

Agenda
Town of Moreau
Town Board Meeting
February 13, 2024
7:00PM

6:55 p.m. Public Hearing SGF Fire Company Contract
7:00 p.m. Regular Town Board Meeting

Roll Call / Pledge of Allegiance

1. Set Future Meetings & Workshops
2. Approval of Minutes
 - 1/4/24 Organizational Mtg
 - 1/9/24 Regular Meeting
 - 1/23/24 Month-End Meeting
 - 1/26/24 Special Meeting
 - 1/16/24 Special Meeting
 - 1/23/24 Public Hearings
 - 1/23/24 Regular Meeting

Public Comment Period

***This is solely for comments and questions which pertain to agenda items.*

3. Old Business
 - Local Law 1 of 2024
 - RFP - Town Attorney & Town Designated Engineers
 - Scarincio - Softball Tournament
4. Highway Department Request
 - Salt Purchase
 - New Hire - Wingman
5. Transfer Station
 - Fee Changes
 - Holiday Hours
6. Recreation Department Contracts
 - Empire City Soccer
 - BOCES
7. Town Clerk Request
 - NYSTCA
8. Fire Department Contract - Authorize the Supervisor to Sign
9. Local Law 2 of 2024
10. Planning, Zoning and Ethics Advisory Council Appointments
11. Medicare Reimbursement for Retirees
12. Employee Handbook Revisions
 - Medicare Reimbursement
 - Employee Meal Breaks

OVER →

13. Job/Volunteer Openings
 - Transfer Station Manager
 - Lifeguards
 - Seasonal Recreation Laborers
 - Planning & Zoning Secretary
 - Planning Board Alternate
 - Zoning Board Alternate
 - Board of Assessment Review
 - Ethics Advisory Council
14. Voucher - DEC permit fee, due 2/21/2024
15. Memorialize Votes
 - Contract - Tabner, Ryan & Keniry
 - DCO December Voucher
 - Town & County Taxes
 - Emergency Service - Adirondack P & M
16. Supervisor's Items

Public Comment Period

**This is open to any comments pertaining to town business from the audience.

17. Committee Reports
18. Executive Session
19. Motion to Adjourn

The 2024 Organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2024 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

The organizational meeting was held in person.

The meeting was called to order at 7:00 PM. The Supervisor asked for an attendance roll call and led the Pledge of Allegiance.

PRESENT:	Jesse A. Fish, Jr.	Supervisor
	Kyle Noonan	Councilmember
	Patrick Killian	Councilmember
	Mark Stewart	Councilmember
	John Donohue, Jr.	Councilmember
	Dianne Lewis	Deputy Town Clerk
	Erin Trombley	Town Clerk

ALSO PRESENT:	Malcolm O'Hara	Counsel
	Elizabeth Bennett	Confidential Secretary
	Chris Abrams	Highway Superintendent
	Jeremy Brogan	Recreation Director

OTHERS PRESENT: Dennis Davall, Gina LeClair, Reed Antis, Maureen Jackson, Sheila Itzo, Steve Doheny, Brad Toohill, Dave Byrne, Bob Vittengl, Tom Masso, Ann Purdue, Kevin Ostrander, Victoria Clark, Dominic Tom, Maureen Dennis, Tracy Frisch, Brad Nelson, Alex Portal (Post-Star reporter)

Resolution 1-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to adopt a resolution setting a public hearing on the South Glens Falls Fire Company contract on January 23 at 6:30PM.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Resolution 2-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to adopt a resolution setting a public hearing on the Moreau Emergency Medical Squad (EMS) contract on January 23 at 6:40PM.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

The 2024 Organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2024 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Resolution 3-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to adopt a resolution setting 2024 salaries for elected officials as presented:

Supervisor	\$53,842.00
Council people (each)	\$13,777.00
Town Justice (each)	\$31,866.00
Town Clerk	\$51,442.00
Highway Superintendent	\$82,400.00

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Resolution 4-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to set annual salaries (52 Week) or hourly rate, as approved in the 2024 Budget except as otherwise provided under Town Law, Civil Service Law, or other applicable law, rule, or agreement, as presented:

Erin Trombley	Receiver of Taxes and Assessments	\$9,914.00
	Records Management Officer	\$1,179.00
	Registrar of Vital Statistics- [1/2 Birth & Death Certificate Filing Fees in accordance with NYS Public Health Law Section 4173(3)]	
Leah Cronin	Assessor (10/01/19-9/30/25) FLSA (Fair Labor Standards Act) EXEMPT	\$80,173.00
Riley McGuiggan	Senior Assessment Clerk, Full-Time	\$45,895.00
John Helwig	Crossing Guard (Tanglewood), PT	\$15.00 hour
Adeline Rivers	Crossing Guard (Tanglewood), PT	\$15.00 hour
Pamela Youker	Substitute Crossing Guard, As Needed	\$15.00 hour
Matthew Dreimiller	Building Inspector/Code Enforcement Officer	\$63,315.00
Katrina Flexon	Building Inspector's Clerk	\$41,638.00
Peter Bachem	Code Enforcement Officer, Part-Time	\$22.17 hour
Michael Hastings	Laborer, Part-Time	\$15.95 hour
Jeffrey Stevens	Laborer, Part-Time	\$15.45 hour
Mary Vaillancourt	Transfer Station Clerk, Part-Time	\$15.45 hour
Stephen Rice	Transfer Station Laborer/Clerk PT	\$15.45 hour
Linda Hart	Transfer Station Laborer/Clerk PT	\$15.45 hour
Marsha Morehouse	Transfer Station Laborer/Clerk PT	\$15.45 hour
John McDermott	Transfer Station Laborer/Clerk PT	\$15.45 hour
Christopher Abrams	Acting Transfer Station Manager	\$12,000.00
Jeffrey Cruz	Principal Account Clerk	\$65,000.00
Anna Labiak	Clerk, Full-Time	\$47,380.00

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Kara Gutowski	Court Clerk, Full-Time	\$41,638.00
Ella McFadden	Court Clerk, Full-Time	\$41,638.00
Ron Belisle	Court Clerk, Part-Time	\$15.00 hour
Kristine Brown	Court Clerk, Part-Time	\$15.00 hour
Danielle Relyea	Court Clerk, Part-Time	\$15.00 hour
Edward Scalo	Court Clerk, Part-Time	\$15.00 hour
Edward Scalo	Court Officer	\$18.04 hour
Thomas Geraghty	Court Officer	\$18.04 hour
Jeremy Brogan	Recreation Director	\$56,650.00
Bruce Siergiey	Working Maintenance Supervisor	\$53,560.00
David Jones	Working Supervisor	\$21.08 hour
James Davenport	Laborer, Part-Time	\$17.00 hour
Vincent French	Laborer, Part-Time	\$17.00 hour
Xavier DeRush	Laborer, Part-Time	\$16.48 hour
William Noonan	Laborer, Part-Time	\$16.48 hour
Kelan Kearney	Laborer, Part-Time	\$15.45 hour
Sean Melvin	Laborer, Part-Time	\$15.45 hour
Elyse Stocker	Clerk, Full-Time (Highway Department)	\$41,638.00
Maureen Leerkes	Laborer, PT Temp/on call as needed	\$19.00 hour
Michael Hastings	Laborer, PT Temp/on call as needed	\$19.00 hour
Jeffery Parish	Laborer, Full-Time	\$55,620.00
Michael Mooney	Water Superintendent, PT	\$64.71 hour

Town Clerk's At Will Appointments:

Deputy Town Clerk and Receiver of Taxes: Dianne Lewis
Annual Salary (52 Weeks): \$41,715.00

Deputy Town Clerk and Receiver of Taxes: Ellen Buttles
Annual Salary (52 Weeks): \$41,715.00

Deputy Registrar of Vital Statistics: Dianne Lewis
(1/2 of Birth & Death Certificate filing Fees Paid to Registrar in accordance with NYS Public Health Law-Section 4173(3))

Highway Superintendent's Appointments:

Deputy Highway Superintendent: Brian Huntley (Compensated per CSEA Contract)

Supervisor's At Will Appointments:

Elizabeth Bennett Confidential Secretary/Assistant Bookkeeper
Annual Salary (52 Weeks): \$50,485.00
FLSA (Fair Labor Standards Act) EXEMPT

Patrick Killian Deputy Supervisor Unpaid
Jeremy Brogan Town Representative for the Saratoga County Unpaid
Advisory Youth Board

The 2024 Organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2024 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Supervisor's Committee Appointments:

