

PUBLIC MEETING
7:00 PM
OCTOBER 21, 2020
MAYOR HARRY G. GUTHEIL JR. PRESIDING

Minutes

Attendance:

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

Public Forum: None.

1. Approve Minutes September 30, 2020 and October 7, 2020
Mayor Gutheil had 1 change in the October 7th minutes in item #4 and 1 addition in item #7.

Motion by Trustee Carota to approve the minutes for September 30th and October 7th.
Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

2. Set Future Meetings - None

3. Transfers – None

4. Approve Bills

Mayor Gutheil said he has been through the bills and need to look at overtime on payroll.

Motion by Trustee Girard to approve bills as audited. Seconded by Trustee Carota. Trustee Bodkin abstained. None opposed. Mayor Gutheil voted yes. Motion carried.

5. September Financial Statements

Motion by Trustee Girard to receive and file the September Financial Statements. Seconded by Trustee Carota. Trustee Bodkin abstained. Mayor Gutheil voted yes. None opposed. Motion carried.

6. CDPHP Medicare Advantage

Motion by Trustee Girard to accept this renewal of the CDPHP Medicare Advantage Plan. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

7. Guardian Dental Plan

Motion by Trustee Girard to accept the renewal of the Guardian Dental Plan. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

Trustee Girard said the Blue Shield premium is going down by 1.7% with the deductible going up some. Mayor Gutheil noted that the deductible is increasing from \$3,700 to \$4,000 for an individual and family is increasing from \$7,400 to \$8,000. Trustee Bodkin said it depends on the utilization how it will impact them financially but in the context of honoring their contracts with the unions he thinks this is best for the employees at this time. Trustee Girard asked about the MVP plan and suggests they renew this as well. Mayor Gutheil indicated the premium is increasing 5.8% on the MVP plan. No employees participated in the MVP plan last year.

Motion by Trustee Girard to accept the renewal of the Blue Shield Silver and the MVP Plan. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

8. Mountain Medical

It was decided the Board would review this and add it to the agenda for the next meeting.

9. Police Chief Position (Moved down the agenda)

Mayor Gutheil said he wants to wait until Attorney Bartkowski arrives to the meeting.

10. Office Deep Clean

Mayor Gutheil said that All Pro did the deep cleaning the last time and they have a current quote from them for deep cleaning. Mayor Gutheil stated that as long as the virus is around it makes sense to have a good deep cleaning. He believes on the day they clean they can hold off with Michelle Ross cleaning. It was decided that the DPW staff would clean their building and vehicles.

Motion by Trustee Girard to clean all as before with the exception of the DPW garage.

Seconded by Trustee Carota. All were in favor. None opposed. Motion carried.

11. Police Reform & Reinvention Collaborative

Mayor Gutheil said the office staff finally got through to their office. He said to give it a week and if we don't hear back, make the copies our self and appoint a committee to work on it at the next meeting.

12. WIIA Water Project

a. Water Tank Update

Robert Flores said work is continuing and appears it will go well into November. They had a week's delay when the containment was damaged with the wind storm last week. They are only 25% done on the blasting on the exterior.

b. Worldwide Pay App #1

Robert Flores is recommending the Board authorize this payment. He reported that they hold back 5% retainage on every payment. Total earned is \$202,200 with retainage of \$10,110 and amount eligible of \$192,090. This is part of Supplemental Certificate #3.

Motion by Trustee Bodkin to approve pay application #1. Seconded by Trustee Girard. All were in favor. None opposed. Motion carried.

Mayor Gutheils complaint is about the schedule. The wind was a factor last week but now they are dealing with cooler nights and shorter days.

Trustee Bodkin asked Robert Flores for clarification on paint specs. What happens if the temperature dips during an evening, does that affect the warranty on the paint? Robert Flores said no, it does not.

Trustee Girard asked if they will be blasting tomorrow and Friday. Robert Flores believes they will be blasting on Friday. Anthony Mantas said they are planning to raise the containment tomorrow and make repairs.

Trustee Bodkin said he would rather them make safe decisions moving forward and not take any unnecessary risks. Anthony Mantas has discussed this with the foreman.

Mayor Gutheil said he is going on record saying safety is the number one priority.

They may need to bring heaters into the inside of the tank and pressure relief valves are a concern. Robert Flores will come up with a plan with possible insulating blankets and report back to the Board.

c. Carbon Filtration Project

Mayor Gutheil said the ball is in the Villages court. He is waiting to discuss the bid specs once Attorney Bartkowski reviews them. He asked Robert how much time he is giving the bidders. Robert said 30 days is the minimum.

Anthony Mantas said it might be a good idea to come up with a plan on where hold the bid. In December they would not be hosting the bidding outside. One suggestion is to hold it up at the DPW garage.

13. WIIA Sewer Project

a. Sewer I&I Bid Award

Robert Flores reported that KPI's revised price was \$655,750. This has been discussed quite a bit and they either award or rebid.

