

Welcome Public

Mayor Gutheil asks all to say the Pledge of Allegiance

PUBLIC MEETING
7:00 PM
SEPTEMBER 2, 2020
MAYOR HARRY G. GUTHEIL JR. PRESIDING

Minutes

Attendance:

Mayor Gutheil	Attorney Bartkowski at 8:17
Trustee Bodkin	Clerk Treasurer Kelleher
Trustee Carota	Highway Maintenance Supervisor Chagnon
Trustee Girard	Robert Flores
Trustee Orlow	Anthony Mantas

Public Forum:

Amanda Erickson addressed the Board and called about 156 Main Street. She called the bank and was told that George Moss does own the property and the Village is responsible for enforcement. She said he has garbage leaning against her fence and would like it removed as soon as possible.

Mayor Gutheil said they have a new Code Enforcement Officer starting tomorrow and the Village Attorney will advise the Board on this matter later this evening.

Brian Hoag of 21 Harrison Avenue asked the Board how they are going to stop him from having another fire. Mayor Gutheil said to call the Fire Company as soon as they see a fire. Brian Hoag said the garbage smells something awful.

Amanda Erickson doesn't think they should have had to wait this long for a Code Enforcement Officer. The codes should be enforced.

Mayor Gutheil asked Attorney Bartkowski to address the issues.

Amanda Erickson told Attorney Bartkowski that she talked to the bank and there was no foreclosure.

Attorney Bartkowski said if there hasn't been a foreclosure then it means they missed their deadline. Foreclosures have been stopped. Evictions are stayed by the president until the end of December.

Mayor Gutheil clarified he is having backyard fires.

Trustee Girard asked Attorney Bartkowski if the code says you can't burn in the village and if he is burning a pool table then why wasn't he arrested. Attorney Bartkowski said he could have been and could still be. She will talk to the police Chief about this. The Fire Company was supposed to give the Board their reports and she hasn't seen them.

Trustee Bodkin said it is Chapter 96-1 Prohibited Acts. Attorney Bartkowski will ask the Police Chief to write him up for that fire.

Trustee Orlow said the smoke was so bad he could smell it in his house. He walked down and the police and fire company were there.

Attorney Bartkowski said they will discuss it in executive session and will report back to the home owners after they make a decision.

Mayor Gutheil said there is another alleged violation of garbage against her fence and he will send out the new Code Enforcement Officer to get some photos.

1. Approve Minutes August 19, 2020

Mayor Gutheil would like his comment in the record on the Google Vault to say he was concerned about duplication of services.

Motion by Trustee Bodkin to approve the minutes for August 19, 2020 as amended. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

2. Set Future Meetings

The monthly meeting for the CDBG grant is scheduled for next Tuesday. Delaware Engineering has requested a preconstruction meeting for the pump station project.

Special meeting was scheduled for Wednesday September 30th to go over finances and sales tax revenues.

3. Transfers – None.

4. Approve Bills

Mayor Gutheil said they need to get better control on the bills and try to have our software company identify invoices that are already entered. A duplicate bill was entered again and was caught before it was paid.

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

5. August Public Safety, Public Works & Animal Control Reports

Motion by Trustee Bodkin to receive and file the August Public Safety, Public Works & Animal Control Reports. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

6. Greater Glens Falls Transit Agreement

Mayor Gutheil has received a two year contract with no increase with Greater Glens Falls Transit in the amount of \$6,405 for the 1st year. It is due the first of the year. Trustee Bodkin said this service is essential to our community and recommends Mayor Gutheil sign the contract.

Motion by Trustee Bodkin to authorize Mayor Gutheil to sign this new 2 year contract with Greater Glens Falls Transit for \$6,405. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

7. OSC Accounting School

Mayor Gutheil reviewed the dates of the upcoming OSC accounting classes.

Trustee Bodkin would like to attend two accounting classes. The Basic Accounting class on October 14-16th and the Advanced Accounting class on November 17-18th.

Motion by Trustee Girard to approve any staff and Board members to attend these online OSC accounting classes. Seconded by Trustee Orlow. All were in favor. None opposed. Trustee Bodkin Abstained. Motion carried.

8. Kenyon Pipeline Proposal - moved this agenda item to WIIA Sewer

9. Sidewalk Requests 21 Spring Street & 10 River Street

Mayor Gutheil asked the Deputy Mayor Carota to chair this portion because of his conflict of interest.

