

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
7:45 pm
September 4, 2019
MAYOR HARRY G. GUTHEIL JR. PRESIDING

Minutes

Attendance:

Mayor Gutheil
Trustee Bodkin
Trustee Carota
Trustee Girard

Trustee Orlow
Attorney Bartkowski
Clerk Treasurer Kelleher

Public Forum

1. Local Law 1 of 2019

This local law is to extend the moratorium for 30 days. There were comments at the hearing about keeping it at 30 days and some to possibly extend it 45 days or 60 days. Mayor Gutheil asked the Board what their pleasure was.

Trustee Bodkin said he would support doing a 45-day extension of the moratorium because that would bring them to the 2nd meeting of the month. Trustee Girard would like a 30-day extension.

Trustee Carota asked Trustee Girard if he was ready to make changes in the zoning. Trustee Girard said he was.

Mayor Gutheil said the steps are to have a public hearing and get public comment on any zoning changes and catching the County Planning Board calendar for their blessings.

County Planning Board meets on September 19th and will require a submission from the Village by September 11th.

County Planning Board meets on October 17th and will require a submission from the Village by October 9th.

Jim Martin stated if the Village has everything to the County Planning Board for their October meeting, they will have the recommendation back and the Village Board could adopt the zoning at their November 6th board meeting. But there is a 2 day gap between the moratorium expiring and the new code going in to effect.

Mayor Gutheil thinks the 45 day period would give a little bit of a cushion. He does agree with Trustee Girard they need a reason to keep it moving. Mayor Gutheil stated that if they get the work done sooner then they could adopt it sooner.

Jim Martin said the Board has to have their work done and submitted by October 9th for the October County Meeting. We should hear back from the County with their referral around October 21st. He said it makes sense to extend it to November 6th.

Trustee Girard said he is fine with November 6th.

Mayor Gutheil said the zoning changes would be Local Law 2 of 2019.

All agree to have Local Law 1 of 2019 to extend the moratorium to expire at midnight on November 6, 2019. Will need to have a quorum at this meeting.

Motion by Trustee Carota to approve Local Law 1 of 2019 to extend the moratorium through midnight on November 6, 2019. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

Mayor Gutheil noted that the next meeting will be SEQR and adoption of the plan.

2. Approve Minutes 8/21/19

Motion by Trustee Carota to approve the minutes for August 21, 2019. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

3. Set Future Meetings

- a. Workshop to review zoning on September 16th at 7pm

Trustee Bodkin stated they have to finalize the map and clarify the definitions.

Mayor Gutheil said the Board needs a timeline to finish both the comprehensive plan and the zoning changes so they don't miss anything. Clerk will contact Tricia Andrews to see if she is available on September 16th.

4. Transfers

None

5. Approve Bills

Mayor Gutheil pointed out that the bill for tree removal is coded out of FX fund. All agree this is correct.

Motion by Trustee Carota to approve bills as audited. Seconded by Trustee Orlow. All were in favor. Trustee Girard abstained. None opposed. Motion carried.

6. July Financial Statements

Motion by Trustee Carota to receive and file the July 2019 financial statements. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

7. Comprehensive Plan

This was already discussed. Next meeting will be SEQR and adoption of the plan.

8. CDBG Entitlement Funding

Mayor Gutheil said that the County found out they are eligible to apply for an entitlement grant. City has agreed to administer it. He attended a meeting on this in Ballston Spa today. County will set up a committee to review. If we opt in it makes us ineligible for another grant.

Motion by Trustee Carota to opt out of the CDBG Entitlement Funding Grant. Seconded by Trustee Girard. All were in favor. None opposed. Motion carried.

9. Urban and Community Forestry Grant

Mayor Gutheil said this grant is coming up again asked the Board if they had any interest in this grant and inventorying our trees. There is interest and he will follow up.

Trustee Bodkin stated he should verify we aren't ineligible because we have a tree committee.

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

Motion by Trustee Carota to receive and file the August Public Safety report, August Public Works report and August Animal Control report. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried. Trustee Girard was not present to vote.

11. Trustee Reports

Trustee Bodkin reported on the Ventrac snow machine/lawn mower quote of \$37,771.05. All things considered between the wear and tear on the Village sidewalks and curbs with the equipment we have been using and the public safety issues and sidewalks he feels this is an investment in our infrastructure and the community.

He would like to make a motion to purchase this equipment as quoted.

Mayor Gutheil asked Attorney Bartkowski if it was NYS contract or if we can piggy back off another states contract. It references Massachusetts state contract.

Mayor Gutheil said with a purchase this big he would like to see a spec sheet.

