

Welcome Public

Mayor Gutheil then asks all to stand for the Pledge of Allegiance

PUBLIC MEETING
7:00 PM
JULY 1, 2020

MAYOR HARRY G. GUTHEIL JR. PRESIDING

Minutes

Attendance:

Mayor Gutheil	Attorney Bartkowski
Trustee Bodkin	Clerk Treasurer Kelleher
Trustee Carota	Robert Flores
Trustee Girard	Highway Maintenance Supervisor Chagnon
Trustee Orlow	

Public Forum – None.

1. Approve Minutes June 3, June 10 & June 17, 2020

Mayor Gutheil added wording to two paragraphs in the June 10th minutes.

Motion by Trustee Bodkin to receive and file the minutes for June 3, June 10 & June 17, 2020. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

2. Set Future Meetings

3. Transfers

Transfer \$500.00 from A1325.202 C/T Computer Software to A1325.410 CT Outside Services

Motion by Trustee Orlow to approve the transfer of \$500.00 from A1325.202 to A1325.410. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

4. Approve Bills

Motion by Trustee Orlow to approve bills as presented. Seconded by Trustee Carota. All were in favor. Trustee Bodkin abstained. None opposed. Motion carried.

5. May Financial Statements

Motion by Trustee Girard to receive and file the May 2020 financial statements. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

6. The LA Group

Jim Martin from The LA Group was looking for clarification of expectations of the Board so he can provide the level of service needed and not do anything outside of the scope of services requested.

Jim said he understands his role to be the Zoning Administrator for the Village. This applies to incoming applicants to Zoning Board or Planning Board and provide prospective to the application and advice to the Board. He is mindful of costs and amount of time spent. He has a great respect for the cost and just wants to make sure he is doing what the Board wants him to do as a Zoning Administrator.

Trustee Bodkin asked if he identified anything the Board needs to be aware of and start addressing.

Jim Martin replied that the municipality has to assess “what are your land use needs and do you have a program suited to that.” The Village is a setting where your land use value is basically set. The zoning ordinance that we have serves the community well. His observation is that it seems to be working pretty well.

He said there is a need for assistance for the volunteers on the Boards. They want to serve the community well but need help to get them more comfortable in their roles.

Mayor Gutheil said the reports are a big help to the staff and the Board. He was a little concerned in the beginning on the amount of time spent on forms but that is behind us now. Discussed the idea of monthly reports to the BOT summarizing the activities that occurred in the past month. Jim Martin is happy to answer any questions and clarify anything.

7. Fire Company Contract

Mayor Gutheil said he has not had a chance to contact them but he will do that this week.

8. Police Department Roof

T.J. Chagnon sent the Board the 3 proposals received and he recommends they go with Monahan & Loughlin.

Motion by Trustee Girard to accept the proposal from Monahan & Loughlin to include everything. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

T.J. Chagnon will follow up and make sure the Village will be named additional insured.

9. Water Meter Pit

We want to know the volume of water out of the spring boxes.

T.J. Chagnon said they are trying to come up with the best meter. The meter itself would be around \$14,000. There are other options but they need to be done down by the water

plant. This would be the more suitable place to put it because it could be tied in to the SCATA system.

Trustee Girard never suggested putting a 14" meter in. Need to know what the meter is going to be so we can get this done.

Robert Flores said the way to measure flow on the pipe is to excavate to expose the pipe and proposed a transit pipe flow meter which is attached to the outside of the pipe. First need a pit to put it in and decide if it is permanent or temporary.

Trustee Girard said we would want a permanent one.

Mayor Gutheil asked what we can do so we don't lose the water at the overflow where the duckbill was. He asked Robert Flores to identify it all in a letter to the Board so they can address this. We would want some estimated prices of the cost for the flow meter.

Trustee Girard asked for the information prior to the next meeting. The majority of the time we are pumping water in to the Hudson River.