Motion by Trustee Carota to approve the sidewalk request at 21 Spring Street and 10 River Street. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

10. Museum

Mayor Gutheil said Bill Hayes gets an occasional request for someone to go in museum. He would like to allow people in by appointment.

Trustee Girard doesn't think we can vote on this at this time because legal has instructed them not to open the museum since the Village buildings are still closed. Trustee Carota believes we should table until legal has a chance to chime in.

11. Harassment Training

Mayor Gutheil said we need to do this annually and asked Trustee Carota if he would take the lead again this year. Trustee Carota said he can do the training and follow social distancing guidelines.

Trustee Girard asked if this is something that can be done on line. Trustee Carota doesn't believe it is set up on line because it needs to be interactive training.

12. Water Department Request

T.J. Chagnon had Aqualogics in to do some work and they need a module to make this work so they can operate on a pressure system. The Board agreed to proceed with this quote.

T.J. Chagnon put in a request to have 4 staff members attend a free water course at the Kingsbury Water Department next week for 4 credit hours. Trustee Orlow and Trustee Bodkin both support this training.

13. Police Reform & Reinvention Collaborative

Mayor Gutheil said the Police Reform & Reinvention Collaborative is something they need to take more seriously. He would like to form a committee to take the lead on this. This is an unfunded mandate. He has ordered books for all Board members. We need to work on this until a policy is adopted and he would like to get the Chief's input.

Through executive order they have tied this to all the aid for the Village.

Trustee Carota suggested setting up a Go to Meeting and invite the entire list of people that need to be involved.

Mayor Gutheil will start by getting the books to everyone and then set up a committee.

Trustee Carota asked when the deadline is. Mayor Gutheil replied next April.

14. CHIPS

Mayor Gutheil said they need to look at how they are going to spend their money. It might be a good year to purchase a piece of heavy equipment. He said the loader has been depreciated down and asked T.J. Chagnon to explain.

T.J. Chagnon said it dropped \$13,000 in value in 2 ½ years. It needs new tires by this winter and the cost is between \$6,000 - \$8,000 for a set of tires. The condition of the front end is in similar condition to the condition of the rear end that was replaced 2 years ago for \$12,000. If the State approves the purchase of a new loader fully funded with CHIPS money then this is a benefit to the tax payer because they would not be spending general fund money for repairs.

Mayor Gutheil asked the Highway Committee to look into this. He does not think they should let it roll over into next year because there could be more money taken away from the funding next year.

Trustee Girard said they should get proposals and reminded everyone of the 20% reduction with CHIPS funding.

Trustee Carota said the last time they looked at it he didn't recommend purchasing it because he didn't think it was appropriate for the number of hours on the machine. He would recommend that they replace the loader if it has 10,000 hours on it. They would not get more money for it next year.

T.J. Chagnon said it is almost 15 years old and has approximately 8,500 hours on it. They put roughly a 1,000 hours per year on it. It is 80% of the CHIPS funding is what they are allowed to spend and a loader would be fully funded.

Mayor Gutheil said it is a bid items and wouldn't hurt to get bids. T.J. Chagnon said the one he is researching is on state contract.

Trustee Bodkin inquired about the size of the piece of equipment. T.J. Chagnon said the equipment he is looking at is a step down in size of the current loader but it does have a high lift arm so it reaches up over the trucks.

Mayor Gutheil asked if there is another model below this one that will do the same job.

Trustee Bodkin said he didn't know that they already had quotes for a particular model. Then he asked if there are particular loaders designed for highway use. T.J. Chagnon said it has ride control on it and that it is designed for on pavement use.

Trustee Girard asked T.J. Chagnon if he has already talked to someone at the State who confirmed if we put in a bill for \$100,000 then they are not going to only give us \$80,000.

T.J. Chagnon said he talked to other superintendents who told them that we can spend 80% of the CHIPS allotment. And therefore they would be able to fully fund the loader.

CHIPS \$135,436 total / 80% = \$108,000 (includes rollover money)
Pave NY \$15,399 / 80% - 13,000
EWR \$13,021 / 80% = \$10,000

Trustee Girard would like to make sure a person from the State verifies this information.

T.J. Chagnon reported that he has to get approval from the State before they move forward and purchase any equipment.

Mayor Gutheil asked T.J. Chagnon to get other bids for the Board to look at with spec sheets and warranty information.

Mayor Gutheil said they also want to replace a 6 wheel pickup truck. T.J. Chagnon said truck #3, the 2004 ton truck is in need of replacement. That truck is a lot more reasonable than a loader would cost.

