

Board of Trustees Meeting Recording Transcription – 10/26/2020

KEY: MB: Mayor Barrett; TC: Trustee Crary; TD: Trustee Donecker; TR: Trustee Rumsey; TS: Trustee Smith; RB: Roger Blanchard; CO: Crystal O'Brien; TM: Tracy Marshall; KS: Katie Smith; CM: Christine Meixner

MB: We will call this meeting to order and say the Pledge of Allegiance. I pledge alliance to the United States of America and to the Republic for which it stands, one nation under God, indivisible for liberty and justice for all. I call this meeting to order...

CO: It looks like Cindy is joining us too

MB: Hey Cindy. We just called the meeting to order so minutes were distributed for the 13th of October meeting, would anyone like to make a motion to accept those minutes.

TC: So Moved

MB: Mark Crary and second?

TD: Mark

MB: Mark Donecker. Are there any questions comments corrections to the minutes? hearing none, all in favor of accepting the minutes say, "Aye".

ALL: Aye

MB: All opposed say no. Alright the meeting minutes are accepted. We will open this up for public comment, does anyone have any public comment? Hearing none, will move on to the report of Public Works, Roger

RB: OK, my list is pretty much the same. Last month for your fixing driveways and lawns along the new sidewalk, we still have a little bit more to do there, we clean out ditches every chance we get, mowing grass as needed which that should be done now, we did some shoulder work, hauled in some winter sand, garbage and recycles, paved Back Bear Run which also is White Birch Lane, I never put that on there before, but I want to make sure you got all sections. We hauled in some item 4 and we are always checking the dirt section Elm Lake Rd for messes or potholes and we fixed a few potholes along the road. Next month we will start setting up the skating rink, dress our plow trucks for winter, clean roadside ditches when we have a chance, shoulder work when we have a chance, garbage & recyclables, pick up more picnic tables I put pick tables and benches but most of are picked up now but we have picnic table to pick up, some garbage bins. We may haul a little bit more sand up to the town, I'm not sure yet I've got to calculate how much we took up there last month and make sure that we've got enough. Check Elm Lake Road dirt section. Probably we won't need any more item 4 unless we do the plan for the pavilion parking lot, that I've got to make it a thing here when we get to it. And we're going to put a couple loads of crusher run on the burn pit road because when we did the water dig up there on route 8, the town brought in two loads for us and we had to replace them, and he told us we could just put some out for that road and rake it out and everything will be...

MB: Terrific, thank you to the Town.

RB: Next 60 days is pretty much the same, roadside ditching, plowing, sanding, shoulder work if we can if it's not snowing too much, check the dirt section if it's not snowing too much, blow sidewalks as needed, garbage & recycles, set up skating rink, ditching, always cutting brush that falls because of snow or whatever, our CHIPS as we've already paved our black bear run and white Birch Lane, we've already hauled in most of our items four, like you said it would be made a little bit more. I haven't ordered any stock culverts yet because I haven't gone through our

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inventory. I have looked into the specs for a new pickup which that is ordered now. And the dump truck I said there's already there and has probably already been paid.

MB: You did pick up the dock.

RB: Yes, I did put that on there, yes, we brought the dock in. And the stairs at the beach have been pulled in and we're still doing our COVID Protocol as best we can. The Keenen family bench I was run over in the accident at the four corners in front of the Department store. There was a pile of it laying there I sent the guys over to pick it up and it was gone. Somebody cleaned it up. I thought maybe Vogel's guys because that's who is doing the work to fix the building for now and I called Jonathan Lane he said Vogel's guys didn't pick it up he called and asked him. So I don't know if somebody from the beautification picked it up or but we did not pick it up but it's gone. But I would like to get the tag off, the plaque so I'm going to keep looking keep trying to find where it is.

KS: There was one that was parked there on the side I believe whatever I mean I would ask Jeannie; I saw her standing out there.

RB: I think it was her car that got hit.

KS: I would ask her. She might know.

RB: OK I'll go over to Department store tomorrow and see if anybody knows where but right after the actions the next day it was piled all in a pile in the side of the road there and then I sent one of my guys there to get it after daylight and it was gone.

MB: Do we have contact information for the Keehen family?

RB: All I know is when that bench was first put out it was on Judy Nelson's lawn, so I don't know if it has something to do with her family or if she knows or if that's just the place that was designated.

MB: The name doesn't sound familiar in the village. Are they current residents do you know?

TC: What was the last name again?

MB: Keehen.

TC: Chuck on Marion?

RB: I'm not sure what the names were on it just the Keehan family.

MB: So, Crystal and Tracy, if it's possible to look through our records to see if they are currently in the village.

CO: We do have somebody that owns a property, I don't know if we have any phone number. I don't think we have it.

MB: If there's an alternative address or something we can write them a note informing him of the of the bench.

RB: Like I said I'll keep trying to find the plaque I can't guarantee I find it but I will keep trying.

MB: Good. Thank you, Roger, I appreciate that.

RB: Our 410 backhoe needs repair of the hydraulic pump, and it could ring in the price of close to ten thousand dollars if they replace the pump itself. The pump itself is \$7600.00 and change and the drive time and repair and all that, but they're hoping that when they get up here it might be just the O-ring or something but that's what we are hoping for but we won't know until that comes.

