

The annual organizational meeting and public hearing was held on 4/3/17 at 6:00 p.m. in the Council Room of Village Hall.

Present: Mayor John E. Barton
Trustee Thomas VanAernem
Trustee James Gallagher, Jr.
Trustee Joelle Timms
Trustee Robert Cook
Attorney William Nikas

The Mayor asked that the two public hearings scheduled for tonight remain open and continue on April 10, 2017 at 6:00 p.m. so that the board may take the public comments into consideration.

At 6:00 p.m. time was set aside for a public hearing for the purpose of considering Local Law No. 1 of 2017 Overriding the Tax Cap for the 2017-2018 Village Budget.

The Mayor opened the Public Hearing to the public - no public comment was given.

At 6:00 p.m. time was set aside for a public hearing on the 2017-2018 Village Budget.

The Mayor reported the Tentative Budget was presented last week (3/27/17). As the 2017-2018 Budget stands currently, the tax levy includes an increase of 4.27% which equates to \$104,143. The proposed tax levy is \$2,543,476 which includes Village-wide revenues of \$856,793 and Village-wide expenditures of \$3,725,250.

Notable expenditures this year include a police vehicle and dump truck for the Department of Public Works.

The Mayor reported that over the last few years the Village Board has been looking for ways to take advantage of cost efficiencies. Last year's budget included the elimination of the Village Court. The NYS Comptroller's review of the numbers found this was a savings of \$38,369 to the Village. Other recent efficiencies include sharing of code enforcement, the splitting of one position due to the retirement of two employees in DPW and Water, and the transfer of dispatch duties to county.

The Village will continue to look for opportunities to control costs. The transfer of the Justice Court has resulted in a decrease of maintenance duties, therefore the position of Full Time Building Helper is proposed to be abolished effective June 1, 2017. In addition, in order to maintain the same level of road patrol and police services to the taxpayers, the proposed budget considers the elimination of the administrative position of Deputy Chief of Police effective June 1, 2017.

This is the first year the Village will not be in compliance with the tax cap since it came into play.

The Mayor opened the meeting to public comment. There were approximately 4 members of the public present as well as members from the Police Department including Chief Diamond, Deputy Chief Pedone, Detective Gillis, Sergeant Woodward; Superintendent Fiorillo, and Chiefs Fitzgerald and Santa Croce.

Chief Diamond addressed the Board and noted he has spoken to the Mayor and Trustee Cook on a couple of occasions regarding the elimination of the Deputy Chief Position. This position is absolutely needed in the Police Department. There is a number of duties the Deputy Chief performs in the course of a 40 hour work week. Chief Diamond felt someone should have met with him about eliminating a position in the police department six months ago. He noted only one person on the board asked what the duties of the position were. The Chief questioned how a group decision could be made without all the facts? He asked the board to rethink their position. He noted the road patrol services will absolutely be impact because there are just so many duties one person (being himself) can do. The Chief will have to shuffle the duties down to the road patrol which will result in less patrol hours on the streets. The Chief asked the Board to reconsider this decision and to meet with him to discuss it one more time.

Detective Gillis, PBA President advised that a lot of the duties performed by the Deputy Chief will be pushed back to patrol officers. Some of those duties are administrative functions, as PBA President and in speaking with their attorney, a lot of those functions will be grieved if they are pushed over to the road patrols. They want to be out on the road and seen on the road. If the officers are sitting in the office doing paperwork they are not out there being seen by the public. So as far as the administrative duties the union is dead set against taking on any of those duties.