Robert Flores said the meter is just shy of \$5,000 and approximately 200,000 gallons per day could possibly be going in to the river. Will add this to the agenda for the next meeting.

10. June Public Works, Public Safety and Animal Control Reports

Motion by Trustee Girard to receive and file the June Public Works, Public Safety and Animal Control reports. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

11. Locust Trees 71 Spring Street

Mayor Gutheil stated they had a request to take 2 trees down at 71 Spring Street. T.J. Chagnon sent a memo out that said he believes the trees to be healthy. He doesn't see any rot or damage to the trees.

Trustee Girard said they believe one tree to be the home owners and one the property of the Village.

Mayor Gutheil said further research needs to be done. At this time the Board will not take any action on this item.

12. Utility Tax / 5 G Technology

Attorney Bartkowski sent out a draft of the proposed local law just before the meeting started. The proposed law is to amend the utility tax law up to date to allow 5G and also to tax hydro-electric facilities. Attorney Bartkowski said NY State law says the source of the energy has to be generated within the village. Mayor Gutheil said there is only one in the village and he believes there is power being generated.

Attorney Bartkowski said that section 6 identifies what a utility is. The amendment would add to this definition as noted in bold type.

Trustee Bodkin thinks this amendment does cover other cellular providers as well.

Trustee Bodkin asked should they include the production of electricity through solar panels. Attorney Bartkowski said yes and will include information on solar. Need to set a public hearing for the next board meeting.

Motion by Trustee Bodkin to schedule a public hearing on July 15, 2020 at 7:05 for the proposed Local Law 1 of 2020. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

13. Sidewalk Agreement 11 Harrison Avenue

Village received a request for a sidewalk at 11 Harrison Avenue. The total cost would be \$700.

Motion by Trustee Bodkin to approve this request and authorize Mayor Gutheil to sign the agreement. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

14. Reopening

Mayor Gutheil wants to be sure we are in compliance and do it right when we reopen. He would like to see us not reopen until the end of the tax collection period. We have had no complaints and he does feel we do not have to rush in to reopening. Trustee Orlow agrees.

Mayor Gutheil said we will stay closed until further notice and will monitor this. Have to have all of our markings and all of the signage ready before we reopen. All were in agreement to stay closed until further notice.

15. Police Reform Law

Mayor Gutheil said this is an executive order and we have until next spring to come up with a reform.

Attorney Bartkowski said she doesn't perceive this being difficult for the Village to comply. Will need to form a committee and include the Chief to come up with what provisions need to be made and new procedures to be adopted. If we don't do this then we could lose state and federal funding.

Trustee Girard asked if we have a police policy on excessive force now. If so we could give to Attorney Bartkowski as a starting place.

Trustee Carota thinks they should invite the police union representative to be a member of the committee as well. Will add to the next agenda for the next meeting.

16. Sales Tax Projections

Mayor Gutheil said they have lost so much sales tax revenue already this year and need to decide what actions they need to take. He said they can't keep losing \$20,000 per month and he doesn't think they should wait any longer without making some changes. This is our fiscal responsibility to deal with it. He asked the Board if they want to set up a committee.

Trustee Girard said this is something to be discussed in executive session.

17. WIIA Water Project

a. Utility Pole Relocation

Mayor Gutheil reported that he has received a proposal from National Grid to relocate a utility pole at 1 Beach Road. The total estimated cost is \$21,784.10 to move that wiring. He thinks they need to talk to someone about this because it sounds like a lot of money.

Robert Flores will have a follow up call with the person who sent the proposal.

b. Tank Project – Worldwide. Ray Koren from Worldwide Industries addressed the Board.

1. NY insurance requirement – they have policies now in place that to do the project is an extra cost to them of \$65,000.
2. Line item in the specs for Water Authority to have a pneumatic pressure tank set for potable water. This contingency number is going to be mandated in the contract. He has reached out to 6 or 7 companies but they are all slow to get back to him.
3. Village DPW crew will install the 16" valve. This has to be done first.
4. The way the contract is written and what they are able to do as a contractor is they have to fully contain the tank. Cellular companies have been unresponsive to him. He does not know how to get past this issue. Equipment should come off the tank. Sprint does not want to move their equipment off the tank.

