

Village of South Glens Falls
46 Saratoga Avenue, South Glens Falls, NY12803
May, 15, 2024
7:00 PM

Village Board Meeting

MAYOR NICHOLAS BODKIN PRESIDING

Minutes

Attendance:

Mayor Bodkin
Trustee Gutheil
Trustee Carota
Trustee Girard
Kevin Gallagher
Dept of Public Works employees
Chief Dave Gifford
Nick
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Deputy Clerk Treasurer Matthew Espey
Tim Pease
Attorney Bill Nikas
Alex Portal, Post-Star
Cheryl Lawyer
TJ Chagnon
5185023926
R2D2

Absent-Trustee Orlow

The Mayor opened the meeting at 7:00 PM.

Pledge of Allegiance

Public Forum:

- Cheryl Lawyer thanked the Village and DPW for the support with the military banners.
- Nick Havens wanted some clarification on the CSEA Negotiations. They believe that the Board wanted to bring in lawyers to move forward. DPW workers feel that is not necessary. They believe that they can sit 2 members of the DPW and 2 Board members to come to some type of agreement on the proposals. Trustee Gutheil agrees with the DPW that's the way things should be done. Trustee Gutheil advised that he liked the idea. Kevin Gallagher spoke about the trend of past contracts. He stated that the PD contract was late, Fire Dept contract was late and now the DPW is 19 days out of contract. He feels that this comes down to lack of trust and inability to work with people. Mayor Bodkin stated that he met with the union when the intent to negotiate was received and he presented the



proposal to the Board and the Board did not agree to the proposal so they decided it was best to bring in counsel. DPW wants to work together and get this contract moving forward. They would like to meet before June 1st. Mayor Bodkin provided that the correct parties are not communicating to make those negotiations regarding the fire department contract. Nick Havens and John Rosati feel that the union and Board should be working together as a team. Mayor Bodkin will be setting up that meeting. TJ asked that the meeting be after the parade due to workload.

- Tim Pease brought up the cancer insurance reimbursement. Their understanding is that the Village and the Town were paying a certain percent. Village's portion being 20%. The bill in the sum of \$789.20 was sent in January and they have not received payment. Mayor Bodkin stated that he nor the office had seen this bill and requested a copy be sent to the office so they can get it paid. Mayor Bodkin also noted that Clerk Treasurer Samantha Berg was on vacation and will check with her upon returning. Mr. Nikas advised that expense should fall under the signed contract and be paid.

Public Hearing:

- **Local Law #2 of 2024: Motion 051524-1** to approve the resolution as presented. Trustee Carota motioned, Mayor Bodkin seconded. Trustee Carota - Yes, Trustee Gutheil - Yes, Trustee Girard - Yes, Mayor Bodkin - Yes. Motion passed. Deputy Clerk Treasurer Matt Espey will file with the State Department.

Discussion: Trustee Gutheil asked why the approval for the resolution was not on the agenda. Counsel provided that it was noticed as a public hearing so the Board could approve the resolution. Trustee Gutheil wanted to be sure it was a legal motion and supported the law. It could be done under Old Business if needed.

- See Appendix A for Local Law
 - A LOCAL LAW ADDING TO THE VILLAGE CODE A REVISED CHAPTER 123 ENTITLED "IMPORTATION, DISPOSAL AND/OR PROCESSING OF SOLID WASTE PROHIBITED IN THE VILLAGE OF SOUTH GLENS FALLS

1. Grant Project Update

a. Carbon Filtration:

- i. **Project Update:** Alan is working on some things to smooth out the wrinkles. He has been meeting with multiple contractors to provide the information needed to provide quotes for the GAC loop. Trustee Girard asked when we would see the quotes. TJ advised that one contractor has even worked with Delaware on the same thing in the past. Trustee Gutheil asked if we were operating under manufacturer recommendations and TJ provided that there should be no air in the vessel. Trustee Girard asked if the GAC loop would take care of the air. TJ advised it will take care of the air in the vessel but will not help the backwashing issue. Trustee Gutheil asked if specs had been done and they have been approved by the Board. Contractors are starting to roll in to look at the scope of the



project. TJ does not think this will meet the threshold for requiring a bid.

