

Village of South Glens Falls
46 Saratoga Avenue, South Glens Falls, NY12803

August 7th, 2024

6:00 PM

Village Board Meeting

MAYOR NICHOLAS BODKIN PRESIDING

Minutes

Attendance:

Mayor Bodkin
Trustee Gutheil
Attorney Bill Nikas
Trustee Girard
Trustee Orlow
Alex Portal, Post Star
Dept of Public Work Employees
Jan Middleton
Paythosefuckers
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Clerk-Treasurer Samantha Berg
TJ Chagnon
Andera McMaster- AMP Energy Service
Deputy Clerk-Treasurer Shawna Clark
Trustee Carota
Kevin Gallagher
Claude Middleton
Eavesdropping
Tracy
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User

The Mayor opened the meeting at 6:00 PM.

Pledge of Allegiance

Presentation from Energy Consultant, AMP Energy Services

- Andrea McMaster has been the owner of AMP Energy Services since 2008. She originally started with NYPA. She has worked with Gloversville, Gloversville Housing Authority, and Clifton Park Water Authority. Their goal is to create budget stability by fixing a low rate for the cost of the commodity. A plan is established with the municipality and then a Bid will go out to the suppliers. There is no risk or cost to a contract. If you don't feel comfortable with a fixed rate, you won't have to take that option. There is an option of blending and extending the electricity rate. AMP works with the suppliers that both the municipal and AMP are working with and takes advantage of the dip in the market, merges it with existing rates, and extends it out a little bit to see the savings as you go through the Contracted time. The process is as simple as Andrea has a team of auditors come in to look at the lighting and all the systems and give a study of what they

have found. Then you will make an Energy management plan. You will know what you are spending and what can be more efficient versus what's going to save in the future. AMP works with the utility and NYSERDA and most EV stations are 100 percent fully covered.

- Questions were asked regarding working with Consortiums. Andrea advised that they do. She has done aggregations before when a lot of people get in because of the supply that you have and the lower the rate will be. The way the market is today, that's not always the best route. Sometimes as an individual, you can get a better rate negotiated. If there are other municipalities we can't mix the rates.
- Trustee Gutheil asked if people do not want to go into a longer contract and see the rate fall, do you or the supplier do a most favored nations clause where the rate drops and you automatically get that? Andrea stated that you will not see that in the contract, but you will monitor the market and if it does dip, we take advantage of it by blending that lower market rate with your current rate that's locked in and we can extend it over some time.
- Trustee Gutheil asked Andrea if AMP is involved in grants. AMP has been involved in doing some economic development grants, specifically for buildings. AMP can do grants for that as well. Trustee Gutheil stated for example that the Highway garage needs a new roof and new doors. Can we get a grant for those? Andrea stated there are a lot of state programs that we can do through the CFA process. Andrea can research them and see where you are.
- Mayor Bodkin asked what kind of savings you see in the normal rate per pole versus what we would expect after upgrades. Andrea responded that Street Lighting is difficult. It depends if you own them or the utility company does. Andrea asked if owning them was something you wanted to explore. Mayor Bodkin stated that the Village is not looking down that avenue. Andrea says that you want to do a retrofit. Depending on what you want to do like a whole new design or just going with LED lighting. In the past, there has been proposed switching over to LED with a reduced amount of power used. Lighting projects are typically a 20 percent savings; normally, with a larger project, there would be a four to five years payback period. TJ stated this was something that went to bid before. I don't think we've discussed that with the contractor installing it. The Village did try to go through a grant program through National Grid to help but forgot what they came back with. TJ believes it was \$7 per fixture which was not feasible for the Clerk's office to put everything together for a couple of hundred dollars.
- Mayor Bodkin circled back to the EV Charging Stations and asked Andrea if she could describe how the EV station works and what they would look like. A lot of the auditors do utility audits and walkthroughs at the same time and send me the study then I can work on state programs and grants. So the Village is looking at three to four weeks from start to finish.
- Trustee Gutheil asked if there is a particular time that grants are to be submitted and awarded. Andrea stated it all depends on the size of the project and which state agency is doing the grant, most periods end July 31st. NYSERDA and the utility incentives are always open.



