

Pledge of Allegiance

PUBLIC MEETING

MARCH 15, 2017

7:00 PM

DEPUTY MAYOR TIMOTHY CAROTA PRESIDING

2017 SPRING FLOWER PLANTING BIDS

Deputy Mayor Carota stated that the first item to address would be the opening of the 2017 spring flower planting bids. The following bids were received: Grasshopper Gardens, Inc for \$4,150.00; Watkins Garden Center for \$7,382.00, and Jim Girard Landscape for \$9,444.00, which is not an adequate bid due to missing information. Deputy Mayor Carota then asked Attorney Muller and Trustee Lemery to review the bids.

AGENDA

Trustee Anthony Girard
Trustee Peter E. Lemery
Trustee William Hayes

Michael Muller, Attorney

Minutes

Trustee Girard moved to approve the minutes from the March 1, 2017; Trustee Lemery seconded the motion. The Board unanimously approved.

Bills

Trustee Lemery moved to approve the bills; seconded by Trustee Hayes. Trustee Girard abstained do to not having time to review the bills today. Acting Mayor Carota voted yes to approve.

FY 2016-2017

<u>Vouchers 993395-93450</u>	
General Fund	\$25,162.86
Water Fund	15,739.84
Sewer Fund	<u>2,591.05</u>
Total	\$43,493.75

AGENDA

1) 2017 Spring Flower Planting Bids

Deputy Mayor Carota then asked Trustee Lemery if he was ready to discuss the planting bids. Trustee Lemery moved that the Board approve the lowest bidder which was Grasshopper Green for \$4,150.00. Acting Mayor Carota stated that the Spring Planting A8560.0401 line item account only has \$4,000.00 in it; so for any bid to be accepted the Board would have to include a motion to transfer money or they have the option to reject all bids and start over. Trustee Lemery moved to approve the transfer from Contingency A1990.0400 for the difference of \$150.00 as part of his motion to accept the bid. Seconded by Trustee Hayes and the Board unanimously approved.

2) Water Meter Public Discussion

Acting Mayor Carota then asked some of the residents from the Pruyn Crest housing area to stand and please state their name if they wish to express their concerns regarding the meter charges in their development. Mr. Craig Seabolt was first to speak as a representative for the group. He would like to discuss the high cost of the water/sewer bills that the residents received in October 2016. The problem seems to be that the sewer calculations are also figured on the water usage. He understands that it is code that the new construction homes all be metered and that it is the beginning of the metering process for single family homes, however the rates should be fair and equitable, and until everyone is metered he feels that he should be on a flat rate and not metered. Mr. Bob Urlich then asked Attorney Muller if it was fair for the Village to charge a different rate. Attorney Muller stated that yes the Village can set whatever rates they want and charge what they want but the system needs to be fair and equitable and this topic for the Village goes back to 2014. Attorney Muller then

reviewed the Village fees for water and stated that the Village Board needs to determine if the fees are fair. In 2014 the Board thought they were doing the right thing by changing the billing practice to charge the resident for the amount of actual water that they used. Attorney Muller then stated that a few years back the Federal Government got involved with the Village water system and implanted mandated changes to the filtration system and with those mandates the Village incurred debt. Mr. Ulrich then stated that the group here tonight has no problem paying for the water but feels that they are being picked on because they have meters which cause them to pay more for water usage than others. He asked if the Board has the ability to pass a resolution this even to make this fair. Trustee Girard stated he would like to address Mr. Ulrich's concerns, but passing a motion that all metered residents pay the same rate as the non-metered residents. The original thoughts were that the entire Village would be metered, but at this time the Village has other water issues to attend to. Judy Durling asked that the Village make the billing process fair until all residents are metered. Jeff Nitsche asked how many residential single family dwellings are there in the Village. It was stated approximately 1,600. Then he stated that there are 42 lots with new homes being building that range in price from \$240,000 to \$500,000. He stated that is going to bring a big pot of money in property tax to the Village, and to him it does not make sense to spend the money to meter everyone. Sharon LaPierre stated that in her opinion she does not want a meter and is very happy with her flat rate water bill but she feels apartment homes should have meters. Sue Archambault stated that she is happy with what she is paying but meters are not suitable for apartment homes. There are several structures with 2, 3 or more apartments in them paying the same amount as she is. If meters are in apartment homes then they need to be metered per apartment not per building. There is a huge loss in revenue by