MB: So, for the board, the emergency backhoe repairs are going to be addressed in a resolution in the new, under new business. The pavilion and parking lot?

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RB: I've been working on the plan to raise the grade at the beach parking lot. I've got to figure out how many loads we are going to need, how much it is going to cost.

MB: Do we have materials?

RB: We have some over there but most of the materials we have over there is CHIPS materials which can't be used for that but we do have some that can be used but nothing off last so I'm going to find out how much it could take. We may have to haul a little bit more in and with the tractor, I don't know about feasibility of the money yet.

MB: Let's get some pricing. Will you be able to have that within a week or so? Before the bad weather comes.

RB: Yes. I'm hoping to get pricing and get it done before we get snow. We have to, like I said, see what happens with the backhoe. We're going to need the tractor down there. I mean I might be able to borrow one if I have to.

MB: Do we know the timing that John Deere would be able to

RB: As soon as I get your "okay" I'm going to call him and hopefully they can get up here this week he was thinking they might be able to get up here this week.

MB: Then we'll be able to know whether we have funds. So, if you could price that out let the board know.

RB: Alright OK and I'm looking into permits for the beach point and Marion Ave culvert. I called Lenny from soil and water and he's going to meet with me tomorrow and we are going to walk those and see with the work we're doing what needs permit what doesn't, so we can know what we can do now. If anything is going to need a permit it's going to be spring before we can do anything. Because it takes a while to get permits in but there may be some stuff we can do without permits he's going to walk it with me and we have to discuss what we can and can't do.

MB: So just to clarify this, permits are needed for the mitigation work on Marion Ave culvert where we have to replace the riff raff with larger stone and increase the scouring to prevent washouts and then the other permits for the beach and for the lakefront is for the site inspection visit that we had from FEMA and repair plans for that so we wouldn't be able to do anything until we have those in the end and we can't process it until we have those in hand as well.

RB: OK now I'm going to bypass this next month until last because we're going to talk about that one. Chalet drive sign is up and Ruby lane's sign is ordered. As soon as we get it that will go up. Now the street light plan. I think everything is on track. The count was good we just have to talk about the wattage you want and what ones you think you should delete or get rid of. I wonder, this is an opinion, but that's just my opinion, that the ones that are there probably good because that's what the state or NIMO felt, whoever orders them, felt that the lighting we needed. Now whether you want to do away with the few that's up to you guys.

MB: So the current status, and we'll get into this under old business, so you can hold on to that, you have accounted for those lights that have been officially removed.

RB: There's only been one.

MB: Only the one has been officially removed?

RB: That's on Woodward it's still there but that's been shut off. I mean they probably will remove it sooner or later but right now it's that's the only one that I know of that has been removed and that was under request.

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MB: I don't think we've had any others to the Village.

RB: As far as wattage goes, I think for the most part when we were looking all of the bright wattages were at the intersections as you went out from the intersections of wattage is that lower so I think the wattages they have are good. When that transfers over I'm sure it won't be watts anymore is lumens, but I think if they transfer over the way they are they're probably good. There was one pole we felt maybe that was one by your house, right?

TS: Yes, that was South Shore Rd is 150 and most of them are 100, but it's all by itself and in the bottom and it doesn't have to be 150.

MB: Alright so we can adjust that.

RB: But like I said maybe you will want to adjust some of the wattages, that's up to you guy or the lumens or whatever but I really don't know what should be where so I will leave that up to you.

MB: At least that's confirmed and then we'll be able to go from there.

RB: How it was right, we have three different pages we went through it and the count was pretty much the same as everyone.

MB: Thank you.

RB: That's all I have.

MB: Alright, any questions for Roger? Questions, comments? We did go through, we will confirm that Mark Donecker, Crystal and I sat down with Roger and went through and looked at where monies could come from within his budget that could potentially cover the \$10,000 up to 10,000-dollar costs for repairing the backhoe. We'll go through that and more in detail under new business, thank you, Roger.

RB: Thank you.

MB: Crystal for the clerk-treasures report.

CO: Just a couple little things. The intro to government accounting school I attended on the 14th through the 16th was very instructional and helpful in solidifying my understanding of government accounting and Journal entries and I look forward to taking the one next month for those policies and procedures and all that kind of stuff fun stuff for government accounting. The quarterly reports for PERMA and New York State and the IRS have been submitted as well as

the PERMA annual payroll report. Next week after, well after November 1st, which is next week, all of the outstanding village taxes will be sent to the County to be re-levied. Currently we only have 21 properties that have not been or have not been fully paid which I feel is pretty good for our current circumstances and a letter was sent out at the beginning of the month to remind those people of nonpayment. Lastly, was there any interest, I know that Mark Donecker had a little bit of interest in the webinar that I sent out on "Understanding Village Government and your place in it" is scheduled for this Thursday. If there's any need for us to do that I can set up the registration and have it here for those of you if that's something that time.

TS: I put that down for Wednesday instead of Thursday's at 3:00 o'clock?

MB: No that's a special meeting.

CO: This is webinar. There is a special meeting on Wednesday at three.

MB: For water and wastewater.

CO: This is a webinar through NYCOM on understanding village government and elected or appointed officials place in it. I think it's at 4 till 5.

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TD: Yes, it is, 4 to 5.

CO: I can have that set up here, Mark, I meant to tell you that too. I can have that set up here that's convenient.

