

## Welcome Public

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

November 3, 2021

6:55 PM

### Public Hearing/Village Board Meeting

MAYOR NICHOLAS BODKIN PRESIDING

Minutes

#### Attendance:

Mayor Bodkin	Chuck
Trustee Gutheil	Trustee Girard
Trustee Carota	Attorney Bartkowski
Anthony Mantas	Alan
Clerk/Treasurer Joy Bartholomew	(856)668-6794
Deputy Clerk Kristen Doyle	(518)792-0285
Nick	Caller 1
JM	(518)832-5007
Bill	

Absent: Trustee Orlow

- 1. Public Hearing Local Law 1 of 2021 6:55 PM:** Mayor presented the local law and notice provided by Attorney Bartkowski, Cannabis Local Law. The purpose of the public hearing is to hear public comment on the draft of proposed Local Law No. 1 of 2021 which proposes to opt the Village of South Glens Falls, NY out of on-site cannabis consumption establishments within its boundaries. A copy of said proposed Local Law is posted at the Village Offices located at 46 Saratoga Avenue, South Glens Falls, NY 12803, and online at the Village's website: [www.sgfny.com](http://www.sgfny.com). (Please see the "Message of Necessity" for public notice). Mayor opened the floor for public comment, Charles Granger would like to address the board, he questions why we are opting out of this law. A trustee brought it up at the last meeting and a resolution was passed to opt out of lounges in the area, but allow sales with a local law for a license. Charles does not support this law and believes the Village is missing out on possible revenue. 7:04PM the public hearing was closed and the regular village board meeting was opened.
- 2. Public forum:** none. Public forum is closed.
- 3. WIIA Water Project;**
  - a. Water tank update:** Anthony will be up around 2PM on 11/4/2021 to take photos of the tank to show what was done for repairs. Took before photos on 11/2/21. Hopefully they can start to disinfect and refill the tank on 11/5/2021. The Mayor



was hoping we could use the extra chlorine that we have, TJ says we have it if we want too, and would probably only use one 5 gallon jug.

- b. Carbon Filtration Project update: At this time, no vendors have requested information, but Anthony stated it is still early.

**WIIA Sewer Project:**

- a. KPI plans to mobilize with approved plans the third week of November. Anthony will reach out next week to make sure they have what they need and will be on schedule. This would be around the week of the 22nd, they can give a better date on the 17th board meeting. Trustee Gutheil asked the following questions: If we are doing any elevations? What kind of pitch on the roof? Which way will the gable on the roof go? Anthony stated the elevation on the site plan is a slab elevation and he is not sure without looking at the plans. He also needs to speak with the structural team any other elevation information, he will send the information once he finds out.
- b. **Pump station:** TJ stated we received the pay app for K&J to process to pay. Anthony spoke with Mary, since they are under the same grant, work done by DPW can be billed to the same account that the DPW did for the sewer mains last year. Mayor asked if we will pay the bill then invoice under force account? Anthony stated it is possible to, but can be reimbursed through the same account. Trustee Gutheil questioned why it would even come out of force account, it is not force account work. Anthony stated this is allowed for subcontracting work. Attorney Bartkowski asked the Mayor if this is acceptable to do or do we need to pursue other methods for invoice and payment. Attorney Bartkowski prefers they do a pay app for this. Anthony stated K&J is not a bid contractor, they are a subcontractor. They are sending an invoice for work they did, not a bid contractor invoice. Trustee Girard stated the contractor that bid, refused to do it, so K&J came in and did it for less. We need to figure out how to pay them in a timely manner. It was contracted under the village, sub contracted for scope of work, they then can get reimbursed through the village. Trustee Gutheil agrees they need to be paid but does not understand why it is from the force account. What is considered force account work for payment? For example we contracted someone else to do the tree work that DPW could not do, then the village pays the company for the work done through force account. Either reimburse yourself or hold the bill and then pay them once we get the funds. Trustee Girard asked how we paid for the trees. TJ answers that Saratoga County paid the bills for the trees by mistake, so we have to straighten it out. K&J didn't contract with us with the understanding that we had to get paid before they get paid, we can pay them out of sewer funds then reimburse ourselves if that works, but we will figure out how to pay them. K&J voucher will go into the next meeting and go under force account work. Attorney Bartkowski agrees.

