

Welcome Public

Village of South Glens Falls
46 Saratoga Avenue, South Glens Falls, NY12803
December 15,2021
7:00 PM

Village Board Meeting

MAYOR NICHOLAS BODKIN PRESIDING

Minutes

Attendance:

Mayor Bodkin	Janice
Trustee Gutheil	Bill
Trustee Carota	Alan D
Trustee Orlow	Attorney Bartkowski
Trustee Girard	Anthony Mantas
Deputy Clerk Treasurer Brittney Flewelling	Chief Gifford
Clerk Treasurer Joy Bartholomew	JoJo
Brigid	Nick
JM	Tom Davis
518-415-7363	518-798-3523
518-260-0432	

Public Forum 7:00 pm- “Brigid” reached out through the chat feature and stated “I dropped off a copy of my letter to the editor that I wanted added to tonight’s record. I Alden left a copy of the law and other information for the board. The Clerk should find it in her box.”. Trustee Orlow stated for the record he received 20 phone calls regarding the letter to the editor wanting to know if we were involved in this action, he replied no to the best of his knowledge. He then recommended they attend the meeting and contact the Mayor. The Mayor stated we do not have the document and it is unclear what Brigid is referring to so we will not comment further.

1. WIIA Water Project

a. **Water Tank Update:** Anthony stated they have received the pay app and reviewed it and sent a recommendation letter to the village for review.

b. **Carbon Filtration Project Update:** The bid opening will be next Tuesday. Anthony from Delaware Engineering will be there. Attorney Bartkowski will also be there to make sure the procedure goes properly. The Mayor prefers to have counsel there because he will not be able to attend the bid opening. Trustee Gutheil asked if we have involved department heads on the specs. Anthony stated that there was discussion brought up by TJ about standardizing the equipment around the Village, they talked about using

the same pumps that are in the existing water treatment plant. Anthony came to the conclusion that the existing power rating would be insufficient to run all of the pumps. This route was abandoned and we went back to the pump sizes that were originally presented.

a. **Sewer I&I Update:** Still waiting for the piece of equipment that they have been waiting for.

2. **CDBG Project:**

a. **Haviland & Wilson:** The DPW was able to plant an additional ten trees last week. That is 20 trees in total. We are in the final phases of submitting our documentation. Anthony stated they have all of the information that they need so that he and Mary can have a meeting and close out documentation. Anthony received a list of awarded grant applications and has not seen any rejection sent in, but we were not on the list for our Baker Ave CDBG Project. Trustee Girard would like to see how we scored on the application. Anthony will call and ask for this information. The Village paid Delaware to submit for the Grant but the Village was denied. This project was regarding Baker Ave.

3. **GIGP Update:** Water Meter Discussion - Budgetary numbers have been sent to the Board. No other updates at this point. The Mayor asked when we would be able to consider going to bid. Anthony would hope to advertise for bids in February and then open the bids in March and then have construction start in May.

Trustee Gutheil is not interested in a \$13,000 a year service agreement for maintenance. Trustee Gutheil thinks there needs to be a lot of discussion on this project. Trustee Gutheil is unsure about the numbers and is not sure if we want the Village to spend this kind of money. He stated that there is no reason to have a 2 million dollar budget and Trustee Girard agrees with this because he does not think that we would need this kind of money to complete the project. Trustee Gutheil thinks that having this budget will make contractors up their bid. Anthony explained that the budget could be adjusted, he recommends getting bids before doing that so that the budget is only changed once rather than being changed multiple times. Attorney Bartkowski stated that draft budgets can be modified. Attorney Bartkowski is going to research if contractors can FOIL for the budget. Anthony believes that contractors can not find this information publicly. The Mayor stated the Board does not intend in excess of 1 Million Dollars on this project.

4. **New Hire, Senior Account Clerk Typist:** This is a civil service position. The Mayor has gone through and interviewed several people with the help of Trustee Girard. This week Joy and the Mayor sat down with the applicant and interviewed her in person. The resume for the applicant was sent to everyone. Trustee Orlow and Trustee Gutheil have not gotten shared items. The Mayor asked if they would like to make a move on hiring the applicant or if it will need to be discussed in executive session. Trustee Girard thinks this should be discussed in executive session. Trustee Gutheil wonders what their role is in internal controls and has not seen the resume or application. Trustee Orlow has not seen these either.

Motion #121521-1 to go into executive session to discuss the new hire. Trustee Girard motions. Mayor seconds the motion. Trustee Gutheil and Trustee Orlow abstain. Rest in favor. Motion passes. The job description has been put in the shared folder and the items people couldn't access have been emailed.

