

Village of South Glens Falls
46 Saratoga Avenue, South Glens Falls, NY12803
November 1st, 2023
7:20 PM

Regular Village Board Meeting

MAYOR NICHOLAS BODKIN PRESIDING

Minutes

Attendance:

Mayor Bodkin
Trustee Girard
Trustee Carota
Trustee Orlow
Trustee Gutheil

Samantha Berg
TJ Chagnon
Nick
User
David Gifford
Jim
Nick
518-222-1636
Trump
Wilford Brimley
Dennis Davall
Debbie & Tim Buckley
Cynthia & Carl Gee

The Mayor opens the meeting at 7:20PM.

1. Proposed Local Laws for Public Hearing: The Mayor opened the Public Hearing at 7:20PM and asked if anyone from the public wished to address the Board. Samantha Berg read aloud an email submitted from a resident. They expressed their support for having food trucks in the Village on behalf of the Chamber of Commerce and as a resident. No one else from the public addressed the Board at this time. The Public Hearing is left open as each law is discussed.

a. Local Law #2 2023 Food Truck Local Law: Trustee Girard proposed several changes and comments for the presented law. Trustee Gutheil believes the proposed law needs more work, he wants to be sure it is clarified that food delivery companies such as DoorDash do not fall into this law. Trustee Gutheil had several more comments on the food truck law. Trustee Carota supports revising the law. Trustee Gutheil and Girard suggested increasing the distance for food trucks being near schools, restaurants, firehouses, and etc. The Mayor provided his thoughts on the distance allowed. Several members of the public addressed to the Board their thoughts.

- b. **Local Law #3 2023 Engine Brake Law:** The Mayor and TJ Chagnon provided some detail, Dennis Davall from the public said he supports this. Trustee Gutheil supports the law but doesn't see a conviction standing and enforcement will be difficult. Trustee Carota supports the law and would like to have signs put up.
- c. **Local Law #4 2023 Parking Ticket Fee Law:** The Mayor answered some questions from the public regarding the proposed parking law. Trustee Gutheil supports the fines as they are currently, he does not support increasing them due to low income in the area. Trustee Orlow also supports the fees as they are and does not want to alienate people. TJ Chagnon and Chief Gifford provided parking issues increase during the winter months and explained how they are currently handled. Trustee Carota provided parking around the school has been an issue and supports increasing the fee to help enforce parking restrictions.
Motion #110123-1 to approve local law #3 Engine Brake Law of 2023 as drafted. Trustee Gutheil motioned, Trustee Orlow seconded. All in favor, motion passed.
Motion #110123-2 to approve local law #4 of 2023 Parking Ticket Fee as presented. Trustee Carota motioned, Trustee Girard seconded. Trustee Gutheil voted no for reasons stated earlier, Trustee Orlow abstained due to wanting the law to have revision to focus on certain areas and circumstances, all others in favor. Motion passed. The Public Hearing will stay open for the next workshop to allow for public comment.

2. Grant Projects Update

- a. **Carbon Filtration:** The Mayor provided the Village is waiting for a rebuttal from the contractor. TJ Chagnon suggested looking into how cold temperatures will affect this.
- b. **GIGP:** TJ Chagnon provided Water Tower Village Apartments has asked if the Village would install meters instead of them putting in a meter pit. The Board and TJ Chagnon further discussed how this will affect the project.

3. **Motion to allow the Clerk's Office to pay via ACH as needed:** **Motion #110123-3** to allow the clerk's office to pay via ACH when they can to prevent late fees from incurring upon approval of the warrant. Trustee Orlow motioned, Trustee Carota seconded. Trustee Girard voted no, all others in favor. Motion passed.

Discussion: Samantha Berg provided numerous invoices have a balance forward due to checks taking several weeks to be mailed. The Board had several questions and Samantha Berg provided more information.

4. **Transfers:** **Motion #110123-4** to approve the transfers with the amendment of breaking down the missed payment transfer 2021-2022 into the proper A, FX, and G funds. Trustee Carota motioned, Trustee Orlow seconded. All in favor except for Trustee Gutheil who abstained for reasons stated, motion passed.
Discussion: The Board discussed the missed payment transfer. Trustee Gutheil asked if there are any funds left to not pull from contingency, he believes the comptroller recommends exhausting other accounts before contingency. The Mayor provided it is helpful to pull from contingency and leave the other accounts alone to more efficiently budget for the next fiscal year.