Mike Horrigan, 4 Roger Street asked the Board to explain the difference between the 3% tax rate increase and the 4.27% tax levy increase. The Mayor advised that it is just a comparison of last year's tax rate and this year's tax rate, and last year's tax levy and this year's tax levy. Trustee Cook advised that the tax levy is the actual amount of dollars that has to be raised which doesn't always correlate with the tax rate. The 3% tax rate increase generates a 4.27% increase in the tax levy. Mr. Horrigan asked if spending is up 3% or are revenues down. Clerk Brayman advised that it is a combination of both. The Mayor advised the increase equates to \$104,000 above last year's tax levy. Clerk Brayman advised that assessments are up 1.2%. Mr. Horrigan inquired as to the increase in the estimated budget for the Assessment (A1355.4). Clerk Brayman reported the increase in the amount budgeted for that line item represents the allocation for the Rite Aid tax grievance. Mr. Horrigan asked if that figure would be on the budget every year. Attorney Nikas advised that no, Rite Aid was previously assessed for \$750,000 having grieved that for several years, they are now talking about up to three years of refunds and a new assessment of \$450,000. The \$15,000 will cover three years of back assessments which is the maximum exposure. Mr. Horrigan asked if the \$40,000 budget for the police car includes it being fully equipped. Chief Diamond advised that equipment will be transferred to it – the car is \$37,000, with the cost of striping and transferring the equipment it will easily be \$40,000. The new car will replace an existing vehicle. Under the Fire Department it shows an increase of \$9,200 in their contractual budget line. Trustee Cook reported that it is not an increase, just moving one category to another. Mr. Horrigan is sure the new truck in Street Maintenance is needed but is this out of the reserve funds. Mayor advised the total cost of the vehicle is anticipated to be up to \$180,000 with \$100,000 from budget and \$80,000 from equipment reserve. [Note that the equipment reserve fund is typically funded with \$50,000, which is not being funded this year. Leaving a \$50,000 impact to the budget]. Superintendent Fiorillo reported that they are looking to replace the truck purchased from Kingsbury that is capable of having a wing. The medium duty trucks do not have the wing capability. That size truck saves time getting the main roads clear during snow storms. Bigger trucks are diesel motors which are ranging from \$160,000 to \$200,000. The \$180,000 will be a complete truck with plow. Mr. Horrigan asked if there is any reason why the entire truck didn't come out of Equipment Reserve. The Mayor advised that they are looking ahead for upcoming major expenses – street sweeper, loader, and tractor. It will leave a balance of \$400,000 in equipment reserve. Trustee Cook further advised that there would normally be \$50,000 appropriated to equipment reserve and there is not this year. Mr. Horrigan asked about the increase in Transmission Distribution (Water F8340.0) represents. Superintendent Fiorillo reported that is for the new water meters. Mr. Horrigan asked about the decrease in revenue for Chips (A3501) allocation. Superintendent Fiorillo advised that the Chips allocations has been rolled for the last few years due to the Rt. 4 Reconstruction Project. A great deal of the surplus money was used this year which results in a decrease in the Chips allocation. [CHIPS is typically \$117,000 annually balance is roll over from previous year]. Mr. Horrigan noted it appears the full Code Enforcement salary is appropriated. Mayor Barton advised that full salary is appropriated under expenditures and reimbursement is allocated under revenues. The reimbursement includes costs for truck, gas, training, etc....

Mr. Horrigan indicated that the Village took a hit on the Wheelabrator assessment and PILOT which affected the taxes a couple of years ago. Now the Village is taking a hit due to the Rite Aid assessment, he assumes that General Electric is likely next. The Mayor acknowledged the likelihood of the GE assessment reduction.

The Mayor again advised that both public hearings will be kept open to continue on April 10, 2017 in order to consider public comment.

GENERAL PUBLIC COMMENT – none was given.

Omnibus Resolution made by Trustee Cook, seconded by Trustee Timms and carried for the following Committee Appointments and Resolutions.