(2024 Schedule to be determined)

Reed Antis

Town Historian

(stipend to be established)

Resolution 5-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to accept agenda items 3-6 as presented pertaining to:

- 3. setting non-employee compensation per annum of \$1,500.00 for the Local Historian and requiring monthly reports to be submitted prior to the request for a stipend. Additionally, an annual report shall be submitted to the Saratoga County Historian's office. A copy of the annual report must be provided to the Town prior to the final monthly stipend request.
- 4. setting stipend for Planning Board & Zoning Board of Appeals Members at \$100.00 per meeting for each attending member, including alternate members, and \$120.00 per meeting for the Chairperson or Acting Chairperson in the absence of the appointed Chairperson.
- 5. setting stipend for Planning Board & Zoning Board of Appeals Secretary at an amount not to exceed \$100.00 per meeting.
- 6. setting stipend for Board of Assessment Review Members at an amount not to exceed \$70.00 per meeting.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Resolution 6-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to authorize the Supervisor to sign contracts and/or make payment in the amounts and terms stated in the contracts as presented:

- Civic Center of Moreau, Inc.
- Saratoga County Animal Shelter
- Saratoga County Youth Bureau
- Saratoga County IMA Recycling Agreement
- Saratoga County Office for the Aging Nutrition Agreement
- City of Glens Falls Transportation Agreement
- Dog Control Services
- Professional Fire Protection, Inc.

Additional contracts for So. Glens Falls Fire and Moreau EMS were rescinded from the motion per counsel's recommendation pending public hearings.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
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Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Resolution 7-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to accept agenda items 8-12 pertaining to:

8. allowing the Supervisor to extend a loan to the Town Clerk in the sum of \$200.00 for one year for the purpose of making change and petty cash and the Receiver of Taxes \$250.00 for the purpose of making change.
9. authorizing the Town Clerk the right to accept bingo and games of chance licenses and amendments and the authority to approve same.
10. adopt the presented Purchasing Guidelines and the Town of Moreau's Procurement Policy.
11. designating Glens Falls National Bank and Trust as the depository for Town monies.
12. designating the Glens Falls Post-Star and the Chronicle as the official newspapers to be used for all legal advertising, and The Saratogian, as needed.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Resolution 8-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to adopt the presented employee policies for all full-time employees after 1/1/07 (not applicable to elected officials or those employees covered under CSEA contract), and defining "full-time" as any permanent employee working twenty (20) hours per week or more on a regular, continuing basis and "part-time" as any permanent employee working less than twenty (20) hours per week on a regular basis:

Vacation Leave:

Full-time permanent employees hired on or after 1/1/07 will earn vacation leave upon the completion of their anniversary date of employment as follows:

1st – 4th anniversary =	2 weeks vacation
5th – 11th anniversary =	3 weeks vacation
12th anniversary and beyond=	4 weeks vacation

Except that those Full-Time permanent employees that work less than a standard work week shall be prorated.

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Unused accrued vacation time may be carried over annually up to 10 workdays not to exceed a maximum of 30 days accrued vacation, but unused vacation time will not be paid in cash. Vacation schedules shall be approved in advance by each department head. The department head will notify the Town Supervisor of all vacation schedules approved for all employees in their department. All department heads and non-union employees must receive approval of their vacation schedule in advance by the Town Supervisor.

Sick Leave:

Sick leave is leave with full pay for an employee's absence due to his/her illness or disability. Sick leave may be used by an employee due to the illness of his/her spouse, child or parent or the illness of any person residing with the employee.

All employees after six months of continuous service shall be entitled to one (1) day of paid sick leave for each month of service commencing from the first day of employment. Unused sick leave may be accumulated but cannot be paid in cash at any time. Any employees calling off sick shall notify their department head. The department head will in turn notify the Town Supervisor. A department head calling off sick shall notify the Town Supervisor.

After five (5) working days of sick leave or seven (7) calendar days, the employee must apply for NYS Disability Insurance Benefits and his/her sick leave pay shall be reduced by the amount of disability benefits he/she receives. For each day of sick leave after the fifth (5th) working day or seventh (7th) calendar day, the employee shall be able to utilize their leave accruals and be paid their full salary by the Town. The Town will retain the employee's Disability payment and credit the employee's leave accruals accordingly.

Any non-union employee that retires from the Town with an excess of 200 accumulated sick days, will be eligible to receive a monthly credit of either \$100.00 toward their co-payment of health insurance premiums or a \$100.00 monthly cash payment as a health insurance buyout, if they are not currently a member on the Town's health insurance plans, for every (20) days of accumulated sick leave in excess of the 200 accumulated days.

Any employee out on disability shall not accumulate additional sick time and shall pay the percentage of health insurance co-pay established by Town Board resolution while on disability if they are not receiving town wages.

Personal Leave:

Personal leave is leave with full pay to enable employees to attend to personal business, including religious observance. Such leave is intended to provide employees with time to conduct their necessary personal affairs and it is not intended to be, and shall not be used as, additional vacation leave.

All full-time permanent employees shall receive four (4) personal days per year, prorated for new hires. Unused personal days shall be carried over as sick leave at the end of the year.

Bereavement Leave:

Bereavement leave is leave with full pay for all full-time permanent employees for the purpose of attending the funeral, for religious observance or for such other purpose relating to the death of a member of an employee's immediate family. "Immediate family" shall mean a spouse, child, child's spouse, sister, brother, parent, grandparent, grandchild, mother-in-law, or father-in-law of the employee and shall also include any person residing with the employee. Such leave must be approved by the Supervisor and should not extend more than 3 days.

Employee Leave Records:

The 2024 Organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2024 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

All full-time employees will be responsible for monitoring their unused leave records for accuracy and will notify the Supervisor's office within 30 days of any discrepancies. Leave records may be viewed in the Town's current payroll software application, iSolved.

It shall be a violation of Town Policy for any employee to falsify payroll records. Such violation may result in termination of the offending employee.

Holidays:

All permanent full-time employees shall be granted twelve (12) paid holidays, with "holiday" being the same as the employee's workday, as follows:

- | | |
|------------------------|------------------------|
| New Year's Day | Martin Luther King Day |
| President's Day | Good Friday |
| Memorial Day | Fourth of July |
| Labor Day | Columbus Day |
| Veteran's Day | Thanksgiving Day |
| Day after Thanksgiving | Christmas Day |

If a holiday falls on a Saturday, the day of observance shall be the previous Friday. If a holiday falls on a Sunday, the day of observance shall be the following Monday. Unused holidays may not be carried over.

Employee Benefits:

All full-time, year-round, permanent employees (see definition) and their eligible dependents will be entitled to receive the following benefits:

- NYS Employees' Retirement Plan (unused sick leave may be converted as additional service credit upon retirement).
- NYS Disability Insurance.
- Saratoga County Self-Insurance Plan (Workman's Compensation).

Insurance Benefits:

All full-time, non-seasonal, permanent employees (see definition) and their eligible dependents shall be offered medical, prescription, optical and dental insurance benefits pursuant to programs approved by the Town Board. An employee who declines such insurance shall be entitled to a health insurance buy-out not to exceed \$1,500 per year.

Union employees will be required to contribute towards their health care expenses as per the CSEA contract. Non-union employees/retirees will be required to contribute towards their health care expenses at the following rates:

Active employees hired before January 1, 2019 will contribute 20%.

Active employees hired on or after January 1, 2019 will contribute 25%.

Employees who retired before January 1, 2008 will have no change to contribution rates.

Employees who retired between January 1, 2008 and December 31, 2021 will contribute 15%.

Employees who retire on or after January 1, 2022 will contribute at the rate paid prior to retirement.

The above insurance benefits will also be extended to Town Supervisor, Town Clerk and Highway Superintendent and grandfathered part-time elected officials, except that eligibility for retirement health insurance benefit for elected officials, shall only apply to the Town Supervisor, Town Clerk and Highway Superintendent. Unless the Town Board designates a probationary "waiting period" at the time of hire, these benefits will become effective within a thirty (30) day period after the day of employment.

Asked if all were in favor, the following responses were given:

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Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Resolution 9-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to adopt agenda items 14-17 as presented pertaining to:

14. a Town Employee who is an active volunteer of the Moreau Emergency Squad or South Glens Falls Volunteer Fire Company and member responds to an emergency during the normal workday shall be covered by policy on Fire and Emergency Calls, as adopted by the Town Board on March 28, 2017.

