

DRAFT

Village of South Glens Falls
46 Saratoga Avenue, South Glens Falls, NY12803

February 7th, 2024

7:00 PM

Village Board Meeting

MAYOR NICHOLAS BODKIN PRESIDING

Minutes

Attendance:

Mayor Bodkin
Trustee Gutheil
Trustee Carota
Trustee Orlow
Trustee Girard

Samantha Berg
TJ Chagnon
Chief Gifford
Alan Dubois
Jim
Nick
User
x
Kevin Gallagher
Paula Gallagher
Thomas Wade

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

1. Public Forum: No one from the Public wished to address the Board.

2. March meeting Discussion

a. Proposed date 03/19/24: **Motion #020724-1** to move March 20th's meeting to the 19th and schedule a Budget Workshop on the 27th at 7:00PM. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.

Discussion: The Mayor provided due to filing timelines with the budget, he would like to move the meeting from the 20th to the 19th of March. The Mayor said the Tentative Budget will have to be filed with the Clerk on or before March 20th. Trustee Girard would like a Budget Workshop on the 27th at 7:00PM.

3. Grant Projects Update:

- a. **Carbon Filtration:** TJ Chagnon provided the project is moving along with several hurdles. TJ Chagnon and the Mayor further discussed some of the pressure issues we have been having. Trustee Gutheil asked if the concerns are in writing. The Mayor said he is looking to receive an email from the engineers but has not received anything yet. Trustee Girard asked for the Board to be CC'd on the emails. TJ Chagnon and the Mayor said they were made aware of these issues today. The Board and TJ Chagnon further discussed the issues and timeline of receiving information.

- b. **GIGP:** TJ Chagnon gave an update on the project, inventory is on hand and the contractor's letter has been created to be sent to residents. The letter has not been mailed yet but has been made available on the website. TJ Chagnon said they have had several pre construction meetings and another one will be on Friday. TJ Chagnon has asked for the project to begin with existing commercial meters. TJ Chagnon believes we will receive a project start date after Friday's meeting.

4. Create GL Accounts for PBA Retro Pay

- a. **A 3120.102 and 3120.801:** Motion #020724-2 to create account codes A3120.801 and A 3120.102 to properly pay out the retro pay per the PBA Contract and OSC regulations. Trustee Girard motioned, Trustee Orlow seconded. All in favor, motion passed.

5. Transfers: Motion #020724-3 to approve the transfers as read. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.

Discussion: Trustee Gutheil said he can see where we will have to transfer to Sewer Retirement again by the end of the year, Clerk Treasurer Berg provided there will not be another payment due by the end of the year. Clerk Treasurer Berg provided the Note Interest is due to not knowing the amount during budget development for this bond and nothing was budgeted. Trustee Girard asked if the supplemental money could be used. The Mayor provided that to use this money there would need to be a pay app submitted to the State. Trustee Gutheil asked if we have received the funds yet and we have not. Trustee Gutheil said we should be investing this money. Clerk Treasurer Berg said she will look into how to access the funds tomorrow.

A 1930.404	A 3120.102	\$20,442.55	PBA Retro Pay Personal Services
A 1930.404	A 3120.801	\$1,963.85	PBA Retro Pay FICA
FX 1990.400	FX 9010.800	\$189.92	Water Retirement
G 1990.400	G 9010.800	\$108.96	Sewer Retirement
FX 1990.400	FX 9730.700	\$16,021.85	Note Interest

6. **Motion to Approve the Bills and Payroll as Audited:** Motion #020724-4 to approve the bills and payroll as audited. Trustee Carota motioned, Trustee Orlow seconded. All in favor except for Trustee Gutheil who abstained for not being able to review them yet. Motion passed.

Discussion: Trustee Girard asked if the PBA Retro pay was included in general and if anything was added to it. Clerk Treasurer Berg said they are separate and nothing was added to the General bill.

- a. **General - \$44,253.15**
- b. **Water - \$20,441.61**
- c. **Sewer - \$2,144.30**
- d. **Special (PBA Retro Pay) - \$20,442.55:**
- e. **Payroll -**
 - i. **01/17/24 - \$24,036.52:**
 - ii. **01/24/24 - \$23,579.56:**
 - iii. **01/31/24 - \$27,338.51:**

7. **Minutes (01/08/24, 01/09/24, 01/17/24):** Motion #020724-5 to approve the minutes 01/08/24, 01/09/24, and 01/17/24. Trustee Carota motioned, Trustee Orlow seconded. All in favor, except for Trustee Girard who abstained. Motion passed.