Public Forum

- Nick Havens referenced the contract negotiation and asked the Board if they feel that guys who work every day for the Village deserve a pay cut. They have a hard time filling open positions but are still offered a pay cut. Why do the non-union employees get a raise mid-year and the DPW does not? Nick Havens did not receive an answer from anyone on the board.
- John Rosati, the CSEA Union Treasurer, read an open letter to the Board about last week's informational picketing involving a banner and action of Mayor Bodkin on that day. The banner stated that the DPW was still working for the Village without a Contract. Attached to the letter was a written statement from the responding Police Officer on duty that day. Mayor Bodkin stated he had not received the letter and requested copies along with the statement from the responding Officer. Mayor Bodkin informed them that the statement didn't include that he originally called the police to come and identify the owner of the vehicle to ask them to move it to let the medical services get to his home driveway for a medical emergency. Nick Havens clearly stated that that roadway is for public parking and the DPW has a picture that was shared on social media that the ambulance had plenty of room. Mayor Bodkin states this was an unseen circumstance for all parties. Mayor Bodkin believes that some things that were stated by him were taken out of context. Mayor Bodkin has no authority to decide on behalf of the whole board on the union contract. He is one voting member on the board. The Board as a whole decides on the contract, and $\frac{2}{3}$ vote will carry the contract forward. John Rosati stated that the DPW does wish the Mayor good health and apologizes for the medical situation the Mayor was going through, but it has nothing to do with the CSEA Contract for the DPW. John Rosati made it clear that DPW is not asking Mayor Bodkin to not vote. They simply are asking him to step back and let another Board member negotiate. Mayor Bodkin stated in his Post Star interview with Alex Portal that he stated that he would still negotiate in good faith due to the situation. DPW felt that was not the case and requested another Board member to step into the negotiation. DPW states this is strictly Village Business. John stated that the Bargaining Unit foiled all the premiums to do the math. When they figure out what the Board proposed, which is a pay cut, taking the deductible cards, raising the health insurance, and not giving out raises it comes out as a net loss for every DPW employee. DPW feels it's a slap in the face to ask them to give all these up and work on a net loss. Mayor Bodkin states that the Union can reject and accept any proposal that is given to them. Mayor Bodkin stated that the Board of Trustees will meet with their legal counsel to consider the counter-proposal and, as a board, will decide on how to respond to the offer. The union asked the Board to please be in favor of allowing the union to meet with another Board member instead of Mayor Bodkin as they believe that he can not be impartial and can negotiate in good faith. The Union would like to hear the thoughts of other members and see if they can come to an agreement and move. The Union is well aware that the Village is paying a major amount of lawyer fees for these negotiations. The last



contract went two years, the police went two years and, to quote Mr. Gallagher, there are losses on the scoreboard and everybody needs a win. Trustee Girard asked Alex Portal from the Post Star if he wrote everything he saw in his article. Alex Portal stated he did not add all of what he witnessed. Kevin Gallagher gave his opinion of the situation. He gave the Mayor respect to his strategies and acting in good faith. Kevin Gallagher feels that it is not about strategy, it's about the culture that currently exists between the Village and the workforce. The culture is not where it should be and it starts with the Mayor as a leader.

- TJ Wade asked on behalf of the volunteer firemen at the rally who lost a Fireman if the Village would send a contribution to them. Mayor Bodkin stated he would be more than happy to write a letter to the family on behalf of the Village.
- Kevin Gallagher recently noticed many NYSPs have been doing a lot of coverage in the Village. Kevin is wondering if there are issues with the Village police. Trustee Girard shared that State Police have responded to calls even when staff is on. Trustee Girard shared that he is aware of one vacant spot in the Police Department. Mayor Bodkin stated that there are two vacant spots and the vacancies have not been filled. Mayor Bodkin stated that the Chief and DPW are doing the best they can with the staff they have. TJ feels DPW would be doing a lot better with staff if he could use the lateral transfers for the qualified staff he has instead of starting them out at a lower spot.
- Alan Dubois suggested that municipalities are stepping up their game and the Village should be doing the same. John Rosati advised he was leaving because of the job growth and thanked the Board for the opportunity.

