

Village of South Glens Falls
46 Saratoga Avenue, South Glens Falls, NY 12803

6:30 PM Executive Session

7:00 PM Regular Session

July 6, 2022

MAYOR NICHOLAS BODKIN PRESIDING

Minutes

Attendance:

Mayor Bodkin	Matthew Espey
Trustee Gutheil	TJ Chagnon
Trustee Girard	Samantha Berg
Trustee Carota	John Hoey
Attorney Paltrowitz	

Absent: Trustee Orlow

Executive Session: Motion #070622-1 to adjourn Executive Session with no action taken at 7:15PM. Trustee Carota motions, Trustee Girard seconds. All in favor, motion passed.

Public Forum 7:16 PM: John Hoey commented that roadside debris was an issue in the Village. The George Moss estate was discussed.

1. WIIA Water Project: An email was sent from Delaware Engineering; payapp location was sent, #6 and #7 to be signed for project closeout of resolution of Department of Labor investigation. Motion #070622-2 to pay amount. Trustee Carota motioned for payment. Trustee Girard asked to table Motion until the bill was more closely looked at, Trustee Carota agreed and there was no second.

Trustee Gutheil made a comment that Anthony Mantas has not attended a meeting for a while. He also stated the Board needed information in advance, especially financial information, and he would not be voting in favor of any of the items until more information was forthcoming. Trustee Gutheil asked for the amount the Village has drawn on the note; he added if he does not start getting answers he will go to a state agency for assistance in getting the information. Samantha Berg stated there was \$1.2 million of grant money left.

a. Water Tank Update: Anthony Mantas asked in the email if there was an update on the National Grid utility relocation. The Board approved the expense to be paid in this voucher; Trustee

Girard stated the amount should be paid out of H fund. Samantha Berg stated she coded it like she did to get the money from the grant.

b. Carbon Filtration Project Update: The State acknowledged the MWBE waiver for Jersen Construction Group, and the utilization plan was approved.

Motion #070622-3 for Mayor Bodkin to sign off on the document for the MWBE Utilization Plan SRF Project #DO 1833-2 Contract ID #1G. Trustee Carota motioned, Trustee Girard seconded. Trustee Carota voted yes, Trustee Girard voted yes, Trustee Gutheil voted no, Mayor Bodkin voted yes, motion passed. Trustee Gutheil asked where the information came from, when it came, and why the Trustees did not have copies.

WIIA Sewer Project, update: KPI has not responded to Delaware's request for updates. Trustee Gutheil stated this has gone on since Fall, it is now July, and asked what the engineer is doing to bring this to closure. Trustee Girard said there is a penalty clause.

2. CDBG- As built plans update: (Wilson and Haviland) TKC has not provided the Board drawings yet.

3. GIGP Update (Water Meters): The spring boxes are regulated by the Department of Health; the wells are regulated and licensed by the Department of Environmental Conservation. The deep well was licensed in 1990. The State DEC now has a requirement for meters. Mayor Bodkin asked for Counsel's advice on whether the Village is subject to the regulation or if it is grandfathered in. Trustee Gutheil asked when Counsel last attended a meeting. Mayor Bodkin wants an answer from Counsel before throwing away the grant. He added approximately \$12,000 has been spent on the project so far. Trustee Gutheil stated the bid specs need changes. Attorney Paltrowitz said there was limited deviation from the grant specs. TJ Chagnon said there is another firm that has done a study that does everything with the meters including oversight and installation.

4. New Business, 5. Old Business, 6. Transfer for Warrant, and 7. Motion to Approve Bills as Audited were skipped to allow Larry to get out of the meeting quicker.

8. Bond discussion: Attorney Paltrowitz stated in 2019 a Project Finance Agreement was signed authorizing \$2.7 million but only \$1,080,000 has been utilized and being short term it will be up on August 8, 2022. The Village inquired if it could go to long term financing; EFC suggested the short term financing be extended until December 31, 2023. The Village can switch to long term financing at any time once the amount has been determined; counsel suggests switching sooner rather than later. The financing has a 1.192 interest rate, subject to original terms with EFC. The Mayor needs to sign an amendment to the finance agreement extending the contract. Attorney Bartkowski needs to sign an opinion letter to EFC saying there have been no lawsuits and that the interest is tax exempt. Trustee Gutheil asked how the Village would know how much money it needs as far as its fund balance is concerned, and how much it can borrow. Attorney Paltrowitz said he would inquire of EFC if they would bifurcate the long term financing; he suggested the Mayor sign the extension through 12-31-2023. The project does not have to be complete to close on the bond.

4. New Business: There is no new business.

5. Old Business: Motion #070622-4 to approve contacting people with delinquent water bills. Trustee Carota made motion, Trustee Girard seconded. All voted yes, motion passed.

Discussion: Trustee Gutheil brought up the Deferred Payment Plan. Samantha Berg stated there has been no movement from Counsel. Trustee Gutheil asked if the people were to be contacted and stated that things are not getting done. Samantha Berg said with Board approval Matthew Espey could reach out and inquire about payment.