11/01/2023	2023-2024		
A 1990.400	A 1910.400	\$33,325.15	MISSED PAYMENT 2021-2022
A 1990.400	A 3410.404	\$275.92	FIRE TRUCK REPAIRS
A 1990.400	A 1325.409	\$1,932.00	MULTIFACTOR AUTH. SET UP REQUIRED BY INSURANCE / NOT BUDGETED

5. **Motion #110123-5** to Approve the Bills and Payroll as Audited, pulling the special warrant for \$43,601.07 and pulling voucher #408. Trustee Carota motioned, Trustee Orlow seconded. All in favor except for Trustee Gutheil who abstained for his concerns stated on the other bills, motion passed.

Discussion: Samantha Berg provided the special warrant includes Firehouse and insurance vouchers. Trustee Gutheil asked about voucher #387, the purchase of a tonneau cover, the Mayor provided it was for the Water Department truck and reasons for the purchase. Trustee Gutheil asked about voucher #393 for Cardiac Care Battery, the Chief provided this is a reasonable price. Trustee Gutheil Voucher #420, the attorneys bill. He said there is not enough information for him to approve the bill and believes he is not receiving correspondence he should be receiving. Trustee Gutheil asked to pull voucher #408 and discuss it in Executive Session.

Motion #110123-6 to approve the special warrant, only approving the insurance portion for \$33,325.15. Trustee Carota motioned, Trustee Orlow seconded. All in favor, except for Trustee Gutheil who abstained for not having done his own personal research. Motion passed.

- a. **General - \$47,650.76**
- b. **Water - \$9,393.38**
- c. **Sewer - \$1,835.19**
- d. **Special - \$43,601.07**
- e. **Payroll**
 - i. **10/25/23 - \$29,190.94**
 - ii. **11/01/23 - \$22,857.58**

6. **Amend Budget for CHIPS**

- a. **A 3501.0000 - \$390,000.00 (Revenue): A 5112.200 - \$390,000.00**

(Expenditure): The Mayor provided motion #060122-6 was to purchase a new sweeper for \$259,664 with CHIPS approval from DPW Major Equipment Reserve.

Motion #110123-7 to rescind motion #060122-6 to purchase a new sweeper for \$259,664 with CHIPS approval from DPW Major Equipment Reserve. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.

Motion #110123-8 to amend the budget accounts A3501.000 (Revenue) to \$390,000 and A5112.200 (Expenditure) to \$390,000. Trustee Gutheil motioned, Trustee Carota seconded. All in favor, motion passed.

Motion #110123-9 to approve the purchase of the new sweeper from the CHIPS fund, pending receipt of the MSO. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.

Motion #110123-10 to return funds from A5110.201 \$5,000, A5142.200 \$5,000, A5989.201 \$1,500 to DPW Major Equipment A9901.1914. Trustee Girard motioned, Trustee Gutheil seconded. All in favor, motion passed.