Discussion: Trustee Gutheil said he commented on phrasing for a sentence needed rephrasing. Clerk Treasurer Berg provided this has been corrected.

8. **Recognize New Member of the Fire Company:** The Mayor would like to recognize the new Fire Company member, Zachary Taylor, and thank them for their service and becoming part of the team. Trustee Gutheil asked about receiving information on the candidate. The Mayor said the Board did not want the full packets of information and just the cover letter was distributed. The full packet of information is on file at the Clerk's Office.

9. **Brochures:**

Discussion: The Mayor provided Trustee Girard would like to step away from taking care of the brochures in conjunction with Glens Falls. The Mayor reached out to the City to see if they wish to continue and has not heard anything further. He is now asking the Village Board if they wish to continue, money could be better spent somewhere else on other items of interest in our community. Trustee Carota believes we do not need to do the brochures. Trustee Gutheil and Orlow are open to other options. Trustee Girard provided there are usually about 10,000 brochures produced and distributed. He said the current brochure is not the best but we should do something to promote tourism. The Board discussed other options for distributing information on tourism. The Mayor will work with the Chamber of Commerce for any other ideas.

- 10. PD New Hire:** The Mayor provided the Chief has identified an individual to be sent to the academy. The documentation was sent to the Board. Trustee Gutheil would like to discuss this in the Executive Session.
- 11. Paid Family Leave:** The Mayor provided CSEA employees are interested in participating with paid family leave, which is an employee contributed plan at no cost to the taxpayers. Trustee Orlow supports this, Trustee Carota asked if this will come from their paychecks. The Mayor said this will be deducted from their paychecks if they wish to sign up. Trustee Carota would like counsel to review how this could affect the union contract. The Mayor will relay the CSEA Employee's requests in the Executive Session. The Mayor clarified the Board is okay with non union employees signing up for this, he will ask for the labor attorney's opinion if this affects union employees. The item has been tabled.
12. **Motion #020724-6** to receive and file Monthly DPW, PD, Building Inspector, Animal Control reports. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.
- 13. MS4 Report/eNOI:** **Motion #020724-7** to authorize the Mayor to sign the MS4 Notice of Intent. Naming TJ Chagnon to be the Officer designated with that authority. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.
Discussion: TJ Chagnon provided this is for opening a new permit regarding swamp plans.
- 14. Training for Water Operators**
- a. **\$340.00 (FX 8320.410):** **Motion #020724-8** to authorize training for water operators for \$340 from account FX8320.410. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.
- 15. Drinking Water Protection Program:** **Motion #020724-9** to accept the drinking water protection program. Trustee Girard motioned, Trustee Carota seconded. Trustee Girard and Carota voted no, Trustee Orlow and Gutheil abstained. The Mayor voted yes. Motion does not pass.
Discussion: The Mayor provided the Village was selected to receive aid in a drinking water protection program. TJ Chagnon said we signed up for this but to receive the free technical support, but there are criteria to meet that could be difficult and cost a lot of hours. Trustee Girard said we currently pay engineers to address issues we have and it seems this will only prolong fixing our current infrastructure on Ferry Blvd. The Mayor said it does not have a cost but does require monthly meetings our staff would have to attend. The Board discussed how this can affect grant opportunities and if the Village should join this program. Trustee Carota supports the water committee's and TJ Chagnon's opinion to concentrate on current projects and not join the program. Trustee Orlow said the program sounded good at face value but he takes into consideration the opinions

of Trustee Girard and TJ Chagnon due to their backgrounds and involvement in Village water infrastructure. Trustee Gutheil has not been able to review the program's documentation.

16. Public Health Officer Discussion: This item will be tabled for Executive Session. The Mayor spoke with the Town of Moreau for some possibilities.

17. Grant Writer Discussion: The Mayor asked the Board if they are willing to pursue a grant writer. He also discussed grants that other local municipalities have received recently. Trustee Orlow supports this, Trustee Gutheil would like to do an RFP. The Mayor provided we do not need an RFP for professional services. The Mayor will reach out to several firms to see if they would like to come and present to the Board.