Trustee Girard said he is ready to award. Trustee Bodkin is also.

Mayor Gutheil said the price went up on the Main Street Repair. There was a 12" line item in the original bid and we have a 12" repair. DPW staff is doing this repair.

Mayor Gutheil asked if the Board was ok with the traffic control. Trustee Girard said yes. The manhole cost is in this bid price. Robert Flores will follow up with a schedule.

Motion by Trustee Girard to award the bid to KPI for \$655,750. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

b. Pump Station

Have received Pay App #1 from MCJ and Robert Flores recommends making this payment.

Motion by Trustee Bodkin to approve Pay App #1 from MCJ for \$26,600. Seconded by Trustee Girard. All were in favor. None opposed. Motion carried.

Robert Flores said they are coordinating setting up the bypass pumping. And the bypass pumping is going to require a temporary flow meter. The temporary flow meter for the bypass set up was included and will be charged to the allowance. It is a rental meter and is fixed price of \$1,500 for as long as they bypass. T.J. Chagnon noted they requested the bypass prior to the meter to eliminate future problems.

Further discussion can happen on site at the meeting on Monday at 8:00.

14. CDBG

a. Haviland & Wilson Update

Robert Flores said they need to submit an Administrative Plan to CDBG and there are two items missing. They are asking if the Village has a Fair Housing plan and a Section 504 Accessibility policy.

Mayor Gutheil copied the Board on the emails. He was hoping that someone that has been on the Board longer than he has would know if they have ever passed one. This will hold up the payment. He asked the Board if anyone knows if they ever passed a resolution on these.

Trustee Girard said there was one because when they did an audit on the last housing CDBG it was brought up but it would be good to have a new one by this Board.

Attorney Bartkowski asked Mayor Gutheil if she could review it with him tomorrow.

Mayor Gutheil responded yes, it is time sensitive. Robert Flores will forward the draft Administration Plan to Attorney Bartkowski for her review.

Robert Flores said the CDBG Grant is for \$919,560. If no further work is done then their cost would be \$540,000. There is a lot of difference between \$540,000 and \$919,560.

Mayor Gutheil asked if the \$540,000 includes the binder and the top coat for the two streets. Robert Flores replied that it does.

Robert Flores said they have provided a list set up like a bid sheet items for additional work. Items for excavation add up to just under \$159,000.

Trustee Girard said they can't make a decision until they see all the information. They have the storm water but don't have anything else.

Trustee Bodkin reported examples of what is not on the itemized sheet. How many ADA complaint ramps are they doing? For the sewer lining of Wilson and Haviland, is that for every thing? The \$800 fee for 4 foot sidewalks, for everything? Robert Flores said this is to fill in the gaps.

Robert Flores said there is no cost on there for curbs, sidewalks, trees or ADA ramps.

Mayor Gutheil said there is nothing on there for the cost of the sewer liner.

Robert Flores said if they use the KPI cost to estimate the liner cost it will be around \$80,000 for both streets. Would need to add this to the \$159,000.

Trustee Bodkin asked if they accept the quote for the \$159,000 how much money is left for wiggle room on the project. Robert said $\$540,000 + \$159,000$ is $\$699,000$ and the grant is $\$919,560$.

Trustee Girard said if they added the \$80,000 then they would still have approximately \$140,000 left.

Trustee Bodkin asked T.J. Chagnon if the DPW staff could do the sidewalks under the force account. T.J. Chagnon replied that is quite a bit of sidewalk to pull off with the staff he has. They may not be able to do sidewalks for anyone else.

Robert Flores said they don't have to do the sidewalks until spring. Trustee Girard agrees since they have until December 2021 to use this grant.

Mayor Gutheil said through last telephone meeting with CDBG, they didn't seem to know if they can award this work under a change order or have to go out to bid. Robert Flores said that they still do not have the answer on this from CDBG.

Robert Flores said Tom Kubricky would like an answer so he can order the materials. He would like to stop working by the second week in November and was hoping for an answer tonight.

Mayor Gutheil said the award would have to be contingent on CDBG approval.

Attorney Bartkowski said an issue has arisen with regards to work that needs to be done. We have a contractor who is already approved and the Board would like to make this change order so that the work gets done before the second week of November. There is a need to get the excavation work done so that the earth can settle however the award is subject to CDBG approval.

Motion by Trustee Girard to authorize the award based on time and materials per the contractors quote of \$159,330 contingent on CDBG's approval. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

Robert Flores said they have received Pay Application #2 from TKC. Robert Flores recommends approving this pay application in the amount of \$116,375.

Motion by Trustee Bodkin to approve payment of Pay Application #2 for TKC. Seconded by Trustee Girard. Mayor Gutheil said the administrative plan needs to be submitted before CDBG will approve payment #2. All were in favor. None opposed. Motion carried.

