

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

March 19th, 2024

7:00 PM

**Village Board Meeting**

MAYOR NICHOLAS BODKIN PRESIDING

Minutes

**Attendance:**

Mayor Bodkin  
Trustee Gutheil  
Trustee Orlow  
Trustee Girard  
Counsel William Nikas

Samantha Berg  
TJ Chagnon  
Alan Dubois  
Alex Portal  
U  
Jim  
Nick  
Tim Pease  
Bruce Lant  
Dennis Davall

Absent: Trustee Carota

The Mayor calls the meeting to order at 7:01PM and leads with the Pledge of Allegiance.

**1. Public Forum:**

- a. Dennis Davall questioned if there is a law that requires a property in hazardous condition to be removed in a timely fashion. Counsel provided it is in our property maintenance code that if a house is deemed unsafe then rehabilitation can be done. Dennis Davall asked if this code prevents properties like the Moss property from happening again. Counsel has three separate notices of appearance to the Justice Court, the Village has more leverage on these owners of unsafe properties. The Mayor suggested Village Law section 10-1002, which allows the Board to create a policy requiring the pulling down, blowing up, or removal of buildings and properties to arrest the progress of fire or extinguish the same. Dennis Davall thanked the Village for the placement of radar speed signs. He is concerned about an increase in children on bikes riding in traffic. Counsel provided the Chief is looking into this. Dennis Davall thanked Kevin Ostrander for the work he has done on problematic properties and working with residents to resolve issues.

- b. Bruce Lant provided Trustee Orlow and himself looked at the Firehouse along with North Country Janitorial. He is not being critical of the current janitorial staff but the Firehouse needs additional cleaning services. Bruce Lant asked for an update on the Fire Company contract. Counsel provided there has been no action taken on this item in the Executive Session, Counsel has sent a letter to their attorney requesting a meeting with the Village, Town, and Fire Company. Counsel further explained the need for this meeting. Trustee Gutheil asked for a copy of the last agreement when all three parties were in agreement.

## 2. Grant Projects Update

### a. Carbon Filtration

- i. **Long Term Disbursement #1 - \$226,693.98:** Motion #031924-1 to approve long term disbursement #1 for \$226,693.98. Trustee Orlow motioned, Trustee Girard seconded. All in favor, motion passed. **Discussion:** The Mayor said this is to reimburse the Village, funds would come from EFC financing. Trustee Gutheil said some of this money goes back to 2021 and is difficult to track to today. This is money we already paid and now are asking to get it back. Clerk Treasurer Berg provided the financing included the Village's portion of the projects, but we have not actually used the Village's portion of the projects. They were paid separately and it is in our best interest to get the disbursement back and reimburse the Village. Trustee Gutheil said we borrowed more than we needed and paid interest on it, what will we do with the money once we receive it back. Clerk Treasurer Berg said it will go back to the original expenditure accounts. Trustee Girard asked if it will go back to the general and water fund, Clerk Treasurer Berg said it will be the water fund. Trustee Gutheil asked for reports on all force account work. TJ Chagnon said we are currently waiting for PFOA testing to be finished and returned for the Carbon Filtration project.

### b. GIGP

- i. **Project Update:** Trustee Gutheil provided meters are currently being installed. TJ Chagnon provided all old meters are being returned to the DPW. The Mayor said the contractor was able to install 7 meters during their test run. The Moreau Community Center has offered to assist residents with registering for a meter installation appointment. The Mayor also said the contractor has been struggling with communication and providing material at the time of service. Our engineer team has met with the contractor and stated this was unacceptable and the contractors are supposed to be taking steps to resolve this. The Mayor asked the public to please let the Village know of any issues. Trustee Gutheil is not comfortable with the difference in cost for what the Village paid for meters and what the residents are paying for irrigation meters. TJ Chagnon provided there are more parts with the irrigation meter

that increased the price. Other factors were the quantity discount we received for buying the large amount at once and additional shipping costs due to Ferguson needing to calibrate them. TJ Chagnon said the Village needs to have standardization of water meters

- ii. **Resolution to standardize water meters for the Village:** TJ Chagnon said the Village needs to have standardization of water meters. If the Village buys the cheapest meters at the time of purchasing in the future, this will cause issues with the reading system. He also provided the irrigation meter should not be the Village's property and ownership should stay with the resident. Counsel provided if there is a resolution to standardize the meters, then there will be no procurement issues due to the price changing with meters.