TD: I was just going to do it from home.

CO: OK that's fine.

TD: I just need to know there's a registration and it asks you for a check for a voucher. So I just need to know what to check off.

CO: You can do the check, that's fine.

MB: I won't be able to attend.

CO: And the Village does cover it is \$35.

MB: Cindy, if you want to do that as well, I don't know what your schedule is that's an opportunity for you. This is the month that we have the financial report and I trust everyone has reviewed it, so I'd like a motion to approve the financial report #14. Is it #14? Sorry, #4. May I have a motion to approve financial report #4.

TS: So moved.

MB: Okay, Rebecca, second?

TC: Second.

MB: Mark Crary. Any questions or comments on the financial report? Then hearing none, all in favor of approving financial report #4 say, "Aye".

ALL: Aye

MB: All opposed say no. Alright, motion carries. Now a motion to pay the bills an abstract number 10. May I have a motion?

TD: So, moved.

MB: Mark Donecker, 2nd?

TS: Second.

MB: Rebecca. Any questions or comments about abstract number 10? Hearing none, we will take a vote to approve abstract number 10. All in favor say "aye".

All: Aye

MB: All opposed say no? Motion carries. Old business: we are decreasing the frequency of having the COVID-19 updates, so I'll keep it brief this week. The good news is that this week the Hamilton County Department of Public health actually trialed their new rapid covid testing policy and procedures and everything went really well so that should help with schools and those sorts of things that have having a lot of issues. However, one of the people tested came back positive and contact tracing and all that goes with it is underway. So that brings our number of positive cases in the County to 20 with 19 fully recovered. To date over 2600 tests have been performed in the County as well. So, there's a little good news a little bad news and the person who tested negative is also being tested with the regular standard COVID test. For FEMA Halloween storm update, we were informed last week that the Marion Ave culvert repair and mitigation has been approved. We've been sent something that's called the blue book and the requisite form has been returned to the state which is called the P4 report. The amount that was approved for the project with mitigation was in the amount of \$15,711.45 of which we will receive \$11,783.59 from FEMA. We're still waiting to hear if New York State will be contributing their 12 1/2%. There also remains some back and forth work as Roger intimated, we need some permitting we need is a question about what kind of sand and things like that to

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finalize the beach and park point park site inspection plan and we hope to resolve that this week so that we can continue to move forward and be able to put in place plans to update that and fix it coming this spring. FEMA COVID update; nothing to report. Verizon small cells the construction of the small cell towers will likely go into construction early next year hopefully sooner and they are presently waiting on a fiber backhaul once a circuit can be delivered. So, for those of you know what those things are, that's what we are waiting for. Fire tower: nothing to report. LED towers so now that we have the light consensus the light senses complete, I'll contact National Grid for our next steps so thank you trustee Smith and Roger for doing that, you know a long time coming. Did you have any additional comments that I should bring up with National Grid besides the one streetlight on South shore.

TS: Also, when I was doing research, some towns preferred not to have the blue, white lights that they were too bright?

MB: Yes, they are.

TS: So, I don't know what they were originally looking at in terms of the color for it. Obviously, the yellow is too low you don't want low, and you don't want super high.

MB: OK so I think there are at least three to four choices that we can pick from so I'll try to find that out.

TS: And then I take right on here the wattage they give the LED size. So, I can see wattage was 100 but LED size is 25.

MB: It's approximately $\frac{1}{4}$.

TS: Not only do you get a savings but your numbers you don't get what you are used to.

MB: For those of you don't quite grasp lumens and what that means is that blue light lights but if you go down to your Home Depot or Lowe's and go into the light bulb section, they have the same wattage of light bulbs with different lumens associated with it and it really makes a huge difference. That will be your electrical learning for today. The first thing that we need to discuss is the resolution for budget adjustments. In front of you should have the resolution entitled resolution for 2020-2021 budget adjustments for emergency backhoe repairs and adjustments for CHIPS so there are two things going on. As Roger had expressed the John Deere backhoe is really leaking a lot of oil and they think it could be the hydraulic pump. This is the only tractor that we have in the fleet. It is used daily for both DPW and wastewater projects as well as automotive in preparation for winter. It's not considered expedient to borrow a backhoe through shared services because it's a busy time for all municipalities and so then it becomes very difficult to budget and have a timeline for the different projects and it's also not cost effective to transport the broken backhoe and rent a backhoe in its place. That would take it and added amount of time. It was deemed to be an emergency, we would contact Nortrax who is the closest John Deere dealership located in Clifton Park and we've worked with them before. The estimated cost for repairing the hydraulic pump, the cost of the pump and the labor comes approximately \$9985.98. We want to make sure that these funds are available for the repair and if the repairs do not amount to that we will redistribute them again, which is our hope. The other thing that's happened is that the Village budgeted for the receipt payment and reimbursement of a 2020 5500 Chevrolet Silverado dump truck for the 2019 and 2020 budget, so last year's budget. The problem is that it didn't arrive before June 1st it arrived after June 1st so that comes on to this budget, so we need to make adjustments in the revenues as well as expenditures. Therefore, this resolution resolves that the following administrative

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changes will be made to the 2020-2021 budget as follows. The first is to move \$3300 from street maintenance contractual, move \$3000 from snow removal contractual, move \$1000 from playgrounds and recreation equipment, move \$1000 from street equipment and move \$1000 from street contractual and finally move the remaining \$700 from street maintenance equipment to the to the fund a 1870.2 which is street cleaning equipment where these funds would be consolidated and paid to repair the backhoe. In addition, we would increase the budget for state aid revenue line A 3501 in the amount of \$58,930 and then increase the expenditure in fund A5110.2, which is street maintenance equipment in the same amount. Those are a lot of numbers.

