

Pledge of Allegiance

PUBLIC MEETING

MARCH 2, 2016

7:00 PM

MAYOR JOSEPH ORLOW PRESIDING

**OPEN
2016 SPRING PLANING BIDS**

Mayor Orlow stated that the first item to address is the 2016 Spring Planting Bids. This was tabled from the February 17, 2016 meeting. The plans were revised and send back out for the bid.

Two bids were received: Grass Hopper Green bid amount was \$3,500.00 and Watkins Nursery amount was \$6,363.00. Attorney Muller, Trustee LaFave and Trustee Carota will review the bids and this will be #1 of the agenda.

PRESENT

Trustee William Hayes
Trustee Anthony Girard
Trustee Timothy Carota
Trustee Edward J LaFave

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

Mayor Orlow then asked for a motion to approve the minutes from the February 17, 2016 Board Meeting. Trustee LaFave moved to approve the minutes; seconded by Trustee Girard and the Board unanimously approved.

Mayor Orlow then asked for a motion to approve the bills audited today. Trustee Girard moved to approve the bills.

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|---|-----------------|
| FY 2015-2016 | |
| <u>Vouchers 91416-91464 minus Voucher 91418</u> | |
| General Fund | \$27,796.33 |
| Water Fund | 7,493.98 |
| Sewer Fund | <u>3,379.51</u> |
| Total | \$38,669.82 |

Seconded by Trustee Hayes and the Board unanimously approved.

Mayor Orlow stated that at this time he would open the meeting for Public Forum to be limited to 5 minutes.

Harry Gutheil, was present and thanked the Board for having a budget workshop on Monday night, but is also wondering if there was been another budget workshop scheduled. He commented concerns that there was no discussion on the fund balance and the current budget shows an appropriation of \$522,000. He would also like to know if the residents will have the opportunity to speak at the budget workshops. He is afraid of a 42% tax increase which he stated is possible if there is no fund balance with the current appropriation. Mayor Orlow stated that the Board plans on discussing the fund balance tonight as part of a line item on the agenda. Mayor Orlow stated that the prior workshop was the only budget workshop planned, but all comments from Mr. Gutheil tonight are well taken. Mr. Gutheil then stated that there was prior discussion about taking money from the water/sewer fund to assist the general fund. Trustee Girard clarified the comment by stating he thinks what Mr. Gutheil is talking about the benefit percentages. What Attorney Muller stated was benefit allocations. Trustee Girard stated that he ran the current numbers and last year's budget came out to 90% for general, 7% for water and 3% for sewer and he used the same method for this year and it comes out exactly as it is now. Clerk -Treasurer, Danae Bock asked if he would explain the calculations he used. Trustee

Girard stated that he used all the personal service 100 and 101 accounts and then he divided them by the total payroll which gave him the percentages. Clerk-Treasurer Danae Bock stated to Trustee Girard stated that it would be a really good plan if there are not 19 people included in the benefit allocation totals that were not on payroll. She then stated in other words you cannot get an accurate percentage based on payroll alone because of the 19 individual that are not included in the Village budget payroll figures but they are included in the budgeted benefit allocation. Trustee Girard asked if she meant the 19 were retirees and she stated yes. Trustee Girard then stated even if those individuals were to be included it would mean that that they would have to be placed in the right departments to figure the right allocation. Ms. Bock stated that there is no way in today's budget to include their retiring payroll rates and that she feels the current benefit allocations totals need to be included in the calculations to get the correct percentages. The current percentages were determined during the days of having a fund balance of \$400,000 and a much more efficient general budget. Trustee Girard then stated he needs a ruling from the Comptroller's office and that it should be in writing as to what the benefits allocations should be. Clerk-Treasurer, Danae Bock stated again that the Board does not have to do anything to change it, but at it was merely a suggestion since cutting the expenses in General budget seems to be a priority. Mr. Gutheil asked how the percentage was originally created. Ms. Bock stated that she is not clear how the percentages were created, but she could call a retired employee to see if they could give her information. Mr. Gutheil ask what would the expense to water and sewer would be with the 1 or 2 employees. Ms. Bock stated there is potential for a portion of 8 or 9 employees and 9 retirees to be charged out of the water/sewer account as well as the general. Trustee Carota asked that this conversation end and that the Board and the Clerk-Treasurer continue to review the percentages. Mr. Charles Granger was present and asked for clarification