allowing meters into apartment homes. Then the single family home owners need to make up the decreased revenue by having a higher flat rate. There was a question as to whether the Schermerhorn apartments on Harrison Avenue had individual meters per unit. The answer was no there is only one meter on the building. Harry Gutheil stated he has always wanted what is fair and equitable and that he over paid for 30-years on his water rates. He stated that he has four people in his apartments and he should not pay the flat rate 4-times. He thinks the Village needs to put more money in the infrastructure and water tower. Mr. Gutheil stated you will never go wrong if you treat people fair. Sue Archambault asked why it is fair to flat rate a single family home with one person, but it's not fair to flat rate a single apartment with 4 people living in it. She then asked how any of this makes sense. Mr. Giorgianni stated that he has a question and if he was metered would it be as much as what the new homes were paying. It was stated probably not because you pay for what you use and all the new homes are establishing lawns. Trustee Girard stated that the metered single family homes are paying for sewer as well as water through the meter. Trustee Girard stated again he would like to see all single family homes at a flat rate. Mr. Giorgianni asked Trustee Girard if the budget will still balance. There was no response other than everyone should be treated the same. Mr. Blot asked if everyone is at a flat rate will the Village lose money and how can that be justified. Acting Mayor Carota asked Trustee Girard if he has looked/researched the financial impact to the Village if the new construction homes are no longer metered and are all charged a flat rate as per a motion which was stated earlier in this conversation. Trustee Girard stated that he has not reviewed the numbers but the fairest way is to put everyone at a flat rate and adjust the rate as needed. It was then stated that everything should be fair and everyone should pay the same amount. It was then stated that this is not fair because why

should a single family resident (1-person) pay for all the water that some individuals will be using on their lawns through an irrigation system. It was then stated that irrigation and pool do add to the water rates. Mr. Gutheil stated that the Village has made money every year in the water fund. Sue Archambault asked that if the Board removes the meter rate for single family new construction home that they make it fair and remove the meter rate for apartment homes also. Trustee Carota asked Trustee Hayes how the thought process started. Trustee Hayes stated that he has a meter in his house as a study/test meter to see the usage based of a single family residence with an irrigation system. The process started because the Village would like to eventually meter everyone. Trustee Hayes stated that the higher water rates are coming from the irrigation systems. At his home he uses 1000 gallons a day but that he waters his established lawn every other day. The main problem with the part of the current bills is the sewer system. Another individual stated that maybe the irrigation fee needs to be increased. Brigid Martin asked that if the Village meters each unit, what will happen with the Schermerhorn apartment building. Trustee Carota stated that he was unsure. Sue Archambault stated that that the Village Board would be making a mistake tonight to go back and remove the meter charges from new construction homes. Trustee Lemery stated that it took the City of Glens Falls 6-years to meter everyone. He said that the only fair way to bill is though the meter system. There is also the option of a dual meter system. Inside water verse outside water. Trustee Carota asked Trustee Hayes if there was money set aside for meters; the answer is no. Trustee Hayes was reminded that there was additional money kept from the loan and it is in a Certificate of Deposit with the intent it was to be used for the water tower. Tom Wade asked Trustee Lemery about the water rates in the City of Glens Falls. Trustee Lemery stated that he is not sure of the rate increase over the past years for the

City but believes that once the meters were installed people were more cautious about their water usage. Rick Daley tried to explain to the Board that the type of meter the Village has will still calculate water flow so when and if the Village decides to go back to metering this will be a problem. Trustee Carota stated that he thinks the Village can figure that out. Trustee Carota stated that he would discourage the Board about making a decision tonight because of the financial impact on the rate changes. Trustee Girard stated that he thinks there should be a decision made tonight because it will not take effect until the next billing cycle. The conversations continued asked but the end result is that Trustee Girard moved to discontinue billing the new construction homes (single family residence) at a metered rate without a request from the home owner and that all will be billed at a flat rate. (This will be in effect for the October 2017 billing period). Attorney Muller stated that it is imperative that the Village Board know that they need to have a Public Hearing to change the Village codes, but the fee schedule can be changed by Board resolution. He then stated that Mrs. Archambault hit the nail on the head when she asked what the end result of this will be and the Village impact. No one answered her question at that time. Deputy Mayor Carota asked for a vote on the motion. Trustee Hayes yes, Trustee Lemery yes and Deputy Mayor Carota yes. All meters will stay in place in the single family home but they will not be read as part of the billing cycle.