- 7. PD Patrol Car Lettering/Decals:** **Motion #110123-11** to approve the payment to Liberty Graphics, the lowest responsible quote, for \$570 to decal and letter the PD patrol car. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.
- 8. Motion #110123-12** to accept and file DPW, PD, Building Inspector/Code Enforcement, and Animal Control Reports for the month of October. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.
- 9. 120Water Timeline:** TJ Chagnon provided they are looking to get 120Water setup before the meter project begins. Trustee Gutheil would like an update from the engineers on the start of the project. TJ Chagnon provided more information to Trustee Gutheil regarding 120Water and the meter project.
- 10. Dog Warden complaints:** Debbie Buckley addressed the Board regarding a recent dog attack in the Village, she expressed her concerns for how it is being handled. The Mayor provided the Town of Moreau has a Dog Warden and issues dog licenses, this is a Town of Moreau ordinance issue. Chief Gifford explained how the process works for handling these instances. Trustee Gutheil believes we should address the Town of Moreau Board. Trustee Gutheil provided more thoughts on preventing dog issues. Trustee Girard wants to enforce the leash law and reach out to the Town. Trustee Gutheil would like to address the Town of Moreau regarding this issue. The Mayor provided that the Chief and himself have reached out to the Town of Moreau and received no response. Trustee Gutheil provided he has been reaching out to numerous people as well.
- 11. Drinking Water Source Protection Program:** TJ Chagnon provided this is a free service from NYS. Alan Dubois would work with the state and DEC on ideas for protection of the Village's water sources.
Motion #110123-13 to enroll in the NYS Drinking Water Source Protection Program. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.
- 12. Motion #110123-14** to enter Executive Session at 8:42PM to interview Mr. Nikas. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.
- 13. Motion #110123-15** to adjourn Executive Session at 9:12PM with no action taken and reopen the Public Session. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.
- 14. National Grid decorations agreement:** **Motion #110123-16** to authorize the Mayor to sign the Nation Grid Agreement to allow for the pole decorations. Trustee Orlow motioned, Trustee Gutheil seconded. All in favor, motion passed.

15. Minutes (10/18/23): **Motion #110123-17** to approve minutes from 10/18/2023. Trustee Orlow motioned, Trustee Carota seconded. Trustee Gutheil abstained for having several questions on wording in the minutes, all others in favor. Motion passed.

Discussion: Trustee Gutheil believes some parts of the discussion are important and would like more information disclosed in some of the discussions.

16. Recognize New Member of the Fire Company, Clyde Nicholson: The Mayor recognized and thanked the new Fire Company Member.

17. Old Business

- a. **Main Street property (formerly Moss property):** Trustee Gutheil would like a copy of the agreement with the property owner. The Mayor said it is not a contract but an understanding of the need to clean the property.
- b. **Former McDonalds property:** The Board discussed the cleaning of the property.
- c. **Essity Departure & Industrial Zoning:** Trustee Gutheil recommended everyone to look into zoning and environmental regulations.
- d. **Speed Signs:** Trustee Gutheil would like to see the speed signs up soon. TJ Chagnon provided they are very busy and also preparing for the winter season, they are working to have them up when possible.
- e. **Fire Company contract and payment status:** Trustee Gutheil asked when they last got paid, the Mayor said they were paid in January and there are some contractual issues the Board needs to resolve in order to come to an agreement on a new contract.
- f. **Bridge Lighting:** TJ Chagnon said he has presented information to the Board and is waiting for the attorney to review it.

18. New Business:

- a. **Motion #110123-18** to send a 30 day notice to the Village's current counsel, Miller, Mannix, and Schachner for the general board services. Trustee Girard motioned, Trustee Orlow seconded. All in favor, motion passed.
Motion #110123-19 to hire William Nikas Law Firm as general Board counsel for an annual retainer for \$36,000, effective upon the end of the 30 day notice to previous counsel. Motioned by Trustee Girard, seconded by Trustee Gutheil. All in favor, motion passed.

19. Trustee Reports:

- a. Trustee Gutheil requested a Utilization report for HRA, he will email Samantha Berg to request this.

20. Mayor's Report

- a. The Mayor provided he was at the Common Roots Ribbon Cutting and looks forward to having the business grow in our community.

Note: Trustee Orlow left the meeting at 9:32PM.

21. **Motion #110123-20** to enter Executive Session to discuss voucher #408 and performance of an unnamed person or persons at 9:33PM. Trustee Gutheil motioned, Trustee Carota seconded. All in favor, motion passed.

22. **Motion #110123-21** to adjourn Executive Session at 10:10PM and reopen the Public Session with no action taken. Trustee Carota motioned, Trustee Girard seconded. All in

favor, motion passed.

23. **Motion #110123-22** to approve voucher #2400408 for \$776.16. Trustee Carota motioned, Trustee Girard seconded. All in favor except for Trustee Gutheil who voted no. Motion passed.

Discussion: Trustee Gutheil will not support the resolution, he recommended to have counsel review it before we pay.

24. **Motion #110123-23** to adjourn tonight's meeting at 10:10PM. Trustee Carota motioned, Trustee Girard seconded. All in favor, motion passed.