15. the reimbursement to a Town Official and employee for use of his/her own personal vehicle for Town Business and setting that rate at the rate set by the Internal Revenue Service. However, Town employees must receive prior Town Board approval for mileage reimbursement. In addition, all employees, elected and appointed officials, must receive Town Board approval prior to attending a conference or seminar, if expenses for same are to be reimbursed by the Town. A Town of Moreau Employee Conference Reimbursement/Expense Worksheet and receipt(s) must be submitted to the Supervisor's Office prior to Town Board approval.

16. designating the Supervisor as the representative from the Town to attend the Annual Business Session of the Association of Towns of the State of New York, to be held at the New York Marriott Marquis, on February 18-21, 2024 and to cast the vote of the aforesaid Town, pursuant to Sect. 66 of Article III of the Constitution and By-Laws of said Association and in the absence of the Supervisor, the Deputy Supervisor is designated to cast the vote for the Town, and in the absence of the Deputy Supervisor, any designated member of the Town Board may cast the vote.

17. designating Amsure, for the term of our current policy, as the insurance broker of record for commercial package policy and umbrella, including general liability, public official's liability, auto, fire, inland marine, cyber-security, and Town Officers and Employees Bonds currently in effect.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Resolution 10-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to adopt agenda items 18 and 19 as presented pertaining to:

18. authorizing the Town Clerk to collect all water and sewer rents and receive all applications and fees for taps in Consolidated Water District and in Sewer District I.

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19. authorizing and accepting as the official undertaking the following bonds for Town Officers and Employees:

Officers & Employees:	Blanket \$500,000
Town Clerk/Tax Collector:	Additional \$1,000,000

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Resolution 11-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to adopt agenda items 20-29 as presented pertaining to:

20. designating the regular monthly meetings of the Town Board be set for the second and fourth Tuesdays of each month at 7:00 p.m., with the one exception of the second December meeting being held on Monday, December 23rd, and Month-End Meetings will be held at 6:45 p.m. on the fourth Tuesday of each month before the regular meeting of the Town Board unless otherwise designated by Town Board resolution

21. establishing the policy that minutes of all Town Board Meetings be completed and made available for review by the Town Board within two weeks following the meeting and all audio recordings of Town Board Meetings be made available to the public via the Town's website within three official workdays. All audio recordings of official Town meetings shall be retained and held within the custody of the Town.

22. requiring all department heads to submit a monthly report to the Town Board three business days prior to its first regularly scheduled bi-monthly meeting outlining pertinent department activities, data and issues the Town Board should be made aware.

23. designating the Town Clerk as the official responsible for notifying the media of regular and special Town Board Meetings in compliance with the New York State Open Meetings Law.

24. authorizing rock salt for the highway department be purchased at State Bid Price or below from Morton Salt, Inc. (State Contract #PC70133) for the 2024 Budget Year.

25. authorizing the Highway Superintendent to hire temporary employees to help with snow and other operations as needed at \$19.00 per hour.

26. authorizing the Highway Superintendent to negotiate with the Superintendent of Highways of any municipality within the Counties of Saratoga, Warren, or Washington, to provide for the reciprocal use of Town owned highway machinery, tools, or equipment, upon such terms and conditions as agreed upon by the parties, including the Town Board.

27. authorizing the Highway Superintendent to attend the New York State Transportation and Federal Surplus Auctions and be authorized to purchase items for the highway department, pending approval of

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the Town Board for all items purchased costing \$3,000.00 or more within monies budgeted for such purposes.

28. authorizing the expenditure of town highway funds in the amount of \$844,750.00 for General repair and improvement of 85.64 miles of town highways, sluices, culverts, and bridges having a span less than five feet and boardwalks or the renewals thereof and permanent improvement of town roads. No moneys set aside for such improvements shall be expended, nor shall any work be undertaken in such improvements, until the Highway Superintendent and Town Board approves the expenditures, specifications and estimates for such construction.

29. authorizing Supervisor to pay postage to refill postage meter, utility bills, state retirement, health insurance, leases, Town Board approved cash advances and payments due on contracts, prior to audit.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Resolution 12-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to adopt agenda items 30-35 as presented pertaining to:

30. authorizing Town Officers/Employees who collect town fees or other payments to impose a service charge on all returned checks as per General Municipal Law Section 5-328.

31. conferring the benefits of Section 18 of the Public Officer's Law upon the Town's employees, as that term is defined in Section 18(1) (b) of the Public Officer's Law, and to be held liable for the costs incurred under Section 18 of the Public Officer's Law.

32. requiring the following to file an Oath of Office prior to the commencement of their employment or each newly elected term:

Highway Deputy
Deputy Town Clerks
Building Inspector/Code Enforcement Officer
Planning and Zoning Board Members
Court Officers
Dog Control Officer

33. to pay an employee who serves on active jury duty his/her normal wages with the understanding that if they only have to serve on jury duty for a portion of their workday that they will return to work, subject to proof of service from the Commissioner of Jurors.

34. authorizing the Saratoga County Animal Shelter to issue dog licenses on behalf of the Town of Moreau prior to the release of any impounded dog to a Town of Moreau resident pursuant to Article 7 of the NYS Agriculture & Markets Law.

35. setting a time limit of 5 minutes per person to speak during Public Hearings.

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Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to adopt agenda items 36-47 as presented, pertaining to:

36. authorizing payment of \$16,000.00 to the Historical Society of Moreau & South Glens Falls.
37. authorizing payment of \$6,000.00 to Grant Cottage.
38. authorizing the Supervisor's Office to accept block, faxed, scanned and electronic signatures from vendors on vouchers for payment, including photocopied signatures.
39. that a terminating Town employee shall receive their final paycheck upon return of all Town property in his/her possession.
40. adopting the attached Employee Training Reimbursement Policy and Training Reimbursement Agreement.
41. that an Elected, Appointed Official or Town employee shall be prohibited from accepting gifts in his/her official capacity with the Town with a value that exceeds fifteen dollars (\$15).
42. specifying that a prospective Town employee who fails to appear at a pre-employment physical and is subsequently employed by the Town shall be subject to a deduction of such costs associated with the exam from their compensation as a Town employee.
43. allowing any employee an excused leave not to exceed four (4) hours on an annual basis, to undertake a screening for cancer.
44. prohibiting the use of all tobacco and cannabis products and vaping, in or on all Town owned or operated property and vehicles, to provide a safe and healthy work environment for all employees. Vaping includes the use of electronic nicotine delivery systems or electronic smoking devices such as e-cigarettes, e-pipes, e-hookahs, and e-cigars.
45. pursuant to Town Law Section 158, the Town Board of the Town of Moreau establishes the office of peace officer and/or special police officer, who shall be appointed on a temporary basis from time to time as the Town Board determines the services are necessary, with the compensation and uniform and equipment purchase as the Town Board shall fix.
46. requiring all department heads to submit requests for a Town Board Agenda by 12:00 p.m. of the Friday preceding the regularly scheduled board meeting.
47. setting the annual payment per megawatt for Payment in Lieu of Taxes ("PILOT") Agreements pursuant to Moreau Town Code Chapter 63, Section 6(H) shall be \$900. In the event this amount exceeds the amount that would otherwise be payable as taxes but for the exemption under Real

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Property Tax Law 487, the Assessor has the ability to negotiate the per megawatt amount, subject to final approval of the Agreement by the Town Board.

Discussion: Councilmember Noonan raised a question about item #40. Provided was an Employee Training Reimbursement Policy document, but the Training Reimbursement Agreement was not included. The agreement is meant to reimburse the town on a prorated schedule if an employee leaves after receiving training at the Town's expense. The suggestion was to table item #40.

The motion was rescinded.

A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to adopt agenda items 36-39 and 41-47 as listed above.

Discussion: Councilmember Noonan questioned the payment amount itemized in item #47. He referenced an email he had sent to other Board members about a NYSERDA calculator towns can use to set the per megawatt rate. He believed the rate set on the agenda was low based on a 10-megawatt project using the calculator. Supervisor Fish asked if tabling the discussion to the next regular Board meeting would allow enough time to investigate this further.

The motion was rescinded.

