

Village of South Glens Falls
46 Saratoga Avenue, South Glens Falls, NY12803
January 17th, 2024
7:00 PM

Village Board Meeting

MAYOR NICHOLAS BODKIN PRESIDING

Minutes

Attendance:

Mayor Bodkin
Trustee Gutheil
Trustee Carota
Trustee Girard
Trustee Orlow
Counsel William Nikas

Samantha Berg
TJ Chagnon
Alan Dubois
Jim
Nick
Dennis Davall
Cheryl Lawyer
Kevin Gallagher
Paula Gallagher
TJ Wade
Bill Ramsey
Dorothy Ulrich
Bob Ulrich

The Mayor opened the meeting at 7:00PM and led with the Pledge of Allegiance

1. **Public Hearing Local Law 1 of 2024:** Counsel Nikas provided this will help make Code Enforcement easier and give them tools to address the many issues they have been dealing with. TJ Wade asked exactly what is the code. Counsel Nikas said it is a code about 40 pages long that provides standards for quality of life, unsafe structure, and building violations. The State actually requires municipalities to adopt this to enforce it, penalties and fines are not included though. The local law is where fines and penalties will be for those who violate the code. Mr. Gallagher asked if the current Code Enforcer has all the skills and training required to fulfill all the areas defined in the code, in particular the code for a fire official. Counsel Nikas provided the current Code Enforcer is certified in building codes. If issues were met where he was not qualified to act, he would reach out to Counsel, Board of Trustees, Board of Health, or an outside expert's

opinion. Mr. Gallagher noted the State had the code in 2015 and revised several times to now 2020. Counsel Nikas said the Village would update in the future along with NYS. Counsel Nikas does not personally see a disadvantage with adopting the code. John Hoey said we have abandoned homes in the area that need improvement, he asked if they will be addressed. Counsel Nikas said it will help with abandoned properties that have a current public health issue. A resident referenced a property on Saratoga Ave that had been brought up in a meeting years ago for being abandoned. TJ Chagnon said it was boarded up once. The resident said the house is not boarded up now. A resident asked if this will increase overhead for the Code Enforcer. Counsel Nikas provided his duties stay the same and if done properly this could save the Code Enforcer time and the Village money. No one else from the public wished to address the Board, the Mayor closed the Public Hearing.

Motion #011724-1 to adopt Local Law No. 1 Of 2024 and add a new chapter for Local Law No. 1 of 2024, titled "Property Maintenance Code". Trustee Orlow motioned, Trustee Carota seconded. All in favor, except for Trustee Gutheil and Trustee Girard who abstained. Motion passed.

Discussion: Trustee Gutheil thanked Counsel for all their work on this. He does believe we are premature in adopting the code. Trustee Gutheil said he just received a copy today and would need more time to read the whole thing or will have to abstain.

2. **Public Forum:** TJ Wade asked if the Village is installing meters in all the homes. The Mayor provided yes, there is a draft letter on the agenda tonight that will be sent out to all residents to communicate the installation. There is not a confirmed date of installation but the Village is planning on sometime this Spring. Mr. Gallagher asked why the Fire Company contract is not on the agenda. The Mayor provided the Board has already approved, signed, and cut the check. The Village is waiting for the Fire Company to sign and return the contract. TJ Wade asked what the cost/revenue will be for the Village in the water meter project. The Mayor said we received a million dollar grant to help fund the project, the total cost is still unknown. The Village will have to review the data after sometime from the meters to then establish a fair and equitable fee structure. The Mayor said this will help water conservation practices, homeowners with pools and sprinklers can add a second meter to reduce sewage cost. The Mayor provided there could be debt service calculated into the rate at the end of the project, but the only other cost for residents is if they wish to purchase an additional meter. TJ Wade asked about the water treatment plant upgrade. TJ Chagnon said they are moving along and the carbon media will be delivered next month. Mr. Gallagher asked what is the next step after an MOA with the Police Department. The Mayor provided this means the Village agreed to the terms with the PBA, the terms will be put into an official contract now. The Mayor provided a part time

Police Officer is resigning due to not being able to work the hours they customarily did. The Mayor said we have three full vacancies for full time officers and are actively canvassing the list to send candidates to the academy. He is also looking for lateral transfers. Trustee Orlow said the current full time officers believe what was approved will help attract more candidates. We are working on becoming a place where people want to stay. A member of the Public who is also in the Chamber of Commerce asked the Board what they think about decorating the Gazebo during Christmas time and a tree lighting ceremony. The Board supports this.