COMMITTEE APPOINTMENTS

| | |
|--|-----------------------------------|
| Deputy Mayor ----- | Thomas VanAernem |
| Street Committee ----- | Robert Cook, Joelle Timms |
| Water Committee ----- | Robert Cook, Joelle Timms |
| Fire Committee ----- | Thomas VanAernem, Robert Cook |
| Police Committee ----- | Robert Cook, Joelle Timms |
| Finance Committee ----- | Thomas VanAernem, James Gallagher |
| Insurance Committee ----- | James Gallagher, Joelle Timms |
| Senior Citizen Committee ----- | Thomas VanAernem |
| Recreation Committee ----- | Robert Cook, Joelle Timms |
| Street Lighting, Parks Committee ----- | James Gallagher, Thomas VanAernem |
| Safety Inspections Committee ----- | Thomas VanAernem, James Gallagher |
| Contract Negotiating Committee ----- | John Barton, Robert Cook |
| Sandy Hill Days Liaison ----- | Robert Cook |
| Greater G. F. Transit Advisory Committee ----- | James Gallagher, Joelle Timms |
| Washington County Sewer Agency ----- | Robert Cook |
| Community Development Small Cities Board -- | Thomas VanAernem, Joelle Timms |
| Village Owned Property Committee ----- | James Gallagher, Joelle Timms |
| Building Committee ----- | James Gallagher, Thomas VanAernem |

RESOLVED, that unless otherwise scheduled, the monthly meeting of the Board of Trustees of the Village of Hudson Falls for the current official year will be held on the second Monday of each Month at 6:00 p.m. with the exception of the months of June, July and August, whereby the meetings will be held at 4:00 p.m.

RESOLVED, that the Post Star published in Glens Falls, New York be and hereby is designated as the official newspaper of the Village of Hudson Falls for the ensuing official year.

RESOLVED, that the Village enter into a contract with the Senior Center of the Kingsbury and Fort Edward Areas, Inc., whereby the Village of Hudson Falls will pay the Senior Center of Kingsbury and Fort Edward Areas, Inc., the sum set forth in the annual budget in exchange of said senior citizens for travel.

RESOLVED, that the Village enter into a contract with the Hudson Falls Free Library Association, whereby the Village of Hudson Falls will pay said Free Library Association, the sum set forth in the annual budget in exchange of said Library making its facilities available to the residents of the Village.

RESOLVED, that the Village enter into a contract with the Sandy Hill Days Committee, Inc. whereby the Village of Hudson Falls will pay the Committee, the sum set forth in the annual budget in exchange for the Committee making Sandy Hill Days available to the residents of the Village.

RESOLVED, that David Foote be appointed on an independent contractor basis as the Village's Public Health Officer for the current official year at an annual fee of \$1,800 as set forth in the budget, payable in twelve equal installments and that the Village enter into a contract with David Foote for said Public Health Officer duties.

RESOLVED, that Todd Lemery be appointed webmaster of the Village website for the current official year at an annual fee of \$3,000 as set forth in the budget, payable in two equal installments and that the Village enter into a contract with Toddy Lemery for said webmaster duties.

RESOLVED, that the Mayor or Deputy Mayor and the Treasurer or Deputy Treasurer be and hereby are authorized and directed to sign all checks drawn against funds of the Village of Hudson Falls, two signatures of the above designees being required.

RESOLVED, that Glens Falls National Bank & Trust Co. be and it hereby is designated a depository of this corporation with authority to accept at any time for the credit of this corporation deposits by whomsoever made of funds in whatever form and in whatever manner endorsed, and said Bank be and it hereby is authorized and directed to pay or otherwise honor or apply without inquiry and without regard to the application of the proceeds

thereof, checks, drafts, notes, bills of exchange, acceptances, undertakings and other instruments or orders for payment, transfer or withdrawal of money on deposit with it to the credit of this corporation, for whatever purpose and to whomsoever payable, including those drawn or endorsed to the individual order of a signer, when signed, accepted, or endorsed by any two signatures of the following named person, or persons from time to time holding the following offices of this corporation: John E. Barton, Mayor; Thomas VanAernem, Deputy Mayor; Ellen M. Brayman, Clerk/Treasurer; Penny J. Ward, Deputy Clerk/Treasurer.