Motion 080724-1 to accept the resignation of John Rosati. Motion made by Trustee Orlow, seconded by Trustee Girard. All in favor, motion passed.

Discussion: None

1. Grant Project Update

- a. **Carbon Filtration:** TJ and Alan met with the contractor for the GAC loop. The Contractor will be ready to go next week. The Contractor will be here Monday at 7 am. On the Condensation note, the Contractor had just done a similar project in a slightly larger building. This project had the same issues of condensation in their water plant in the Village of Lake Placid. They installed four industrial-sized dehumidifiers in their building instead of air conditioners. TJ believes the air conditioning route would not be something they should consider with the size of the room and the high ceiling. TJ suggested that the industrial dehumidifiers would be the best way to go for the plant. Mayor Bodkin believes there is money in contingency. Mayor Bodkin asked if we could get some quotes on the industrial dehumidifiers. TJ has requested quotes on the dehumidifier, and we would only need possibly one or two of the units to be installed.
- b. **GIGP**
 - i. **Project Update:** TJ had a call with Saks. He wants to move forward with the businesses first and told Saks that he would work



with them on reaching out and gaining access to the buildings. It is time to start reading meters and it's going to become very confusing for the office staff when blending new meters and old meters.

- ii. **Motion 080724-2 to make mandatory the installation of a meter for all water services in the Village of South Glens Falls.** Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.

Discussion: Counsel advised that there is a code in section 149-1 to allow the Board to force the installation of the meters. This would allow the Board to pass a resolution to force the installation. Counsel advised that only a rectified motion is necessary. The Mayor advised that he has not been able to find something in Village code that gives the Village the authority. Trustee Gutheil feels that we have the authority without the resolution. Counsel believes it is cleaner to have a separate resolution.

- iii. **Motion 080724-3 to approve mailer to residents.** Trustee Orlow motioned, Mayor Bodkin seconded. All in favor, motion passed.

Discussion: The Board is okay with the draft as amended by the Clerk Treasurer. Saks will mail the letters to the residents.

- c. **Ferry Blvd:** The Engineer has prepared and submitted the drawings to the DOH. There were corrections made by Trustee Gutheil and Trustee Girard. Mayor Bodkin has also requested that Delaware provide the Village with a couple binders with the specifications as well as a couple sets of drawings. Mayor Bodkin would like to remind the Board that Delaware specialist Bill Bright made a recommendation to install a filter on some houses. TJ asks if there are end dates to the filters that would have to be changed. It puts it on the DPW workload to change out filters in 40 or more houses. TJ would like to know who determines when the filter needs to be changed and what determines when the filters need to be changed. Mayor Bodkin suggests that we get the specifications from the engineers. TJ suggests that there be some strict guidelines as to what's going to be done. Also, the homeowner should change the filter because once the DPW worker enters the property then they are looking at the liability aspect. Trustee Gutheil stated that he found a contractor who is willing to come to clean and line the pipe. It will save from having to dig up the street. The product is made by a company in England. Trustee Gutheil, Trustee Girard, and TJ had an hour-long conference call with the company which led to another conference call with the contractors and an engineer in Canada. Trustee Gutheil believes that the Board should accept a presentation from the company. The company has asked for a piece of the pipe, or a video, to see the rust and tuberculation. The company believes it's a candidate to clean it down to bare metal and cover it with a 2-part epoxy coating. This would be a same-day project, starting in the morning



and the resident will have access to the water that same day. Mayor Bodkin asked if anyone had reached out to the DOH on the cleaning of the pipes. TJ stated that they have not yet.

- i. **Letters of Support:**The WIIA and CBGA grant application has been submitted. Mayor Bodkin recognized two letters of support, one from Senator Jim Tedisco and Assemblywoman Carrie Woerner. Trustee Orlow thanked Assemblywoman Woerner for everything she does for the Village. Trustee Girard thanked Samantha for getting the letters with very short notice to be submitted with the grant application. Trustee Gutheil believes that these letters should have already been submitted before the last minute. A grant writer would have kept on top of that kind of item.