Resolution 13-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to adopt agenda items 36-39 and 41-46 as listed above.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Resolution 14-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to adopt proposed Town Board committee appointments:

Buildings & Grounds	Councilmembers Killian & Stewart
Cable TV	Councilmembers Noonan & Killian
Cemetery	Councilmembers Donohue & Noonan
Economic, Small Business & Technology Development	Councilmembers Killian & Stewart
Highway Department	Councilmembers Stewart & Donohue
Industrial Park	Councilmembers Noonan & Donohue
Insurance	Councilmembers Killian & Donohue
Personnel & Employee Compensation	Councilmembers Killian & Stewart
Recreation	Councilmembers Stewart & Donohue
Transfer Station/Landfill	Councilmembers Stewart & Noonan
Water 1,2,3,4,5,6 & Sewer 1	Councilmembers Killian & Donohue
Zoning Liaison	Councilmembers Killian & Stewart
Moreau Emergency Squad Liaison	Councilmember Donohue
Fire Company Liaison	Councilmember Stewart
Crandall Library Liaison	Councilmember Noonan

The 2024 Organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2024 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Moreau Community Center Liaison

Councilmember Donohue

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Privilege of the Floor / Public Comment

Reed Antis spoke about the contract with the City of Glens Falls, saying they no longer run busses since CDTA took over service. That contract may need to be reviewed, he said.

Steve Doheny asked if the town is required to adhere to the same New York State family & sick leave allowances a private business would have to follow. Supervisor Fish said he would look into it. Councilmember Stewart said his understanding was that the town and county are not held to the same standards as a private business.

Resolution 15-2024 A motion to adjourn was made by Councilmember Stewart, seconded by Councilmember Noonan.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0, adjourning the meeting at 7:25 PM.

Respectfully submitted,

Erin Trombley

Erin Trombley
Town Clerk

A regular meeting of the Town Board of the Town of Moreau, Saratoga County was held at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 9th day of January, 2024.

The meeting was held in person. The Supervisor called the meeting to order at 7:00 PM. The Supervisor asked for an attendance roll call and led the Pledge of Allegiance.

PRESENT:	Jesse A. Fish, Jr.	Supervisor
	Kyle Noonan	Councilmember
	Patrick Killian	Councilmember
	Mark Stewart	Councilmember
	John Donohue, Jr.	Councilmember

ALSO PRESENT:	Erin Trombley	Town Clerk
	Dianne Lewis	Deputy Town Clerk
	Malcolm O'Hara	Counsel
	Elizabeth Bennett	Confidential Secretary
	Chris Abrams	Highway Superintendent

OTHERS PRESENT: Dennis Davall, Brandon Hayes, Sheila Itzo, Paul Itzo, Ann Purdue, Tom Masso, Bill Ramsey, Michael Thomas, Anissa Jacox, Ken Jacox, Nolan Jacox, Ray Morris, Helen Morris, W. Zimmerman, Reed Antis, Maureen Dennis, Nicole Haddadnia, Carl Hourihan, Brigid Martin, Gina LeClair, Bob LeClair, Harry Gutheil, Alex Portal (Post-Star reporter)

Resolution 16-2024 A motion was made by Councilmember Stewart, second by Councilmember Noonan, to adopt a special town board meeting to be held Tuesday January 16, 2024 at 7:00 PM. The Supervisor said there were some time-sensitive issues that need to be addressed.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

PUBLIC COMMENT FOR AGENDA ITEMS

No comments were made.

OLD BUSINESS

Resolution 17-2024 A motion was made by Councilmember Noonan, second by Councilmember Stewart, to adopt the Training Reimbursement Policy and Training Reimbursement Agreement Form as provided.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye

A regular meeting of the Town Board of the Town of Moreau, Saratoga County was held at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 9th day of January, 2024.

Supervisor Fish Aye

The motion carried 5:0.

Resolution 18-2024 A motion was made by Councilmember Noonan, second by Councilmember Stewart, to allocate \$40,000 for the purchase of salt from Morton Salt, Inc. through state contract PC70133 from account DB5142.490.

Asked if all were in favor, the following responses were given:

Councilmember Noonan Aye
Councilmember Killian Aye
Councilmember Stewart Aye
Councilmember Donohue Aye
Supervisor Fish Aye

The motion carried 5:0.

A motion was made by Councilmember Noonan, second by Councilmember Stewart, to authorize the Highway Department to purchase a Chevrolet Silverado pick-up truck from Romeo Chevrolet Buick GMC for less than or equal to \$55,000. Following clarification of the price of the truck (\$55,150 plus fees), the motion was rescinded.

Resolution 19-2024 A motion was made by Councilmember Noonan, second by Councilmember Stewart, to authorize the Highway Department to purchase a 2024 Chevy Silverado from Romeo Chevrolet Buick GMC of 1665 Ulster Ave, Lake Katrine, NY for a price not to exceed \$55,550 from account DB5130.2.

Asked if all were in favor, the following responses were given:

Councilmember Noonan Aye
Councilmember Killian Aye
Councilmember Stewart Aye
Councilmember Donohue Aye
Supervisor Fish Aye

The motion carried 5:0.

Resolution 20-2024 A motion was made by Councilmember Stewart, second by Councilmember Noonan, to authorize the Highway Department to purchase and install a 9' plow, at a price not to exceed \$7,456.46, from T&T Sales, Inc of 411 Old Niskayuna Rd, Latham, NY, under state contract from account DB5130.2.

The Supervisor called for a vote by roll call, with the following results:

Councilmember Noonan Aye
Councilmember Killian Aye
Councilmember Stewart Aye
Councilmember Donohue Aye
Supervisor Fish Aye

The motion carried 5:0.

Discussion: Action on the Highway Department Fuel Island bid item on the agenda was postponed on recommendation of counsel and following some discussion about DEC representatives speaking with Highway Superintendent Abrams. He will follow-up with Auctions International.

Resolution 21-2024 A motion was made by Councilmember Stewart, second by Councilmember Noonan, to authorize the Recreation Department to purchase a Ventrac Tractor WG4520N Kubota WG972-EFI with attachments and controls (minus hydraulic rear valve) for \$48,383.11 from MTE Equipment Solutions of 10 Green Mountain Drive, Cohoes, NY. The expense will be paid from account A7140.2. Future equipment purchases for the Recreation Department will require a transfer of funds.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Informal Action: The board directed counsel to draft language for a new local law to repeal a local law to allow the Recreation Director to set park hours based on real-time conditions. Current statutes require a vote by the Town Board and proper public notice to change hours.

Resolution 22-2024 Supervisor Fish asked for a motion authorizing the Supervisor's office to draft Request For Price (RFP) documents for the Town Attorney and Town Engineer.

Discussion: Councilmembers discussed the prudence of changing attorneys during the Board transition and potential loss of institutional knowledge, and highlighting the 30-day termination clause in the existing agreement. Supervisor Fish pointed out that you do not have to accept any offer, that the RFP would simply show the Board what's out there. Following discussion, a motion was made by Councilmember Noonan, second by Councilmember Stewart, to postpone the initiation of an RFP for Town Attorney.

The Supervisor called for a vote by roll call, with the following results:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	No

The motion carried 4:1.

A regular meeting of the Town Board of the Town of Moreau, Saratoga County was held at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 9th day of January, 2024.

Resolution 23-2024 Supervisor Fish called for a resolution to renew the water contract with Saratoga County Water Authority for 2024, saying it is a savior as a redundant water source, and in the event of a power outage it could support all the water district needs until power is restored. A motion was made by Councilmember Stewart, second by Councilmember Noonan, authorizing the Supervisor to sign the Water Purchase and Sale Agreement between Saratoga County Water Authority and the Town of Moreau.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Resolution 24-2024 A motion was made by Councilmember Stewart, second by Councilmember Killian, to hire Chris Rich as a part-time cleaner for Town Hall and the Highway Garage at a rate of \$20 per hour.

Discussion: Councilmember Noonan asked about whether Chris' hours with the Recreation Department plus cleaning hours could lead to overtime hours. He would never have an overtime conflict according to Supervisor Fish.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Resolution 25-2024 A motion was made by Councilmember Donohue, second by Councilmember Stewart, to rescind the 2024 sewer rate and consolidated sewer district resolutions from December 21, 2023.

Discussion: Councilmember Noonan asked who had the Town consulted with. Supervisor Fish said the Association of Towns had advised. Councilmember Noonan said he was not comfortable taking action without being advised by a lawyer paid for by the town. Supervisor Fish stated that filing with the state is required within a certain timeframe, which had not been done, opening an opportunity for the Town Board to look at it again. Councilmember Stewart pointed to the many attendees who said things had not been done properly. The constituents in attendance in December asked for more time to look at the documents. Councilmember Stewart would like to be able to dig deeper into the project and provide what people were requesting. Councilmember Stewart asked present counsel how one would go about rescinding a resolution generally, and Attorney O'Hara stated he was unable to advise. The Supervisor's Confidential Secretary stated she had spoken to Attorney Bill Ryan and Association of Towns, who both advised that any resolution of the Board could be rescinded by another resolution by the Board.