Trustee Gutheil asked TJ Chagnon about the trees and where they were to be planted. TJ Chagnon wants public input on where to plant the 13 trees. Trustee Gutheil further asked about meeting minutes and asked it be on the agenda for the next meeting. The Mayor stated the outside vendor has been contacted. Trustee Gutheil said he would do something drastic and find money for the work to be done. Trustee Gutheil stated the Village should pay the outside vendor for work done then find someone else.

Trustee Gutheil asked about the FOIL request and if the emails had been answered. Matthew Espey said the FOILs have all been acknowledged except for one received today; Chief Gifford had to look over some and Attorney Bartkowski had some to look over.

Trustee Gutheil asked about taking executive action on getting Bathrooms cleaned. Mayor Bodkin said he took an old contract and modified it for the Board. Trustee Gutheil asked what the attorney was doing. Trustee Girard said the contract needed hours stated. Trustee Gutheil asked to discuss it in the Executive Session.

Trustee Gutheil asked if the local laws had been filed. Mayor Bodkin said he followed procedure to file the laws and with the absence of the Clerk Treasurer, the Deputy Clerk Treasurer can take action on this once they have time to file the tax levy.

6. Transfer for Warrant:

a. A8140.405 to A8140.403 \$103.00

Motion #070622-5 to approve transfers as presented. Trustee Carota motioned, Trustee Gutheil seconded. All voted yes, motion passed.

Mayor Bodkin asked if the Board was willing to pay for National Grid out of an FX fund then reimbursing FX fund the \$21,945.95, possibly from a grant, for relocation of power poles. Mayor Bodkin said it could be taken out of H1990.40. A note would be made to reimburse itself.

7. Motion to Approve Bills as Audited: Motion #070622-6 to approve bills with the exception of the HRA. Trustee Carota motioned, Trustee Girard seconded. Trustee Carota voted yes, Trustee Girard voted yes, Trustee Gutheil voted no, Mayor Bodkin voted yes. motion passed.

Discussion: Mayor Bodkin stated one item was Christmas decorations but it was in last year's budget. Samantha Berg was to pull the HRA to make sure things went to the correct year's warrant.

9. Body Armor discussion: Trustee Gutheil asked this be added to the agenda. The Mayor did some research and spoke to Sgt. Martin regarding body armor. Trustee Gutheil stated he wanted to make sure the right armor was being purchased; he added the Village should buy a shield, talk to other agencies as to who would be in charge, and speak to the Chief as to what equipment should be purchased. Mayor Bodkin said Chief Gifford has been consulted and was working on it; he added Sgt. Martin suggested 2 sets of type 4 body armor. A breach bag was also discussed as well as first aid equipment. Trustee Girard requested the Chief come to the next meeting.

10. Sidewalk Cost Adjustment: Motion #070622-7 to increase the sidewalk and curb fees from \$6.00 to \$6.50 per sq. ft. with \$.25 increase for residents, and curb to \$10.00 per sq. ft., with an increase of \$.50 for residents. Trustee Girard motioned, Trustee Carota seconded. All voted yes, motion passed.

Discussion: The 50/50 sidewalk material cost has increased and needs adjustment from \$6.00 to \$6.50 per sq. ft. with \$.25 increase for residents, and curb to \$10.00 per sq. ft., with an increase of \$.50 for residents. The increase would defray fuel surcharge, blacktop, and topsoil, grass seed, etc. increases. Samantha Berg will make the necessary changes on the forms.

11. Saratoga County Trails Grant: The application for a grant has been submitted.

13. Monthly Department Reports: Motion #070622-8 to receive and file PD Report, Animal Control Report, and DPW Report. Trustee Carota motioned, Trustee Girard seconded. All voted yes, motion passed.

12. Police Report: Motion #070622-9 to rehire Officer McDonald. Trustee Gutheil motioned, Trustee Girard seconded. All voted yes, motion passed. Motion #070622-10 to hire an unnamed part-time police officer subject to a background check. Trustee Girard motioned, Trustee Gutheil seconded. All trustees and the Mayor voted yes, motion passed. Trustee Girard asked about an update on hiring two full time officers instead of running up overtime.

14. DPW Report

a. Aramark Proposal: Motion #070622-11 for approval of contract pending Counsel's review and approval by 07-11. Trustee Girard motioned, Trustee Carota seconded. All voted yes, motion passed.

TJ Chagnon stated he had to buy two new weed whackers. He suggested Green Management LLC from account A1640.409 for \$659.98. Motion #070622-12 for purchase of two new weed whackers from Green Management LLC from account A1640.409 for \$659.98. Trustee Carota motioned, Trustee Gutheil seconded. Trustees Carota and Gutheil voted yes, Trustee Girard abstained, Mayor Bodkin voted yes, motion passed.

Discussion: Trustee Gutheil wanted the old weed whackers put up for auction.

15. Police Car Internet update: Mayor Bodkin reminded all department heads to update information because the incorrect Chief was getting alerts that internet connection in the Police car was going to be turned off. Samantha Berg was able to get continued service and quotes; the current provider offered the best price. To comply with new technology, prices are now \$99/month.