- 2. **Fire Department Contract Update:** Meeting scheduled on 08/22/24 with all three parties. Trustee Gutheil asked if there was a draft contract. Bill Nikas responded that there needs to be a decision on the format of the contract then it is simple to get to the terms.

Motion 080724-4 to Enter Executive Session to discuss CSEA Negotiations at 7:35 PM. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.

Motion 080724-5 to adjourn Executive Session and reopen public session with no action taken at 8:41 PM. Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.

The Mayor provided the following comments: *It would be inappropriate for me to ask the Board to vote on anything at this time. In the interest of good faith negotiation, I will however ask the Board to state that they clearly understand the proposal that they have authorized the Attorney to go back to the Union with.* He wants to be sure the Board understands entirely the proposal as it's going to be presented.

- 3. **Motion 080724-6 to approve the transfers as proposed.** Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.

a.

FX 1990.400	FX 8310.411	\$11,787.15	Water Engineering
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Discussion: Trustee Girard wanted clarification on the transfer and thought that this was all handled at the last meeting. Clerk Treasurer Berg stated that the Board didn't decide to do the full transfer at the last meeting. Trustee Gutheil thought that was in the last meeting minutes that were being approved tonight.

- 4. **Motion 080724-7 to Approve the bills and Payroll as audited with the WIIA loan payment not being wired until it is due:** Trustee Orlow motioned, Trustee Carota seconded. Trustees Girard, Carota, Orlow and Mayor Bodkin voted yes. Trustee Gutheil voted no, motion passed.

- a. General - \$55,078.16
- b. Water - \$85,225.79



- c. Sewer - \$5,580.83
- d. Payroll -
 - i. 07/17/24 - \$23,088.58
 - ii. 07/24/24 - \$23,364.28
 - iii. 07/31/24 - \$27,548.02
- e. Special -
 - i. Tax Refunds - \$2901.24
 - ii. Parade - \$400.00

Discussion: Trustee Gutheil believes that there should be a way in the system to reject double payments on taxes. He believes the income and revenue columns on the year-to-date financials are misleading. Also, reviewing the income and revenue expense sheet, Trustee Gutheil suggests that everyone look at account A 1130.200 which is a Verizon-Bell Atlantic account. We received \$300 per year and anticipated around \$38,000 this year which will put it \$37,000 short for this year. Trustee Gutheil would like to withdraw the payment for the WIIA loan of \$63,000 that is due on September 1st, 2024, and draw more interest on the cash. Trustee Girard stated that there is another meeting in the month where it could be approved then. Clerk Treasurer Berg stated that she and Molly had this discussion and decided to put it in because there have been postal issues. Trustee Gutheil stated there could be other ways to pay it like overnight mail and ACH if needed. Clerk Treasurer Berg advised this would have to be paid by Wire Transfer. Trustee Gutheil asked about the moving of funds at the end of the FY. Clerk Treasurer Berg advised that NYCLASS does pay interest on weekends and holidays. Trustee Girard asked about money being moved in order to pay the WIIA loan. Clerk Treasurer Berg advised there is no need to move money to pay the bill. Trustee Gutheil mentioned two vouchers with sales tax. He also stated that on one of the healthcare bills a past employee was still on the policy. Trustee Girard made Samantha aware this employee was on the dental policy for August. Samantha said she would make sure we get that credit. Trustee Gutheil questioned a line item on the fire truck. TJ asked for a copy of the invoice to keep on file to keep track of what was being done on the fire truck. Trustee Gutheil is concerned about the amount of overtime the police officers are doing.

5. **Motion 080724-8 to receive and file monthly reports: Animal Control, DPW, PD:** Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.

Discussion: The Mayor has reached out to Buildings & Codes for that report.