TC: Question, what's that last number?

MB: The \$58,930 is the amount that it costs to purchase the truck, the little dump truck. So, CHIPS reimburses us and has already reimbursed us for the \$58,930. So that should have all happened last fiscal year. It's happening this fiscal year. The CHIPS monies have come in.

CO: There was a strike and then there was COVID. We were supposed to get it in May because the strike had ended and then because of Covid it was delayed until after the fiscal year. So, we had budgeted for it we are just trying to catch up.

MB: So, it has a zero impact on our budget. I would like to have a motion to accept this resolution.

TD: Mark.

MB: Mark Donecker. A second?

TR: Second.

MB: Cindy. Are there any questions, concerns, comments that anyone wants to raise before we vote on this?

TC: Let's say the repairs are only an overage or something of a couple \$100 or \$200 what are we going to do at that point? If we don't spend most of the repair money.

MB: We would put monies back. We would make an adjustment before the end of the year. Any other questions? No? All in favor of passing this resolution to adjust the budget for the backhoe emergency repairs and the CHIPS funding say, "Aye".

ALL: Aye

MB: All opposed say no. Motion carries. Thank you. Next on the list is a draft policy as well as a notification for deferred payment of water and sewer rents due to COVID-19 state of emergency. By way of background Governor Cuomo signed into law, chapter 108 of laws of 2020, which in effect amended the public service laws which prevent Public Utilities or municipalities from terminating public services to customers who failed to pay service charges or overdue fees during this Covid emergency if they have experienced a change their financial circumstances due to this Covid state of emergency. In our case this only involves water. In other municipalities it's electric and phone and so in addition, service termination is prohibited for an additional 180 days after the Covid state of emergency expires. So, we are required to provide these impacted residential customers with the right to enter into a deferred payment agreement without requiring a down payment or imposition of late fees and penalties. It should also be noted that these customers are not required to enter into such an agreement if they choose not to. We are mandated to create a policy for the deferred payment option and we are required to notify all water customers and we have to file these materials with the state. I think it was the end of September we were required to do this by but we were not really made

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aware of this until the NYCOM training school when we found out about it and so now we are doing our best to bring us up to speed. We would also like to send out a notification with our water bill because that would obviously be timely for people to see that. I've asked our village attorney, Katie Smith, to weigh in on the policy as we go through it. We don't have to decide on it tonight, but I wanted to make sure that at least we're in that draft reviewing the draft and making sure that we have all our questions and concerns answered. Katie, if you want to sit at the table, you can do that. A few things to bear in mind the Village generally does not disconnect water services, but rather past due bills and penalties are relieved for non-payment of property taxes and these payments are relevelled annually on or about May 1st. The policy must work to include that information the way we do business. I thought it would be prudent if we first went through the policy.

TS: Do we anticipate many people fitting in that category?

MB: Crystal, how many people do we have who are delinquent?

CO: Currently, I think it was about 25.

KS: Is this something that you mirrored after somewhere else?

MB: We tried but no one really had they gave us a sample sort of policy. You got that from the school?

KS: I'm just curious where is the May 1st, 2021, date coming from?

MB: That's ours. That's the date that we re-levy.

KS: Okay.

MB: That's why, so the first paragraph, and I put it up on the screen, the first paragraph is stating that it's 60 days from June 17th. So, June, July, August actually the end of August that this was due. Governor Cuomo signed the laws.

KS: I'm just I'm looking at, which I didn't have before, and I've been going cross eyed trying to see this on my phone. The DPS has the guidance that you reference in here and I hadn't found that earlier today so that was my bad I didn't know where to look and I finally found it sitting here but they're saying that it's September 7, 2020, in the 180 days from there.

MB: No, it's 120 days that we file everything?

KS: Well, they're saying that that it was it's it was March 7, the day when the COVID-19 state of emergency is expired which is currently September 7th, 2020, and then 100...

MB: And that kept rolling.

CO: That was originally written August 11th, I think it was.

MB: So, the anchor dates are March 7, 2020 when Covid started the other anchor date is when it expires or is over so we don't know when that is because they keep extending. Then it is 180 days past there so we kind of wrote it to be a little open ended.

KS: OK so I'm just curious on #8.

MB: Is number 2, OK? So, within the policy we note under #2 that the Village does not terminate generally water or sewer services but rather re-levies all unpaid water and sewer rents for non-payment to property taxes. All unpaid rents in penalties are usually re-levied on or about May 1st so that creates the background. So the village will not terminate or disconnect as per the executive order and then change in law that's number 3. Number 4, this is where the Village will require a residential customer to contact the Village to avail themselves of the protections under this change in public law. Customers must file a written self-attestation of a change in financial circumstances due to the Covid state of emergency to

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request relief and they can do so up to 180 days after that state of emergency is lifted or it expires. So that kind of sets the parameter of the time frame.