A regular meeting of the Town Board of the Town of Moreau, Saratoga County was held at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 9th day of January, 2024.

Councilmember Stewart said he supports rescinding the resolution but wants to be sure the Board is doing everything they should to protect the Town. Supervisor Fish said he heard that special counsel Ryan did not want to represent the town on this matter anymore, and that counsel is needed for our sewer project if present counsel cannot do it. He said the purpose of the action that night was so the Board can proceed with the project the way it should be done with legal counsel. Councilmember Donohue stated that during the December meeting they could not get answers from their paid counsel, and there was an admission by the attorney that the process was legally flawed. He said he agreed with Supervisor Fish that we need legal representation to guide the process and the first step is to rescind the previous resolution. There was a question by Councilmember Stewart about whether any bills had already gone out on the new schedule. Supervisor Fish said no bills had been issued yet because the resolution had not been filed yet.

The Supervisor called for a vote by roll call, with the following results:

Councilmember Noonan	No
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 4:1.

COMMITTEE REPORTS

Recreation Committee: Councilmember Stewart reported that the Moreau Big Bend Trail contractor will be shutting down operations for the winter. A report from the LA Group is expected soon.

SUPERVISOR'S ITEMS

Resolution 26-2024 A motion was made by Councilmember Stewart, second by Councilmember Killian, to authorize Supervisor Fish to sign a change order modifying payment requirements in sewer contract #4.4.24 to reduce loss withholding from 15% of unit price bid for uncompleted leakage and/or pressure testing by section to 2.5%. Other payment withholding amounts shall remain in effect.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Resolution 27-2024 A motion was made by Councilmember Noonan, second by Councilmember Stewart, to add Councilmembers Killian and Donohue to the Highway Committee, and Councilmembers Stewart and Donohue join Consolidated Water District & Sewer #1 Committee.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

PUBLIC COMMENT PERIOD

Tom Masso urged the Board to consider taking three steps to address the Biochar issue. First, he cited zoning Article VI §149-44.1 (6-14-2022): “Final approval shall expire one year after the date of approval of the site plan if actual construction has not begun.” The project was approved in August 2022, which Mr. Masso pointed out is more than 18 months ago. Next, he mentioned a moratorium to allow the Board time to determine the direction of the Industrial Park. He said he has expertise and decades of experience in transportation and industrial development. He said he has never seen a facility that handles hazardous and flammable chemicals built so close to a residential community. He talked about what he referred to as a flawed traffic study which he said suggested in its final stage that 1,245 trucks an hour could be accommodated – 1 every 3 seconds. He stated 50 trucks an hour would be problematic. Third, he said The Clean Air Action Network has a lawsuit on appeal. He said the recent election shows residents do not want the project. There’s no need to spend additional Town money defending the project. Finally, he added that he thinks the Town attorney has not represented the Town well.

Gina LeClair said she agreed with Mr. Masso’s comments and wants Board members to consider their decision not to issue RFPs for professional services because present counsel cannot represent the town on some matters, and some matters are important enough to seek a second opinion for. She said she was a Councilmember before, and it takes time to issue and make decisions on RFPs. She said our attorneys did not stop former Supervisor Kusnierz from making false allegations against (candidate) Jesse Fish, which the then-Supervisor claimed were based on a \$25,000 report made by the town’s engineer Don Rhodes of the Laberge Group. Mr. Rhodes did not correct these assertions about his report. She asked if this is what the taxpayers paid for in his report. She urged them again to not wait to issue RFPs.

Councilmember Killian asked her to be patient as the new board members who are coming on board and trying to understand everything. He said he supports RFPs but wants to take time to listen. Councilmember Stewart clarified that he intended to support a 2-week postponement on the issue of RFPs.

Reed Antis said when he attended Planning Board meetings in the past, the Town’s former attorney attended Planning and Zoning Board meetings. When Mr. Antis was on the Planning Board, he said present counsel would only attend if requested by the Chairs of those bodies. He said he supports RFPs. Next, with regard to the Recreation Director having authority to change park hours, he suggested a chain of command in the event the Rec. Director is not available. Then he asked if the Saratoga County Water Authority agreement was for one year. Supervisor Fish said it is a 1- or 2-year contract. Mr. Antis said since we have had an agreement with them for 10 years, maybe we can negotiate a better rate. He said their rate is about double the Queensbury rate.

A regular meeting of the Town Board of the Town of Moreau, Saratoga County was held at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 9th day of January, 2024.

Supervisor Fish explained the volume used is 54,750,000 gallons a year allowing us to save some water to offset summer usage and keep the pipes fresh in that part of town and agreed the unit price is high. Councilmember Killian said it's a way to hedge your bets and thanked Mr. Antis for raising awareness of the issue.

Brigid Martin congratulated the new board members on their election. She presented a handout detailing the actions of Ann Purdue that she believes are outside the Planning Board role including seeking legal action with regard to the Biochar issue, giving information to the public and the press. Ms. Martin stated that in July of 2022 Ann Purdue made it clear she would delay the process in hopes the project would go away. Ms. Martin claimed that documents assembled by Ms. Purdue were used in court against Ann's cause and cost the Town legal fees. Ms. Martin said Ann is presenting legal briefs to the Zoning Board of Appeals (ZBA). She said it is her understanding that there's no way to stop phase 1 of the project once it gets state approval. She recommended the Board look at any emails sent out by Ann Purdue as a member of the Planning Board. She went on to mention that the town website references a 2011 recreation project she said was abandoned because children would have to cross a PCB field to get to a beach. She said she hoped the Board did not plan to pursue the project. She suggested the Board could consider opening the town up to rail to reduce truck traffic for the Biochar project. She also said Not Moreau will have made the Biochar project the best it can be thanks to the pressure they applied.

Ann Purdue said she has taken her role seriously and spent a lot of time reading and understanding all the complicated documents involved in the Biochar project, and this was the first time she was hearing of allegations of wrongdoing on her part. She asked for a copy of the document provided to the Board about her behavior as a member of the Planning Board.

Maureen Dennis urged the Board to consider a chip plant for the industrial park, with the cement plant closing and success in Malta with chip manufacturing, it's a good opportunity for jobs. The issue of school tax dollars going to Hudson Falls from the Industrial Park should be looked into, she said. To address a question raised during the motion to rescind sewer rate and sewer consolidation resolutions, she stated that the billing that has gone out most recently is December's bill. Only 10 people are billed monthly, she said, and Schermerhorn is 6 of them. She said there is plenty of time to revisit the issues with the process and documents.

Gina LeClair, referring to the statements made about Ann Purdue, Ms. LeClair said members of the Planning Board are still members of the community and have rights. She said Ann had looked into the issue and had an opinion, as did Councilmember Donohue. In conversations with Ann, Ms. LeClair said Ann refused to discuss certain issues that were within the scope of her Planning Board responsibilities that needed to be kept confidential. She went on to say the recreation project would have been a scenic area to walk, enjoy the scenery, and watch birds—the land would not be disturbed. The project has been on the website for years and was scrapped because it was discovered by state attorneys that the land in question was not public land, but belonged to National Grid. She said a representative of the EPA, at the time, said this type of project was appropriate use of the land. There is no beach and never would have been a beach, she said.

Bill Ramsey said he had attended the Village Board meeting and also made his suggestion to them, that we do something about the holidays in the Town. He suggested a tree-lighting at the gazebo in the park in So. Glens Falls. Compared to Glens Falls, which is all lit up, he asked why we aren't doing anything. He offered to spearhead an effort to work with the Chamber and Village, coordinating donations for lights. He said it's not too soon to think about it for next holiday season. Councilmember Donohue reiterated that Glens Falls and

A regular meeting of the Town Board of the Town of Moreau, Saratoga County was held at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 9th day of January, 2024.

Queensbury have lots of events and South Glens Falls hasn't had anything. He wants to have events in Moreau all through the year going forward and would be happy to work with the recreation department, the Chamber, and members of the community like Bill who have ideas.

EXECUTIVE SESSION

No executive session was required.

Resolution 27-2024 A motion was made by Councilmember Noonan, second Councilmember Stewart, to adjourn the meeting.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0 and the meeting was adjourned at 8:24 PM.

Respectfully submitted,

Erin Trombley

Erin Trombley
Town Clerk

A special meeting of the Town Board of the Town of Moreau, Saratoga County was held at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 16th day of January, 2024.