3. **CDBG Project:** Trustee Gutheil asked what will we do with any extra funds, more trees or curbing? Anthony stated we are starting with Haviland and Wilson pipe lining work at this time is complete. Green Mountain came in and finished work within four days about two weeks ago, to Anthony's knowledge, there are no complications. We have not received a pay app yet, Anthony will call again tomorrow, so they can hopefully close out the CDBG project before December 20th. The Mayor asked how many more disbursement requests do we have time for? Anthony stated theoretically just one, he



believes it is every thirty days, unless it is 30 days from the previous one. He recommends we get all pay apps together, then send in a disbursement all at once for everything. The New Castle work, we have a settled amount. Green Mountain is finished, trying to get everyone to get their final pay apps in. TKC is ready, we will use a force account. TJ is working on finishing up. The Mayor stated we still have to factor in attorney costs and potential to do force account work for the Clerk's Office as well, he would like to utilize remaining funds for that as well. The Mayor recommends we speak with Mary about this. Anthony asked Attorney Bartkowski to forward partial and final release of lien forms. Also, if we have a resolution tonight for the Mayor to sign all of the pay apps as they are closed out. TKC is resolved, New Castle can probably be finalized tonight. Green Mountain is clear to close, and force account is ready. The Mayor would prefer to see all documents before authorizing a signatory. We can plan for the next meeting to do this then. Including releasing retainage, should be its own pay app. Usually it takes about 5 business days to get funds, we will provide all documentation by December 20th. Trustee Gutheil asked if TKC had been paid? It has been paid for their original price of blacktop and has been approved for the increase in price. The pay app has not been sent in yet, waiting to do all in one disbursement. TKC is aware of the remaining \$15,000, the rest was processed last week. Once we have everything in order, Anthony or Mary can come up and go through it all and make sure all paperwork is in order to sign and submit everything together. Trustee Gutheil asked if we have any closing documents that need to be signed. Mary is working on it. Trustee Guthiel asked what happens with excess funds, use or return? Anthony stated they prefer we use all the funds. With new administrative expenses, not sure where the balance would stand. We will add up TKC, New Castle, Green Mountain, Force account, and balance we have, then can subtract other funds from that for remaining funds. If we want to submit traffic signs, we need to reach out immediately to CDBG and see if it is eligible to be done. It is possible to use this on trees or curbing. Curbing wouldn't be recommended after fresh paving. We will need approval if it is something we have not submitted for already. The Mayor would like to really look at all funds with the Clerks involved to submit. Also, CDBG is block specific, making sure everything is justifiable. Anthony will get contractor information in order. TJ turned paperwork into Joy for certified payroll, Kristen has payroll on a spreadsheet.

**4. GIGP Update:** Anthony stated they currently had some vendors reach out asking to advertise products. He is requesting a meet and greet to hear about their technology and pros/cons. If we have the meeting we should include the Dept of Water(TJ and Alan) and the Mayor. We will Coordinate a date maybe at the village hall. Line up vendors half hour each to present, get prices and information for when we go out to bid. Schedule date and time if possible. The Mayor asked if any Trustees were interested. Trustee Gutheil and Girard agree to attend. We will schedule a water/sewer meeting at 11AM on 11/15/21. Anthony will compile a list of vendors. Trustee Gutheil asked has anyone looked at bid specs? Anthony stated we can design something we are interested in, then they can match it, equal or better, but have to make sure it doesn't box out any competition. Attorney Bartkowski stated our paperwork was submitted about 15 days early before the deadline. All looked completed and great. Brian reviewed everything and appears to be in order. Next step is the proposed agreement. Anthony will follow up and let us know, also get us a current balance analysis.

**5. New business:** None



**6. Old business:** Trustee Guthiel asked if we were going to vote on local law tonight? Counsel had concerns about the timeline. Will that be tonight or future agenda?-. Attorney Bartkowski said we anticipated voting on it tonight, so she can send it to Saratoga County. Is the board ok to act on local law one of 2021?. Trustee Gutheil asked do we just have one speaker? The Mayor stated yes. No written comments for the record on local law. Motion #110321-1 to approve local law number one of 2021. Trustee Gutheil motions. Trustee Girard seconded. All in favor, motion passes. Attorney Bartkowski will send it to the county board to put on the agenda for their next meeting in November.

**7. Transfers:** The proper GL account for disability was not set in budget. The Mayor will entertain a motion to approve transfers. Motion #110321-2 Trustee Carota motioned, Trustee Girard seconded. All in favor, motion passes.