- ii. **Motion to pay Carbon Media from ARPA funds:** This will be paid from the warrant.
 - 1. HE 8330.0200-\$150,400.00

b. GIGP

- i. **Project Update:** TJ had positive and negative feedback. He believes the contractor will not be able to meet their deadline. The contractor does not seem to understand repeated reviews of information. Some residents are not letting the company go into their homes. He has concerns that there will be some residents that will not allow it to be done and feels that the Board needs to evaluate those options. He does not want the remaining meters to fall on the DPW to install. He has been able to address some concerns but not all. TJ has received a lot of phone calls with concerns about the rates and lots of questions on the project in general. Trustee Girard suggested sending out a letter explaining the process and asking for cooperation. TJ thinks that there is miscommunication between the call center and the workers out in the field. He suggested a targeted mailer. There are things that need to be addressed. Trustee Gutheil asked that Counsel review all of the mailings. He also asked if there was any type of a daily field report yet. The Mayor has not seen one come through yet. Trustee Gutheil asked how many installations are being inspected. TJ advised that the inspector is very involved and he talks to him every day. Trustee Girard is curious how many inspectors Saks has. According to TJ they have one at the moment. Trustee Gutheil wanted confirmation who is responsible for collecting the data. He was informed that Saks would be handling the data collection and it is in the contractor portal. Trustee Girard thought that the team was very professional at his installation and lots of pictures were taken.

- c. **Ferry Blvd:** NYS has spoken with Alan and wants answers NOW. Alan referred them to the Engineers. They do not want any more time to be wasted. In reference to water testing in the GAC system. Their recommendation does not match what the engineer's have advised. They are requiring the bottom port of the vessel be tested every single time. This could be a very costly method of testing if not resolved. Trustee Gutheil suggested meeting with the Engineers as it has not been done in some time.

- d. **WIA Long Term Disbursement Request #3:** Motion 051524-2 to approve the disbursement of \$21,351.25. Trustee Carota motioned, Trustee Girard seconded. **TABLED**



Discussion: Trustee Gutheil asked if this was final payment and if retainage was being held. He asked if the punch list had been completed. TJ advised there were still items that need to be resolved. The conduit is part of the punch list. Counsel asked about the amount of the disbursement. Anthony could advise the value of the items on the punchlist.

2. **Transfers:** **Motion 051524-2** to approve the transfers as presented: Trustee Carota motioned, Trustee Girard seconded. All in favor, motion passes.
Discussion: Trustee Gutheil was concerned that not enough was being moved to cover through the end of the year. TJ advised that the payroll accounts were short due to being able to tackle some other things due to the light winter.

5/15/2024			
A 7110.402	A 1210.400	\$30.00	Mayor Contractual
A 1325.416	A 1325.422	\$234.75	CT Alarms and Monitoring
A 1430.401	A 1430.404	\$55.00	PBA Attorney
A 1430.401	A 1430.405	\$40.00	Non Union Labor Attorney
A 7110.402	A 7110.401	\$235.00	Parks O&M - Mower Blades
A 5142.100	A 8170.100	\$8,000.00	Street Cleaning P.S.
A 5142.100	A 5110.100	\$8,864.00	Street Maintenance P.S.
FX 8340.100	FX 8340.101	\$314.40	Water Trans P.S. O.T.
G 8130.404	G 8130.100	\$1,262.70	Sewer P.S.
G 8130.404	G 8130.101	\$304.38	Sewer Disposal O.T.
G 8130.404	G 8130.800	\$114.04	Sewer FICA

a.

3. **Motion 051524-3** to approve the bills and Payroll as audited: Trustee Carota motioned, Trustee Girard seconded. All in favor, motion passed.
Discussion: Trustee Gutheil had questions on the trench box. TJ advised that we have been asking for several months for an invoice for the item. TJ advised we JUST received the invoice despite repeated requests. Trustee Gutheil brought up the concern of the police car batteries and how often they are purchased. Chief Gifford informed Trustee Gutheil the batteries in the cars go fast due to all the extra equipment that is in the cars. Trustee Gutheil questioned voucher 966 on a title search. Counsel advised that was for researching the rightful owner of the property.
- a. General-\$36,747.97
 - b. Water-\$2,943.29
 - c. Capital Projects - \$150,400.00
 - d. Sewer-\$2,787.54
 - e. Payroll-
 - i. 05/01/24- \$22,422.64
 - ii. 05/08/24- \$23,475.62
 - f. Parade- \$158.48