The meeting was held in person. The Supervisor called the meeting to order at 7:01 p.m. The Supervisor asked for an attendance roll call and led the Pledge of Allegiance.

PRESENT:	Kyle Noonan	Councilmember
	Patrick Killian	Councilmember
	Mark Stewart	Councilmember
	John Donohue, Jr.	Councilmember
	Jesse A. Fish, Jr.	Supervisor
ALSO PRESENT:	Erin Trombley	Town Clerk
	Elizabeth Bennett	Confidential Secretary
	Jeremy Brogan	Recreation Director

OTHERS PRESENT: Tom Masso, Domonic Tom, Brigid Martin, Alex Portal (Post-Star reporter)

FUTURE MEETINGS & WORKSHOPS

Resolution 28-2024 A motion was made by Councilmember Stewart, second Councilmember Donohue, to set a Public Hearing for 6:35 PM on January 23, 2024 for Local Law #1 of 2024, rescinding Local Law #4 of 2023. Supervisor Fish had explained that at the previous meeting it was believed that the 2023 law had not been registered with the state. It had been submitted by someone other than the Town Clerk. To rescind the law a Public Hearing and new law are required.

The Supervisor called for a vote by roll call, with the following results:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0

PUBLIC COMMENT FOR AGENDA ITEMS

No comments were made.

Resolution 29-2024 A motion was made by Councilmember Stewart, second Councilmember Donohue, to authorize the Supervisor to approach property owners on Fortsville Road (77-3-14.1, 77-3-11, 77-3-4.2) with documents provided by counsel to waive hookup fees and execute any and all documents necessary to effectuate this resolution. Supervisor Fish explained that people had been paying a fee but were not connected to water service. He would like the Town to offer to hook up these properties for free, and give these residents the ability to use their wells for outdoor use. Councilmember Stewart elaborated, stating it is in the best interest of the Town and sewer system. He went on to say most of these houses already have the equipment to connect with municipal water but are not using it.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

A special meeting of the Town Board of the Town of Moreau, Saratoga County was held at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 16th day of January, 2024.

Resolution 30-2024 A motion was made by Councilmember Stewart, second Councilmember Killian, to authorize the Supervisor to sign a change order authorizing the extra work to install casing pipe in the event the Town cannot secure temporary easements by January 24, 2024, and changing the substantial completion date from December 15, 2023 to March 31, 2024.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Resolution 31-2024 A motion was made by Councilmember Noonan, second Councilmember Stewart, authorizing the Supervisor to approve subscription licenses for three Sonicwall Advanced Gateway Security Suites for current town models in the amount of \$2,091.36 from account A1620.4, which has a balance of \$20,000.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

SUPERVISOR'S ITEMS

Report: Supervisor Fish said he had attended the County Board meeting where Sherriff Zurlo reported 30-32 road patrol officers had left the County to go to the State following a big hiring campaign. The County Board discussed a plan to sign people on. Potential solutions to staffing issues included overtime pay. Proper staffing in the force is important for the safety of the officers as well as the public. They also highlighted a new officer from Corinth who had saved someone's life recently.

Resolution 32-2024 A motion was made by Councilmember Donohue, second Councilmember Noonan, to adjourn the meeting.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye

A special meeting of the Town Board of the Town of Moreau, Saratoga County was held at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 16th day of January, 2024.

Supervisor Fish

Aye

The motion carried 5:0 and the meeting was adjourned at 7:15 PM.

Respectfully submitted,

Erin Trombley

Erin Trombley
Town Clerk

Public hearings were held at the Town of Moreau Municipal Building,
351 Reynolds Road, Moreau, New York on the 23rd day of January, 2024.

The hearings were held in person.

FIRE COMPANY HEARING

At 6:31 PM Supervisor Fish announced the postponement of the Fire Company Public Hearing to February 13. The hearing was left open.

LOCAL LAW 1 OF 2024 HEARING

Supervisor Fish opened the Local Law 1 of 2024 hearing to rescind Local Law 4 of 2023 at 6:32 PM. The Supervisor asked for an attendance roll call.

PRESENT:	Kyle Noonan	Councilmember
	Patrick Killian	Councilmember
	Mark Stewart	Councilmember
	John Donohue, Jr.	Councilmember
	Jesse A. Fish, Jr.	Supervisor
ALSO PRESENT:	Erin Trombley	Town Clerk
	Malcolm O'Hara	Counsel
	Elizabeth Bennett	Confidential Secretary
	Leah Cronin	Sole Assessor
	Anna Labiak	Water Department Clerk
	Chris Abrams	Highway Superintendent

OTHERS PRESENT: Steven VanGuilder (Moreau EMS), Michael Beshara (Moreau EMS), Ronald Quim Jr., Tom Masso, Ann Purdue, Kevin Gallagher, Paula Gallagher, Brandon Hayes, Benjamin Vaillancourt, John Rivers (So. Glens Falls Fire Co.), Dennis Davan, Amy Noonan, Dominic Tom, Reed Antis, Maureen Jackson, Sheila Itzo, Victoria Clark, Paul Itzo, Bob LeClair, Gina LeClair, Bob Ludwig, Kate Ludwig, Marie LeClair, Ray Morris, Helen Morris, a resident of Snowberry Lane, Kevin Ostrander, Dana Charpentier, Cindy Charpentier, Nicole Haddadnia, Ro Padron, Jorge Padron, Alex Portal (Post-Star reporter)

Resolution 33-2024 A motion was made by Councilmember Donohue, second Councilmember Noonan, to establish the Town of Moreau as the lead agency for Local Law 1 of 2024.

The Supervisor called for a vote by roll call, with the following results:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0

Supervisor Fish called for a motion to adjourn at 6:33 PM and then asked for any public comments.

Dominic Tom asked which hearing was being commented on. Supervisor Fish said it was the hearing for Local Law 1 of 2024. The hearing was left open until February 13.

MOREAU EMERGENCY SQUAD CONTRACT HEARING

Supervisor Fish opened the hearing on the Moreau Emergency Squad contract at 6:34 PM with an attendance roll call:

Councilmember Noonan	Present
Councilmember Killian	Present
Councilmember Stewart	Present
Councilmember Donohue	Present
Supervisor Fish	Present

The floor was opened for public comment.

Dominic Tom said he had looked at the provided supporting documents and asked what the major differences, additions, or deletions were between the two contracts. Supervisor Fish responded that the biggest difference is an increase from \$15,000 to \$75,000 which had to do with building expansion at the Squad. Mr. Tom went on to say that both contracts state that the Town has the right to review the EMS annual audit or can conduct its own audit. Councilmember Stewart asked for clarification of the question. Mr. Tom restated asking what Town official is responsible for reviewing it. Councilmember Donohue was identified as the Moreau Emergency Squad Liaison. Mr. Tom asked whether there would be confirmation that the audit had been reviewed. Supervisor Fish said it would be subject to whatever is stipulated in the contract, and confirmed that someone would be responsible for reporting back on the audit.

Mr. Tom then referred to an incident in November where a Queensbury emergency services vehicle was spotted at the Meadowlands in New Jersey at a Jets game. He said there was nothing in the contract stating whether tax dollars go toward the purchase of vehicles. Further he said there is no stipulation barring the use of vehicles for personal business. Councilmember Killian said some discussion is underway in this area. Councilmember Stewart said as the Fire Company liaison, he had not met yet but there may be a clause in the contract. John Rivers, President of the Fire Company added that the Fire Chief does have a policy on vehicle use and Councilmember Stewart, as the Fire Company Liaison, is welcome to review that policy.

Steve VanGuilder, Executive Director of Moreau Emergency Squad introduced himself saying if anyone had any questions, he is available by phone "24/7." He stated that all funds received pay for expenses such as utilities and fuel. The staff are all volunteers. He said he has been pinching pennies waiting for the contract.

The public hearing was left open until January 26. The hearing ended at 6:41 PM.

Respectfully submitted,

Erin Trombley

Erin Trombley
Town Clerk

A month-end audit meeting of the Town Board of the Town of Moreau, Saratoga County was held at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 23rd day of January, 2024.

