

Welcome Public

Mayor Gutheil asks all to silence their Cell Phones

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

PUBLIC MEETING

7:00 pm

October 2, 2019

MAYOR HARRY G. GUTHEIL JR. PRESIDING

Minutes

Attendance:

Mayor Gutheil

Trustee Bodkin

Trustee Carota

Trustee Girard

Attorney Bartkowski

Clerk Treasurer Kelleher

Highway Maintenance Supervisor Chagnon

Public Forum

1. Set Future Meetings
 - a. Schedule public hearing for zoning on October 16th at 7:00

2. Transfers – none.

3. Approve Bills
Motion by Trustee Bodkin to approve bills as audited. Seconded by Trustee Carota. All were in favor. None opposed. Motion carried.

4. Water and Sewer Warrant
The Board signed the Water and Sewer Warrant dated October 1, 2019.

Motion by Trustee Carota to approve the Water Sewer Warrant dated October 1, 2019. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

5. New Hire Police Department
Chief Judd has requested permission from the Board to hire James Holcomb from part time officer to provisional full time starting at step 2 of their contract at an annual salary of \$46,792.17.

Motion by Trustee Girard to go in to executive session to discuss personnel. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

Motion by Trustee Carota to adjourn executive session and reopen public meeting. Seconded by Trustee Girard. All were in favor. None opposed. Motion carried.

The Board will obtain more information and add this to the agenda at a later date.

6. Code Enforcement Inter Municipal Agreement

Mayor Gutheil has talked to Northumberland, Supervisor Peck who thought there was a written agreement at one time. Their guy doesn't have the time right now to fill our position so we will still need to hire someone.

Trustee Girard said we would have to add this position because the Village does not have a position of Code Enforcement Officer.

Mayor Gutheil said there is a Saratoga County residency requirement for a public officer position.

Attorney Bartkowski can put together draft legislation to expand residency.

Motion by Trustee Girard to authorize Mayor Gutheil to sign the Inter Municipal Agreement with the Town of Northumberland subject to counsels approval to cover for code enforcement. Seconded by Trustee Carota. All were in favor. None opposed. Motion carried.

7. Lead Agency on Zoning

Mayor Gutheil stated it was recommended by Jim Martin of The LA Group that the Board pass a resolution the Village requests to be lead agent for the proposed zoning changes for the SEQR review.

Attorney Bartkowski is preparing the resolution now.

Motion by Trustee Carota to request the Village be lead agent for the proposed zoning changes. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

Roll Call:

Trustee Carota, yes

Trustee Girard, yes

Trustee Bodkin, yes

Mayor Gutheil, yes

8. SEQR Comprehensive Plan

Part 1: Attorney Bartkowski said it has been recommended by Jim Martin to do a summary resolution since there are no negative impacts for changes in the comprehensive plan. Mayor Gutheil suggested adding Moreau Emergency Squad on page 3, item C.4.d.

Part 2: There are no negative impacts by passing the comprehensive plan.

Part 3: Evaluation of the magnitude and importance of the project impacts; comprehensive plan updates. Mayor Gutheil read part 3. Check box A) this project will result in no significant adverse impacts on the environment and therefore the environmental impact statement need not be prepared. Accordingly this negative declaration is issued.

Motion by Trustee Carota to authorize Mayor Gutheil to sign Part 1, Part 2 and Part 3 of the SEQR review. Seconded by Trustee Girard. All were in favor. None opposed. Motion carried.

Mayor Gutheil read the resolution for negative declaration dated October 2, 2019.

9. Adopt Comprehensive Plan Update

Trustee Bodkin stated that there are several things that the Board has discussed and agreed to change that are not changed in the comprehensive plan update. Trustee Bodkin stated that the Board can vote on this and move forward but he wants to make sure the Board has the right to change the zoning as necessary.

Motion by Trustee Bodkin to make sure that the final version is in compliance. Seconded by Trustee Carota. All were in favor. None opposed. Motion carried.

