

DRAFT

Village of South Glens Falls

46 Saratoga Avenue, South Glens Falls, NY 12803

June 1, 2022

7:00 PM

Public Forum and Regular Session

Executive Session

MAYOR NICHOLAS BODKIN PRESIDING

Attendance:

Mayor Bodkin

Attorney Bartkowski

Trustee Gutheil

TJ Chagnon

Trustee Carota

Matthew Espey

Trustee Girard

Amy Caswell

Thomas Hogan

Absent: Trustee Orlow

Public Hearing Local Law 1, 2, & 3 of 2022 7:00 PM.

The Mayor calls the meeting to order at 7:03PM.

Local Law 1. Seeks to update the connection for service of water to include HDPE-CTS 250 psi or type A copper pipe with a minimum size of 3/4 inches. Thomas Hogan of 3 Prospect Street inquired if wording pertained to the line coming from the main to the residents house; Mayor Bodkin stated yes.

Local Law 2. Curbside trash, rubbish, and garbage. Law defines garbage, refuse, and trash; Mayor Bodkin asked to include yard waste and brush, Christmas trees, lawn rakings and such. The wording defining the type of storage containers and trash cans includes language about a close fitting cover with a latch which is rodent proof, insect proof and water tight. Mayor Bodkin suggested striking the wording from Subtitle A due to the fact that most Village residents would not be in compliance. Also in Subtitle A it states containers would not exceed 30 gallon capacity or 50 pounds of weight when lifted; Mayor Bodkin suggested the Board modify capacity to 95 gallon and no weight needed. Thomas Hogan stated he did not believe people used trash cans anymore so weight should not be an issue. Trustee Gutheil said he did not see wording about couches, beds and the like addressed. Mayor Bodkin said it was defined under trash as furniture and bulky waste. Trustee Gutheil stated all that should be on the agenda for the public

when adopting a local law. Mayor Bodkin suggested striking Section G wording that all garbage shall be removed from the premises by commercial service. Thomas Hogan agreed.

Local Law 3. In regard to smoking cigarettes, cigars, marijuana, as well as vaping on any and all Village property such as parking lots, parks, highways, and beaches, it is prohibited and shall be subject to an appearance ticket and a \$250 fine per day.

There were no comments from the Public regarding the local laws in whole.

1. Moment of recognition for Mr. Jim Phair- Mayor Bodkin asked for a moment of silence for the passing of the long standing Board member and chair of the ZBA who will be greatly missed.

2. WIIA Water Project- Anthony Mantas was not present. Trustee Gutheil asked about an update on the easement and pole and wire relocation for the Carbon Filtration Project. Mayor Bodkin stated there had been emails between John Burst of Delaware Engineering and Attorney Bartkowski regarding the matter and hoped to get an update soon. TJ Chagnon felt the prices were going to be higher since the last estimate was a year ago; he stated he would make some calls. Trustee Gutheil then asked about the chlorine analyzer. TJ Chagnon stated it was clear that the Department of Health requirement of post chlorination, pre distribution in the clear well had to be satisfied rather than an engineer; he added he would reach out to Bill Bright. Trustee Gutheil asked about the installation: TJ Chagnon stated it had to be looked into. Trustee Gutheil then asked about the I&I repair scheduled date. TJ Chagnon stated the last he knew KPI was setting up a meeting amongst Delaware, themselves, and the board. There was no update on the WIIA Sewer Project.

3. CDBG Update- The Mayor asked about the as built drawings; TJ Chagnon stated he believed they were waiting on Kubricky doing their survey.

4. GIGP Update-Mayor Bodkin asked if the committee had a chance to review the RFP and if they were satisfied so it could be put out to bid. Trustee Girard asked if TJ and Alan had gone through it; TJ Chagnon stated they were comfortable on the wording. Trustee Gutheil asked if on the RFP the Mayor meant the bid specs, and what he was calling the RFP. The Mayor stated the bid specifications on the GIGP Water Meter Project. Trustee Gutheil stated he still had not seen a hard copy of the specs and asked if Counsel had gone through them; Attorney Bartkowski stated she had not. Trustee Gutheil asked if there was flexibility in the grant; Mayor Bodkin stated it was specific.

5. New Business - Trustee Gutheil asked about concerts in the park. The Mayor said he understood the Moreau Chamber of Commerce had been managing the concerts and Trustee Orlow said they were trying to get things in order. Trustee Gutheil asked to see a paper trail of whether or not they were going to take place.

6. Old Business- Trustee Gutheil stated the Board continued to ignore the law on minutes of meetings. Mayor Bodkin stated they were still being worked on around time spent on finalizing tax bills and fiscal year end work. Clerk Caswell stated she would reach out and see where the work stood.