KS: I see that's a comma there.

MB: A notice will be disseminated, and we'll review that next, to all customers and we want to include that in the quarterly water bill, and I just need the date of the water bill.

CO: November first.

MB: So that fulfills the notification requirement. Then the Village shall accept a residential customers self-certification in writing stating that they've experienced a change in financial circumstances due to Covid 19 state of emergency. They will document the change in financial circumstances, record the self-certification and our business records and then the accrued unpaid rents accrued after the state of emergency began until it ends or expires will not be re-levied to property taxes on or about May 1st and will not accrued penalties for non-payments. That's anything from then March 7th until the end of April so we would have to be notified and contacted about a change in financial circumstance so that we wouldn't automatically re levy. Number 7 is, we had the question, Katie. So, #7 relates to if they notify us after we left the taxes because we can't undo that. That's why we wrote it sort of that way.

TS: When you say "re-levy the taxes", that means everybody in general kind of covers that or they do their own particular one but they don't pay anything extra?

KS: So you're trying to say here that if they didn't come to you before May 1st 2021, even though they got the notice, that we can still collect payment?

MB: That all those fees and fines would be re-levied. They have to notify us before May 1st so that we would not re-levy, that we would be able to enter into a deferred payment plan with them.

KS: Alright I'm going to have to read this again very carefully now that I understand the importance of May 1st. I'm going to have to review this more carefully. I'm not sure that we are allowed to do that. I mean, I think we it says very clearly, we have to reach out to the people, so they are saying that we have to make an effort to contact people.

CO: We are going to send a notice with every bill.

KS: I know what I read it but not just I don't know exactly where it was because I've looked at a couple of things but I got the impression that not only did we have the responsibility to do the notice but that we also had to, like people you know for sure that haven't paid, you would have to reach out to them and maybe like send them the form to send back to us or something. I'm going to have to, I don't remember where I saw that, but I'm giving an example of what we would do to protect ourselves, but somewhere I read that you have to, that we had to make this effort.

MB: We will have it posted on our website as well.

KS: I don't remember where I saw that, but I didn't have much time to look at these.

MB: My apologies for doing that.

KS: And then I guess eight, what I was looking at in the Department of Public service recommendation, was we just said residential customers will be asked to provide any available supporting documentation of their change if possible and available.

MB: That is not required.

KS: No, but what I'm saying is we want to protect ourselves as the DPS says that if we're going to enter into a DPA after September 7, which that's not the right date anymore, that we could

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require complete financial statement and providing supporting documentation. “Utility providers may use existing forms and instruments with appropriate modifications to collect this information”, I feel like the more we do the work for the people, that better our collecting of data will be. Maybe we should create a form that if someone comes in and wants to do this it's not just, I'm writing it down and signing their name. Maybe a part of the form is, whatever questions we want to ask about their financial situation and then the statement at the right before they sign is the statement that is directly taken that says, you know what I'm talking about, I don't know where it is now, but it's actually.

TC: OK even if they provide that information, are we in a position to make it a judgment on that?

KS: No, but we're not in a position to make a judgement, but I think if we're if we're able to get that, see, there's so many unknowns about what we're able to do with a deferred payment of, what's it called?

MB: Deferred payment agreement.

KS: That if, what if we need that information to create that agreement and if we all we take from them is that attestation, we have nothing to go off of when we enter the deferred agreement, and the question we are asking about the DPA, there's no guidance on that I could find.

MB: There is no guidance.

KS: It depends on how much time we give them, how long they can last, you know.

MB: As we continue to go through that, so after the state of emergency is lifted you know we'll figure it out any deferred payment agreements are negotiated subject to the provision will not include a down payment or late fees that's part of the provision. Deferred payments will be negotiated between the customer and the village chief fiscal officer, in that case that would be myself. All deferred payment agreements will include a statement of repayment schedule, but it says nothing about how we can structure a different payment agreement. Do we not need to say that deferred policy or deferred payment policy or different payment agreement will be based on guidance provided by the state?

KS: It just says that our overall plan to implement the statute, I don't think they're asking for specific as to our deferred payment agreements. It just says overall plan for implementing the statute which we are saying I mean I almost feel like we have too much information on here and it's a little repetitive and confusing to be honest. We basically just need to tell them we're going to we're going to follow the law the way you have it laid out. I mean all it says is overall plan for implementation of this statute. I don't think we have to be specific. Sometimes you get too specific it gets too confusing.

MB: There were some things in there that were directly from the recommendations that were provided as part of this policy and we thought that it was critical because we have that added step of, hey, this is

KS: Water is considered a utility.

MB: Sewer is not. They told you at the training that we are considered water is considered a utility and that's why we have to do this plan.

MB: Correct. And the unique thing about this village is that we don't turn off water we re-levy. So, we don't have any shut off.

KS: I think it's going to be really a case-by-case basis to be honest with you.

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MB: Right.

KS: So, they get whenever this finally thing finally expires then it's 180 days all that none of those fees and whatever can be recouped.

MB: Right, which can be very problematic. I mean we're already hard hit we're already down about 30-40% in revenues.

TC: One of my other questions, let's say a DMA was negotiated in effect for 30 days and repayment schedule and the people involved at that point default.

KS: Yes, it says that they don't even have to enter it.

TC: So, what happens then. We don't have any recourse.