Trustee Carota, yes
Trustee Girard, yes
Trustee Bodkin, yes
Mayor Gutheil, yes

Attorney Bartkowski read the resolution for notice of intent to serve as lead agency for the development and adoption of changes to the provisions of the code of the Village of South Glens Falls related to zoning dated October 2, 2019.

Motion by Trustee Bodkin to approve this resolution. Seconded by Trustee Girard. All were in favor. None opposed. Motion carried.

Roll Call:

Trustee Girard, yes
Trustee Bodkin, yes
Trustee Carota, yes
Mayor Gutheil, yes

10. Industrial Water and Sewer Rates

Mayor Gutheil explained that three businesses were billed the industrial rate. We have other property in the industrial zone. Trustee Bodkin stated that the Village doesn't differentiate between. They might be in the industrial zone but not billed industrial because they have a variance. Performance Industrial does not have sewer. Lehigh Cement are a water only account and in the Town.

Depends on what their physical use is. Performance Industrial is commercial. No action taken at this time.

11. September Public Safety, Public Works and Animal Control Reports

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

12. Sewer Project Update

Mayor Gutheil spoke with Robert Flores for an update on the sewer project. Part of the contract was to hire a company named Arold to do the filming and they will be filming during the month of October.

13. Well Pump

They are finding prices from \$2,000 to \$4,000. Mayor Gutheil asked if we want to buy the pump or have Leise Well Drilling buy the pump with 10% markup. Trustee Bodkin would like to address the galvanized pipe vs. heavy gauge plastic. Mayor Gutheil will have Robert Flores take a second look and make the call which to use. Trustee Carota said to have them purchase the pump. Trustee Bodkin found one for sale for \$2,613. The current estimate is \$6,142.78.

Motion by Trustee Carota to accept the quote of \$6,142.78 by Leise Well Drilling. Seconded by Trustee Girard. None opposed. Motion carried. Trustee Bodkin opposed.

14. Water Tank

a. Advertise for Bids.

Motion by Trustee Carota to authorize to advertise the bid in the Post Star. Seconded by Trustee Girard. All were in favor. None opposed. Motion carried.

b. Insurance Limits

Mayor Gutheil will request side by side comparison from Rick Leonelli.

15. Background Check Firm Contract

Attorney Bartkowski found two companies, Alliance World Wide Investigations and Commercial Investigations. She recommends using Commercial Investigations LLC. They are willing to make edits to the contract. They have a section on drug testing which we will not use and tax service that we would not use. NY State and Federal criminal history for 20 years, business reference checks, etc. Will need to go online and set up an account. Authorized users will be the entire Board and the Clerk.

Motion by Trustee Girard to use Commercial Investigations LLC as the background check company. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

16. Inter Municipal Agreement Confined Space

Motion by Trustee Carota to authorize Mayor Gutheil to sign the inter municipal agreement with City of Glens Falls. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

17. Trustee Reports

Trustee Girard asked Susan Bartkowski about the Environmental Products account we are trying to open.

Trustee Bodkin asked Mayor Gutheil if he signed the Ventrac contract yet. The resolution that passed at the last meeting did not say subject to attorney's review and therefore that contract should have been authorized at that time. Mayor Gutheil does not have veto power to hold it up. Mayor Gutheil said he did not intentionally hold it up.

Trustee Girard said counsel has said yes to this contract on Friday afternoon. This is definitely a state contract which cannot be changed. We have already passed it and counsel has agreed.

Trustee Bodkin has consulted with NYCOM and said the mayor does not have the authority to not sign it until counsel reviews it. The motion has been passed by the Board and it has to be acted upon. So if you aren't willing to do that, he will make a motion.

Motion by Trustee Bodkin to authorize the Deputy Mayor to execute any and all contracts that the mayor does not sign within 72 hours of Board approval. And in the absence of the Deputy Mayor, a quorum of 3 trustees to sign instead. Seconded by Trustee Girard.

Roll Call:

Trustee Carota, no

Trustee Girard, yes

Trustee Bodkin, yes

Mayor Gutheil, no

Mayor Gutheil stated that these things should come to the Board with all the paperwork in advance of a meeting.