Trustee Bodkin said T.J. Chagnon suggested taking this purchase out of the equipment fund. Trustee Girard said the equipment fund would be the CD that we have.

Mayor Gutheil said he needs to do a long range capital plan on our equipment because they have a sweeper that is getting up in years and that is over a \$300,000 purchase. So we need to have a plan on what we are going to buy and when.

Trustee Bodkin stated that replacing 3 miles of sidewalks would cost a lot more.

Mayor Gutheil isn't sure there isn't another way to do the sidewalks. The state took away the snow shed so now they blow it all up on the sidewalks and we have inherited the expense to do the sidewalks. We don't do this in the residential area.

Trustee Bodkin said if we are removing snow, he would highly suggest clearing the sidewalks down Hudson to the middle school and down Harrison Avenue for the elementary school as well for the kids.

Trustee Carota asked if this was the lowest quote we have.

Trustee Bodkin said this is the lowest quote T.J. Chagnon has received. Others over the last couple of years have been in the \$40's. This is the cheapest one that Trustee Bodkin has seen so far. He checked out this piece of equipment recently and has been doing research on them for a couple of years now since they have been talking about this. There are attachments available that could be considered in the future. He has talked to the Ventrac dealer in Greenwich to see if there are used machines available and there are not.

Mayor Gutheil does not support this purchase and stated that if it is not under state contract we would be violating the law. First thing is we need to verify if it is under state contract.

Motion by Trustee Bodkin to purchase Ventrac equipment for snow removal as quoted at a cost of \$37,771.05.

Trustee Girard noted items to be done. He said that the money would come out of CD for DPW Major Equipment. We currently have \$133,082.98 in the reserves for DPW Major Equipment. Need to verify quote is on state contract, where money is coming from, warranty and Mayor Gutheil would like to go see it.

Motion by Trustee Carota to table this item until the next meeting. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

Add this agenda to the next meeting.

Trustee Bodkin stated that the Water and Sewer committee met; Trustee Bodkin and Trustee Girard and reviewed the numbers received from Robert Flores from Delaware Engineering to adjust water and sewer rates moving forward.

Trustee Girard asked Attorney Bartkowski about the information she was getting on this.

Attorney Bartkowski said you shouldn't raise rates retroactively and should give notice before raising rates.

Trustee Bodkin suggested putting a notice in with the next billing notifying of a rate change.

Mayor Gutheil stated that the big elephant in the room is the debt service on the new project and they won't know until they go out to bid what this is going to be. Even with zero interest for 30 years the payment is \$50,000 per year. And the Glens Falls City sewer contract has gone up over a \$100,000 a year over the last few years.

Attorney Bartkowski does not have anything that says you can't raise rates retroactively.

In April when they passed a resolution they did note that they may have to change the water sewer rates. It was also noted again at budget time that rates will need to change.

After Trustee Bodkin and Trustee Girard's review they propose a 14.2% increase to all sewer rates.

New flat rate they are recommending for unmetered residential rate would go from \$87.50 to \$105.

Metered residential minimum would go from \$87.50 to \$105. Usage over 25,000 gallons would go from \$2.25 to \$2.57 per 1,000 gallon over 25,000.

We have an industrial rate that we have not been charging any of our industrial users but that industrial rate would go from \$3.00 to \$3.43 per 1,000 gallons.

They don't recommend doing the water at this time but they do recommend increasing sprinkler and pool rates from \$20 twice a year to \$30 twice a year.

Then Trustee Girard and Mayor Gutheil met and they came back with some other recommendations:

Trustee Girard explained that the rate at 14.2% for unmetered is actually \$100 and to go to 20% increase would bring it to \$105.

Metered commercial rate would go from \$2.25 to \$2.70 per 1,000 gallons over 25,000.

Metered industrial rate would go from \$3.00 to \$3.60 per 1,000 gallons.

Metered outside users would go from \$165 minimum to \$198 minimum and from \$3.80 to \$4.56 per 1,000 gallons over 25,000.

Unmetered outside users would go from \$165 to \$198.

After running all these number, we would still be using fund balance. If you go 20% you are still going to use about \$66,000 in fund balance to balance the budget the way it is. If you go 14.2% you are going to use \$78,000. We have budgeted in there right now \$133,000. If we actually use \$133,000 we would be down to fund balance \$117,000. So as you can see even as we increase the rates, we still are not making it up because when we when the fees from the City of Glens Falls are substantially more each year. We have to figure out how to make this work.

Mayor Gutheil asked what the percentage difference is for the 3 industrial users to go from commercial rate to industrial rate.