The month-end audit meeting was held in person. The Supervisor called the meeting to order at 6:42 PM with an attendance roll call:

PRESENT:	Kyle Noonan	Councilmember
	Patrick Killian	Councilmember
	Mark Stewart	Councilmember
	John Donohue, Jr.	Councilmember
	Jesse A. Fish, Jr.	Supervisor
ALSO PRESENT:	Erin Trombley	Town Clerk
	Malcolm O'Hara	Counsel
	Elizabeth Bennett	Confidential Secretary
	Leah Cronin	Sole Assessor
	Anna Labiak	Water Department Clerk
	Chris Abrams	Highway Superintendent

OTHERS PRESENT: Steven VanGuilder (Moreau EMS), Michael Beshara (Moreau EMS), Ronald Quim Jr., Tom Masso, Ann Purdue, Kevin Gallagher, Paula Gallagher, Brandon Hayes, Benjamin Vaillancourt, John Rivers (So. Glens Falls Fire Co.), Dennis Davan, Amy Noonan, Dominic Tom, Reed Antis, Maureen Jackson, Sheila Itzo, Victoria Clark, Paul Itzo, Bob LeClair, Gina LeClair, Bob Ludwig, Kate Ludwig, Marie LeClair, Ray Morris, Helen Morris, a resident of Snowberry Lane, Kevin Ostrander, Dana Charpentier, Cindy Charpentier, Nicole Haddadnia, Ro Padron, Jorge Padron, Alex Portal (Post-Star reporter)

Supervisor Fish presented two vouchers and supporting documentation for review and approval; one for Dr. Keefer, 2022 Public Health Officer, and one for Custom Automotive for a Recreation Department vehicle that needed repairs. The cost of the repair increased by \$292 to a total of \$1202.61.

Resolution 34-2024 A motion was made by Councilmember Noonan, second Councilmember Stewart, to approve the expenses as presented.

The Supervisor called for a vote by roll call, with the following results:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0

Resolution 35-2024 A motion was made by Councilmember Noonan, second Councilmember Stewart, to approve the warrant as audited.

The Supervisor called for a vote by roll call, with the following results:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

A month-end audit meeting of the Town Board of the Town of Moreau, Saratoga County was held at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 23rd day of January, 2024.

The motion carried 5:0

Resolution 36-2024 A motion was made by Councilmember Noonan, second Councilmember Stewart, to adjourn the meeting.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

The meeting was adjourned at 6:47 PM.

Respectfully submitted,

Erin Trombley

Erin Trombley
Town Clerk

A regular meeting of the Town Board of the Town of Moreau, Saratoga County was held at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 23rd day of January, 2024.

The meeting was held in person. The Supervisor called the meeting to order at 7:00 p.m. The Supervisor asked for an attendance roll call and led the Pledge of Allegiance.

PRESENT:	Kyle Noonan	Councilmember
	Patrick Killian	Councilmember
	Mark Stewart	Councilmember
	John Donohue, Jr.	Councilmember
	Jesse A. Fish, Jr.	Supervisor
ALSO PRESENT:	Erin Trombley	Town Clerk
	Malcomb O'Hara	Counsel
	Elizabeth Bennett	Confidential Secretary
	Leah Cronin	Sole Assessor
	Anna Labiak	Water Department Clerk
	Chris Abrams	Highway Superintendent

OTHERS PRESENT: Steven VanGuilder (Moreau EMS), Michael Beshara (Moreau EMS), Ronald Quim Jr., Tom Masso, Ann Purdue, Kevin Gallagher, Paula Gallagher, Brandon Hayes, Benjamin Vaillancourt, John Rivers (So. Glens Falls Fire Co.), Dennis Davan, Amy Noonan, Dominic Tom, Reed Antis, Maureen Jackson, Sheila Itzo, Victoria Clark, Paul Itzo, Bob LeClair, Gina LeClair, Bob Ludwig, Kate Ludwig, Marie LeClair, Ray Morris, Helen Morris, a resident of Snowberry Lane, Kevin Ostrander, Dana Charpentier, Cindy Charpentier, Nicole Haddadnia, Ro Padron, Jorge Padron, Alex Portal (Post-Star reporter)

FUTURE MEETINGS & WORKSHOPS

Resolution 37-2024 A motion was made by Councilmember Stewart, second by Councilmember Donohue, to set a special meeting to approve the Supervisor to sign the contract with Moreau Emergency Squad for Friday, January 26 at 9:00 AM.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0

PUBLIC COMMENT FOR AGENDA ITEMS

No comments were made.

OLD BUSINESS

Resolution 38-2024 A motion was made by Councilmember Noonan, second by Councilmember Stewart, to set the annual payment per megawatt for Payment in Lieu of Taxes ("PILOT") Agreements pursuant to Moreau Town Code Chapter 63 Section 6(H) at \$900. In the event this amount exceeds the amount that would otherwise be payable as taxes but for the exemption under Real Property Tax Law 487. The Assessor has the ability to negotiate the per megawatt amount, subject to final approval of the Agreement by the Town Board.

A regular meeting of the Town Board of the Town of Moreau, Saratoga County was held at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 23rd day of January, 2024.

Discussion: Councilmember Noonan said the item had been previously tabled after he questioned whether the per megawatt amount was enough. After speaking with the Assessor, he understood that this is not an opportunity for the Town to make money above what would have been collected in taxes. Assessor Cronin was invited to weigh in. She confirmed that more cannot be collected through PILOT agreements than would have been collected in tax. The entities will be exempt through a solar utility exemption except in special districts, which is why we enter into PILOT agreements, to gain some form of tax from them. She used a solar valuation model to assess them with the Town tax rate to come to the \$900 per megawatt rate.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Paid Family Leave

Supervisor Fish addressed a question raised at the organizational meeting about Paid Family Leave for Town employees. After looking into it, he learned that municipalities are not required to provide Paid Family Leave like private businesses. He said the Supervisor two administrations before and Town Board at the time decided not to opt in for Paid Family Leave, therefore the Town opted out.

Highway Department

Resolution 39-2024 A motion was made by Councilmember Stewart, second by Councilmember Noonan, to hire Michael Lary as a temporary employee at \$19 per hour, beginning February 1, 2024, pending medical exam and background check.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Transfer Station

Resolution 40-2024 A motion was made by Councilmember Noonan, second by Councilmember Stewart, to hire Donna Estabrook as a part-time Transfer Station Attendant at a rate of \$15 per hour, beginning February 5, 2024, pending medical exam and background check.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
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A regular meeting of the Town Board of the Town of Moreau, Saratoga County was held at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 23rd day of January, 2024.

Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Recreation Department

Councilmember Stewart gave a report in lieu of Recreation Director Jeremy Brogan, who was unable to attend the meeting. Recent events in the park such as auto larceny, people in the park after hours, people ignoring staff directives to stay out of closed areas of the park such as the ice rink, and people building fires have led to consideration of the need for additional cameras in the park, particularly in the Bowl area. Cameras approved at the end of 2023 had arrived the day of the meeting and still needed to be installed. Recreation Director Brogan just wanted the Board and public to know about these issues. If anyone has concerns or suggestions, Councilmember Stewart asked that people reach out to him or Councilmember Donohue.

Resolution 41-2024 A motion was made by Councilmember Noonan, second by Councilmember Stewart, authorizing the Supervisor to sign the GAR Associates LLC contract for assessment services. Supervisor Fish added that the item was not included in the Organizational Meeting, but was budgeted for. The total was in line with previous years, with the figure coming in at \$47,500.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Agenda Item 7

The Fire Department contract item was postponed to February 13.

Agenda Item 8

The Moreau Emergency Squad contract item was postponed to January 26, 9:00 AM.

Planning Board Appointments

John Arnold has agreed to continue as Acting Planning Board Chairman for the next 6 months, to be re-evaluated at that time. Applications are currently being accepted for Planning and Zoning Board Alternates. Action will be taken on these at the next meeting. Councilmember Noonan commented that it would be beneficial for all applicants to be directed to complete an application form, so the Board has more uniform information with which to consider all candidates.

Resolution 42-2024 A motion was made by Councilmember Noonan, second by Councilmember Donohue, authorizing Councilmember Mark Stewart to attend the February Association of Towns (AOT) training in New York City, to authorize payment of registration fees, hotel room, and transportation to and from the event, not

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to exceed \$1,500, AND to designate Councilmember Stewart as a representative of the Town to cast a vote for the Town at the Annual Business Session of the Association of Towns in the State of New York.

Discussion: Supervisor Fish had commented that he had recently attended an AOT training in Albany and it was well worth attending, that he gained a lot of knowledge. The NYC training will be more in-depth, but Supervisor Fish will not be attending. Councilmember Noonan said he looked forward to hearing all the information Councilmember Stewart brings back. Councilmember Stewart said he was looking forward to it after speaking with several people, and he said a large group from Queensbury would be attending as well.