4. **Motion 051524-4 to Receive and File Monthly Buildings & Codes Report for March & April 2024:** Trustee Carota motioned, Trustee Girard seconded. All in favor, motion passed.
Discussion: Trustee Gutheil asked about boundary line disputes. Mayor Bodkin informed that Building and Codes went and investigated the complaint and informed the resident that it was a civil matter. Trustee Girard asked that a narrative be provided as to the resolution of the complaint.
5. **Request to increase maximum limits held at NYCLASS: Motion 051524-5** to increase the maximum amount held at all banking institutions to \$7,000,000.00. Trustee Girard motioned, Trustee Carota seconded. Trustee Gutheil voted yes providing all funds were secure. All in favor, motion passed.
Discussion: Trustee Gutheil asked how those deposits are collateralized. The Mayor advised that the majority of the CDs were moved to NYCLASS due to a significant difference in basis points. Trustee Girard asked if interest was earned daily and how much the interest moves on a daily basis. The Mayor advised that he has not seen NYCLASS move close to the interest rates being offered for CDs. Trustee Gutheil wanted to know if the interest is daily in NYCLASS. There is no interest on holidays or weekends for NYCLASS according to Mayor Bodkin. Mayor Bodkin advised that he has spoken extensively with OSC regarding our diversification policies and they are fully on board with them. Trustee Gutheil asked how often we are marketing to other banks for rates, etc. and wants it in writing when this is happening. Trustee Girard requested proof of collateral.
6. **Motion 051524-6 to approve the Park Use Request for the Common Roots Foundation Charity Run/Walk.** Trustee Carota motioned, Trustee Girard seconded. All in favor, motion passed.
Discussion: Attorney Bill Nikas believes it would be an unconstitutional gift, unless a contract with them was made up with common roots. He advised that even though they are non-profit it is still considered an unconstitutional gift. A contract can be provided that states that they are providing a service to the Village residents in exchange for a fee waiver as a benefit for the community. TJ suggested a blanket policy that anyone using the park for a specific purpose would be exempt from the fee. It was confirmed that Common Roots Foundation is a 501c3.
7. **DPW Summer Part-time Help:** TJ would like to discuss in executive session.
8. **Blue Bird Auto Water Billing Change:** No Sewer connection in the garage. They currently do not discharge into the system. The offices have sewer but the garage does not. This was moved to executive session due to site plan items that need to be discussed.
9. **Minutes 3/27/24 Budget Workshop and 4/03/24 Emergency Meeting: Motion 051524-7** to approve the minutes with corrections as stated prior. Trustee Girard



motioned, Mayor Bodkin seconded. Mayor Bodkin, Trustee Girard, Trustee Gutheil, in favor. Trustee Carota abstained. Motion passed.

10. The Board recognized new fire department member David Swota and thanked him for his service to the community. Bruce Lant provided they are the largest department with over 70 members.

11. **PD Carpet:** Motion 051524-8 to encumber \$4000.00 for carpet from the 23-24 fiscal year with a not to exceed of \$4000.00 and supplying new quotes for the new fiscal year.

Discussion: The Board asked that the Chief get more quotes from local businesses in the Village even though this was a state contract quote. The Board has asked that the new quotes provide more information regarding the quality of the carpet. The Mayor suggested that the funds be encumbered in the meantime. The Chief asked that the Buildings and Grounds committee help him. The Board would like to see new quotes to move forward.

12. **Motion 051524-9 to receive and file the resignation letter of Matthew Espey, Deputy Clerk Treasurer.** Trustee Carota motioned, Trustee Girard seconded. Trustee Carota, Trustee Girard, Mayor Bodkin voted yes. Trustee Gutheil abstained. Motion passed.

Discussion: TJ stated that he thought Matt did a wonderful job in his duties and all of the mistakes from prior employees he was able to remedy and the improvements he made to the water/sewer billings that were of great benefit to the Village. Trustee Gutheil remarked that he observed Matt make great progress in his time at the Village and thanked him.

13. **Ferry Blvd Infrastructure/Water Quality**

a. **Motion 051524-10** to resolve the Village retains the rights to all project materials Trustee Girard motioned, Trustee Carota seconded. All in favor, motion passed.

Discussion: Trustee Girard would like to bring in Engineers for a discussion. Trustee Girard is concerned that no resolutions have been made of this in a timely manner. He would like to make sure that in the event the engineering firm is changed at the time of the execution of the project, the Village will retain ownership of the information. He feels that there needs to be a second opinion regarding what is wrong with this area and what can be done to fix it. Trustee Carota suggested a special meeting with a different engineer to get their opinion. Trustee Girard will set up the meeting. Trustee Gutheil feels that finding a grant writer is taking too long. He wants to be sure the Village retains ownership of the grant application materials. What happens if this doesn't fix the problem? Are there more chemicals we could be using? He would like greater input from the engineers. Trustee Carota asked how much more information we need to make the decision. If a decision had been made, the project would have moved forward already. Mayor Bodkin will reach out to



Delaware to inform them of the resolution. Trustee Gutheil asked why there has been no contact from the grant writer at Delaware and feels that we are losing out on grant money. He also feels that the Board should be looking at temporary hookups to help. TJ advised that they are doing a lot of flushing in that area. Plans will need to be approved by the DOH regardless. There is difficulty in using temporary lines due to crossing a road and supplying individual houses. Trustee Carota asked if we are waiting for more than a year for permanent solutions, what can be done for temporary relief. The Board discussed applying to WIIA financing and CDBG grants both.