Trustee Gutheil added he asked weeks ago for the Board to look into the Police policies and procedures manual for an update, especially for shootings, and have Counsel review it. Mayor Bodkin stated the manual had been turned over to Attorney Paltrowitz for review for the PBA Contracts. Trustee Gutheil stated a discrimination issue in Congress regarding haircuts and styles should be considered as well.

Trustee Gutheil brought up the 20-21 AUD and the 21-22 AUD. Mayor Bodkin stated the finalization of the audit and correction of journal entries was in process by FAZ and upon completion could be turned over to EFGP for filing who would also work on 2020 and 2021 AUD filing as they have been contracted for 3 years. Regarding a time frame, the Mayor added a meeting would be set up between FAZ and Village staff to find the best policy for correcting the hundreds of errors.

Trustee Gutheil asked about the hiring of two cleaners for the bathrooms and when they were to start. Attorney Bartkowski went over the work with the individual; she would talk to the other individual as a back-up. Attorney Bartkowski suggested using an employment offer spelling out duties and expectations, but said she could set up a 1099 contract. Trustee Girard stated the individual would be performing the duties as overtime since he was already an employee. Trustee Gutheil asked if Union questions regarding this had been resolved. Mayor Bodkin suggested tabling the discussion and picking it up in Executive Session.

7. Animal Control Report, DPW Report, PD Report- Trustee Carota made **motion #060122-1** to receive and file the Animal Control Report, DPW Report, and PD Report for May 2022, Trustee Girard seconded. Trustee Carota, Trustee Girard, and Trustee Gutheil voted yes as did Mayor Bodkin, Motion passed.

8. CSEA Contract- Mayor Bodkin stated the Board should have received the signed CSEA Contract and that there was a memorandum which the CSEA needed to sign. Attorney Paltrowitz reviewed the contract to ensure it was what the Board discussed and agreed upon; it was an oversight that the CSEA representative did not sign it. Trustee Carota made **motion #060122-2** for the Mayor to sign the CSEA contract. Trustee Girard seconded. Trustee Carota and Trustee Girard voted yes, Trustee Gutheil voted no, Mayor Bodkin voted yes, motion passed. Trustee Gutheil stated he would be voting no due to language in the contract not being "cleaned up" especially the sick days. Trustee Girard stated the addition of the Memorandum had to be voted on first. Trustee Carota approved the tabling of the vote and made **motion #060122-3** to approve the Memorandum, Trustee Girard seconded. Trustee Carota voted yes, Trustee Girard voted yes, Trustee Gutheil abstained as he had not read it, the Mayor voted yes, passing the motion. Trustee Girard stated he agreed with what Trustee Gutheil said regarding the language. Mayor Bodkin noted he would change the date to the current month. Trustee Girard asked if the Mayor would change and initial; Mayor Bodkin said yes.

9. DPW New Hire Request- Mayor Bodkin asked if the Board had reviewed the matter. Trustee Carota made **motion #060122-4** to hire. Trustee Girard stated he had a discussion which needed to be in the Executive Session. Trustee Carota stated he was fine with the issue being revisited. Motion was tabled.

10. Change in title discussion, Highway Maintenance Supervisor VS Superintendent of Public Works- Mayor Bodkin asked Saratoga County to differentiate between the two, and it was determined the Superintendent of Public Works more appropriately fits the job being done by TJ Chagnon. Trustee Gutheil made **motion #060122-5** to create the position Superintendent of Public Works, Trustee Girard seconded. Trustee Gutheil voted yes, Trustee Girard voted yes, Trustee Carota voted yes, Mayor Bodkin voted yes, motion passed. No EEO postings were necessary as it was just a change in title.

11. Quote for Street Sweeper- TJ Chagnon recommended accepting the Simcom proposal for a new Johnston Sweeper. Simcom bid \$259,664 with \$25,000 trade in, Timco bid \$321,045 and no trade in, and Northeast Sweepers bid \$290,408.92 with a \$6,000 trade in. TJ proposed the funds come from Reserves. Trustee Girard stated he would not vote for it if all the money came from Reserve; he asked to pay for a portion under CHIPs. TJ stated the purchase was time sensitive, a truck needed to be purchased also, and needed to know how much from CHIPs would be spent and how much from Reserve. Trustee Gutheil

