesperhaps dedicating some funds to reserve accounts for fire equipment, etc. or allocating a REAL surplus in many other ways that might also include tax relief.

All of that is simply called fiscal responsibility. As Mayor and with the support of the Village Trustees and residents our mutual goal is to follow sound and responsible money management practices. To do otherwise is well beyond foolish...it is actually irresponsible.

As always you are invited and encouraged to participate in your Village government. Your interest in assuring a good, honest and responsive local government remains our shared goal.

Very truly yours,

Joseph Orlow, Mayor

Fund Balance explanation with detailed information

**I hope this clarifies the fund balance in further detail and it does not change the bottom line amount
And what that main topic was “\$188,549.00”**

The basics of a Fund Balance. The following is established by the Government Accounting Standards Boards (GASB) which are recognized by state and local governments

“A Fund Balance is simply the difference between assets and liabilities in governmental funds”

Village actual figures from 2015-2016

YTD Revenues	\$2,402,065
YTD Expenditures	\$2,370,708
Difference	\$ 31,357

This is the difference between the totals

ASSESTS	2015	2016	Difference
Cash	\$ 31,553.00	\$ 59,933.00	\$ 28,380.00
Cash in time deposits	125,105.00	125,173.00	68.00
Petty Cash	525.00	525.00	0.00
Account Receivable	20.00	2,918.00	2,898.00
Unemploy reserve	<u>10,451.00</u>	<u>10,462.00</u>	<u>11.00</u>
Total	\$ 167,654.00	\$199,011.00	\$ 31,357.00

2016 Total Assets	\$199,011.00
Less Unemploy Reserve	<u>10,462.00 assigned funds</u>
	\$188,549.00

NOW, let's take this one step further and get an actual break down of the **Fund Balance** to see what actual **Assigned Funds** (to be used for only what they were set up for) and **Unassigned Funds** (to be used for any purpose)

2015-2016 Balance Sheet – General Fund

Assets	
Cash	\$ 48,291.00 Glens Falls National Checking (unassigned)
	11,593.00 NBT Checking – DPW Equip. (assigned)
	<u>49.00 Glens Falls National Checking – CDBG Housing (assigned)</u>
TOTAL	\$ 59,933.00

Cash in Time Deposits

\$25,012.00	Certificate of Deposit – DPW Equipment (assigned)
75,123.00	Certificate of Deposit – Fire Apparatus (assigned)
25,012.00	Certificate of Deposit – DPW Building Renovation (assigned)
<u>26.00</u>	<u>Affordable Housing Grant Account (assigned)</u>

TOTAL \$125,173.00

Petty Cash

\$200.00	Office Cash Drawer (assigned)
100.00	Misc. (Certified postage, etc) (assigned)
200.00	Police Misc. Cash (assigned)

TOTAL 25.00 DPW Misc. Cash (assigned)
\$525.00

Accounts Receivable
TOTAL \$2,918.00 Misc Receivables will be collected in 2016-2017 (tax search, City of GF)(unassigned)
\$2,918.00

TOTALS add up to \$188,549.00

The last part of this is to see what the Village actually has for funds which will allow for any addition expenditure that is not in the budget.

So in looking through what we just reviewed it seems as though the GFN checking with a balance at year-end of \$48,291.00 and the Accounts Receivable ending balance to be collected in 2016-2017 is \$2,918.00

When the amounts listed above total out and you look at your projected fund balance for 2016-2017 which is part of the budget you equal out to \$2,142.00

Checking account	\$ 48,291.00
Receivables	+ 2,918.00
This year's budget fund balance projection of account A(599)	- 49,067.00
	\$ 2,142.00

Pricing

Proposal Name: South Glens Falls
Proposal Number: 1630334
Friday, August 05, 2016

1. Bidder's Contact Information

Company Name
Contact Name
Phone
Email
Address: Number/Street
Address: City, State, Zip

2. Pricing

Currency

US Dollars

A	(1) 200 gpm Aluminum Forced Draft Aerator	250,000
B	(1) 500 gpm Aluminum Forced Draft Aerator	400,000
	Daily Rate	250,000

Prices do not include field service unless noted, but it is available at the daily rate plus expenses. The customer will be charged for a minimum of three days for time at the jobsite. Travel will be billed at the daily rate. Any canceled charges due to the customer's request will be added to the invoice. The greater of visa procurement time or a two week notice is required prior to trip departure date.

Taxes (sales, use, VAT, IVA, IGV, duties, fees, import, etc.)

Not Included

3. Payment Terms

Submittal Approval	15%
Release for Fabrication	55%
Net 30 days from Shipment	50%

4. Schedule

Submittals, after PO receipt
Ready to Ship, after Submittal approval

28 to 20 weeks

WESTECH