- 3. **Transfers:** Motion #031924-2 to approve the transfers as presented. Trustee Orlow motioned, Trustee Girard seconded. All in favor, motion passed. **Discussion:** Trustee Gutheil questioned money coming from the Trustees contractual account. He was told a portion of the Accudata processing is now being taken from the Trustee account. Clerk Treasurer Berg said the Trustees were not paying their portion for OrbitalFire and GSuite which has been corrected, the payroll processing portion was higher than anticipated. Trustee Gutheil and Clerk Treasurer Berg further discussed the Trustees contractual expenses. Trustee Girard suggested creating new accounts for these expenditures, Clerk Treasurer Berg agreed.

**Notes: the \$1,772.70 transfer is coming from A1990.400**

	A 7450.402	A 1010.400	\$550.00	Trustee Contractual thru EOY
	A 1990.400	A 1430.405	\$860.00	Labor Attorney Non-Union
		A 3410.404	\$1,772.70	Fire Truck Repairs & Maint
	FX 8310.405	FX 8310.409	\$335.72	Computer Support
a.	G 8110.100	G 8130.101	\$341.05	Sewer Disposal OT

- 4. **Bills and Payroll:** Motion #031924-3 to approve the bills and payroll as audited. Trustee Orlow motioned, Trustee Girard seconded. All in favor, motion passed. **Discussion:** Trustee Gutheil asked about the size of the trees taken down, TJ Chagnon said they were all over 35 inches in diameter. Trustee Gutheil questioned the Charter vouchers, Clerk Treasurer Berg provided the current process is the most efficient way to work with the vendor. Trustee Gutheil believes we have employees working excessive hours and would like to discuss overtime. Trustee Orlow said the tree removal company did very good work.
  - a. **General - \$33,115.31**
  - b. **Water - \$3,042.91**
  - c. **Sewer - \$2,176.58**
  - d. **Payroll**

- i. 03/06/24 - \$21,636.67
- ii. 03/13/24 - \$22,655.00

**5. CPA Audit Update and decision needed to move forward with CPA**

**Recommendation:** Motion #031924-4 to audit the 2023-2024 fiscal year. Trustee Gutheil motioned, Trustee Orlow seconded. All in favor, motion passed.

**Discussion:** The Mayor provided the Village received a recommendation to rescind the previous resolution of auditing 2021 fiscal year and change to 2023 fiscal year on the basis of not having enough data to properly conduct an audit for the period in question. Trustee Gutheil will vote no due to the law he has referenced previously, saying the Board needs to audit or cause to be audited every fiscal year. Counsel provided a company exercised auditing and determined it should be stopped due to not being able to get to a normal satisfactory result. Trustee Girard said it is nice to have an audit to help reassure staff that they are conducting business properly. Knowing there were so many issues during this time, it would be nice to know that the corrections that were made are right. Counsel provided the CPA's are professionals and stated the journal entries made in the 2020-2022 budgets are not reconcilable. Trustee Girard reiterated he would like all the corrections that were made to correct the problematic years be audited, not the journal entries made initially. The Board discussed further how the audit company came to this conclusion.

**6. Meraki server renewal. Motion #031924-5** to approve the signing of the agreement for Meraki server renewal, the transfer of A1325.416 to A1325.409 \$1,156.66, and the expenditure. Motioned by Trustee Gutheil, seconded by Trustee Orlow. All in favor, motion passed.

Transfer A1325.416 to A1325.409 \$1,156.66:

**7. Stewarts Irrigation Billing: Motion #031924-6** to approve the reimbursement to Stewart's Shop for Utility billing error of \$1,358.55 in water and \$1,721.46 in sewer. Coming from accounts FX.2140.0000, metered water rents, G.2120.0000, metered sewer rents. Motioned by Trustee Orlow, seconded by Trustee Girard. All in favor, motion passed.

**Discussion:** The Mayor provided an error in billing has been noticed for Stewart's Shops, it is recommended to issue a check for the difference. TJ Chagnon provided he had gone over this with Deputy Clerk Treasurer Espey and we did find they were being billed for water twice and the irrigation usage was not deducted from the sewer usage. He reiterated this is the issue we are looking to resolve with the new meter project. The reimbursement will be \$3,080.01, \$1,358.55 for water and \$1,721.46 in sewer. From accounts FX.2140.0000, metered water rents, G.2120.0000, metered sewer rents. The billing error started in 2019 and was caught after the issuance of the October 2023 bill. TJ Chagnon and Clerk Treasurer Berg thanked Deputy Clerk Treasurer Espey for his hard work.