RESOLVED, that Penny J. Ward be appointed Deputy Clerk/Treasurer for a one (1) year term, at salary set forth in the budget payable in bi-weekly installments.

RESOLVED, that William L. Nikas, Esq. be appointed as Village Attorney at an annual fee of \$36,000.00 payable in twelve monthly installments for general legal services. Out-of-pocket expenses for these matters, if necessary, will be reimbursed by the Village (long distance phone calls, legal publications, postage, travel expenses, photocopies, court filing fees, witness fees and stenographer fees).

RESOLVED, that Elena DeFio Kean, Esq. be appointed as Special Counsel for labor matters and municipal bonding and financing matters at a fee of \$175.00 per hour.

RESOLVED, that Louis Distasio be reappointed to the Zoning Board of Appeals for an additional five year term.

RESOLVED, that all present employees of the Village whose appointments are not made for a definite specified period of time, are to continue their duties to serve at the pleasure of the Mayor with approval of the Board of Trustees.

RESOLVED, that the benefits of Section 18 of the Public Officer's Law are conferred upon the Village's employees, as that term is defined in Section 18 (1) (b) of the Public Officer's Law, and the Village shall be held responsible for the costs incurred under Section 18 of the Public Officer's Law be hereby adopted.

WHEREAS, the Board of Trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges; and

WHEREAS, all such claims must be presented at the next regular meeting for audit; and

WHEREAS, the claimant and the officer incurring or approving the claim are jointly and severally liable for any amount the Board of Trustees disallows.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges. All such claims must be presented at the next regular meeting for audit and the claimant and the officer incurring or approving the claims are jointly and severally liable for any amount the Board of Trustees disallows and that the resolution is effective immediately.

SEMINAR/CONFERENCE RESOLUTION

WHEREAS, Section 77-b of the General Municipal Law states that the Board of Trustees, by a majority vote, may authorize any of its members or any officer or employee or the chief or assistant chief of its fire department or other person who has been elected pursuant to the law to a public office of a municipality for which the term of office has not commenced to attend a conference; and

WHEREAS, pursuant to Section 77-b of the General Municipal Law authorization by the Board of Trustees must be provided by resolution prior to such attendance or the Board of Trustees may delegate the power to authorize attendance at such conference to any executive officer; and

WHEREAS, the Board of Trustees have concerns with providing authorization at a public meeting details of such conferences and seminars which identifies when Village Board members and employees will be out of town and wish to proceed in a different manner relative to providing such authorization in the future.

NOW THEREFORE BE IT RESOLVED, that for the 2017-2018 Village Year the Village of Hudson Falls Board of Trustees hereby authorizes attendance and reimbursement for travel and fee for the following:

1. Village Board of Trustees, Village Clerk/Treasurer and Building Inspector to attend conferences and seminars offered by NYCOM, the Association of Towns, NYMIR, NEMRC, GFOA and all NYS, County and local agencies.
2. Village Planning Board and Zoning Board of Appeals Members to attend all NYS, County and local agencies, NYCOM, NYMIR, Association of Towns and Attorney's Offices.
3. Village Superintendent of DPW and Water to attend all seminars/conferences offered by NYCOM, the Association of Towns, NYMIR, GFPA, the Adirondack Water Works Seminar , Washington County Safety Courses, New York Rural Water Association, Storm Water Conferences, American Water Works Association, Cornell Cooperative Extension; Dig Safety Training and all NYS, County and local agencies.
4. Chief Randy Diamond and members of the Police Department to attend conferences and seminars offered by:
 - A. Dept of Criminal Justice Services
 - B. NYS Chiefs Association
 - C. Northeast Chiefs Association
 - D. NY State Police
 - E. NYS Commission of Correction
 - F. NYS Governors Traffic Safety Conference
 - G. Empire State Traffic Safety Conference
 - H. NYS Dept of Homeland Security
 - I. Federal Dept of Homeland Security/Federal Agencies
 - J. Multi jurisdictional Counter-drug Task Force
 - K. Office of Juvenile Justice and Delinquency Program
 - L. MAGLOCLEAN
 - M. NYMIR
 - N. Reid Associates
 - O. Merlin Consultants
 - P. Northeast Counter-drug Training Center
 - Q. Taser
 - R. Public Agency Training Council
 - S. All Police Agencies
 - T. All NYS and County Agencies
5. Code Enforcement to attend all seminars/conferences Northern Adirondack Code Enforcement Officials, NYCOM, the Association of Towns, NYMIR, GFOA and all NYS, County and local Agencies.
6. Fire Department officials and members to attend all seminars/conferences/training offered by all NYS, County and local agencies, NYCOM, and NYMIR.

