

Village of South Glens Falls
46 Saratoga Avenue, South Glens Falls, NY12803
June 5th, 2024
7:00 PM

Village Board Meeting

MAYOR NICHOLAS BODKIN PRESIDING

Minutes

Attendance:

Mayor Bodkin
Trustee Gutheil
Trustee Orlow
Anthony Mantas
Fire Department
Attorney William Nikas
8566686794
Bill
John
Pat Barody

Clerk Treasurer Samantha Berg
TJ Chagnon
Trustee Girard
Trustee Carota
Kevin Gallagher
8566686794
Alan Dubois
CR
Kevin Gallagher

The Mayor called the meeting to order at 7:01PM.

Pledge of Allegiance

Public Forum:

- Mr. Gallagher asked if there had been a sit down with the DPW and the Board. Counsel advised them to stay with the June 19th Meeting. Mr. Gallagher has concerns that this could be causing stress on the DPW workers, their families and the Village in the long term. He feels that negotiating contracts in a timely fashion is important. The Board should consider the workers and their families. Mayor Bodkin advised he reached out to the Union in Nov and December and then met with them in January. Requests were presented in January and then shared with the Board. He feels that he has been engaged with the Union. He has to allow the process to play out in the interest of the taxpayers as well as the workers.



- Trustee Orlow brought to attention Pat Barody at 19 Harrison Ave that had concerns on the property next door that was supposed to replace the fence they took down. She was wondering if there was anything that could be done about it. Mark Stewart asked that she reach out to him to get this resolved. He advised that a conversation was had and they have offered to replace the fence after extensive discussion. He offered his personal cell phone number to contact to make the arrangements.

1. Grant Projects Update

a. Carbon Filtration

- GAC Loop Approval: Motion 060524-1** to award the project, per Delaware Engineering's recommendations, to MCJ Construction LLC for \$26,000.00 after review by Counsel. Trustee Carota motioned, Trustee Orlow seconded. Trustee Orlow, Trustee Carota, Trustee Girard, Mayor Bodkin in favor, motion passed. Trustee Gutheil abstained.
Discussion: Per Anthony, this was not a municipal bid. They collected quotes. Trustee Gutheil feels the pricing is too high. Trustee Gutheil wondered if the proposal included materials and how long does it take for the contractor to do the work. Anthony Mantas replied that the pricing for the contractor did include the cost of materials. Anthony stated that job itself will take 2-3 days but the majority of the project will be the prep work. Trustee Girard asked when the contractor could begin. Anthony stated that contractor is eager to start as soon as they can. He also advised that the contractor has no obligation to hold the price on the quote so he would not advise delaying the decision. Counsel asked if they would be any change orders in the project. Anthony doesn't anticipate any change orders. They can, however, write up language advising that change orders would be excluded and Counsel agreed. Counsel also brought to the attention that paragraph 6 in the contract under exclusions is very vague and would like to review with the Contractors before awarding the bid to MCJ Construction. Anthony Mantas will follow up with the contractors to review paragraph 6 and see if they will accept the bid or retract their quote. Trustee Gutheil raised question regarding prevailing wages and the likelihood that when they increase in July, they would be passing that on to us. Trustee Gutheil will not be supporting this resolution due to "loose ends".
- Spring Electric Change Order #1: Motion 060524-2** to approve Spring Electric Change Order #1. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.
Discussion: Trustee Gutheil asked if the panel on the back of the electrical box had been replaced. Anthony advised that it did not relate to the Change Order in any way. The replacement was the responsibility of the General Contractor. Anthony advised the panel has not been replaced at this time and it's a matter between Spring Electric and the General Contractor. It is a punch list item that needs to be resolved and we are currently holding money back based on the status of the punch list.