**8. Overhead Doors for DPW Building:** TJ Chagnon provided we should be having

our engineering firm create bid specs for this project to ensure they are accurate, rather than himself write the bid specs since it is not his expertise. Trustee Girard said we should have all overhead doors looked at like the Police Station as well. Trustee Gutheil would like an energy audit to be done and look for grant money.

- 9. Asphalt Contractor:** Motion #031924-7 to accept the Palette Stone bid price and consider this the lowest responsible bidder. Trustee Orlow motioned, Trustee Girard seconded. All in favor, motion passed. TJ Chagnon provided another bidder has come in that has won the Saratoga County contract. The Palette Stone bid price is most responsible but not the lowest price, due to distance the DPW would have to travel and the size of the plant is smaller for the lowest bidder. Counsel provided this information justifies that Pallete Stone is actually the lowest and most responsible bidder.
- 10. Medicare retirees insurance:** Motion #031924-8 to approve using CDPHP for retiree insurance. Trustee Orlow motioned, Trustee Girard seconded. All in favor, motion passed.

**Discussion:** The Mayor provided we received notice the current health provider will not be supported with Albany Medical Health Group. The options now are MVP and CDPHP. Trustee Orlow and Girard support CDPHP.
- 11. City of Glens Falls Letters of Support:** Motion #031924-9 to approve the Mayor to sign the two letters of support to the City of Glens Falls. Trustee Gutheil motioned, Trustee Girard seconded. All in favor, motion passed.

**Discussion:** The Mayor provided these letters are supporting the treatment plant electrical upgrades and water main replacement and upgrade.
- 12. National Grid SWPPP:** Motion #031924-10 to accept the National Grid SWPPP as approved by the engineer and supported by the DPW Superintendent. Trustee Gutheil motioned, Trustee Orlow seconded. All in favor, motion passed.

**Discussion:** TJ Chagnon supports this and believes the engineer has addressed anything that needed to be.
- 13. Quotes for Demo Saw:** Motion #031924-11 to accept the lowest responsible bid from JC Smith for \$1,035 for a new demo saw from account A1640.0409. Trustee Girard motioned, Trustee Orlow seconded. All in favor, motion passed.

**Discussion:** TJ Chagnon provided the current demo saw is nearing its end of life and presented quotes to the Board for a new one. He recommends the lowest responsible bidder, JC Smith, for \$1,035.00. Funds will come from account A1640.0409. TJ Chagnon also said the DPW will keep the other saw as a backup for now.
- 14. Public Health Officer Discussion:** The Mayor provided a letter of interest and a resume has been received and distributed. He would like to discuss their interest in the Executive Session.

**15. Grant Writer Discussion:** The grant writer responded and the Mayor brought attention to the company being just grant writing and not an engineering firm. Trustee Girard believes the grant writing only companies have better knowledge for receiving all kinds of grant funds. The Mayor said the grants we are looking at are shovel ready projects that would need an engineer. Trustee Girard said the Board receives a lot of communications from the engineers and it is difficult to track, having just a grant writer will help focus on just the grants. He also referenced an email from the engineer about trying to conduct an income survey, he believes this will be very difficult. Trustee Girard said there are grants that would not need an income survey. Trustee Gutheil asked about the potential grant writer from Hudson Falls and would like to have several grant writers come in for a presentation. The Mayor asked about having a drafted grant application for Ferry Blvd and if the Board still wants to move forward. Trustee Gutheil would like to define further where the problem physically is. The Mayor said they are trying to repair as much as they can to fully utilize the grant. The Mayor said we can easily identify how many points we can score for the grant. Trustee Girard would like to have Delaware's grant writer involved, he believed we were supposed to get a report for Ferry Blvd and has not seen anything yet. He does not want to wait until July to fix these issues. The Mayor is going to reach out to the engineer who did work for LaBella and grant writers to have a presentation to the Board.

**16. PD New Hire PT:** This item has been tabled

**17. PD New Hire FT:** The Chief has a potential full time new hire he has recommended to send to the academy. There is also another potential new hire for patrol. This will be discussed in the Executive Session.

**18. Local Law #2 of 2024**

- a. **“Importation, Disposal, and/or processing of solid waste prohibited in the Village of South Glens Falls”:** [Motion #031924-12](#) to declare the Village of South Glens Falls the lead agency in Local Law #2 of 2024. Trustee Girard motioned, Trustee Orlow seconded. All in favor, motion passed.