Trustee Bodkin said CHIPS money can be used for ADA compliant curb cuts. On east 6th Street & Hudson there is a missing piece of sidewalk and a significant step up from the road to sidewalk the way the curb is cut. He would like to see the Village make some improvements there for handicap accessibility.

Trustee Girard agrees. They have talked about this several times and he believes they need to start looking at it and do some of these.

Mayor Gutheil thinks there is some grant money out there for ADA stuff. He asked the Highway Committee to contact AGFTC for information.

Trustee Bodkin thinks this is an issue and the Board needs to address it before there is a problem.

Mayor Gutheil said it comes down to if it is CHIPS money, what are their priorities and what are they going to do first.

Mayor Gutheil asked the Highway Committee to come up with a capital equipment plan so they can have a handle on the equipment and the streets and include it that ADA sidewalks.

Trustee Girard asked T.J. Chagnon if some of the CHIPS money and EWR can be used for ADA sidewalks.

T.J. Chagnon said he will look into the rules because they are very specific and report back to the Board. CHIPS and EWR can be used for equipment. Pave NY cannot.

15. WIIA Water Project

- a. Robert Flores said they are looking for a decision on the paint color on the tank.

Trustee Orlow said he was looking at a sky blue.

Trustee Girard said there wasn't any blue that comes close to what they currently have. He thought an off white would look nice.

Trustee Bodkin agrees that an off white would look clean and could offer some advertising space.

Mayor Gutheil would like to stay with blue.

Anthony Mantas said he has been asked by the contractor for 2 weeks for the color choice. They were looking for an answer tonight on the color. He looked for a color that is close to the color on the tank right now.

Trustee Girard gave Spillway SW4062. Two other choices were Cool Blue SW405 and Dewpoint SW 4067. Decision was to ask for 3 quarts of three different colors to try on site first.

- b. Water Pit Meter. Trustee Girard said the reason he was pushing for this meter, which was approved by the Board, is that they are going into the fall and winter months and

they could find out how much water they are actually not using. Perhaps they could come up with a way to store some of this water and use it during high peak times.

Anthony Mantas said water data has positive uses and he understands the intentions. No one has stopped the plan or changed the plan for the water meter. He noticed there is a meter there already. Decided a location based on the pipe layout and depth and keeping the pipe full.

They have a meter that is going into the carbon filtration plant but this project hasn't gone out to bid yet.

T.J. Chagnon said they were still going to do the ultra-sonic meter in the pit but going to move it. Next week T.J. Chagnon will do an exploratory dig for a location.

- c. Carbon Filtration Project - Trustee Bodkin asked Robert Flores if they were prepared to go out to bid on this project. Robert Flores said that plans have been submitted to DOH for review and plans were submitted to DEC for SPDES permit for the backwash discharge. They have to receive comments back and address them before they can go out to bid.

Trustee Bodkin said when he was going through drawings; it all pertained to wood construction. At one point they were talking about doing an alternate for steel construction. In light of the national shortage of lumber he thinks they should still consider doing this alternate of a still structure building. Robert Flores said they would have both alternates and receive prices both ways.

Mayor Gutheil asked if they were better off having a wood design and take the alternate as steel.

Robert Flores said for wood you have to have a design. For steel it is called free engineered steel building.

Trustee Girard asked if they can do an alternate for force main.

Trustee Girard asked Robert Flores when they planned to go out to bid. Robert said he doesn't see this being resolved in 4 weeks so probably November.

Trustee Girard said the reality of it is they could go out to bid earlier if they had alternates. Mayor Gutheil agrees. Robert Flores said the downside would be if there was anything significant in the comments it would have to be added as a change order.

Trustee Girard said he would like to go out to bid. Mayor Gutheil would like to know where they are financially.

Trustee Bodkin said Delaware has been responsive and trying to cut the costs per the Mayor's request.

Robert Flores will come up with a plan so this can go out to bid sooner and report back to the Board at the meeting on Tuesday.

- d. Water Tank – Riggers are in place. They started blasting the interior. Schedule is to continue tomorrow.
- e. Need a decision on the videoing of the lines on Haviland. Trustee Bodkin is fine going forward as the bid was. Trustee Orlow will support that.

Motion by Trustee Bodkin to approve charging \$4,000 to the allowance amount of the CDBG grant. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

16. WIIA Sewer Project

- a. Generator cannot use fuel in the tank. Tank has not been in use for several years. They will take advantage of 1,000 gallons of fuel and put it in the good tanks. The cost to pump it out is \$848 to save 1,000 gallons and the cost of disposal if there is hazardous waste.