asked about the Sourcewell Contract and if the Board was meeting its obligation under general municipal law. Attorney Bartkowski stated that state contract obligations had been met. She further asked about a warranty and maintenance; TJ stated he could find out and also that the Village had a Sourcewell number. He added if the purchase was tabled he could get a copy of the contract as well as approval from CHIPs. Mayor Bodkin asked for a resolution contingent upon Counsel's review, CHIPs approval, and the purchase made with CHIPs funds and the remainder coming from Reserves. Trustee Carota approved as did Trustee Girard. Trustee Gutheil asked what happens if CHIPs funding is unavailable; Mayor Bodkin said the resolution would die. Trustee Carota made **motion #060122-6** to purchase a new sweeper for \$259,664 with CHIPs approval and counsel approval and coming from DPW major equipment reserve, Mayor Bodkin seconded. Trustee Carota voted yes, Trustee Girard voted yes, Trustee Gutheil abstained, Mayor Bodkin voted yes. Motion passed. Trustee Girard asked Counsel if it was true the Board had to return and take action on the expenditure and which accounts will be used. Attorney Bartkowski answered yes. Trustee Gutheil abstained due to not knowing where the funds will come from and how much from each account.

12. 168 Saratoga, planning board request- The Planning Board Chairperson is unsure if he has the authority to sign mylars as they relate to approved projects related to planning board decisions. Counsel said the chairperson has that authority. To confirm, Mayor Bodkin asked for a resolution authorizing the planning board chairman to sign all mylars approved by the planning board. Trustee Carota made **motion #060122-7** to approve the Planning Board Chairperson to sign all mylars associated with previously approved Planning Board projects. Trustee Girard seconded; Trustee Carota, Girard and Gutheil voted yes, as did Mayor Bodkin, motion passed.

13. Update of Local Laws 1, 2, and 3 of 2022. Trustee Carota made **motion #060122-8** to approve all three laws with amendments noted and attorney approval. Trustee Girard seconded. Trustee Carota voted yes, Trustee Girard voted yes, Trustee Gutheil voted no, Mayor Bodkin voted yes, motion passed. **Discussion:** Trustee Gutheil asked if the public hearings were advertised and what dates. Matthew Espey stated the laws were posted in the Post-Star and on the Village website as well as on the front door. Trustee Gutheil asked in regard to Local Law 1 if there were definitions of HDPE and CTS in the Local Law. TJ Chagnon stated CTS refers to Copper Tube Size. Attorney Bartkowski stated she needed the definitions and amendments sent to her. Mayor Bodkin stated he added in Section C HDPE, CTS 250 psci, or type K copper pipe, and in section H added 3/4 inch HDPE CTS 250 psci or 3/4 inch type K copper pipe. Trustee Gutheil asked if they normally would refer to AWWA specifications for potable water. Trustee Carota amended his motion to include AWWA specifications for potable water and other amendments, Trustee Girard seconded the amended motion. Trustee Gutheil stated he was not comfortable with Local Law 2 and wanted to see the Laws in their final form before voting. Attorney Bartkowski said another meeting would have to be called. Mayor Bodkin stated the marked up version was sent to Counsel, and so the Board had the marked up versions the Mayor emailed them. Trustee Gutheil wanted them on the agenda for the next meeting. Trustee Girard suggested saying with changes noted and pending approval from the Attorney. Trustee Gutheil asked for a separate vote on each Local Law.

14. Trustee Reports- Trustee Gutheil stated the Memorial Day Parade was a success and thanked everyone. He added the Village Water and Sewer Committee sent an email to the Town of Moreau Water Committee asking for a longer term contract since the DOH requires a contract to be in place. The Town replied they would be in touch. Mayor Bodkin asked to be CC'd.

15. Mayor's Report- Mayor Bodkin thanked the Parade Committee, Pam Ostrander, and Cheryl Lawyer and their team as well as the DPW. Mayor Bodkin asked to dedicate one of the trees being purchased to Mr. Jim Phair and get a plaque. All Trustees agreed.

16. Executive Session Items; PBA, Open Items: Moss Estate, Glen Gate Plaza, Performance of an unnamed person or persons, Personnel Financial Request, DPW New Hire. Trustee Girard asked to receive information, as did Attorney Bartkowski. Trustee Carota made **motion 060122-9** to go into Executive Session, Trustee Girard seconded; Trustee Carota, Trustee Girard, and Trustee Gutheil voted yes, Mayor Bodkin voted yes, motion passed.

19. Trustee Carota made **motion #060122-10** to end the Executive Session with no action taken, Trustee Girard seconded. All in favor, motion passed.

Trustee Carota made **motion #060122-11** to hire an unnamed person as a DPW laborer subject to obtaining a Type 2A water license within 6 months, with the ability to request an extension, subject to background check and normal CDL drug screen procedures. Trustee Girard seconded. Trustee Carota, Trustee Girard, and Trustee Gutheil voted yes as did Mayor Bodkin, motion passed.

Trustee Carota made **motion #060122-12** to adjourn the meeting; Trustee Girard seconded. Trustee Carota, Trustee Girard, and Trustee Gutheil voted yes; Mayor Bodkin voted yes, motion passed, meeting adjourned.