6. **Motion 080724-9 to receive and file minutes for 04/17/24, 05/01/24, 06/19/24, 07/03/24, 07/17/24:** Trustee Carota motioned, Trustee Orlow seconded. Trustee Gutheil and Trustee Girard abstained. Trustee Carota, Trustee Orlow, Mayor Bodkin voted yes. Motion passed.

Discussion: Mayor Bodkin thanked the office staff for turning around the minutes promptly. As there has been consideration of software with AI capability to help with minutes. Trustee Gutheil stated that there were some typos that he would go over with the staff. Trustee Gutheil had a question on the police car and also

wanted to make us aware that he did attend the June 19th when he couldn't be in person that he had dialed into the meeting. Page 4 of June 19th, 061924-3 to amend fund balance and requested clarification. Clerk Treasurer Berg advised it was to increase appropriated fund balance. Trustee Gutheil asked for a status on the Trails Grant. The Mayor advised he has not heard anything further. The Mayor asked the Board to consider Portapotties for the tree lighting.

7. **Motion 08/07/24-10 to approve NYCOM Fall Training School for Clerk Treasurer and Deputy Clerk Treasurer from A1325.402:** Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.
Discussion: Clerk Treasurer Berg shared that was just registration for fall school. The only thing that is anticipated as an extra expense would be for parking as it is in Saratoga this year. No hotel expenses due to being local this year.
8. **Motion 080724-11 to approve Park Reservation for wedding on 08/29/24:** Trustee Orlow motioned Trustee Girard second, All in favor, motion passed.
Discussion: NONE
9. **This item was addressed earlier in the agenda.**
10. **Motion 080724-12 to approve the purchase of cartridge filters from FX8320.412 for \$13,584.00 for Water Plant:** Trustee Girard motioned, Trustee Orlow seconded. All in favor, motion passed.
Discussion: Mayor Bodkin asked Alan if he has noticed any change in the filters since the GAC system was put online. Alan said no not yet and hasn't used the well that often during the season.
11. **Amend the amount of and approve training request for Water Dept from \$60.00 to \$30.00:** Approved at Prior Meeting.
12. **Motion 0807204-13 to rescind to first motion of \$58,902.95 and make a resolution of \$74,773.19 for DPW equipment purchase of Bobcat to be paid from DPW Major Equipment Reserves:** Trustee Carota motioned, Trustee Orlow seconded. Trustees Gutheil, Girard, Carota and Orlow voted yes. Mayor Bodkin no, motion passed.
Discussion: TJ stated that there was a little confusion on the equipment parts to the order. TJ was under the impression that the window package was standard equipment before the order was placed. The vendor made a mistake, this changes the amount to roughly \$5,800. Mayor Bodkin asked TJ if he was able to get a quote for a lease, TJ sent an email to the Board asking if anyone would want to see a lease and only got one response back with no interest in seeing the lease.
13. **The hiring of part-time DPW Employee:** Trustee Girard suggested that we get the advertisement first. TJ asked if we would be able to post on the Post Star or

the Chronicle, not on Indeed. Perhaps also using the new Facebook page that has been created. TJ feels that Indeed has not helped get staff in. He would like to see someone have to come into the offices and fill out the applications because they would be the ones who are more motivated to want the job.

14. Motion 080724-14 to move Joel Otruba from Laborer 6 months to MEO-B: Tabled to executive session with TJ.

15. Motion 080724-15 to approve 50/50 Sidewalk for 112 Hudson St for \$1,950.00: Trustee Orlow motioned, Trustee Carota seconded. All in favor, motion passed.
Discussion: None.

16. Motion 080724-16 to approve PD Carpets: Tabled
Discussion: Trustee Girard requested more quotes and would like to discuss if tiled carpet would be a better option for easier clean-ups.