KS: Yes, because the everything I see says they don't even have to enter into it.

MB: But if they don't enter into it with us then we can still collect. That's what I understand they have to file and enter in.

KS: You could I mean we can re-levy them.

MB: We could re-levy.

KS: Without any of the late fees or whatever. Without any of the late fees or penalties. I think we could only re-levy the amount after the 180 days. So, whatever was during March 7, 2020, + 180 days we could only re levy the base. I don't think we could add late fees. Even if they default. That's my understanding. I don't know other circumstances.

MB: But they would have to notify us of their circumstances if they don't notify us of their circumstances before May 1st, then everything gets re-levied. If we're still in a state of emergency after May 1st then I would venture that if they came in then let's say someone comes in May 2nd and says hey listen now, I now have a financial difficulty rising from the state of emergency now I can't pay, that will only be everything going forward because there's nothing we can do backwards at that time.

KS: That seems fair to me and reasonable, what your interpretation is, how everyone else is going to interpret that, I can't say. Your interpretation seems reasonable and fair but because those things where the law has not been in effect long and there's no case law, there are no opinions there's nothing.

MB: Obviously we will yield to your thoughts about #7. If you would give us your thoughts on revising that would be helpful and then by next week.

TC: Let's say we have a customer starting June 1st, 2020, year we're in is in default and let's say 180 days after the lifting of emergency occurs on March 31st 2022, which is very possible and this particular customer has failed to make every quarterly payment between June 1st 2020 and March 31st 2022. At that point, in theory, they would do the deferred payment arrangement, they pay one month and then they default, so what's the status of the monies due to the village for 20 months? Does that go back to a re-levy situation or a judicial process?

KS: Well, I don't think there's going to be a judicial process. They're not going to fill the courts with this. They're going to make it up to us to collect it but that's part of what I think I need to find that part where it says we have to actively find them because we don't want all these people coming out of the woodwork way later. I get what you're saying that you're putting on the website you're doing that but I think we have to the people that are already not paying we might contact directly with some sort of form and will now because we don't want them coming later and saying we didn't know about this and there's nothing in here that says they can't saying that they didn't know where they didn't see and then we don't have proof in our

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books that we sent them that former we tried to reach out that that's what I'm saying I'll try to find where I read that but somewhere it said active on top of the public notice we have to actively help.

MB: Then then I would charge the clerk and the deputy clerk that when you make a phone call and reach out by Mail that is documented that log is kept, such and such a date such and such a time, this is what I did, this was the response. If we think that it's necessary, we can have receipt to ensure that they have received notice that they would need to file a change in financial circumstances for that.

KS: Here's what it says it's on the it's #8 of the law. It says shall further make reasonable efforts to contact customers who have demonstrated a change in financial service mass due to the COVID-19 state of emergency for the purpose of offering such customers a deferred payment agreement consistent with the provisions of this article. So, we know that those people that haven't paid obviously have are in those COVID-19 circumstances. It's #8 and the way I'm interpreting that is that's why I think it would be helpful to reach out to those people that haven't paid because you know they might be the kind of people that would say we didn't find notice or have the information just so that we're covering ourselves here that we made a reasonable effort to contact customers who have demonstrated a change. So, it says demonstrated so by not paying that demonstrates to us they have problems paying.

CO: What about the circumstances of the people that normally just don't pay.

MB: There are some in the village who don't pay all four quarters and then they have it paid through their taxes. We do have people that do that. We still have to reach out to them.

CO: If they came now and said oh, I'm going to turn this instead.

KS: We can't say. If they write and that seems to us, we can't judge whether it's right.

MB: But they have to write that statement.

KS: I am saying I think we need to adapt aid a little bit saying that we can get that's why I'm saying we do that when I said we should create a form covering questions that way we know for later that we made a reasonable effort to find out, you know the situation and then we have something in our file.

MB: Is that important to add a point in our policy?

KS: I think 8, this is very vague, the last sentence. I think that needs to be re written and I don't know how yet.

MB: The residential customers will be asked to provide available supporting.

KS: So, I think we just say it will be required to fill out the form that we provide them. We don't have to attach the form. It says in here that sorry, I thought I was done talking.

TS: In the documentation does it say that they kind of have to give evidence that it's COVID related I thought there was that kind of wording.

TC: Hard physical evidence other than a signature and a verbal offer.

MB: That's the minimal.

KS: It says, the utility may require that the customer may provide a financial statement and providing and provide supporting documentation. Utility providers may use existing forms and instruments with appropriate modifications to collect this information. So maybe somewhere on this website there's examples. I don't know, they're making it sound like there's forms already that are needed.

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TS: Maybe some towns do have some kind of form. To me it sounds like permission to use what you have or adapt to what you have, so again it's a pandemic and it is all brand new.

MB: We have asked NYCOM to help us, to give us any sort of guidance on that.

KS: My main things are, seven I'll look over more carefully, and eight, the last sentence I think maybe we just say they will be asked to fill out the form we provide and then we will create a form.

MB: Then the last approved deferred payment agreements will be accepted by the village in lieu of re levy until 180 days following the expiration of the state of emergency but does there need to be a reference in there about re-levying.

KS: Why are we going to do that. That should be a case-by-case basis that's decided on in the agreement if we're going to re-levy or not. We shouldn't take away our right to re-levy.