Trustee Gutheil asked about the Magna system; was it saving money. Mayor Bodkin stated the cost savings would not be realized until the land line was disconnected; also the security systems were not taken into consideration.

16. Village Museum

a. Discussion on caretakers: Mr. Hayes noted repairs were needed and money was needed to compensate caretakers. Trustee Gutheil stated they were volunteers who did not get paid.

Trustee Gutheil asked about concerts. Trustee Girard said it was really too late to do it this year. Mayor Bodkin said he had a proposal regarding concerts for next year.

17. Fire Department New Member: A thank you to Joseph Winchell for joining the South Glens Falls Fire Company.

18. Update on Local Laws: No update at this time.

Motion #070622-13 to file the Building Inspector and Code Enforcement Report. Trustee Girard motioned, Trustee Carota seconded. All voted yes, motion passed.

Samantha Berg said Kevin was doing a great job along with the help of Matthew Espey, the turnaround for permits was down to a few days, and there was a meeting with the Town of Moreau tomorrow to update and set up a process for them to get permits.

Samantha Berg also stated the Trustees were given a breakdown of collections through the end of the month; property taxes were largely collected as well as water and sewer bills.

19. FAZ Auditor Update: Motion #070622-14 to meet with FAZ and discuss what work was going on and receive a written report and final quote. Trustee Girard motioned, Trustee Gutheil seconded. Trustee Girard, Trustee Carota and Trustee Gutheil voted yes, Mayor Bodkin abstained. motion passed.

Discussion: Samantha Berg stated she was up to November in correcting entries. New balance sheets are sent out monthly. The majority of errors were ACH's entered as checks which were never cleared or reconciled. Mayor Bodkin stated the audit carried the Village through 12-31-21, and asked if the Board would allow FAZ to continue the audit. Trustee Girard asked about the cost so far, which is \$19,355.80, approximately \$155 over budgeted amount. EFPR group offered to lower the bill to \$5,500. Trustee Gutheil stated he has gotten no information he has asked for, did not know the cost of the EFPR group and would be voting no. Mayor Bodkin said he notified OSC who said they would look into things within the next 12-18 months. He added that the Village would have to pay EFPR \$10,509 for 2 years of AUD filings and that FAZ had been hired to do a forensic audit. Samantha Berg stated EFPR has ceased all work while FAZ is doing a line by line audit. Trustee Gutheil stated in the proposal from FAZ he did not see they were to be doing an audit.

Motion #070622-15 that Trustees be given all emails and correspondence between the Village, FAZ, and EFPR. Trustee Gutheil motioned, Trustee Girard seconded. All Trustees voted yes, Mayor Bodkin abstained. Motion passed.

Discussion: Trustee Girard asked the Trustees names be CC'd on the emails sent by Samantha Berg to FAZ and EFPR.

20. AUD Update 2020-2021 EFPR Group:

Motion #070622-16 to have EFPR file AUD for 2020-21 and 2021-22 for \$2,500 per year. Trustee Girard motioned, Trustee Carota seconded. Trustees Carota and Girard voted yes, Trustee Gutheil voted no, Mayor Bodkin voted yes. Motion passed.

Discussion: Trustee Gutheil stated for the record the Village was still on the hook for the original agreement with EFPR and until the books are closed he will be a no. He added this is a firm the Board has had zero communication with and have not seen since the award was done.

21. EV Charging Station Grant Opportunities: Trustee Girard asked to table this.

22. Certificate of Occupancy Fees:

Discussion: A Certificate of Occupancy is sometimes necessary without a building permit. There is currently no fee for a CO and requires an amount of work for staff. Trustees decided to leave it as is for now.

23. Trustee Reports: Trustee Gutheil stated they had been over the water specs and he has notes, especially on contradictory language. TJ Chagnon said he would go over them with the Trustees. The Mayor asked for a breakdown. Trustee Girard expressed his frustration with the situation. Trustee Gutheil asked for the RFP for the engineers; the Mayor said it got sent out and the Board rejected them.

24. Mayor's Report: Mayor Bodkin stated there has been an issue of people publicly urinating on the Betar Byway, so the Mayor wants to put a Porta Potty by the DPW garage. Trustee Girard said to table it for tonight and put it on next time. John Hoey expresses concern about Police not being as present on the Byway. There is further discussion regarding the GIGP project between the Mayor and Trustees Gutheil and Girard.

25. Executive Session: Motion **#070622-17** to go into Executive Session at 9:43PM. Trustee Carota motioned, Trustee Gutheil seconded. All voted yes, motion passed. Items are PBA, Moss Estate, Glen Gate Plaza, Health Insurance Deduction, Performance of an unnamed person or persons.

26. Motion **#070622-18** to re-enter the public session and adjourn the Executive Session at 10:07 PM with no action taken. Trustee Carota motioned, Trustee Girard seconded. All voted yes, Motion passed.

27. Motion **#070622-19** to adjourn tonight's public session at 10:08PM. Trustee Carota motioned, Trustee Girard seconded. All voted yes, motion passed.