3. **Grant Project Updates:** Motion #011724-2 to authorize the Mayor to sign the Jersen change order and settlement agreement. Trustee Orlow motioned, Trustee Carota seconded. All in favor except for Trustee Gutheil who voted no due to not supporting the settlement agreement. Motion passed.
4. **GIGP:** There is a drafted letter presented to the Board to be sent to the residents regarding the GIGP water meter project. Motion #011724-3 to approve the mailing of the letter to the residents with costs going to the project’s budget. Trustee Orlow motioned, Trustee Girard seconded. All in favor, motion passed.
5. **Transfers:** Motion #011724-4 to approve the transfers as read. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.

A 1990.400	A 1621.400	\$226.46	VILLAGE BLDG REPAIRS/MAINTENANCE
A 1990.400	1430.405	\$1,360.00	LABOR ATTORNEY

6. **Bills and Payroll:** Motion #011724-5 to approve the bills and payroll as audited. Trustee Orlow motioned, Trustee Carota seconded. All in favor except for Trustee Gutheil who abstained. Motion passed.

General - \$178,180.79

Water - \$14,124.59

Sewer - \$7,381.10

Payroll

- a. 12/06/23 - \$21,638.13
- b. 12/13/23 - \$23,466.97
- c. 12/20/23 - \$22,212.32
- d. 12/27/23 - \$26,279.38
- e. 01/03/24 - \$20,265.75
- f. 01/10/24 - \$21,358.16

Discussion: Trustee Gutheil asked about the internet costs to Charter Communications and if we have looked into other options. Clerk Treasurer Berg provided we are in a state contract and do not have other options. Trustee Gutheil asked about the bill for Pump upgrades and TJ Chagnon provided they

did not bill us for labor in the past and the office has just discovered it. Trustee Gutheil will be abstaining for having six weeks of payroll just being presented yesterday for review.

7. **Motion #011724-6** to approve the minutes as presented. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.
8. **Motion #011724-7** to purchase the new code books. Trustee Orlow motioned, Trustee Carota seconded. All in favor, except for Trustee Gutheil who voted no. Motion passed.

Discussion: The Mayor provided we have numerous code books that are outdated and the Village is looking to update them. Clerk Treasurer Berg provided we will need 22 code books to give to all personnel who need them. The total expense for 22 Binders is \$3,065. There was discussion about possibly just purchasing the supplement of additional pages. The Mayor provided there is also an online publication. Trustee Gutheil will support if we ask all personnel if they need new copies or would prefer the online version or just updated pages, he will not support 22 whole new binders.

9. **Wage Law Salary Updates: Motion #011724-8** to amend the salaries to the wage law and pay retro pay from January 1st 2024 for the two exempt employees in question. This would increase their annual salary to \$58,458.40. Trustee Orlow motioned, Trustee Carota seconded. All in favor except for Trustee Gutheil who abstained. Motion passed.

Discussion: Trustee Gutheil asked if we have to stay FMLA exempt or can we offer overtime to salary employees. Counsel said to refer this to the labor attorney. The Mayor provided that only two employees currently do not comply with the wage law update. This will increase one employee's salary by about \$3,000 and the other by about \$1,000 annually. Trustee Gutheil asked if we will approve this without reviewing the rest of the workforce. Counsel provided further explanation for exempt employees. The Mayor asked if the Board would like to adjust any other employees' salary prior to the new budget. Trustee Orlow and Gutheil would like to discuss this in an Executive Session.

10. **Holiday Decorations: Motion #011724-9** to purchase holiday decorations for \$2,131.66. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.
11. **Motion #011724-10** to receive and file the Monthly Building and Codes, DPW, Animal Control and Police Department Reports. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.

12. **Motion #011724-11** to approve the reimbursement for repairing a member of the public's tire for tire damage \$307, transferring funds from A1990.400 to A1940.404. Trustee Girard motioned, Trustee Gutheil seconded. All in favor, motion passed.
Discussion: TJ Chagnon provided the DPW was doing work and wood chips were left in the road, this in turn damaged a car's tire that had driven over them. The member of the public is requesting reimbursement for damage to the tire.
13. A DPW Employee has reached Laborer 6 months and their pay will be updated to that status.
14. **Saratoga Biochar:** The Mayor would like to discuss the Board considering a letter of recommendation for a moratorium. A letter was received from DEC and there will be a public comment period regarding the Saratoga Biochar Project and permitting. The Mayor read the letter aloud. Counsel described that Hudson Falls also received a letter asking the Village of Hudson Falls to have an opinion and they proposed a moratorium to be submitted to the Town of Moreau, describing their position. Counsel provided the DEC has received a complete application. Trustee Gutheil is glad Hudson Falls recommended the moratorium and we should support this. He said we should also consider a moratorium for ourselves. Trustee Girard asked what we need to not allow the project into the Village. Trustee Gutheil asked for zoning and codes to be reviewed. Trustee Girard reiterated he does not want to see the project come into the Village. The Board supports sending DEC a letter of the Village's position.
15. **Patrolman Resignation:** The Mayor would like to acknowledge the resignation of part time Patrol Officer Schilling. The Mayor thanked him for his service.
16. **Ferry Blvd Infrastructure/Water Quality:** TJ Chagnon provided an update on the work DPW is doing to get the water quality better in the area of Ferry Blvd. He believes we should look into replacement. The Mayor provided two grants that could be awarded and asked Delaware Engineering for an estimate on costs to be eligible for the grants,
17. **Saratoga County Hazard Mitigation Plan:** The Mayor provided if we participate in this plan, it would qualify the Village further for receiving grants. Trustee Gutheil believes the Village of South Glens Falls qualified for a disadvantaged community. Trustee Orlow and Gutheil support participation in the Saratoga County Hazard Mitigation Plan.
Motion #011724-12 to have a Public Hearing February 7th at 7:00PM for questions and comments on participation in the Saratoga County Hazard Mitigation Plan. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.