Trustee Girard believes it would be approximately \$2,000 more twice a year to go from commercial rate to industrial rate.

We have 3 industrial users. Essity, Ames Goldsmith and the Cement Company. By all rights they should have been paying the industrial rate all along.

Question on why the City of Glens Falls has a sewer meter at Ames Goldsmith, to measure their I&I and are they billing Essity any penalties and if so, are we getting a reduction on our I&I charge. What is the purpose of this meter? We need to find out.

Trustee Girard suggested tabling this discussion if they are not ready to act.

Trustee Carota said he is ready to vote on this right now.

Mayor Gutheil stated that they can't ignore the numbers and have to raise the rates.

No need to change water rates until they know what the debt service will be.

Motion by Trustee Girard to increase sewer rates 14.2% per billing effective October 1st for the Spring billing on sewer use the unmetered rate would go to \$100 minimum, for metered it is a \$100 minimum with \$2.58 per 1,000 gallons over 25,000, for metered commercial the minimum will be \$100 with \$2.58 per 1,000 gallons over 25,000, metered industrial rate goes from \$3.00 to \$3.43 per 1,000 gallons, for outside users \$188 is the minimum plus \$4.34 per 1,000 gallons over 25,000, and the unmetered outside user would go to \$188 per unit. Water irrigation goes from \$20 to \$30 and pool goes from \$20 to \$30. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

Trustee Carota has one comment in the spring newsletter it was noted the cost of replacing pipes, the grants and that we are carefully analyzing the financial impact these projects will have to our current rates.

Trustee Bodkin said they still will have a \$60,000 shortfall and will be using fund balance for the next two years so we will have to adjust again in the near future.

Trustee Bodkin sent an email about the price of that property. They are selling all 3 lots together for once price of \$355,000 and he thinks this is a little high. He thinks it would be wise to engage them on price. To be discussed further in executive session.

Trustee Carota reported on harassment training for staff. He can do the training himself without bringing anyone in. It will be interactive training and he will use videos from NY State Labor. Interactive part will be a questionnaire. Can we buy a smart TV and use U-Tube videos. Purchase was approved at the last meeting. Trustee Bodkin got on line and reported the cost to the Board. For wireless transmitter cost is \$149.99, TV mount for the wall is \$69.99, a 55" Samsung Smart TV for \$499.99, a 5 year Geek Squad protection is \$119.99, TV mounting connect and set up is \$199.99. Grand total cost of \$1,039.95. The Clerk will follow up and pay for the order and get reimbursed by the Village.

First training would be at 6:00 on Wednesday the 18th.

Have to update the handbook to include the adopted sexual harassment policy. Have to distribute a copy to all who do training and distribute a copy of the complaint form as well. Trustee Carota met with T.J. Chagnon on the trees and he is drafting a letter to Richard Sears and tell him we want to use the Saratoga County bid price here in the village.

12. Mayors Report

Senior Living Health requested the Village add a link to our website. Suggestion to forward over to the Community Center.

Town mortgage tax for July was \$24,473.

Receiving ransomware notices. Need to be aware not to open bad sites.

Need to go over the personal protective stuff. The DPW staff were not wearing hard hats, no masks, no glasses when milling Ferry Boulevard last week. Mayor Gutheil called the County and they sent him some checklists. Have to get ahold of PESH. Have to have a policy and have to have a job safety analysis. Employees must be trained on what personal protective equipment is necessary and when. Trustee Carota has made contact with John Usher for more information.

Mayor Gutheil received an email from Audrey Varney with a request for a crosswalk on Main Street. He asked the Board if they want to put another crossing guard out on Main Street or not. Possibly Main Street and Harrison. Mayor Gutheil asked Audrey Varney for more information.

Coopers Cave brochures discussion. Mayor Gutheil asked Trustee Girard if they can take a look at this because of the number of calls we receive. Will review before we print the brochures next year or consider discontinuing the brochure. Trustee Girard recommended advertising the falls and our museum. Perhaps, see the water falls by Coopers Cave.

Attorney Bartkowski assured Mayor Gutheil that the last resolution regarding the Deputy Clerk position authorized him to hire a candidate of his choice. The Board all agreed.

Motion by Trustee Bodkin at 9:27 pm to enter into Executive Session to discuss potential contract negotiations. Seconded by Trustee Orlow. All were in favor. None opposed. Motion carried.

Executive Session

Motion by Trustee Carota at 9:34 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 9:34 pm to adjourn the meeting. Seconded by Trustee Bodkin. All were in favor. None opposed. Motion carried.

Meeting adjourned at 9:34 pm.