FURTHERMORE BE IT RESOLVED, that the Village Board of Trustees will still be provided notice of all seminars and conference requests; and

FURTHERMORE BE IT RESOLVED, the Village Board of Trustees hereby delegates the power to authorize Village Officers and Employees to attend such conference that are not mentioned in this resolution to the Village Clerk/Treasurer Ellen Brayman.

Upon motion made by Trustee Timms, seconded by Trustee Gallagher and carried the minutes of the regular meeting of 3/13/17 and the Special Meeting of 3/27/17 were approved as read.

Resolution
Electing Direct Payment of Washington County Sales Tax and Compensating Use Tax Allocation

Upon motion made by Trustee Cook, seconded by Trustee Timms and carried the following resolution electing direct payment of Washington County Sales Tax and Compensating Use Tax Allocation shall be adopted:

WHEREAS, Washington County imposes sales and compensating use taxes pursuant to Section 1210 of the Tax Law of the State of New York; and

WHEREAS, Washington County has elected to allocate a portion of the net collections from its sales and use taxes to the towns in the county; and

WHEREAS, Section 1262(c) of the New York Tax Law authorizes a village to elect to be paid its share of the county's allocation directly, in lieu of reduction of county taxes and general town taxes levied upon real property in such village, the amount to be paid to such village to be determined by the ratio that the full valuation of real property in the village or portion thereof within the town in which such village is located bears to the full valuation of real property in the entire town; and

WHEREAS, the Board of Trustees now desires to make such election;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Hudson Falls hereby elects to be paid directly its portion of Washington County's sales and compensating use tax net collections, for calendar year 2013 and thereafter if the county's allocations are to be for more than one year; and

BE IT FURTHER RESOLVED, that, pursuant to such Section 1262 (c) of the Tax Law, a copy of this resolution shall immediately be mailed by registered or certified mail to the Chief Fiscal Officer of Washington County and to the Clerk of the Washington County Board of Supervisors before September 1, 2016, for this election to take effect January 1, 2017; and

BE IT FURTHER RESOLVED, that this resolution shall remain in effect until rescinded by the Board of Trustees of the Village of Hudson Falls in accordance with the notice provisions of such Section 1262(c) of the Tax Law; and

BE IF FURTHER RESOLVED, that this resolution shall take effect immediately.

Upon motion made by Trustee VanAernem, seconded by Trustee Cook and carried the following budget appropriations are approved.

| Budget Appropriation: | <u>Debit</u> | <u>Credit</u> |
|-----------------------------|--------------|---------------|
| A-2680 Insurance Recovery | \$3150.00 | |
| A-A-5182.4 Street Lights | | \$3150.00 |
| A-2770 Unclassified Revenue | \$1,107.65 | |
| A-3120.4 Police | | 1,107.65 |
| F-8340.2 Trans & Dist. | \$2,900.00 | |
| F-8340.4 Trans & Dist. | | \$2,900.00 |

Upon motion made by Trustee Gallagher, seconded by Trustee Timms and carried, the following monthly reports were approved as submitted: Police Department, submitted by Chief Diamond; Code Enforcement submitted by Francis Cortese; and Fire Department, submitted by Chief Michael Fitzgerald.

