

Pledge of Allegiance

**PUBLIC HEARING**

**FEBRUARY 1, 2017**

**7:00 PM**

**MAYOR JOSEPH ORLOW PRESIDING**

Trustee William Hayes  
Trustee Anthony Girard  
Trustee Peter E. Lemery

Brian Abare. DPW Superintendent  
Michael Muller, Attorney

To ENACT a New Chapter 121 Snow/Ice Removal to preserve the public well-being and good order in the Village.

Attorney Muller read and reviewed the proposed Local Law, and then asked if there were questions or comments from the audience.

Ms. Sue Archambault asked how it would be policed /enforced. Attorney Muller stated the enforcement will come from the Village Code Enforcement Officer. The enforcement will most likely be acted on when a complaint is placed in the Village office. Mayor Orlow and the board agreed.

Mr. Gerald Fitzgerald was present and wanted to know the difference between the current code sections 127-10, 127-11 and 127-24 and what is presented this evening in Chapter 121. Mr. Fitzgerald stated that when new laws are adopted it cost the Village money and then he asked the Board if any of them are aware of when the last time the current codes on this issue were enforced. The Board members are concerned with the codes that are not enforced and unaware of the last time the sections of Chapter 127 were enforced. Trustee Lemery stated that codes are put on the books in case there is a problem and to help the Village enforce the cleanup of the Village. He stated that the purpose of this code is to give the Village additional leverage for enforcement. Mayor Orlow stated that the police and code enforcement did not feel there was a

tough enough law. Mr. Fitzgerald then stated that if the DPW has to take care of things outlined in the proposed code where will they find the time. Mayor Orlow stated that is why there has been a 48 hour period in the proposed code.

Mr. Nick Bodkin was present and stated that his residence and business are located at 26 Saratoga Avenue he stated that the section 121-3 Time Limit “ commercial zoned or commercial property” this needs additional clarification. He feels this puts a lot of pressure on the business owner to have to remove the show with in a time line. Mayor Orlow stated that this law will be on the books and the enforcement will be for the repeated offenders. There will also be a warning offered first. Mr. Bodkin asked that during the draft process changes need to be made. Mayor Orlow stated that during this hearing process the Board will take all comments and suggestions into consideration.

Mr. John Brooks, Jackson Avenue was present and commented on the snow mounts that are placed on the corners of the streets that intersect with Rt 9. He knows it is the private plow companies that are doing it, but asked if there was anything that could be done regarding it because the danger it imposes.

Ms. Friers stated that if the law is adopted then the Board needs to enforce it because if not they are opening themselves up to liability issues.

Mayor Orlow asked if there were any additional questions or comments. There was nothing additional. Trustee Girard moved and it was seconded by Trustee Lemery and unanimously approved to close by the Board.

SEQRA FORM

Attorney Muller then stated that he would like to review the SEQRA form which if approved will make the Board of Trustees lead agency in the proposed law. Attorney Muller reviewed the SEQRA form and then asked for comments or questions. There were no questions or comments. Trustee Lemery moved to accept the SEQRA form with no negative impact; seconded by Trustee Hayes and the Board unanimously approved.

#### Minutes

Trustee Hayes moved to approve the minutes from the January 18, 2017; Trustee Lemery seconded the motion. The Board unanimously approved.

#### Bills

Trustee Hayes moved to approve the bills; seconded by Trustee Lemery. The Board unanimously approved

	FY 2016-2017
	<u>Vouchers 93246-93306</u>
General Fund	\$58,318.24
Water Fund	23,715.60
Sewer Fund	<u>1,877.33</u>
Total	\$83,911.17

### AGENDA

#### **1) Act on New Chapter 121 of the Village Code entitled “Snow/Ice Removal”**

Mayor Orlow then asked the Village Board if they wished to act on the proposed law that was presented. Trustee Girard stated everyone needs to clear their sidewalks. He then stated this will need to be enforced since it is being presented as a better law. Attorney Muller stated that no law works without enforcement but that this proposed law has a payback clause, penalty clause, and notice aspect. The law provides a more satisfactory approach and in his observation throughout the years, the codes of the Village will only be effective with enforcement whether it is this code or as in the past the property maintenance code. Ms.

Susan Archambault stated that a reminder to the residents would be good now that the law has been refreshed and renewed. It will be placed in the DPW newsletter for later dates. Mayor Orlow agreed and stated that the public needs to let the Village know when laws are not being complied with in their neighborhood and then the Code Enforcement Officer can make them accountable for following the codes. Trustee Lemery stated that he likes the law and it has teeth which is a tool to use for residents that are not in compliance. Trustee Hayes agreed. Attorney Muller stated that most of this law is written from the E-Code. DPW Superintendent, Brian Abare stated that this law has enforcement against throwing snow in the street. Trustee Lemery moved to approve Local Law 1-2017; seconded by Trustee Hayes and the Board unanimously approved.