14. Old business

- a. **Motion 051524-10** to renew the lease agreement with T-Mobile at renewal time in 2026 with 15% escalation. Trustee Carota motioned, Trustee Girard seconded. All in favor, motion passed.
Discussion: Counsel advised that the amounts they are paying is correct. Contract renewals won't start until 2026 as is standard. T-mobile is looking to renew ahead of time. The rent increase would be 15% from the current lease. Trustee Gutheil feels that the revenue account is lagging and feels that money is either being missed or posted incorrectly.
- b. **Motion 051524-11** to accept the closing of the permit for installation of new equipment and repairs of the water tower by T-Mobile with the engineers approval of the work. Trustee Girard motioned, Trustee Carota seconded. All favor, motion passed.
- c. **Spring planting:** TJ has secured two quotes and should have a third tomorrow. He has been quoted for under \$3,000. Hoping to get the flower by 5/16 to plant on Saturday. The Mayor stated they should be meeting with the volunteers from Pine Knolls Church on 05/18 to help with the planting.
- d. **Sewer bond status:** Trustee Gutheil asked about the status of the closing on the bond. Bond Counsel advised waiting to make sure we're not going to need it in the event of a catastrophic repair that needs to be done under the scope of the grant. Bond will close out in December and is zero percent interest. Discussions have been had regarding additional linings or additional manhole repairs. Trustee Girard suggested discussing sewer budget issues at the next meeting. There are things that need to be addressed. Trustee Gutheil suggests identifying the issues and figure out what we can do to repair them. Trustee Gutheil believes they should do something sooner than later while we have the funding. Saks will provide a report that will detail what properties are pumping into the system via sump pump from their basements. I&I could provide an alternative to residents to remove that water. TJ believes this is a significant contributor to our sewer bill with the City of Glens Falls.
- e. **Fire Company Contract:** The Town Supervisor was having a conference with the new town attorney and the fire company attorney. Counsel has not heard any word on the results of that meeting.



15. New business-

- a. **Motion 051524-12 to allow the Mayor to sign the 50/50 Sidewalk contracts for 75 Spring Street, 79 Spring Street, and 3 Leland Street.** Trustee Gutheil motioned, Trustee Girard seconded. All in Favor, motion passed.

Discussion: 75 Spring Street (Village \$1417.00/Resident \$1417.00), 79 Spring Street (Village \$1300.00/Resident \$1300.00), 3 Leland Street (Village \$208.00/Resident \$208.00).

16. Trustee Reports

- a. The parade committee met on Monday, 05/13 and is hoping for good weather. The new PA system will be used.

17. Mayor Report: The Mayor has posted the Deputy Clerk Treasurer position on Indeed.

18. Motion 051524-13 to enter into Executive Session at 8:59 pm to discuss fire department contract negotiations, CSEA Contract Negotiations, PD New Hire, DPW Part-Time Summer Help and performance of an unnamed person or persons. Inviting TJ and Chief Gifford in the executive session as well. Trustee Carota motioned, Trustee Girard seconded. All in favor, motion passed.

19. Motion 051524-14 to adjourn the executive session at 9:45pm with no action taken. Trustees Carota motioned, Trustee Girard seconded. All in favor, motion passed.

20. Motion 051524-15 to hire an unnamed part-time police officer at \$25.00 per hour pending a favorable background check and confirmation from the Mayor to proceed. Trustee Carota motioned, Trustee Gutheil seconded. All in favor, motion passed.

Discussion: Trustee Girard would like to amend the motion to contain that Chief Gifford has to contact the Board or the Mayor with an email prior to oath of office.

21. Motion 051524-16 to allow the Mayor to sign the memorandum of agreement between the Village, the SGF PBA and Unnamed Officer pending acceptance and signature of the PBA and the new hire. Trustee Carota motioned, Trustee Girard seconded. All in favor, motion passed.

22. Motion 051524-17 to adjourn the meeting at 9:49pm. Trustee Girard motioned, Trustee Carota seconded. All in favor, motion passed.