Discussion: Trustee Girard stated the amount is coming out of dental, make sure to note what accounts it is coming from and transferring too for the disability item. . Need amounts for health and dental listed. Get percentages and amounts, Trustee Girard feels this is not correct. We don't know the percentage off hand, when we do a transfer the percentage should be broken down. Not sure if it would be accepted by the comptroller office. Trustee Guthiel stated sidewalk contractual shouldn't go from contingency, this should be a reimbursed expense. The Mayor stated we haven't received reimbursement yet. Money will go back into the contingency fund when we receive it. The Mayor asked Joy if she knows off hand the percentage breakdown. Trustee Gutheil and Trustee Girard believe it is 88/8/4 as follows. \$573.85- A fund, \$52.17-FX, \$26.08-G. The Mayor stated the accounts are FX9600.800 G9600.800 and A9600.800.

**8. Approve bills:** Motion #110321-3 Trustee Carota motions. Trustee Girard second. All in favor, none opposed, motion passes.

Discussion: Trustee Gutheil wants everyone to look at FX water and electric. Rates have gone up. One of the amazon vouchers says not yet shipped, we need to make sure we receive the products. Delaware vouchers, check if eligible for grant. Orbital fire, is everyone getting training and quizzes? Your account has not been billed yet, the mayor trying to get it added. Some need to be added/deleted. Voucher 412, grant advertising, eligible for grant credit maybe. The Mayor asked the staff to flag Voucher 412. Wex bills, odometers don't add up. Would like to see how many miles a gallon we are getting. Mayor spoke to the employee in regards to this. Trustee Gutheil did not see the proofs of legal ads from the Post Star.

**9. Medicare insurance renewal:** Coverage and rate is not changing. Need to authorize the mayor to sign paperwork necessary to do renewal. Motion #110321-4 to approve the Mayor to sign insurance renewal paperwork. Trustee Gutheil motions. Trustee Girard seconded. All in favor. Motion passes.

**10. Blueshield 4.9% increase:** Breakdown is in the shared folder. The paperwork was reviewed by Larry Paltrowitz and the broker to make sure we comply with PBA and



CSEA, no action needed. Unless we don't want to renew. Trustee Gutheil asked if there was something in regards to out of network? The Mayor states yes there is. Trustee Gutheil is ok if Larry reviewed. The Mayor asks for a motion to allow him to sign for renewal if needed. Attorney Bartkowski stated this is good if there are any additional forms. Silver EX 8000 program. Motion #110421-5 Trustee Girard motioned, Trustee Carota seconded. All in favor, motion passes.

11. **Holiday parade:** Acknowledge we are supporting and allowing it to happen this year. Trustee Girard asked Attorney Bartkowski if she has reviewed and is ok with the paperwork? Attorney Bartkowski stated DOT needs to acknowledge and allow it. We need to clarify that the village is not responsible for anything. Companies producing the parade should be liable for personal injury and personal property. Trustee Gutheil asked if the fire company is the one in charge? Attorney Bartkoswi stated they are. Trustee Gutheil stated we've supported this in the past and is okay as long as we are not assuming any responsibility or liability. Motion #110421-6 to request the Fire Department to hold the holiday parade seeking village support and endorsement, the village can give that, as long as we are not assuming any liability other than their own. Trustee Girard motioned, Trustee Carota seconded. All in favor, motion passes.

12. **NYMIR and National Grid agreement:** Each year we have to renew an agreement with National Grid to hang lighted wreaths. Motion #110421-7 to allow the mayor to sign an agreement when Attorney Bartkwoski is done reviewing. Trustee Gutheil motions, Trustee Girard seconds. All in favor, motion passes.

13. **Ring Central update:** Phones are expected to be installed and updated as follows: 11/9 DPW and PD, 11/10 Clerk Office, 11/11 Water Dept. Magna 5 is dropping one phone line in the Water Department. Matt from StoredTech will come in and help answer any questions on using the phone system. TJ says he also sent an email to have 3 phones, needing another phone for the mechanic station. The Mayor is working on it.

14. **Quickbooks update:** Joy stated vendors are in and she is working on GL accounts now.

15. **Local law:** Refer to shared document to continue moving forward.

16. **RFP for CPA:** The Mayor stated we have 2 responses so far, over a 3 year period, same dollar amount for both proposals. One is the current provider and one is a new provider. Might be appropriate to invite both in for an interview. Trustee Guthiel is ok with that and suggests maybe an hour before the next meeting, 6PM to interview. Trustee Girard is ok with that. 11/17 6PM interview. Closed interview. There will be a notice out on the website.