**2) Water/Sewer Projects Update**  
**Well Rejuvenation – Trustee Girard**

Mr. John Brooks was present and the Mayor asked him to please speak with the Board regarding his Water concerns. Mr. Brooks lives at 9 Jackson Avenue and has an issue with rusty/dirty water. He showed the Village board a filter that was discolored. Trustee Hayes stated that about a year ago the Village approved a phosphate treatment to be added to the Village water which will alleviate the issue Mr. Brooks has eventually. This process takes time and unfortunately in the area that Mr. Brooks lives in has a 4 inch main and there is not much of an open area for flow in the mains in that area. Trustee Hayes stated that many in the Jackson Street area has expressed that the water has cleared up and they have better water pressure. Trustee Hayes stated that it is the hope of the Village that all the streets that lead off Prospect Street will eventually have new water lines. Mr. Brooks asked if that will take grant funding to accomplish. Trustee Hayes stated that the Village has been trying to get grant funding. Mr. Brooks wanted to know if he could write the local politicians on behalf of

the Village. The Mayor and the Board welcomed Mr. Brooks to contact any local politician that he can. DPW Superintendent, Brian Abare stated that in the spring the DPW can dig up the water box outside of Mr. Brooks residence to check things out. Mr. Fitzgerald says he has a water pressure gauge and he has a variation of water pressure just using water for a bath. Trustee Lemery stated that it takes a gust of pressure for changes sometimes.

**AIR STRIPPER - Trustee Girard**

There was another Professional Service Proposal put before the Board for the Well Supplement/Air Stripper Project. This project will remove 90% of the sulfur in the well water and will allow for additional water use in the peak times of the Village water supply. Trustee Girard stated that total project cost will be \$85,000-\$90,000. At this time Trustee Girard moved that the Village approve the engineering agreement and the transfer of funds from FX8304.0200 for \$5,000.00 and FX8340.0400 for \$5,100.00 within the water budget to FX8310.0411 to pay the costs associated with the Design phase for \$8,500 and Bidding/award phase for \$1,200. The Construction phase of \$5,400 will be acted on at another time. Trustee Girard stated that this project needs to keep moving forward so that completion will be in June 2017. Trustee Girard moved to approve the Mayor to sign the agreement and for the transfer of funds for phase 2 and 3; seconded by Trustee Lemery and the Board unanimously approved.

**3) O'Reilly's Auto Parts Project**

At this time this item will be tabled until Attorney Muller speaks with Joseph Patricke , Village Building/Code Enforcement officer.

**4) Police Car sold through Auction International for \$2,500.00**

This is informational and the counter offer of \$2,500 accepted and the vehicle has been paid for. The Village will receive their money from Auctions International.

**5) Account Transfers:**

Trustee Lemery moved to approve the following transfer:

1. FROM:	A1990.0400	CE	Contingency	\$1,000.00
TO:	A1430.0400	CE	Spec Attorney	\$1,000.00

Trustee Hayes seconded the motion and the Board unanimously approved.

**6) DPW Report – on file**

**7) Trustee’s Report**

**Trustee Hayes** – Currently working on the Cooper’s Cave Brochure and hopes to have prices soon for Board discussion. This is a 50/50 split with the City of Glens Falls. He will report more at a later date.

The Planning and Zoning Conference in Saratoga was a great learning experience last week. The Village had 10-15 who attended which was great because of the credit hours they need training to serve on the Board for the Village.

There will be construction of apartments in the 62-66 Harrison avenue area. There are currently housing and storage buildings on the parcel. The storage buildings will be removed.

**Trustee Girard** – He would like to bring to the attention of the Mayor and the Board that there has been an increase of empty beer cans and beer bottles in the Reynolds/Leland/Henry/William/Charles street area. Mayor Orlow stated that he will ask the Police Chief to patrol the area. Trustee Hayes stated that in the past the Village has had a similar problem along the By-Way.

**Trustee Lemery** – None

**8) Mayor Report – None**

**Public Forum –**

Mayor Orlow then asked if there were any questions or comments from the public.

Bill Giorgianni, Edgewood Drive was present and asked Trustee Girard if the Village is sure that the Air Stripper will work for the sulfur in the well. Trustee Girard stated that the air stripper is supposed to remove 90% of the sulfur and the water will then blend with our spring water. Trustee Lemery stated that he has seen air strippers working and they do a good job.

Mr. Giorgianni then asked about the crosswalk in the Rt. 9/Beach road area. Rt. 9 is a state highway but the Village will contact them again to see if there can be any additional cross walk option for the area.

Mr. Harry Gutheil was present asked why there was a transfer of \$1,000.00 to Special Attorney. The answer was that the account did not have enough money to start the budget year. The Clerk-Treasurer asked if anyone had their December financial statements with them tonight and if they could answer the question. Trustee Girard stated that the budget allowed \$2,500.00 and the line item has already been adjusted to \$3,500.00. This is possibly for code enforcement legal charges.

Mayor Orlow asked if there were any additional comments for the Board. There were no additional comments.

Trustee Hayes moved to close the meeting at 8:10 PM; seconded Trustee Lemery and the Board unanimously approved.

---

Clerk-Treasurer

02/01/2017