Motion 121521-2 to return from executive session at 8:05. All in favor. Motion passed.

Motion 121521-3 to hire Senior Account Clerk Typist at a salary of \$42,000. All in favor. Motion passed.

5. New Business: No new business

6. Old Business: Trustee Gutheil would like more discussion about the street lights. Trustee Girard agrees. This will be added to the next agenda.

7. Transfers:

- a. From: A1325.407 C/T Misc.
To: A1325.410 Outside Services
Amount:\$292.50

- b. From: A 1990.400 Cont. Contract
To: A8010.400 ZBA Contractual
Amount: \$294.07

- c. From:
To: A5410.403 CDBG ap force work
Amount: \$3530.50

- d. From: A1990.400. Cont. Contrac
To: FX9010.800. Water Employee Retirement Benefit
Amount: \$136.72

Motion 121521-4 to make the transfers as presented. Trustee Carota moves, Trustee Gutheil seconds. All in favor. Motion passes.

Trustee Girard has left the meeting

Trustee Gutheil asked about the water employee retirement benefit. He stated that the water bill is \$1,000 dollars over the previous year. He is not sure why this has happened. This surprised him because we have extra money in the A fund and we did not overdraw in the sewer. He is just trying to figure out what happened.

8. Approve Bills: Motion 121521-5 to approve the bills as audited. Trustee Gutheil states to pay all vouchers other than voucher 506. Trustee Carota moves. The Mayor seconds. The Mayor asked how they plan to pay voucher 506 since we will incur a penalty if it is not paid. All in favor. Motion passes. The Mayor would like to put into the record that any additional charges for voucher 506 will be the responsibility of the board to bear in the future. This decision will be discussed in the next meeting.

Trustee Gutheil asked why there is not an overtime line item in the Clerk Treasurer's account but he sees that we are paying overtime. He thinks that since every other department has an overtime line item then this department should have one as well. Joy stated that once we switch the system over to quickbooks in January of 2022 that this line item will be added. Trustee Gutheil has a problem with voucher 506. He will not support this payment. He does not believe that this was a decision made by the Board and it reached into more than one account. Trustee Orlow agrees with this and stated he believes we could not afford them. The majority of the money came out of the Mayor and Clerk Treasurers accounts. 88% of this was covered by the Mayor's account and this was done in response to the Governor's executive order on November 26th to make all online meetings more accessible. This was discussed with Attorney Bartkowski and was done correctly. The total for this purchase was less than \$2,000 dollars and gives the Village a better opportunity to clearly communicate with the community. Trustee Orlow asked if other department heads would be able to do this without Board approval and The Mayor explained that the department heads do not need to be present for their votes to count but the Board and the Mayor do have to be present. The Mayor had money in his budget to use on this instead and used the money to benefit the board and the public within purchasing procedures. Trustee Gutheil stated that he does not believe this followed our purchasing policy. Trustee Orlow agrees. Attorney Bartkowski stated that the public has been complaining for months about the needs for microphones so that they could hear the meeting. We had assured the public that we would look into getting microphones so that we could be more transparent with the public. This fell in the Mayor's discretion based on the purchasing guidelines. He had money in his budget so he had the funds to cover the purchase. The Mayor set them up himself and did not bring in StoredTech. Attorney Bartkowski stated that he was in his right to purchase these items. Trustee Gutheil said there was nothing in the budget to buy laptops and the Board should have been consulted on the purchase. Attorney Bartkowski stated that the Mayor has a line item and budget amount to spend on these items. The specific items were not included but they fall within his discretion to purchase. Trustee Orlow asked if Department heads could make the same purchase. Attorney Bartkowski said the Department heads do not always get Board approval unless the amount is over a certain amount or they are new items such as handguns. Attorney Bartkowski said they are Department heads and have to report to the Mayor and the Board. The Mayor stated that if they would like them returned we can do this and deal with upsetting the public later and incurring more costs. Trustee Gutheil asked if a Trustee could do the same thing.

- 9. Water Penalty Refunds:** We were not given clear instructions on charging penalties. The penalties had been charged to the customers and then we found out that we could not charge penalties, so the customers would have to be re-billed. Attorney Bartkowski stated we can not do a credit on the account without the customer's consent. There are about 300 accounts with water penalties. Trustee Gutheil has asked where we would be paying this money out of. The Mayor stated that he believes this would come from the fund balance but we can get more direction from OSC. Trustee Gutheil thinks that OSC needs to be involved to tell us what the correct route to take is. This should be discussed further in the executive session. The Board is not ready to act on this item. This will be tabled and possibly after the executive session the Board will be prepared to act on it.
- 10. Non Union Employee Handbook:** Due to the unique situation with Christmas being on Saturday the Mayor suggests offering a floating holiday. [Motion 121521-6](#) to create a

floating holiday. Trustee Gutheil motions, Trustee Orlow seconds. All in favor. Motion passes.