17. **Chlorine surplus:** TJ still hasn't found anyone, we will keep and use what we have, maybe for the well head. Then we can send containers back when empty and get the



return fee back. We can also use on the water main breaks. This item can be removed from the agenda going forward.

**18. Water tax plant code update:** This is complete, and will be removed from the agenda going forward.

**19. Fire Dept black top:** TJ said this will likely be done in the Spring. TJ spoke to Paul and next week we are hauling winter sand. Maybe we can the week after if the weather holds. Worse case in spring. The Mayor asked if we do it, are the temps appropriate to paint lines? TJ said maybe some but not all. This time of year is touch and go, we would need a good warm day. Start with getting blacktop down.

**20. Security camera and alarm system:** TJ said they have completed the Fire House alarm system, this is coming to DPW friday and plan to finish up Monday. Once everything is done, they will show TJ all operations, then will look for a call list for the security system.

**21. Subway Easement Agreement:** The Mayor asked if Attorney Bartkowski got to finalize the easement draft. There will be two, one for water and one for sewer. Water is already in, will touch base tomorrow then will reach out to everyone. Action will be taken at the next meeting.

**22. PD/DPW/Animal control reports:** Motion #110321-8 to receive and file reports. Trustee Gutheil motions, Trustee Girard seconds. No discussion. All in favor, motion passes.

**24. Appointment of Clerk/Treasurer:** Tabled to executive session.

**25. Trustee reports:** Trustee Gutheil is still trying to get a date for the committee to meet about the Memorial Day Parade. He met with Chief Gifford for the policy and procedure manual, he will review then he can finalize.

**26. Mayor report:** Open door mission on Warren St has a cold blue shelter, if the wind chill is below 31 degrees at Warren County airport, the shelter opens. Mayor has shared with everyone to be able to direct people to them. Went to Moreau Community Center, over the weekend, Spectrum did a project. MCC (Moreau Community Center) was one of 100 centers out of 41 states, 30 million organizations, receiving a 50 thousand dollar grant to make jobs and volunteers. They did a great job facilitating. MCC also has a grant with Lowes for a kitchen project. Acknowledging rebuilding together. Saratoga County brought MCC attention to Spectrum. Saratoga County played a big role in MCC getting the grant. The Mayor received notification from the state for the local development corporation, we need to file certain financial documents. The Mayor is unsure if this is a Village duty. The Mayor is chairman of the LDC. He will call a meeting



to better understand and make sure things are being filed correctly. He has reached out to the secretary and treasurer.

**Motion #110321-9** Motion to go into executive session for Open Items: George Moss, Glen Gate Plaza, CSEA, New Castle,TKC, Sewer Backup - Williams, Fire Company Contract, Health Insurance renewal, FOIL request. Building and Code Enforcement. Trustee Carota motioned, Trustee Girard seconded. All in favor, motion passes. meeting adjourned at 8:40PM.

27.**Motion #110321-10** to return from executive session and reopen the regular village board meeting at 9:16PM with no action taken. Trustee Girard motioned, Trustee Carota seconded, no discussion. All in favor, motion passed.

28. Mayor read Kristen Doyle's resignation letter into the record.

**Motion #110321-11** to accept Kristen's resignation on the effective date of November 3, 2021. Trustee Girard motioned, Trustee Carota seconded. All in favor, motion passed. Mayor would like to acknowledge all of the hard work she has put in, and wish her good luck.

**Motion #110321-12** to appoint Brittney Flewelling as the Village Deputy Clerk Treasurer at the salary of \$39,000, subject to a background check and term ending March 31st 2022. Trustee Girard motioned, Trustee Carota seconded. Trustee Guthiel asked what is the term for Brittney, Trustee Girard amended his motion to include the term ending March 31, 2022, Trustee Carota also amended his seconded. Trustee Gutheil, would like to state he has not seen the application and is not comfortable with combining the clerk/treasurer into one, we are not combining just a different title. Trustee Girard, Trustee Carota, Mayor voted yes. Trustee Gutheil would like to abstain for not seeing the resume and combining of the two positions. Motion passes. The Mayor stated that it is not combining two positions but just a new position title.

**Motion #110321-13** Motion to adjourn tonight's meeting, Trustee Girard motioned, Trustee Carota seconded. All in favor. Motion passes. Meeting adjourned at 9:21PM