15. Trustee Reports

Trustee Girard asked T.J. Chagnon if they could get the small stump removed from the Mark Verns residence on Reynolds Street that is on Village property. He took down the tree and he would like to have the stump removed.

Trustee Girard said he would like to recommend they set up a reserved building account for \$100,000 because they are going to have to replace the roofs at Village Hall and the DPW garage and replace the furnace at Village Hall.

Mayor Gutheil said he would like to do these but would like to see the audit done first. He would like to see some reserves for water too.

16. Mayors Report

Mayor Gutheil reported that the sales tax revenue had a good month of October. Now they are only behind \$27,882 from last year.

Received an email that he copied to the Board on a law firm that is working with multiple firms on PFOA and PFOS litigations trying to recover money for municipalities for capital cost and lifetime O&M costs.

Mayor Gutheil told Attorney Bartkowski that he still needs Exhibit C for the Monahan and Laughlin contract. They put the roof on today.

Mayor Gutheil asked about the John Deere purchase order. Attorney Bartkowski asked T.J. Chagnon questions about the contract. On the first page it refers to a standard warranty that is in a separate document. T.J. Chagnon said the standard warranty is a 1 year warranty and the extended warranty is what the Village is getting and it is a 3 year warranty. There is no cost to the extended warranty. Attorney Bartkowski said it is ok then. Mayor Gutheil asked Attorney Bartkowski to send him what she needs to tomorrow so he can get it out the door.

T.J. Chagnon said there is a problem at the Leland Street pump station. They have a pump that is failing. He is looking into other options for pumps.

One option they want to look at but there is a problem because the pump smarts they have in the station aren't compatible with those pumps.

The pump that is failing is still working but both were plugged again tonight.

Motion by Trustee Bodkin at 8:47 pm to enter Executive Session to discuss an update on code enforcement action, an unnamed person(s) job performance, a FOIL request and how the Clerk Treasurer can deal with it, and the interim acting Chief discussion. Seconded by Trustee Girard. All were in favor. None opposed. Motion carried.

Executive Session

Motion by Trustee Girard at 9:35 pm to end Executive Session and reopen the regular meeting. Seconded by Trustee Carota. All were in favor. None opposed. Motion carried.

Motion by Trustee Girard that the minutes will be updated to reflect action taken in Executive Session regarding the employment of one or more person's after all interested parties are notified. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried. (attached)

Motion by Trustee Girard at 9:37 pm to adjourn the meeting. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

Meeting adjourned at 9:38 pm.

Village of South Glens Falls

RESOLUTION TO APPOINT ACTING CHIEF OF POLICE

DATED: OCTOBER 21, 2020

WHEREAS, the Village of South Glens Falls has been advised that its' Chief of Police, Kevin Judd, will be on vacation effective noon October 23, 2020; through November 6, 2020; and

WHEREAS, the Village of South Glens Falls has been advised that its' Chief of Police, Kevin Judd, will be retiring on November 6, 2020; and

WHEREAS, the Village needs appoint an Acting Chief of Police while Chief Judd is on vacation for the safety of the Public; and

WHEREAS, upon Chief until a new Chief of Police can be appointed and sworn in;

NOW, THEREFORE, in consideration of the foregoing, it is hereby resolved that:

1. David Gifford shall be appointed as Acting Chief of Police under the following terms and conditions:
2. He will be appointed as Acting Chief of Police effective October 23, 2020 at noon until November 6, 2020 at 4pm.
3. His salary will be Sixty-Five Thousand and 00/100 Dollars (\$65,000.00) per year, paid weekly, less all applicable State and Federal taxes and withholdings.
4. This is a non-union management position. His shift will be from 8am-4pm and he will be on-call for emergencies. He will not be paid over-time.
5. His benefits are set forth in the Village's Non-Union Employee Manual.
6. On November 6, 2020 at 4pm, David Gifford will be provisionally appointed as the Village's Chief of Police. The same terms and conditions set forth in paragraphs 2-4 will apply.
7. Once David Gifford passes the Chief of Police exam and is reachable, his salary will be Seventy Thousand and 00/100 Dollars (\$70,000.00) per year, paid weekly, less all applicable State and Federal taxes and withholdings. The same terms and conditions set forth in paragraphs 3 and 4 will continue to apply.
8. This is not an employment contract. He is an employee-at-will.
9. These items were discussed in Executive Session and this Resolution will be attached to the Minutes for the Trustee Meeting held on October 21, 2020.

This resolution shall take effect immediately.

MOTION: Anthony Girard

SECOND: Nicholas Bodkin

Approved/Denied on Roll Call as follows:

- 1.) Nicholas Bodkin_____ Yes
- 2.) Anthony Girard_____ No
- 3.) Timothy Carota_____ Yes
- 4.) Harry G. Gutheil, Jr. Yes
- 5.) Joseph Orlow Not Present

Resolution Passed