Additional information on this item in Public Form part of the minutes

3) Well Supplement- Air Stripper Project

Trustee Girard stated that he had Attorney Muller reviewed the bid package and he would recommend to the Board that they send the package out for bid. The bids will be opened and reviewed on April 5, 2017 at 2:00 PM. Trustee Hayes moved to approve the Clerk-Treasurer

to place a bid advertisement ad. Trustee Girard seconded the package and the Board unanimously approved.

4) 2017-2018 Tentative Budget – Public Hearing Date - April 5, 2017, 6:30 pm

Deputy Mayor Carota stated that as the Budget Officer he ready is to set a date of April 5, 2017 at 6:30pm for the Budget Hearing. Trustee Hayes seconded the motion and it was also approved for the Clerk-Treasurer to advertise the hearing for the date of April 5, 2017. Trustee Girard seconded the motion and the Board unanimously approved.

5) NYCOM Annual Meeting – Saratoga, NY May 7-9, 2017

Deputy Mayor Carota stated that the NYCOM Annual Meeting will be held in Saratoga on May 7-9, 2017. Trustee Lemery moved to approved all Elected Official and Department heads to attend. Trustee Girard seconded the motion and the Board unanimously approved.

6) Financial Statement – February 2017

Trustee Girard moved to approve the Financial Statement. Trustee Lemery seconded the motion and the Board unanimously approved.

7) Account Transfers

Trustee Girard asked about the HRA transfers. There was a drop in the expense account for the current budget and therefore the expenditures were higher. Trustee Girard moved to approve the following transfers:

1. FROM:	FX8340.0100	PS	Water Trans	\$2,700.00
TO:	FX8320.0100	PS	Water Pump	\$2,700.00
2. FROM	FX8340.0800	FICA/Med	Water Trans	\$206.55
TO:	FX8340.0800	FICA/Med	Water Pump	\$206.55
3. FROM:	A1990.0400	CE	Contingency	\$1,764.00
TO:	A7989.0400	CE	Code Book	\$1,764.00
4. FROM:	A1990.0400	CE	Contingency	\$6,000.00

	TO:	A9060.0811	CE	HRA-Empl	\$6,000.00
5.	From:	FX1990.0400	CE	Contingency	\$400.00
	TO:	FX9060.0811	CE	HRA-Empl	\$400.00
6.	FROM:	G1990.0400	CE	Contingency	\$800.00
	TO:	G9060.0811	CE	HRA-Empl	\$800.00

Trustee Lemery seconded the motion and the Board unanimously approve.

8) Animal Control Report –on file

9) DPW Report – on file

10) Trustee’s Report

Trustee Girard – None

Trustee Hayes - None

Trustee Lemery – None

11) Deputy Mayor Report – None

Public Forum

Ms. Brigid Martin asked about a letter that she received from a local farmer stating that he feels the farmer market fees in the Village are too high and this excludes a lot of people from being able to have this option. (Chapter 99 of the Village Code). Deputy Mayor Carota stated that the Village Board votes on the fees. Ms. Martin wanted to give the Board a copy of the letter she received. It was stated that the Village Board already has a copy. Deputy Mayor Carota stated that the Board and the Village attorney are aware of farmer’s stand request and it is being looked at.

She then commented that she feels that the Village Board should not have voted on Item #2 of the agenda and that there should have been additional research done and maybe this should have been tabled until the next meeting. She then stated that residents should have known the Village would vote on this and it might have been different. Deputy Mayor Carota stated that he feels

the Village Board is here to help the residents and to fix problems and that is why they decided to vote the way they did.