- iii. **Spring Electric Substantial Completion:** Motion 060524-3 to allow the Mayor to sign Spring Electric Substantial Completion. Trustee Carota motioned, Trustee Orlow seconded. All in favor, Motion passed.
Discussion: Trustee Gutheil asked if there is any item on the punch list to finish. Anthony advised that their work is completed.
- iv. **WIA Long Term Disbursement #3:** Motion 060524-4 to approve WIA Long Term Disbursement #3 to Spring Electric for \$21,351.25. Trustee Carota motioned, Trustee Orlow seconded. All in favor, Motion passed.

b. GIGP

i. Project Update

1. Extension Request tabled for conversation with the Contractor.

Discussion: Anthony Mantas stated Ferguson is looking for an extension on the timeline. Ferguson got a late start on the work and is asking for a 1 month extension on the project. Anthony feels that Ferguson won't make that deadline either but feels they have made great progress once they got started. He feels that it warrants a meeting with the Contractor. Mayor Bodkin stated he had drafted a letter for the Board to look over that was asked of him to do at the last meeting. The letter is going out to residents to hopefully get them to comply with the project. Trustee Gutheil feels this should be the contractor's responsibility to be sending letters out, not the Village. Anthony disagreed with Trustee Gutheil because the Village has asked the contractor not to connect with the resident unless approved by the Board. Mayor Bodkin asked if the Village sends out the letter, would they be reimbursed from the contractors for the postage and cost of office materials to do so. Anthony stated that it would come out of the force account. TJ suggested they email Saks the draft copy of the letter that the Village wants sent out and let them send it out. Anthony agrees.

- ii. **GIGP Disbursement #5:** Motion 060524-5 to approve GIGP Disbursement #5 for \$338,099.04. Trustee Carota motioned, Trustee Orlow seconded. All in favor, Motion passed.

- 1. Delaware-\$20,624.65
- 2. Core & Main-\$1,710.00
- 3. Ferguson-\$315,764.39

Discussion: None



c. Ferry BLVD

- i. **Status Update:** Anthony Mantas states the public seems interested and happy for this project to be taking place. The specs should be submitted to DOH by the end of the month. The Board should have received a check list from CDBG. Clerk Treasurer Samantha Berg posted the legal notice on the Post Star. Anthony asked to get a copy of the proof of publication when ready. There is a long list of items on the checklist from CDBG to be addressed. There are no plans to mechanically clean the pipes. Multiple contractors were contacted but none were interested due to access to the lines. He also advised that DOH would like to see the lines replaced. The lines are too old for mechanical pigging. Anthony states they will be attending the meeting on 06/19/24 to address any concerns or questions the public may have. The WIIA application is ready to go and listed on the IUP. Trustee Girard asked why are we applying to WIIA instead for CDBG by itself. Anthony stated that CDBG has 2 requirements: 1) they want to be the last source of application and 2) to show that you have solicited funding from other sources. Anthony will be asking for clarification from OCR and will be putting an RFI in and cc the Board. Trustee Girard asked who was sending out the tribal letters. The Mayor advised he would work with the Engineers to make sure these are sent by 06/28/24.
- ii. **CDBG public hearing:** Motion 060524-6 to set the CDBG public hearing on 06/19/24 at 7:00 PM. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.

2. **Transfers:** Motion 060524-7 to approve the transfers as presented below. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.

A 7110.402	A 1210.400	\$235.00	Mayor Contractual
A 1325.402	A 1325.401	\$3.00	CT Service Equipment
A 4010.400	A 3520.400	\$31.74	Animal Control
A 7110.402	A 7110.401	\$123.69	Parks O&M
FX 8340.403	FX 8320.404	\$2,520.00	Water Testing

3. **Motion to Approve the Bills and Payroll as Audited:** Motion 060524-8 to approve the bills as audited. Trustee Carota motioned, Trustee Orlow seconded. Trustee Carota, Trustee Orlow, Trustee Girard and Mayor Bodkin all in favor, motion passed. Trustee Gutheil abstained.
- a. General - \$25,528.27
 - b. Water - \$2,294.30
 - c. Sewer -\$639.01
 - d. Payroll
 - i. 05/15/24- \$22,528.27
 - ii. 05/22/24-\$22,727.79
 - iii. 05/29/24- \$29,450.14
 - e. Special- \$983.51



Discussion: Trustee Gutheil would like to know what the voucher for the ZBA meeting was related to. Mayor Bodkin shared that it was for a sign that required a variance. Trustee Gutheil asked TJ what the refund was for on a water bill. Clerk Treasurer Samantha Berg let him know it was the resident that paid a bill on an inactive account. Trustee Gutheil believes that the IT work is a lot of money in one year and still seeing a lot of overtime in one particular department.