18. **Tree City Discussion:** The Mayor provided there would need to be some certain local laws adopted to be consistent with being established as a Tree City. Trustee Orlow and Gutheil support this. The Mayor will gather information for the next meeting on what should be adopted. TJ Chagnon recommended having a professional come in to clean up overgrown trees.

19. **Old Business**

- a. **Bridge Lighting:** Motion #011724-13 to authorize the standardization of certain street light fixtures and accessories on the Cooper's Cave Bridge. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.
- b. The Mayor provided the Village has reached a MOA with the SGF PBA

20. **New Business:**

- a. Trustee Gutheil said the Fire Company has a new president and would like to get the contract to be signed. Trustee Gutheil also said he had inspected the condition of the Fire house and thinks the rest of the Board should look as well. The Mayor provided the Building Inspector has also looked and does not believe there is any mold issue. Trustee Gutheil would like the census information updated on the website. Trustee Gutheil saw Humana will begin to not be accepted at some facilities in the area. The Mayor said Albany Med is negotiating with Humana and it will not change right now. He is looking into more information and the broker recommended waiting for the negotiation to finish and they will also keep looking into other options. Trustee Gutheil asked about having a meeting with Mary. The Mayor provided the auditing company has expressed their concerns about the documents and their ability to audit the information. They are willing to have a meeting with the Board to describe this as well. Trustee Girard said we have spent money on auditors and still are in discussion. The Mayor provided the previous auditors said the documents were not auditable and we hired a CPA to help correct this. The current auditors have the same conclusion of not being able to audit the documents. The Mayor said the auditors will send their recommendation in writing. The Village has also received a letter from OSC that the Village will be audited. Trustee Gutheil expressed his concerns for spending nearly \$30,000 and still not having an audit done. He would like to have an Executive Session regarding this. The Mayor said the meeting with the CPA and auditors will further describe the status of the financial documents. Clerk Treasurer Berg provided she began employment in January 2022 and the Clerk Treasurer resigned soon after. She noticed the financial documents were not in good condition and a Forensic auditor was hired to review. They identified around 1,000 journal entries that had errors and a large number of adjusting entries were made, this in turn made the audit difficult to complete. Clerk Treasurer Berg provided the auditor is recommending to begin auditing when She became the Clerk Treasurer. The errors in question are from previous staff during a time of

high employee turnover. Trustee Orlow thanked current staff for their work on this issue. Trustee Girard said we should have accurate information for funds paid for grants during the time frame in question which is around 2020 to the beginning of 2022. A member of the public asked if there was any indication from the auditors of funds going awry. Trustee Girard said the Forensic Audit did not indicate this. Trustee Gutheil asked about the closing on the Sewer project. The Mayor said we are not paying interest on this. Trustee Girard said it would make sense to close out the project to prevent taking on more debt. Trustee Gutheil believes if there is more work to be done we should take advantage of the zero interest, but he is unsure if there is anything left that can fit into this project. TJ Chagnon will look into this further. Trustee Gutheil asked to look at a training reimbursement policy, regarding being reimbursed for training if Officers do not stay with the Village for a certain amount of time. Trustee Gutheil asked if Dennis Davall had been contacted regarding his complaints. Dennis provided Kevin Ostrander has and is working on resolving them.

- b. TJ Chagnon said new guidelines are coming out regarding storm water, they are increasing the amount of meetings as well. More information on this will be presented in an upcoming seminar. TJ Chagnon provided this will cost the Village to comply with the guidelines. The Mayor said Jeanne Gutheil has reached out regarding memorial flags being placed on telephone poles around the Village. TJ Chagnon provided he is working with National Grid on seeing if this is possible.

21. **Trustee Reports:** No reports at this time.

22. **Mayor's Report:** No reports at this time.

23. **Motion #011724-14** to adjourn tonight's meeting. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.