CO: Well only those that are rolled into this deferred payment.

KS: Well, we will put that in agreement. If that's something we decide on a case-by-case basis we're going to do that can go to their agreement. I don't think we do a blanket statement.

MB: So, we can actually strikeout #12.

KS: We have already in 11 that it'll be in there what's going to happen.

MB: Yes, and then maybe that's where we say it should be handled on a case-by-case basis.

CO: You right here, you say it's going to be negotiated.

MB: So, thank you. That's that one. Hopefully by the next board meeting we will be able to, and this is the notification that is pretty straightforward. It gives it background on June 17th, Cuomo did these things to the public service law please be advised that service termination is prohibited for an additional 180 days after the COVID state of emergency expires for those residential customers who have experienced a change in financial circumstances please be further advised that the law does not eliminate a customer's obligation to pay a crewing charges however customers who've experienced a change in the financial circumstances due to COVID must be provided with the opportunity to enter into a different payment agreement without deposits, late fees or penalties and if you are a resident who's experienced such a change in financial circumstances and wish to enter into a DPA to address any outstanding or accrued water and sewer payments you must contact Crystal O'Brien.

CO: It's only for water.

MB: Sorry you are correct. So, they are going to be paying for sewers. So, you can shut off the sewer?

KS: You said servers not included. It's not a utility.

MB: Then this should strictly be water.

CO: Going back to that right there, 98% of our customers are both water and sewer customers not just water customers,

MB: And sewer is not considered a utility.

TD: You can't shut off the sewer anyway.

CO: We can't shut off the sewer but how do we split up those charges or would that just be the whole thing because we bill it all together.

KS: Right but you have them separately.

CO: But if they aren't going to pay for their water, they are they're definitely not going to pay for their sewer.

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KS: That can be re-levied, if that were the case and we had to re-levy, that will have to be separate.

CO: That's going to be a pain.

KS: We don't want to not get that right, but I understand.

MB: OK so supporting documentation confirming a change in financial circumstances from customers seeking to agree and then direct all other questions and concerns to Crystal. Thank you very much in advance. So, this, will we be able to send this notification with the water bill? This notification will appear on our website, it will appear in the water bill, and I guess we would put a notice in the paper we put this notice in the paper as well and run it for a couple of weeks. That's unreasonable?

KS: I don't know that it's necessary. I don't think that's necessary.

TS: I don't think you should put it in the paper.

MB: We won't put it in the paper, but we will directly contact those people who already have late fees.

KS: Yes, I think you should.

TC: Is it legal for somebody in that situation if we require a sign receipt for the information we provided?

MB: What do you mean by a signed receipt?

TC: A signed acknowledgement.

CO: Do you mean a signature of receipt of what we Mail them?

TS: Like when you Mail it you have to sign for it?

MB: I think that we can do that if we create a letter and send it to those specific residential customers who are already in arrears.

TC: So, do you get something back?

CO: I could just send it like certified with request receipt like a signature for a receipt.

MB: When they go to pick up their Mail, they will sign the card to get the letter.

CO: Then we just get the card back saying that they signed the signature saying they received it.

MB: The one thing that we do have to agree is that the notification to residential water customers regarding water service termination moratorium this needs to be approved today because this goes out with the water bill. Can we tweak the policy next?

KS: I feel like we don't really need the next sentence, but we already have it all up in there.

MB: You don't like the duplicative nature of these things?

TC: When do these get mailed?

CO: We usually Mail at the within the first couple of days of the quarter.

MB: Katie, we're going to delete the last two sentences.

KS: Or just leave the one out there to bring it out and take it out in the middle because I don't know.

MB: That's fine.

KS: There were three times it was listed in there?

MB: Yes. That was a template. Now we will reduce it to one. Moving right along, may I have a motion to approve the notice to residential water customers concerning the moratorium on residential water service termination as it presently looks on the screen.

TD: Yes.

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MB: Mark, may I have a second?

TS: Second.

MB: Rebecca seconds. Any questions or comments before this goes down?

KS: Just saying she won't get any work done if people do randomly call all day long.

TR: I have a question. Do we need to put in there or anywhere that sewer is separate and that it will be levied with their taxes anywhere or is that just going to be assumed?

TC: Don't assume anything.

MB: I think that when they come in an attest you know attestation or request information, I think that we need to make it very clear that this applies to water only.

TR: Because when I get that bill, I just think, oh it's a water bill I don't think water and sewer.

KS: I think that's a good point and it could be on the form that we were discussing that we're going to create.

MB: Do we need to put it on here, that's the question.

TR: I don't care where it is.

KS: It might save Crystal getting a few phone calls. I think she makes a good point.

MB: Alright where do you want to add it?

KS: How about where it says Public Utilities, maybe in parenthesis say "sewer not applicable" or something like that.

MB: Where do you see that?

KS: The second sentence.

MB: Indicating water service to residential customers for nonpayment note "sewer service is not applicable". I'm going to put that in a bracket. How about this agreement for water service only without imposition it now reads, "customers who have experienced a change in financial circumstances due to COVID state of emergency must be provided with the opportunity to enter into a deferred payment program for water service only without the imposition of deposits, late fees, or penalties.

KS: This might clarify for some people, but I think still somewhere it needs to say sewer and then you could after that sewer is not considered a utility under this law.