4. **Motion to approve monthly reports: Animal Control, PD, DPW:** Motion 060524-9 to approve monthly reports: Animal Control, PD, DPW. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.

Discussion: Trustee Guthiel questioned the Animal Control report about the trails behind the Harrison Ave and Harrison Ave School and what trails are being reference too.

5. **DPW Summer Part-Time Help:** Motion 060524-10 to hire two unnamed persons pending completion of their background check. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.

Discussion: TJ would like to start one next week and the other one the following week.

6. **Personnel Position Change:** Motion 060524-11 to accept and file the resignation of Glen Smith, effective May 31, 2024, and Kevin Ostrander, June 3, 2024. Trustee Carota motioned, Trustees Orlow seconded. All in favor, motion passed.

Discussion: Kevin Gallagher asked for clarification on how the item was listed on the agenda. He feels it was slightly misleading. Mayor Bodkin read Mr. Smith's resignation letter into the record. *After weighing out my options, I, Glen Smith, have decided to submit my letter of resignation effect to May 31st, 2024. It has been a difficult decision to leave because the crew I work with on a daily basis is amazing and do everything they can to take care of the Village of South Glens Falls and the resident's needs. Due to Mayor Bodkin's questionable way of doing contract negotiations, this has left me with little faith that he and the board are trying to look out for the DPW workers the way we have taken care of the Village of South Glens Falls. I have decided that it is in my best interest to take a position that I was offered to better suit my family's financial needs. - Glen Smith dated 05/24/24.*

Mayor Bodkin shared that there is advertisement out on both positions. He has also started canvassing the Civil Service list for a full time Building & Codes Officer. Mayor Bodkin shared he may have a candidate for a part-time Building & Codes Officer to be discussed in Executive Session. TJ shared that he had this put on agenda to make motion to move one of the DPW workers from laborer 1 yr to MEO-B.

7. **Curb Cut Request:** Motion 060524-12 to approve the Curb Cut for 152 Main St for \$75.00. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.

Discussion: New owner, Mark Stewart, of the warehouse on the corners of New and Main Street. It has been turned into offices and a warehouse. They have come to notice that it is hard to get in and out on Main St during high traffic times. Mark Stewart has spoken to the Moreau Community Center about the curb cut and what they are asking to be done. He has offered the lot as additional off-street parking for the Community Center. They also met with TJ about the sidewalk being done all the way around.



Mayor Bodkin asked how far down the street it will be. Trustee Gutheil asked if this was anything the Planning Board needed to review.

8. **Sewer Audit Agreement:** Trustee Gutheil hasn't got a chance to look deep into the agreement and would like to know what to expect. Rest of the Board doesn't mind waiting until Trustee Gutheil gets his questions answered.
9. **Approval to place a memorial for Jim Phair on the Betar Byway:** Motion 060524-14 to place a memorial for Jim Phair on the Betar Byway. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.
Discussion: TJ confirmed that a tree was planted for Jim. Clerk Treasurer Samantha Berg stated Mr. Phair's daughter was looking for a marker of some kind to be placed for her dad. TJ suggested having the family reach out to him to discuss placement and make sure it is on Village property. Once some update comes in, if someone can reach out to Alex at Post star he is looking for more information.

10. Old Business

- a. **FD Floors:** At the last meeting there was a discussion on going back out for more quotes for the Floors. The FD wants to re-do the carpet in the lounge area as well as the tile in the bathroom/hallway of the old wing. Trustee Orlow will be following up on the quotes. Bruce Lant was wondering the status of the contract because it is now June 5th and still have no contract. Counsel is waiting to hear from the FD Attorney. Nothing can happen until ALL Parties are together at a table. Trustee Gutheil asked if anyone has been able to locate a copy of any of the three party contracts that were used in the past. Counsel advised that the old contracts would not work due to being antiquated.
- b. **Spring Planting:** The Mayor thanked TJ for all of his work on the spring plantings. Residents stopped and offered to help next year. TJ came \$1000 under budget.
- c. **Saratoga County Trail Grant Application:** The Board discussed the idea of a portable bathroom by DPW. Mayor Bodkin made a draft narrative for the grant application that is due June 28th. The Board can vote on this at the next meeting if there are no changes.
- d. **Bridge Lights Update:** TJ has all the fixtures ordered and is working on quotes for the parts. Everything should be here in 4 to 6 weeks, maybe a little longer. The vendor is ready to proceed once the parts are received.
- e. **Vacant Position in Clerk's Office:** Trustee Gutheil wanted to know the status of the Deputy Clerk Treasurer position. Clerk Treasurer Samantha Berg stated that she has done 2 Interviews and will be doing another on Friday of this week. She will have recommendations at the 06/19/24 meeting.