Verizon said they will move equipment off but can't do it until to September. Worldwide is prepared to move forward but are asking for help from the Village. The way the contract is written it states the cellular equipment will remain on the tank but they have to cover the tank to do the work.

Robert Flores said the equipment for Sprint is at the very top. Can modify the equipment to raise it 10-12 feet above the tank so they can contain below it. The best scenario is to have equipment removed and placed on a temporary structure.

The only way to keep Sprint on the tank is to raise them up and they will work below them but there will be a problem with the wind. It usually costs about \$150,000 to pull equipment off the tank.

Robert Flores feels they need to set up a coordination meeting with the Mayor, Village Attorney, Sprint, Worldwide and Delaware Engineering. And they need to get Verizon off quicker than September.

He believes it will take about 20 working days for the outside of the tank. But it might take 60 or 90 days to get 20 working days that will work. Can get a variance to work weekends, weather permitting.

Mayor Gutheil said there is air conditioning in the buildings. They can deal with this.

Mayor Gutheil asked Robert Flores if he would coordinate this meeting ASAP.

There was a meeting with Verizon last week that went well. They are looking to put in a temporary pole. They indicated this was not going to cost the Village any money.

Need to coordinate with Sprint relocation. All expenses with relocation would be charged to the Village. Attorney Bartkowski will pull the lease tomorrow and review it. The coordination has to happen between Worldwide and Sprint. Worldwide said they can't do the work unless the antenna is removed and Sprint is saying they don't need to move it.

Their schedule did not include all of the work and are now behind. We do not have all of the insurance certificates yet but they should be coming soon.

- c. Robert Flores reported receiving bids next Tuesday for the 1st Street Pump Station and Haviland & Wilson. He expects to have several good bids. 7 are interested in the Pump Station and 9 are interested in Haviland & Wilson.
- d. Mayor Gutheil started going through the video of the sewer pipes. After bids come in next week they will know how much of the work they can do.
- e. T.J. Chagnon reported they will start the force work Monday morning. They are starting on Riverview.
- f. The valve and Hymax have been ordered on the water tank project for the 16" valve.
- g. Expect the results any time now on the Part 5 Deep Well.

18. WIIA Sewer Project

Robert Flores said on the two projects out to bid the specs have a 10 mil insurance requirement but the other projects have a 5 mil umbrella requirement. It is unclear how it

was changed to 10 mil and Robert proposes it gets changed back to 5 mil umbrella requirement. The Board agrees with this change.

Robert Flores said they do not have a written letter from DOH with plan approvals. He is not concerned about this at this time.

19. CDBG Project

Nothing here until we open bids. A six month progress report will be completed next week.

20. Trustee Reports

21. Mayors Report

Mayor Gutheil received SAM Grant information for the Fire Company.

He reported that they did do the emergency water restriction. T.J. Chagnon will coordinate with the Town and see when they can lift the restriction. They are estimating July 15th. We purchased water for 3 days.

Utilization report on the health insurance and budget numbers have been quite realistic.

Have to decide what to do with the 6" well. It took a long time to recover. T.J. Chagnon will follow up with Robert Flores for what our options are.

Mayor Gutheil reported that he had a complaint on a fence that he needs to check out.

Motion by Trustee Bodkin at 9:09 pm to enter Executive Session to discuss CSEA negotiations and how the Village is going to deal with the lost sales tax revenue. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

Motion by Trustee Girard at 9:39 pm to end Executive Session and reopen regular meeting. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

Executive Session – No action taken.

Motion by Trustee Girard at 9:39 pm to adjourn the meeting. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

Meeting adjourned at 9:39 pm.