as to how many individuals were retirees on the health insurance and how many current employees are soon to retire. There are approximately 19 on the insurance now and there is no known number of retirees for the future. Mr. Gutheil and Mr. Granger both stated that they would like to see information from the NYS Controllars office that the money can allocate in such a way. Clerk Treasurer Danae Bock reminded them once again that NYS does not tell a municipality how to allocate their benefits. The municipality makes a decision on what the funds can support. Mr. Gutheil stated that if the municipal software is not capable of putting together past years of financials he was able to put together a sheet of the Village past year financials with a couple highlights and a click of a mouse. He stated that he is not sure how the Village can do the budget without the actuals. Clerk-Treasurer, Danane Bock stated that she put together sheets showing 3 years of financials. She has also given the Board current financials and a copy of a NYS audit report of actual revenue and expenditures for the past 5 years. Mayor Orlow then stated that at this time the Board needs to move on. He then asked if there were any additional comments. Mr. Gutheil then stated that he does not feel that he should be cut off and Mr. Granger stated that it does not seem the Board is being transparent (or he is not sure what the word should be) and he would like things to be on record of the financial condition of the Village. He stated the does not want the Mayors answer to be (come and see me tomorrow and we can discuss it). Mayor Orlow stated that it was pointed out the some Board members don't know what is going in and that he did apologize to Trustee Girard and to the Board. Mr. Granger then stated to Mayor Orlow that he did not apologize in public but in a meeting and that the Mayor should be real. Mayor Orlow stated that these are serious time for the Village and that the Board needs to be able to focus without added interruption and added comments. Open transperence have included the Post Star reporting at all meetings as well as the Post Star was

invited to the January department head meeting. Brigid Martin stated that the reporter does not live in the Village. Mayor Orlow stated that interruptions will not be tolerated and the individual will be asked to leave and that the Post Star reporter does not have to live in the Village and he would ask the Ms. Martin be respectful. Mayor Orlow stated that the Village is in a financial situation and one reason is because the Village has no control over their assessments and also added many years without a tax increase. The Village is at a stagnant stage in revenue so there are decisions to be made. Mr. Granger asked if there was a malpractice of government here. Mayor Orlow stated that Mr. Granger can use whatever word he would like to use. Mr. Granger stated that he has been attending Village meetings since August and since that day Mr. Gutheil has been asking the same financial questions and he feels the Village will run out of money. Trustee Girard stated that the last audit report stated that the Village General fund was stable but that the Village did need to spend down the Water fund. Mayor Orlow agreed and then stated it was stable; based on the years of that audit and not based on the past few years. Mayor Orlow stated that without assessment revenue the Village can't operate and he feels giving it up was a mistake. Trustee Hayes stated that there are 25 permits for improvements or new construction this year that are not on the Village roll. The Village uses the 2015 Town tax roll. March 1st is the taxable status date for the Town so therefore a year or 2 lapses in Village tax dollars accrues. Mayor Orlow explained that the Village will hold a workshop prior to any further discussion regarding the Village assessments. Mr. Guheil told Mayor Orlow that he does not want to hear the facts. Trustee Girard stated that the Village cannot tax themselves out of the proposed budget.

Mayor Orlow asked if there was any additional Public Comments. There were none.

AGENDA

1) 2016 Spring Planting Bids

Trustee Carota stated that the lowest bid was Grass Hopper Gardens for \$3,500.00. Trustee LaFave seconded the motion and the Board unanimously approved and the Board unanimously approved.

2) 2016 Spring Water/Fertilizing Bids

No bids for the water/fertilizing bids

3) Memorial Bench Request – Annette and Mark O’Neil

Trustee Hayes stated that he was unaware that the Veterans Memorial park had memorialized benches. Trustee LaFave stated that all benches in the Veterans Memorial park are taken and therefore a bench can be permitted but in another location such as along the Betar By-Way or in the gazebo park area. Trustee Carota moved to table this item until the requestor can be contacted to discuss the options available. Trustee Girard seconded the motion and the Board unanimously approved.

4) Property Tax Cap

Mayor Orlow asked Attorney Muller to please review the tax cap legal aspect. Attorney Muller stated that the tax cap was part of General Municipal Law 3-c. To enact an override of the tax cap the first step is to authorize the Attorney and Village Clerk-Treasurer to prepare a public notice and a local law to be heard at a public hearing and such date is set by the Village Board. At this point there is no other authorization or decisions to be made regarding this. The actual discussion and the decision process will take place at Public Hearing. The proposed Local Law can be enacted any time prior to the budget passing; it can even be enacted the same evening but prior to the Budget Hearing. Attorney Muller is not suggesting that only because it is a lot to cram into one meeting. Attorneys Muller stated that