Trustee Girard said the Board voted to approve the contract. The motion had been carried and there was a two week delay. Trustee Girard would like to work together as a team.

Attorney Bartkowski confirmed with Trustee Bodkin that this is not a Massachusetts contract, it is a Sourcewell contract. The Village is a member of Sourcewell. T.J. Chagnon confirmed the Village has been a member of Sourcewell for years. NJPA became Sourcewell per Attorney Bartkowski. They are in compliance with General Municipal law 103.16. The total price is \$41,029.15 included the v-plow.

Trustee Bodkin said that action has already been taken. The weather is changing quickly and it takes time for delivery after it is ordered and he wants to make sure we get it in time to use this season and do our part to ensure the safety of the public.

Attorney Bartkowski told Mayor Gutheil to go ahead and sign it.

Trustee Girard asked about the truck purchase that the Board voted on; has the mayor signed that contract? Mayor Gutheil asked if it came with a spare tire. T.J. Chagnon confirmed it did. Attorney Bartkowski did a letter of intent on this. Truck was approved subject to attorney's approval. Attorney Bartkowski told Mayor Gutheil he can sign this contract.

Trustee Carota reported that the Village has completed the Sexual Harassment training.

T.J. Chagnon and Trustee Carota went out and measured trees and got all the measurements of the trees that are on the list. Initial calculation is it will cost approximately \$14,000 to remove these trees. Mayor Gutheil asked if they were going to do them all. Trustee Bodkin mentioned they have been discussing this for some time and need to take care of all of them. If

Money for the trees will come out of A8560.400; \$8,000 budgeted this year and will do a transfer once we receive the exact quote. Mayor Gutheil would like to plant some trees as well. Trustee Carota agrees.

Motion by Trustee Girard to purchase the Ventrac with \$29,000 out of A5110.201. Move \$4,800 from A7110.200 to A5110.201, \$2,500 from A1930.400, \$2,500 from A1930.404, and the remainder of \$2,221 from A1990.400 Contingency. Seconded by Trustee Bodkin. All were in favor. None opposed.

18. Mayors Report

There was a discussion on the broken water meter at the Middle School.

T.J. had a discussion with contractor running the project. Mayor Gutheil feels we should be in a position to read our own meter. The Village wants to work with the School District. They said they were going to put in the meter pit and changed their mind and aren't doing it now which leaves the meter in a confined space. T.J. Chagnon read the appropriate Village code. Page 149-6 in water. 149-9 paragraph c. The meter has been broken for 3 years.

Attorney Bartkowski said we have the right to site them for any violation of the code.

T.J. Chagnon will try to talk to others to find a resolution and report back to the Board.

The Fire Company brought the signed contract in yesterday.

There is Active Shooter Training and Workplace Violence Training available. Trustee Carota will research.

Mayor Gutheil sent in a letter to DEC asking them to extend the comment period for 60 days on the wheelabrator permit.

Somehow the ESCKO supplier was changed on some of our accounts. We still pay National Grid but one account may have a day or two showing on our bill with a different ESCKO supplier.

Local Law was filed extending the moratorium.

Estimate on increasing the limits on the crime policy. Trustee Bodkin said the email wasn't clear. Mayor Gutheil asked for an explanation.

Megan Quinn had written from Fire Company about a donation for the parade. Wade at NYCOM said you have to be very careful. We already have donation in kind with extra staff we have to put on for the parade. Mayor Gutheil will write a letter acknowledging appreciation for them taking it on but the Village will not donate.

Trustee Girard announced he is stepping down as Deputy Mayor after this meeting.

Motion by Trustee Carota at 9:25 pm to enter into Executive Session to discuss a particular unnamed employee(s) performance, qualifications and potential negotiations. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

Executive Session

Motion by Trustee Carota at 9:30 pm to end Executive Session and reopen Public Meeting. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

No action taken.

Motion by Trustee Carota at 9:30 pm to adjourn the meeting. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

Meeting adjourned at 9:30 pm.