18. PD Window Replacement: **Motion #020724-10** to approve the lowest responsible bidder for \$4,491.76, Rich Home Exteriors, funds coming from A3120.412. The Purchase includes 9 windows. Trustee Carota motioned, Trustee Orlow seconded. All in favor except for Trustee Gutheil who voted no. Motion passed.

Discussion: Chief Gifford submitted several quotes for windows at the Police Station. The Chief recommends the lowest responsible builder, Rich Home Exteriors. Trustee Gutheil asked if we can get grant money for this. Trustee Girard asked for clarification on the bar placement for the windows and if all businesses in the Village that repair windows in the Village have been reached out to. Chief Gifford said he has provided four quotes and asked them all for the same product and service. Trustee Girard asked where this was budgeted. Chief Gifford said he used a bid from last year to come to the budgeted amount. Trustee Gutheil said there is a lot of grant money available for this and will vote no. The Mayor provided it can cost about \$5,000 for work to pursue a grant so an expenditure under that amount is not worth it. Chief Gifford provided the windows are only for the basement. Trustee Girard said there is more thought into this purchase than just needing new windows, we need to look into their energy efficiency.

19. Summer Events

a. Garage sale, Summer concert series - Food trucks: **Motion #020724-11** to allow food trucks at the 2024 Summer Concert Series and waive the associated fees, subject to counsels approval. Trustee Orlow motioned, Trustee Girard seconded. All in favor, motion passed.

Discussion: Cheryl Lawyer from the Chamber of Commerce asked for the approval of Food Trucks and waiving of the fee during the Summer Concert series. Trustee Gutheil would like counsel's approval of being able to waive the fee.

- b. **Memorial Day parade funding:** Motion #020724-12 to pay \$1,500 to the parade checking account from A1930.404, Judgements and Claims. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.

Discussion: The Mayor provided our parade account is getting low, the Town of Moreau contributed \$2,500 for this year. The Mayor said the total cost is around \$3,500-\$3,700 and would like to contribute \$1,500. Trustee Girard would like to use money leftover from 1930.404 judgements and claims.

20. Discussion - Moratorium per attorneys inquiry re. Saratoga Biochar: This item will be tabled until counsel is available for a meeting. Trustee Gutheil thinks we need to act swiftly on prohibiting hazardous waste, the Town has it in their regulations. The Mayor said we can propose a local law to prohibit outside waste and emissions. Trustee Gutheil would like counsel to draft a local law for this.

21. Ferry Blvd Infrastructure/Water Quality

- a. **Delaware quote and evaluation:** Motion #020724-14 to approve the proposal for Ferry Blvd water upgrade engineering report with proposed cost not to exceed \$5,775. Coming from account A8310.411. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.

Motion #020724-13 to transfer \$5,775 FX8340.403 to FX 8310.411.

Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.

Discussion: The Mayor said DOH has been requesting action to be taken quickly on the water quality for Ferry Blvd. Delaware has prepared a quote on how to address this issue. There is one option for a CDBG grant of up to a million dollars. A WIIA grant is also an option but does not fund 100% of the cost. Trustee Girard recommends we put in new piping in between the two hydrants that were identified as the problem area. Trustee Girard also suggested hiring a couple other people to assist the DPW in this project; the grant process can take too long. TJ Chagnon said we will still have to get State approved engineer plans. Trustee Gutheil asked why we have not gotten a hydraulic model done. The Mayor will ask for a quote on a hydraulic model for the Village. TJ Chagnon will look into fire hydrant costs and said there will be 8 taps in this stretch of infrastructure.

22. Saratoga County Hazard Mitigation Plan Discussion: The Mayor said the county is still working on the final language. Item has been tabled.

23. Old Business

a. Bridge Lighting

- i. **Update Notice to Bidders:** The Mayor asked if the Board wants to continue to ask for a deposit for the bid or not, also if we should clarify that bids are only accepted until 2:00PM but opened later at the meeting. Trustee Carota and Orlow support no deposit and the time change.

- b. **Fire Company Contract:** The Mayor said we are still waiting for the Fire Company to sign the contract.

- c. **Positive Pay:** Clerk Treasurer Berg provided as long as we maintain a sufficient balance, there will be no fee. The bank can not provide a letter saying there are no fees. Trustee Gutheil would like to have an idea of what our obligations are. Trustee Gutheil supports this on a trial basis, all other Board members support this. The Village will move to enroll in positive pay without having a letter stating we will not incur fees.