if it is the instruction of the Village Board for himself and the Clerk-Treasurer to produce a notice of Public Hearing it is in no way a vote of favor or disfavor on the matter. Trustee Hayes asked if this would have to be each year that an override is needed. Attorney Muller stated that is correct it is a Local Law based on one year. Trustee LaFave moved to approve the Attorney and the Clerk-Treasurer to publish a notice of Public Hearing and to put together the proposed language for the Public Hearing. Trustee Carota seconded the motion, Trustee Girard voted no for the following reason. He does not feel that the Village Board has worked hard enough on the Budget and feels there is still time to find a way to lower expenses and therefore he stated he is an absolute no. Trustee Hayes voted yes for the paperwork to take place, and verified that his vote at this time did not okay the override. Mayor Orlow stated tonight's vote is not on the override but the local law to give the Village options if needed. Trustee Carota stated that the Village needs to keep in mind the Budget Calendar. Trustee Girard asked that everyone get a copy of the 3-year budget sheets that the Clerk-Treasurer gave to him. The Clerk-Treasurer stated that all Board members have a copy of the sheets. He would like to see what is real on the budget sheets. There was a budget workshop schedule for Monday, March 14, 2016 at 6:00 PM and a Local Law Public Hearing date for Wednesday, April 6, 2016 at 7:00 PM. Mr. Granger asked if the Local Law will go into effect that evening and if it passes with 3 votes and he is asking this because he does not want anything crammed down his throat. It was stated by the Village Attorney that it takes a 60% Board vote to pass the Local Law which is set for 7:00 PM on April 6, 2016. Mr. Gutheil asked if the Board had an idea of the rate increase and he is offering to help and wants the Board to listen to him and when will the Public have input. Mayor Orlow stated that he feels definite's will be given at that time and that he wants the Board to come with

their facts on how to balance the budget. He stated that the Village Board will need to concentrate during the meeting and Mr. Gutheil stated that he takes this as the public is a distraction for the Board.

5) Gazebo Request – Shirley Venner – Adirondack Runners Club - June 12, 2016

Trustee Carota moved to approve the request for the gazebo use and for the usage fee to be waived for the Adirondack Runners Club. Trustee Girard seconded the motion and the Board unanimously approved.

6) Gazebo Request – Amanda Lynch – July 30, 2016

Trustee Carota moved to approve the request for the gazebo use for Amanda Lynch. Trustee Girard seconded the motion and the Board unanimously approved.

7) Gazebo Request – Jessica Center – June 3, 2017

Trustee Carota moved to approve the request for the gazebo use for Jessica Center. Trustee Girard seconded the motion and the Board unanimously approved.

8) Animal Control Officer – on file

9) DPW Report – on file

Trustee Hayes asked now that the Zinc Phosphate System has been distributed through the water lines have there been any calls of complaint. Mr. Abare stated not that he is aware of.

10) Trustee's Report –

Trustee Hayes – Stated that now that the Zinc Phosphate system is implemented he hopes that the residents see some difference and that the process is works.

UPDATE: The engineers have supplied the Board with a monthly report.

1. The surveys have been mailed and he would ask that all residents please complete the survey which will help in the determination of future grant funding.

2. Prospect Street piping will be replaced to increase pressure and clarity. Hopefully this project will be ready for bid within this fiscal year and the construction taking place during the summer months. This is all subject to scheduling. The engineers have been on Prospect Street trying to located all lines. Trustees Hayes asked Trustee Girard to add any information he had since this is a joint project for the both of them. Trustee Hayes is hoping for the grant fund money that will allow this project to continue down all the side streets off Prospect Street. Trustee Hayes sated that there will be a written operation on the hydrant flushing for the upcoming flushing in April 2016. Trustee Girard stated that the main line will be a 12 inch line and that all the values will be checked to make sure they are working properly for the flushing program and this may follow the manhole map.

Trustee Carota – None

Trustee Girard – The prices continue to be sought for the water tank painting. At this point the Village does not have the money to do it.

Trustee LaFave - Has received an energy audit from Joe Frye, National Grid representative for the Village Police Department. The cost of the renovation will be \$14,000.00 split out over a 2 year period in our National Grid bill. This will be the last Village building to receive the energy lighting. Trustee Girard asked if the Village Police Electric bill will need to be increased to cover the cost. Trustee LaFave stated yes. Trustee LaFave moved to approve the program and the expenditure; Trustee Carota seconded the motion and the Board unanimously approved the program and the expenditure.

- 11) Mayor Report** – Asked that the Board be prepared for the Budget Workshop and ready to make some serious decision. Anyone can call him at any time to meet on anything.

Mayor Orlow opened the meeting back up for Public Forum.

Mr. Charles Granger would like to clarify that sometimes when he raises his voice that it is out of passion for the Village. It is because of the total love and concern that he has. He and his family have lived here their entire life. He does not want to run for public office but he wants to see good things happen in the Village. He explained that is the same is for Mr. Gutheil. They don't want to place blame on anyone but want to be informed about everything. Mayor Orlow stated that he has tried to inform the Village residence of everything. By putting the information in the Post Star and inviting Ms. Brigid Martin to post a Village blog and bring a good and bad report to the Village Board on a monthly basis as an agenda item. He agreed that Mr. Gutheil is very thought provoking; in which the Post Star agreed. Mayor Orlow stated that he has and will continue to get all information out there.

Brigid Martin stated that some can ask a question and not be taken into opinion. She said that informing the Post Star of everything is not the only way.

The Mayor stated that he received a "boo" in the Post Star the other day, but that does not stop the Post Star from attending our meetings.

At 8:04 PM Mayor Orlow asked to close the Public Meeting Trustee Hayes moved to close the meeting; seconded by Trustee Carota and the Board unanimously approved.

Dannae Bock