f. **CSEA Negotiations Meeting:**

- i. **Motion 060524-15** to allow two trustees to sit with the Union without Counsel, with set guidelines. Trustee Gutheil motioned, Trustee Orlow seconded. Trustee Girard - yes, Trustee Gutheil - yes, Trustee Orlow - yes, Trustee Carota - yes. Mayor Bodkin - no. Motion passed.
Discussion: Mayor, Attorney and Union have a meeting on 06/19/24. Whomever wishes to meet with the Union can do so.
- ii. **Motion 060524-16** to retract Motion 060524-15 to move it to executive session discussion. Trustee Girard - yes, Trustee Orlow - yes, Trustee Carota - yes, Mayor Bodkin - yes, Trustee Gutheil - no. Motion passed.

11. New Business

- a. **Motion 060524-17** to pay Molly DeVaux an extra \$125 a week for duties outside her scope of work for the month of June. Trustee Carota motioned, Trustee Orlow seconded. **Tabled to Executive session.**
Discussion: Mayor Bodkin believes that this will only be for the month of June as all the candidates will be able to start in July. Trustee Girard would like to discuss it in Executive Session.

12. Trustee Reports

a. **CDBG Conference Call**

- i. **Motion 060524-18** to send out RFPs for a new engineer and grant writer. Trustee Girard motioned, Trustee Carota seconded. All in favor, motion passed.
Discussion: Trustee Girard feels that, as a Board, RFPs should be pursued for a new engineer and a grant writer.

13. Mayor's Report: None

14. **Motion 060524-19** to enter executive session at 8:49 PM to discuss Fire Dept contract, CSEA contract, Time Off requests for PD, considerations for DPW summer help, Building & Codes Officer, position change for DPW worker, stipend request, inviting in TJ Chagon and Clerk Treasurer Samantha Berg. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.
15. **Motion 060524-20** to adjourn executive session at 9:44 PM with no action taken. Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.
16. **Motion 060524-21** to transition John Rosati to MEO B from Laborer - 1 year. Trustee Gutheil motioned, Trustee Orlow seconded. All in favor, motion passed.
17. **Motion 060524- 22** to hire unnamed temp for Building Inspector for \$30.00 per hour, not to exceed 20 hours per week subject to background check and interview with Counsel. Trustee Orlow motioned, Trustee Girard seconded. All in favor, motion passed.
Discussion: Counsel will be calling potential temp for interview.

18. **Motion 060524-23 to offer Molly DeVaux a stipend for the out of scope duties of \$125 a week for the month of June.** Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.
Discussion: Trustee Gutheil will support the motion but should not be expected to do so in the future.
19. **Motion 060524-24 to pay full-time sergeants for their unused PTO time for the FY 23-24.** Trustee Carota motioned, Trustee Orlow seconded. All favor, motion passed.
20. **Motion 060524-25 to resolve all title issues on the Moss property in consideration of their demolition efforts and waive a judgment on file for the amount of \$5,000.00.** Trustee Carota motioned, Trustee Orlow seconded. Trustee Carota - yes, Trustee Orlow - yes, Trustee Girard - yes, Mayor Bodkin - yes, Trustee Gutheil - no. Motion passed.
Discussion: Trustee Gutheil believes we are getting into an area we should not be in and could set a precedent.
21. **Motion 060524-26 to enter executive session at 9:58 PM to address personnel request.** Trustee Orlow motioned, Trustee Girard seconded. All in favor, motion passed.
22. **Motion 060524-27 to adjourn executive session at 10:03 PM with no action taken.** Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.
23. **Motion 060524-28 to adjourn the meeting at 10:03 PM.** Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.