- 11. NYCOM request for additional local funding:** This is just to let everyone know what NYCOM is requesting. They had asked us to sign on to the petition for the additional funding. This has been acknowledged by the Board and is supported.
- 12. Water Fluoridation, Grant opportunity Due Jan 4th:** Is there any interest in adding fluoride to the water. Trustee Gutheil stated that some municipalities do this and some don't and this will be a controversial statement. The Mayor thinks this is a bigger public conversation but wanted to pull the board together to see where we all stood. Other Municipalities do this but the Mayor is not sure of how many. The Board believes that this is something that the Village should make a decision on. The general consensus is that we will not pursue the grant at this time.
- 13. Quickbooks Update:** All the expenditures, the bank accounts, and half of the revenues are in. The Clerk Treasurer has to finish revenues, liabilities, assets and payroll. This will be completed before the end of the year so that she has a couple days to make sure that everything is in order to start payroll on January 1st. Trustee Gutheil asked if this means we will be doing payroll in house. We will be doing this in house and this would eliminate the expense associated with using GTM payroll.
- 14. Update of local laws:** We will begin working on this list in January 2022. Since we are coming to the end of 2021 and starting 2022, it is a perfect time to work on the local laws. The Mayor encourages everyone to look at the working document. If there is anything anyone wants added to be considered, please add that in to be reviewed. He wants us to take some action on these local laws in the form of discussion and then hopefully formulate the draft of proposed laws and then hold the public hearings and finalize everything. No further discussion.
- 15. Police Department Request:** "DT Instructor School" PD will be taking DT training through PoliceOne Academy and complete training by 6-1-22. The Chief sent out an email that breaks down the cost for the DT training. This will be tabled and discussed later in the executive session.
- 16. PD Report:** [Motion 121521-7](#) to receive and file the police report. Trustee Gutheil moves, Trustee Orlow seconds. All in favor. Motion passes.
- 17. Security camera installation update:** TJ is not here to give an update on this. This will be discussed at the next meeting.
- 18. Trustee Reports:** Trustee Gutheil stated that the Planning Board met and approved the application for Hudson Street. Trustee Gutheil met with Trustee Orlow and the Chief and went over the collaborative police reform and budgeting. Trustee Gutheil asked if there is any stimulus money that might be able to help us with the overtime and the interest and penalties that we are not collecting on the water accounts.
- 19. Mayors Report:** Help for Homeowners Impacted by COVID-19- Opens Jan 3rd. The Mayor believes that this is very important to get out to the public for anyone that might be struggling financially due to COVID-19. This will help with mortgage expenses for the

complete breakdown of the plan all of the information is on the Village Website.

20. **Executive items: Motion 121521-8** to go into executive session at 9:01. Trustee Carota moves, Trustee Orlow seconds. All in favor. Motion passes. George Moss, Glen Gate Plaza, CSEA, Sewer Backup - Williams, Fire Company Contract and repairs, Building and Code Enforcement, Water/Sewer billings, New Hire, PD Overtime, Performance of an unnamed person or persons. Code of Conduct. Time off policy/procedure.
21. **Motion 121521-9** to return from executive session at 10:19 and re-open the public session with no action taken. Trustee Gutheil moves, Trustee Carota seconds. All in favor. Motion passes. Trustee Orlow was not present for the entire session.
22. **Motion 121521-10** to do a transfer of funds from A3120.214 PD equipment, Police Car, to A3120.101. Police overtime in the amount of \$5000. Trustee Gutheil moves, Trustee Carota seconds. All in favor. Motion passes.
23. **Motion 121521-11** to approve Officer Bethel to become a certified defensive tactics training officer. Trustee Carota moves, Trustee Gutheil seconds. Under discussion officer Bethel will go to this training now and the other officers will not go to physical training until next year. Until then, they will do online training. All in favor. Motion passes.
24. **Motion 121521-12** to adjourn tonight's meeting at 10:23. Trustee Carota moves, Trustee Gutheil seconds. All in favor. Motion passes.

Open Items: George Moss, Glen Gate Plaza, CSEA, Sewer Backup - Williams, Fire Company Contract and repairs, Building and Code Enforcement, Water/Sewer billings, New Hire, PD Overtime, Performance of an unnamed person or persons. Code of Conduct. Time off policy/procedure.