**Discussion:** Trustee Gutheil questioned the language on disposal and other portions. He is concerned people will not be able to get the waste out of the Village. Counsel provided waste can be removed, not processed or brought in. The Mayor provided an example of a burned down building and removal of that waste.

- b. Counsel read aloud the Short Form Environmental Assessment questions. The Mayor will distribute this to the necessary agencies and the Board will further discuss this at the next meeting. Counsel provided the large amount of NA answers are due to this not being a site specific Local Law. [Motion #031924-13](#) to authorize the Mayor to sign the completed short form environmental assessment part 1. Trustee Girard motioned, Trustee

Orlow seconded. All in favor, motion passed.

**1.** Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? Yes

**2.** Does the proposed action require a permit, approval or funding from any other government Agency? Yes

**3.** Total acreage does not apply, there is no specific site.

**4.** Does not apply to certain land uses

**5.** Is the proposed action a permitted use under the zoning regulations? NA

Is the proposed action consistent with the adopted comprehensive plan? Yes

**6.** Is the proposed action consistent with the predominant character of the existing built or natural landscape? NA

**7.** Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? No

**8.** Will the proposed action result in a substantial increase in traffic above present levels? No

Are public transportation services available at or near the site of the proposed action? NA

Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? NA

**9.** Does the proposed action meet or exceed the state energy code requirements? NA

**10.** Will the proposed action connect to an existing public/private water supply? NA

**11.** Will the proposed action connect to existing wastewater utilities? NA

**12.** Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? NA

**13.** Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other water bodies regulated by a federal, state or local agency? NA

**14.** Identify the typical habitat types that occur on, or are likely to be found on the project site. NA

**15.** Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? NA

**16.** Is the project site located in the 100-year flood plan? NA

**17.** Will the proposed action create storm water discharge, either from point or non-point sources? NA

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? NA
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? NA
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? NA

### 19. Old Business

- a. Bridge Lighting bid opening on 04/17/24. Deadline to submit RFP 04/15/24 2:00 P.M.

### 20. New Business

- a. TJ Chagnon provided the Memorial Day parade is upcoming and will need to order flags. Trustee Gutheil said to do what we normally do, also the marching band that was booked has backed out.
- b. Clerk Treasurer Berg provided we need to begin to think about spring planting this year. The Mayor would like to engage the Common Roots Foundation who offered to donate time to the community and see if they would help with spring planting. **Motion #031924-14** to authorize a limit not to exceed \$3,000 for spring planting flowers and supplies. Motioned by Trustee Orlow, seconded by Trustee Girard. All in favor, motion passed.

### 21. Trustee Reports

- a. Trustee Gutheil thanked Counsel for the letter they sent to DEC on the Village's behalf.
- b. Trustee Orlow thanked Bruce Lant and Tim Pease for meeting with him and North Country Janitorial. Trustee Orlow should be able to present a quote soon. This will be to restore the flooring of the Firehouse.
- c. The Mayor thanked Clerk Treasurer Berg for her work on getting the budget prepared to be filed.
- d. Trustee Gutheil asked about the emails regarding the Greek Church. There is an upcoming bake sale and Greek Festival. **Motion #031924-15** to not require permits or fees for non profit organizations conducting events. Trustee Girard motioned, Trustee Orlow seconded. All in favor, motion passed.

22. A member of the Fire Company asked when they should submit their numbers for the upcoming budget. The Mayor provided the tentative budget is being filed tomorrow. Counsel asked if they could possibly have a meeting with the individual to discuss the past of the Fire Company to help move forward with the Town of Moreau.

23. **Mayor's Report:** No Reports at this time.



24. **Executive Session:** Motion #031924-16 to enter Executive Session at 9:01PM to discuss the Fire Company Contract Negotiations, PD New Hires, CSEA Contract, T-Mobile Lease Renewal, and Public Health Officer. Trustee Gutheil motioned, Trustee Orlow seconded. All in favor, motion passed.
25. Motion #031924-17 to adjourn Executive Session and reopen the Public Session at 9:50PM with no action taken. Trustee Orlow motioned, Trustee Girard seconded. All in favor, motion passed.
26. Motion #031924-18 to approve the hire of a Police Academy candidate that will be named later upon acceptance of the position, going to the June academy of zone 5. Trustee Orlow motioned, Trustee Girard seconded. All in favor, motion passed.
27. Motion #031924-19 to adjourn tonight's meeting at 9:52PM. Trustee Orlow motioned, Trustee Girard seconded. All in favor, motion passed.