T.J. Chagnon clarified the generator is running on a temporary tank sitting next to it for over 2 years.

Robert Flores said they need a copy of the deed of the property. Mayor Gutheil will follow up and get one from the County Clerk.

Robert Flores said they have to register the tank because it had never been registered. Register then remove.

Anthony Mantas will copy the Board with the schedule. They are planning to be on site the first week of November.

- b. I&I Project – Mayor Gutheil said he got the Notice of Award tonight but will need to review it with Attorney Bartkowski. He has a concern with traffic control, paving, asphalt and the restoration figures. He has asked T.J. Chagnon to mark up on the drawings which projects the DPW staff has done.

Will work with engineer on the 6" line at the mill for possible meter and pit. We would ask the mill to pay for the cost of the meter.

17. CDBG Project

Robert Flores said they are replacing water mains at a fast pace. Want to do a video of Wilson and Haviland sewer pipes. They have a price from contractor to do this and it would be charged to contingency of the project.

Mayor Gutheil said Kubricky said we could do it ourselves for \$3,200.

Anthony Mantas said he spoke with Tom Kubricky yesterday. He asked if they were going to go with the \$4,000 price or if the Village was going to try to get a competitive price.

Contract with Kubricky is 100% grant money.

Mayor Guthiel asked what they have to do to stop all the damage that has been done on that project.

Robert Flores said they have hit things but none of it was intentional.

Trustee Bodkin said accidents happen, Kubricky is making good on his mistakes and it is not costing the Village any money.

Mayor Gutheil asked for daily field reports. Robert Flores said they will be in by Friday.

18. Trustee Reports

Motion by Trustee Girard to have the Board accept the resignation of John Hoey from the Planning Board because he has accepted the position of Code Enforcement Officer. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

Motion by Trustee Girard to recommend Carolyn Sweeney to fulfil the unexpired term on the Planning Board. Seconded by Trustee Bodkin. All were in favor. None opposed. Trustee Orlow abstained. Motion carried.

Motion by Trustee Bodkin to authorized educational expenses for John Hoey for his job. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

Trustee Bodkin followed up on the letter for utility tax. Mayor Gutheil asked Attorney Bartkowski if she can revise it. She asked if the Board wants them to have to pay for any taxes that are due. Yes, they are responsible for past years with penalties and interest.

Trustee Bodkin read this law 3 ½ years ago and to him it is very clear there is an obligation that utility companies have to pay the tax.

Trustee Girard suggested removing Mayor Gutheils name from the letter and have Attorney Bartkowski send it out on behalf of the Board. All agreed. Attorney Bartkowski will put it under her name and her letterhead and go from there.

19. Mayors Report

Mayor Gutheil would like to have a plan on how they do the search and interviews for Police Chief. This position is civil service competitive and they have to hire off a list. There is currently nobody on the list so the state will have to have an exam.

Trustee Orlow volunteered to be involved with this plan. Trustee Carota and Trustee Girard will assist with the interviews. Mayor Gutheil asked them to post an ad for the position. Trustee Girard suggested posting it on the village website, the bulletin board at the police department and on Indeed.

Mayor Gutheil had an inquiry about the holiday parade. The village attorney has instructed it can't be done because it is a mass gathering.

He has a delinquent tax report.

Motion by Trustee Girard at 9:42 pm to enter Executive Session on the performance of a particular unnamed person(s), CSEA negotiations, the vacancy in the police department and the Deputy Treasurer position. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

Motion by Trustee Bodkin at 10:27 pm to end Executive Session and reopen the regular meeting. Seconded by Trustee Girard. All were in favor. None opposed. Motion carried.

Executive Session – No action taken.

Attorney Bartkowski stated that effective immediately Mayor Gutheil has nominated by appointment with consent of the majority of the Board of Trustees, Barbara Bartlett as Deputy Treasurer for the Village of South Glens Falls at the rate of \$21.50 per hour. This is a salaried position with the expectation that it is a 40 hour per week work week and is exempt from overtime pay due to the nature of the duties. It is with the understanding that the proposed candidate will start within the next 2 weeks as her schedule allows. This will be to fill the holdover term until April of 2021.

Motion by Trustee Bodkin to move this motion as read by Attorney Bartkowski. Seconded by Trustee Girard. All were in favor. None opposed. Motion carried.

Motion by Trustee Bodkin at 10:36 pm to adjourn the meeting. Seconded by Trustee Girard. All were in favor. None opposed. Motion carried.

Meeting adjourned at 10:36 pm.