- d. **National Grid Veterans Banner agreement:** [Motion #020724-15](#) to authorize the Mayor to sign the agreement for the Veteran banners to be placed. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.

Discussion: TJ Chagnon has a list of 68 poles that banners can be placed at and sent the information to National Grid, the Village will be good to go for these banners

24. New Business

- a. **DOT Sign:** The Mayor provided we received notification regarding a sign for Cooper's Cave at exit 17. TJ Chagnon said a letter was sent to the Board that due to the changes to the exit, a new sign needed to be purchased and was not acted on. Trustee Carota believed the sign was closer to exit 18. The Board does not wish to go forward with the new sign.

- b. **CardiacLife Renewal:** [Motion #020724-16](#) to approve the software renewal for the AED machine. \$414 in total. Trustee Orlow motioned, Trustee Girard seconded. All in favor, motion passed.

Clerk Treasurer Berg provided we are required to renew CardiacLife and each building with an AED machine needs two trained people in the building.

25. Trustee Reports:

- a. Trustee Girard would like the broker to reach out about our retiree health insurance. He believes Humana will not be usable soon. The Mayor said he will work with the broker to have the information for the next meeting.
- b. Trustee Orlow thanked the Police Department and the DPW for the speed indicators being put out. TJ Chagnon specifically thanked Joel Ortruba and Rich Garnsey for their work on putting the signs together.
- c. Trustee Gutheil asked about the Napoli lawsuit. The Mayor is working on finding out what else will need to be submitted.

- d. Trustee Gutheil would like to make the public aware of the meeting at the High School tomorrow night.
- e. Trustee Gutheil said some employees that are no longer with us are still on some insurance policies. Clerk Treasurer Berg said she has been following through on this and relayed it to Trustee Gutheil. She provided counsel said there is nothing in the contract that says they are not entitled to it.
- f. **Motion #020724-17** to rescind the previous motion of raises under FLSA. Trustee Gutheil motioned, Trustee Girard seconded. Trustee Girard rescinded his second, no vote was taken.
Discussion: He has found out we are exempt from it. The raises were around \$3,000 and \$1,000. He does not support mid year raises if we do not need to and we should address this at budget time along with everyone else. Trustee Girard seconded the motion for discussion. The Mayor feels this violates the open meetings law and feels this action is disgusting and unfair to suggest. Trustee Gutheil asked for this to be an item on the next meeting's agenda. Trustee Girard asked for an executive session and withdrew his second.
- g. Trustee Gutheil would like to know what will be done with the excess money borrowed for water. Trustee Girard said we are looking to apply this to other issues or projects. Trustee Gutheil would like a list of how many people have access to our servers. Trustee Gutheil said we are sending half a million gallons to the river; we should speak with the Town if they would like to buy water to prevent wasting it. Trustee Gutheil would like to have the bills ready the Friday before the meeting

26. Mayor's Report

- a. Essity is officially on the market for 11 million dollars. The Mayor has shared this with Saratoga County Economic Development to see if there are any opportunities.
- b. The Mayor provided that Paul Tonko was present recently and they discussed numerous community events and Village improvements needed. He thanked Congressman Tonko for their time.
- c. The AGFTC is open for public comment, our application for a traffic study should be affirmed next week.

27. Executive Session: **Motion #020724-18** to enter Executive Session to discuss the potential PD new hire and particular performance of unspecified person or persons at 9:18PM. Trustee Carota motioned, Trustee Orlow seconded. All in favor except for the Mayor who voted no, motion passed.

28. Motion #020724-19 to adjourn Executive Session and reopen the Public Session with no action taken at 9:55PM. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.

29. **Motion #020724-20** to hire an unnamed individual for the Police Department to be sent to the police academy upon acceptance of the offer of employment. The Salary will be consistent with the PBA contract. Along with the condition the individual signs the contract for being responsible for three years of service or the individual or municipality employing them at the time will be responsible for the prorated costs associated with training. Trustee Carota motioned, Trustee Orlow seconded. All in favor except for Trustee Gutheil and Trustee Girard who abstained. Motion passed.

Discussion: Trustee Gutheil believes we have not done our due diligence and will be abstaining or voting no.

30. **Motion #020724-21** to adjourn tonight's meeting at 9:58PM. Trustee Orlow motioned, Trustee, Trustee Carota seconded. All in favor, motion passed.