17. Old Business:

- a. **Firehouse Flooring:** Mayor Bodkin asked Trustee Orlow how he was doing with the firehouse flooring. Trustee Orlow has two companies for quotes but has not heard back on this matter.
- b. **Bridge Lighting:** TJ updated that the company has sent some pieces and parts.
- c. **Motion 080724-17 to accept \$1,500.00 from TD Bank to resolve the lien on Moss Property.** Trustee Girard motioned, Trustee Orlow seconded. Trustees Carota, Orlow, Girard, Mayor Bodkin voted yes. Trustee Gutheil voted no. Motion passed.
Discussion: Bill Nikas stated that TD Bank offered \$1500.00 to resolve the lien. TD Bank is going through with the foreclosure and will demo the property entirely. TD Bank is not going to sell the property until this is resolved. There is a neighbor that has interest in buying the property. Counsel advised that the lien was against the property owner, not the bank.

18. New Business:

- a. **Court Revenues:** Trustee Gutheil brought up account number A 2610.0000 had only taken in \$30 in the year and wants to know what is happening with all tickets that are being written. Bill Nikas and Samantha Berg have been working on this with The Town of Moreau and also spoke to the Justice Court Fund. Samantha spoke with Justice McCabe before the meeting. Samantha stated this has been going to NYS, and the Town of Moreau has been processing the Village Ordinance tickets under the Town Criminal Court. There is a specific code that the Court Clerk should be using that tells when it's Village money vs Town Money. Unfortunately, the Court has not been coding them correctly. Justice McCabe has given Samantha a couple of months of reports that Samantha is still working on



extracting the data from the reports. Bill Nikas suggested getting a copy of all the parking tickets that the Police Department has issued for the last 5 years, reviewing them and then sending a letter stating how much the Town owes the Village for the tickets that were issued in the Village.

- b. **Motion 080724-18 to repair the transfer switch system on the generator at the Firehouse at the cost of \$3,725.00 out of the Fire Department Building Maintenance.** Trustee Carota motioned, Trustee Orlow seconded. All in favor, motion passed.
Discussion: One proposal is to repair the existing generator system to ensure it automatically switches on. The second proposal would be to buy a brand-new generator at a substantial cost. Trustee Gutheil felt a few other quotes probably could have been requested.
- c. National Grid would like acknowledgement that they can work 12 hours a day to keep the pace moving on their current project. TJ advised that they would still be working within the hours prescribed by Village code.
- d. Trustee Girard would like the ability to go into the Clerk's Office when he needs to discuss with the staff. He would like to be able to contact the office at any time with questions or concerns. The Mayor advised that at one point in time he had asked that the Clerk's Office be given space due to the amount of projects going on.
- e. **Grant writer:** Trustee Orlow had an opportunity to go to a ribbon cutting and got the name of a grant writer that he suggested that the Board should look into. Trustee Gutheil inquired as to the status of the grant writer that had been discussed prior. Mayor Bodkin advised that there had been no further contact with them. Trustee Girard believes that the Board should actively be working to find a grant writer. Mayor Bodkin suggested that the Village post an advertisement for a grant writer. Trustee Girard suggested that the Board consider interviewing for engineers as well as grant writers because most engineering firms have grant writers on staff.

19. Trustee Reports: None

20. Mayor's Reports :

- a. Local Law Discussion: **Tabled**
- b. **AGFTC:** Mayor met with the engineers engaged by AGFTC. There is a need for more public participation in the traffic study. He expects more communication coming forward.

Trustee Gutheil asked for clarification on the carpet quotes. He would like to see more quotes for tile carpet. Making sure that they are all the same ounces of carpet pile, padding, etc.

Motion 080724-19 to Executive session to discuss DPW employee at 9:50 PM: Trustee Guthiel motioned, Trustee Orlow seconded. All in favor, motion passed.



Motion 080724-20 to adjourn executive session to reopen public forum with no action taken at 9:57 PM: Trustee Gutheil motioned, Trustee Carota seconded. All in favor, motion passed.

21. Motion 080724-21 to move Joel Otruba from Laborer 6 months to MEO-B: Mayor Bodkin motioned, Trustee Orlow seconded. All in favor, motion passed. Discussion: In recognition of his performance and upon recommendation of his supervisor, TJ Chagon, this motion seems pertinent.

22. Motion 080724-22 to adjourn the meeting: Trustee Gutheil motioned, Trustee Orlow seconded. All in favor, motion passed.