She has been getting emails regarding the sidewalks since the last snow storm. The main question asked was why the Village DPW is removing sidewalk snow only in certain areas. Deputy Mayor Carota stated that he will ask Brian Abare, DPW Superintendent (absent) what the snow removed system is for the sidewalks and he will get back to Ms. Martin with an answer.

Ms. Georgianna stated that she feels if people were interested in how things were run in the Village they would be here tonight regardless of what was being discussed.

Ms. Sue Archambault asked again what the impact on Item # 2's decision will have financially on the Village. Acting Mayor Carota stated that at this time it is not known and the Village Board will have to work on that.

Richard Daley asked if the new construction homes were still to pay and get the meters installed even though they were not being billed a meter rate anymore. The boards answer is yes. Mr. Daley then stated that he missed the discussion on the Air Stripper (Item#3 of the minutes) and is it ordered. Trustee Girard stated that it is going out to bid, but no one could answer when it will arrive or be installed. Mr. Daley then stated that he feel with the decision made on item #2 of the minutes has moved the Village backwards five years. The Village has fought so hard for meters and then to take the billing process away is a waste. Acting Mayor Carota stated that he disagrees with that statement and just because the Village takes on step back does not mean that the Village can not start forward again. Trustee Lemery stated that it ended unfairness, and this

should push the Village forward for meters or it will end them all together. Acting Mayor Carota thanked Mr. Daley for his comments but stated that we needed to move on from this topic.

Harry Gutheil asked if the Village DPW would be installing the air stripper. Trustee Girard stated yes the Village will install part of the air stripper but there will be a manufacture representative also on site. Mr. Gutheil then wanted to know if the \$90,000.00 is material and labor. Trustee Girard said that is everything.

Harry Gutheil then asked if item 4 of the minutes as a Tentative or Preliminary Budget. Acting Mayor Carota read from the NYCOM manual on what a Tentative Budget was and stated to Mr. Gutheil that the Village law only references Tentative Budgets. If there were any changes they have been made and are reflected on what has been presented as a Tentative Budget as of now. Mr. Gutheil then asked if the fund balance has changed. The answer was yes because when items in the budget change that always changes the bottom line and the fund balance. Mr. Gutheil then wanted to know if the health benefits changed. The percentage changes are a reflection per the workshop changes. The Tentative Budget is for the public at this time. There is an \$80,000 projection of appropriated fund balance in the budget at this time. Mr. Gutheil then asked about the HRA. Acting Mayor Carota stated that the union gets unlimited but at the difference of two plans. (Empire Blue vs CDPHP). The non-union employees get \$2,500.00 per year. Attorney Muller stated that it is a court ruling because there was an insurance plan that was no longer available so the Village took the next best plan, but the unions get equal or better in coverage. Mr. Gutheil asked if it was Supreme Court ruling and the answer is yes.

Ty Worbel stated that the individuals present regarding #2 of the minutes were talking about watering their lawns 3 times a day but wanted to go to a flat rate for billing. Mr. Worbel wants to know if they will they be able to comply with the water bans of the Village when they are put into action for water shortage during the summer months. Acting Mayor Carota stated that everyone will have to comply with the codes of the Village.

Mr. Harry Gutheil asked if there was any additional information on the City of Glens Falls Sewer bill that has been increased for the 2017-2018 budget. Acting Mayor Carota stated that it is an increase in the City's benefit rates. In the past the Village has not been responsible for the O & M benefits but will now be included in the renewal contract with the City of Glens Falls. Mr. Tom Wade also asked about the increase and thinks that the Village needs to explore the charges. Attorney Muller stated that what has happened is that the City and the Village just renewed another 30-year agreement and in the revisions of the new contract the Village will now be responsible for a percentage of Allocated Benefits of the Waste Water Treatment Plant.

Mr. John Hoey asked about the condition of the water tower. It was stated that the exterior of the water tower needs to be refurbished; but the interior of the water tower is okay. Trustee Girard and Trustee Hayes explained that the Village is still working on grant funds for the outside rehab of the tower.

There were no additional comments.

Trustee Lemery moved to close the public meeting; seconded by Trustee Girard and the Board unanimously approved.

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Clerk-Treasurer