MB: Sewer service is not applicable.

KS: No just say sewer is not considered a utility.

MB: Are you good at that, Cindy?

TR: Sorry to be a pest, but do we need to say nonpayment will be re levied or anything like I don't know?

KS: I don't think so because that's just normal practice. That's not something that happens only in this instance. People know that it goes on their tax bill if they don't pay it.

TR: Okay, that's good.

MB: All in favor in the notice to residences of water customers?

ALL: Aye.

MB: All opposed say no. OK we will be sending this out. Moving right along. That was long.

LGS one this is a schedule for retention and disposition of files for local government. So again, an effort is underway to consolidate all the different schedules of retention policies and

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disposition policies across the state government entities. We are required by law to adopt a revised schedule by January 1st, 2021. Crystal, would you like to walk us through what we have to do or what we have to review for that?

CO: Well, there's a huge, there's 400 pages which I have to read and figure out what we have to do and send out everybody before we discuss it. You said this is only an introduction.

MB: Yes, just an introduction. Do you need someone to help you?

CO: If anybody would like to read through it, that would be fantastic.

MB: Would someone volunteer to be a point person for Crystal? Mark Crary is a great man who will. So, in the documentation provided, there is a link to the website, and I know that a member of the public, who is also a council person or the Town of Lake pleasant, Chris, I'm not sure whether you have that or not for the Town but we're happy to provide that link. You're welcome. So, the last bit of business pertains to health insurance for retirees. We are looking at the Medicare Gold anywhere PPO or 2021. This is what we had for 2020. We were looking into we explored other opportunities for health care for our retirees, we had high hopes for a Humana we do not have enough people. So, we were not able to pursue Humana, and this basically is the only basically the only program that we can get for our retirees with the limited number of people that we have. A few points to consider there is now zero cost sharing for chronic condition management there is an initial coverage limit of about \$4100.00 for Part D, benefits standards, \$6500 for total out of pocket costs that the retirees will have to pay and then \$3.70 catastrophic copays or \$9.20 I guess for something bigger. Part B benefits standard changes there's an increase in skilled nursing facility copay of \$10 and then Medicare beneficiaries with end stage renal disease are no longer subject to Medicare Advantage enrollment restrictions, which is great. As this is a community rated Medicare Advantage plan, prescription is included in the premium, and always has been, and there are allowances for eyewear and hearing aids they are not riders as it says on this front page. There's \$100 allowance every two years and there's a hearing aid rider which is actually an allowance \$600 every three years, so I just want to be very clear about the riders. When all is said and done the increase from last year to this year is 2.9% and overall, the impact to our budget will be an increase in retiree health care of \$637.44 for the year so I guess it comes to about \$13.00 per member, per month, per year. Does anybody have any questions, comments? We don't have a lot of options I think that if and when we do get a few more retirees, not that I'm looking for any, we may be able to move into a more efficient, cost-effective health care plan but for now we're kind of locked into MVP. So, I would like a motion to accept the renewal at an increase of 2.9% for the Medicare gold anywhere PPO for 2020 for retirees.

TC: So, moved.

MB: Mark Crary. A second on that motion?

TS: second.

MB: Alright Rebecca. Any questions or comments? All in favor of renewing Medicare Gold Anywhere say, "aye".

All: Aye

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MB: All opposed say no? Motion carries. Thank you. Is there any new business? Hearing no new business, I move to the board roundtable. I do have a recommendation I would like to put forward recommendation to fill the position on the zoning board of appeals. I would like to recommend Dick Tesser to fill that position. He is a long-standing resident of the community and I think that he would really make a fine addition and he's willing to step up to that. Anybody have any comments or questions? That does need board approval. Does anyone need additional information about Dick Tesser?

TS: I think he would do good job.

MB: So, I'd like to have a motion to approve Dick Tesser as the third member of the zoning board of appeals.

TS: So, moved.

MB: Rebecca. 2nd?

TC: Second

MB: Mark Crary. Any questions, comments, discussion? Hearing none all in favor say, Aye.

All: Aye.

MB: All opposed say no. Motion carries and I will inform Dick Tesser that he should come in and see you to sign the book. The last round table agenda item that I have is that there will be a Republican gathering on Thursday down at the pavilion. It's in the pavilion parking lot. It is limited availability. It is the Hamilton County GOP victory rally that will be held at Speculator ballfield parking lot. I don't know whether they had contacted you, Crystal, or contacted Roger that they were going to do that in the parking lot.

CO: Yes, they had asked if it was an issue, and I didn't think it was a problem.

TS: What time are they doing that?

MB: 1:15 to 2:15 and it is limited, Congresswoman Elise Stefanik and Assemblymen Robert Smullen and State Senator Jim Tedisco will all be there and if you would like to attend let me know because there needs to be an RSVP due to the COVID rules. Does anyone else have anything as far as roundtable item things that we need to be aware of? Anything going on? Then we'll open that up for the final public comment. Chris, do you have anything that you would like to say?

CM: No but thank you for asking.

MB: Alright, so then I will look for a motion to adjourn.

TS: So, moved.

MB: Second?

TR: Second.

MB: This meeting is officially over. Thank you very much. Oh, as a reminder, there is a special meeting on Wednesday for water wastewater at 3:00 PM and that's to go over different fees alright thank you and goodnight.