Upon motion made by Trustee Gallagher, seconded by Trustee Cook and carried the following abstracts were audited and ordered for payment:

| | | |
|---------------------------|------------|---------------|
| General Fund | Check Nos. | 30774 - 30801 |
| Water Fund (General Fund) | Check Nos. | 30774 - 30801 |

The Mayor advised that the public hearing regarding the budget will be kept open. The Board will take into consideration everything that was said tonight and reconvene next Monday.

The Mayor asked the Board for their comments - none

The Mayor asked for general public comment.

Mike Horrigan, 4 Roger Street inquired as to the status of Sandy Hill Days Committee, the last he saw was an article in the Post Star regarding their possible demise. Trustee Cook reported that there was a very large turnout of young people at the Sandy Hill Days Committee Meeting. They were very enthusiastic and would like to get involved. There is a meeting this Thursday where a decision will be made but there are people who were anxious to get involved so it can have a bright future.

Brian Burnett, LaCross Street reported on his noise issue regarding Dimensional Mills. He was awoken at 5:47 a.m. by someone loading a truck. The situation improved last week, they seemed to be following the rules better but then today the loader was going. With warmer weather the problem worsens and the noise resonates in his house even with the windows and doors closed. The Mayor inquired as to what kind of truck was being loaded. Mr. Burnett couldn't tell the kind of truck because he can only hear it.


Mr. Burnett asked if the Village can purchase vehicles off the State Contract. The Mayor reported that yes the Village can purchase off State Contract.

Trustee Cook reported that this was a particularly difficult budget year. Every year the Board tries to stay within the tax cap and each year it has become more and more challenging. Every department this year has taken a hit. The Fire Department is down a fire truck, we wish the Village had the money to buy a truck but it is not possible. This puts us at a disadvantage in terms of our fire department. DPW – every year Mike has found a way to save the Village money. One of the ways he does that is by constantly reusing his equipment, an example of that is the current use of a snow skid that was put into operation in 1962. That is the sort of efforts Mike makes to save the Village money. So when Superintendent Fiorillo says he needs a truck the Board knows he has to have a truck. Trustee Cook wanted to better explain the purchase of the new truck. While it looks like the Village is taking only \$80,000 of the \$180,000 out of equipment reserve, normally we would put \$50,000 in the reserve account which we are not doing this year so in essence we are taking \$130,000 of the \$180,000 out of equipment reserve for the truck. That will deplete that reserve account for future equipment. Every department has taken a hit. The Board worked long and hard to try to come up with a workable budget that wasn't going to break the bank for our taxpayers, even though we have to go above the tax cap. Trustee Cook gave a lot of credit to Mayor Barton who has spent countless hours going over the budget, calling, emailing, etc.... board members at all hours of the day and night. This was a tough budget year and it isn't going to get any easier in the years to come.

Mike Horrigan understands it is difficult and the Board has to make tough calls. If it keeps progressing and we take any further hits on assessments such as GE it is not a good picture. All of this affects the Village tax revenue. He assumes the Board has some sort of action looking ahead. Trustee Cook indicated that the General Electric property would be prime real estate that in any other community would be worth a fortune. But because it is so polluted it will never be anything but a brownfield.

The Mayor advised that the next meeting will be the continuation of the public hearings on April 10, 2017 at 6:00 p.m. The next regular meeting is scheduled for May 8, 2017 at 6:00 p.m. The June, July and August meetings will be held at 4:00 p.m. on the second Monday of the Month.

Upon motion made by Trustee Cook, seconded by Trustee Gallagher and there being no further business to come before the Board the meeting was adjourned at 6:32 p.m.


Ellen M. Brayman, Clerk/Treasurer