Asked if all were in favor, the following responses were given:

- Councilmember Noonan Aye
- Councilmember Killian Aye
- Councilmember Stewart Aye
- Councilmember Donohue Aye
- Supervisor Fish Aye

The motion carried 5:0.

Resolution 43-2024 A motion was made by Councilmember Stewart, second by Councilmember Killian to authorize the Supervisor's office to initiate Requests for Proposals (RFPs) to engage a Town sewer attorney and sewer engineers.

Discussion: Supervisor Fish explained that the Town is not currently represented for sewer services. There are engineering issues that go along with the legal services as well. Present counsel does not represent the Town for sewer services. Councilmember Noonan asked if the Town is looking for counsel or an engineer? Supervisor Fish stated it is both. Councilmember Noonan clarified, asking if the RFPs are just for the sewer. Councilmember Killian said it is.

The Supervisor called for a vote by roll call, with the following results:

- Councilmember Noonan Aye
- Councilmember Killian Aye
- Councilmember Stewart Aye
- Councilmember Donohue Aye
- Supervisor Fish Aye

The motion carried 5:0.

SUPERVISOR'S ITEMS

Town Clerk's Office

Supervisor Fish stated that the Deputy Clerks had been putting in many extra hours in order to catch up on backlogged work realized after January 1, while simultaneously collecting Town & County taxes. He also noted that previous Town Clerk Leeann McCabe had been in the office multiple days volunteering to assist in getting

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the office back in running order. He called for a motion to approve overtime for Deputy Clerks for the pay period January 7-20, 2024 and going forward as the Town Clerk deems necessary until the office is caught up.

Resolution 44-2024 A motion was made by Councilmember Stewart, second by Councilmember Noonan, to approve overtime for Deputy Clerks in accordance with New York State labor law.

Discussion: Councilmember Killian asked if it would be better or more effective to pay Leeann McCabe to assist for a week or two. Councilmember Stewart stated that Leeann had been approached but respectfully declined compensation and just wants to help out.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Resolution 45-2024 A motion was made by Councilmember Noonan, second by Councilmember Killian, authorizing the Supervisor to sign the 2024 Bartlett, Pontiff, Stewart & Rhodes, P.C. contract. Supervisor Fish had stated that the current contract extension expires on January 31.

Discussion: Councilmember Noonan stated that he thought it was a good move to retain the firm because the Town has a lot going on and they have provided proper counsel, keeping the Town on the right track to keep projects going, represented the Town as requested.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0

Industrial Zone Development

Supervisor Fish stated that the Board recently met with attorneys and received advice regarding zoning code including Town industrial districts. He then invited the Board to have an open discussion on the topic of a temporary pause in building in Town industrial areas.

Discussion: Councilmember Donohue started the conversation by stating that the Board had received a memo from Jim Martin, AICP, Zoning Administrator. In his review of and updates to zoning in all areas of the Town, Mr. Martin pointed out that schedules for Zones M1, M1A, and M3 had not been updated since the original documents were published in January of 1989. Two comprehensive plans

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have been developed since zoning was established in these areas; one in 2008, the other in 2019. Mr. Martin suggested the Board take a look at this issue. Councilmember Donohue said the Board needs to review and determine what needs to be done to update the zoning in these areas to coordinate them with the comprehensive plan developed in 2019. He supports pausing development in these areas until they can examine changes that have taken place since 1989 and determine what the Town and residents want and our vision for the future.

Councilmember Stewart direct a question counsel: With the completion of comprehensive plans in 2008 and 2019, should this have been examined before, in light of comprehensive plans? Attorney O'Hara responded in the affirmative. Councilmember Stewart went on to say that with the opinion of Mr. Martin, he supports taking the action to pause development in consultation with counsel to guide the Board's actions if a majority support the action.

Councilmember Noonan stated that a lot of energy is being spent on the current Biochar project in the Industrial Park. He asked if an action like this would slow down the Biochar project or would it only impact future projects? Attorney O'Hara stated that if the Board directs counsel to put a pause on actions while Industrial Zone codes are being examined, that would impact Biochar. Councilmember Stewart clarified by asking if this would apply to anything that has not received final approval yet. Attorney O'Hara said that the project has not received final approval yet, and referred to upcoming New York State Department of Environmental Conservation (NYSDEC) public hearings on the project set for February.

Councilmember Killian said he is reviewing documents from 1978 to understand how the Town arrived at the point it's current at, and what's happening now. He said Board members need to agree on a resolution and it's a good thing to take time to read and digest the material.

Councilmember Noonan directed a question to counsel, asking if the Town would find itself in a legal battle over the action. Attorney O'Hara said he could not predict that. If development is paused in the Industrial Park, anything with an open application would be paused, Biochar included. Attorney O'Hara went on to say the Town has a right to review its zoning. He referred to the memo from Mr. Martin saying a review had not been done in a long time, and added this is something the Board could and should address.

Councilmember Stewart agreed with Attorney O'Hara and said this is giving the Board a chance to evaluate zoning laws for suitability to current and future needs in those districts.

Resolution 46-2024 A motion was made by Councilmember Stewart, second by Councilmember Donohue, directing counsel to draft a law to begin the process. Attorney O'Hara suggested they instruct him to draft a new law for the Board. Councilmember Stewart asked if there was anything else counsel needed from the Board.

Supervisor Fish said he believes this is something that was needed for a long time, reviewing all industrial zone codes, including the area south of I-87 exit 17. To protect our lands, he said it's vital to get the comprehensive plan and zoning cleaned up, adding that Mr. Martin had worked hard on updating Town zoning for three years. The next area he will work on is the Industrial areas, including solar that needs to be addressed in the future. He said this is the right path to go down. He said if this is

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what the Board members want to do, he would direct counsel to start the process. This is a slow process, he added. The plan has to go to the Town Planning Board, then the County Planning Board for approval. He estimated March for the earliest date the Town could invoke what is known as a moratorium. Councilmember Stewart said he believed the County Planning Board meets the last or 3rd Thursday of the month. Supervisor Fish said the action has to be submitted two weeks prior to the County Board meeting.

Councilmember Noonan said he is completely in favor of looking at code that has not been revised since the 80s or 90s. He said he will have a lot of questions for counsel about what path this is leading the Town down. He said it is an industrial park and businesses will still come into the industrial park and he looks forward to discussions about this.

The Supervisor called for a vote by roll call, with the following results:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0.

PUBLIC COMMENT PERIOD

Reed Antis asked what happened in the Town Clerk's office because there are no Planning Board minutes from 2023 except for January, and none for the Zoning Board of Appeals (ZBA) for the year 2023. Supervisor Fish said he did not know why there were no minutes but said he would get an answer for Mr. Antis.

Gina LeClair thanked the Board for the pause. She said the traffic study is 25 years old. She estimated hundreds of residences have been built and offered the corner of Bluebird and Gansevoort Roads as an example, and new residential developments have been built in that time as well. She also said the New York City AOT training is very educational, and said attendees get a lot of new ideas and information that comes in handy. She had attended in the past and said she learned more than she ever thought she would. Councilmember Stewart thanked her for sharing.

Dana Charpentier asked if the Town owns the yellow house in front of the municipal building. Multiple Board members answered that it does. Mr. Charpentier asked if someone lived there. Multiple Board members said no. Mr. Charpentier then asked why the lights would be on in the house at night. Councilmember Noonan suggested perhaps someone forgot to turn them off. Mr. Charpentier asked if someone could cut the lights at night. Supervisor Fish asked if there had been cars there. Mr. Charpentier said sometimes there are, he thought someone was living there.

Mr. Charpentier then asked about the municipal complex solar panels, whether the Town is making money on them or saving money. He asked if anybody knew if they were beneficial. Councilmember Noonan said the Board can look into it but the last he knew the Town was not making money on the panels. A few years back he said it had been determined that it was supposed to generate credits that are sent somewhere but it was not

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working, but they could get a better answer after looking into it. Councilmember Killian said it is reducing Town cost. Mr. Charpentier asked if the electricity was being used by the Town Hall building or just selling it back. Supervisor Fish said the Town is using it. Councilmember Killian said they will have to look into it.

Lastly Mr. Charpentier asked if the school in front of Town Hall was Federally funded and if it is a Head Start program. Reed Antis chimed in to say it is a Head Start that rents the building from the Town. Mr. Charpentier said he sees a lot of cars nearly rear-ended trying to turn into the parking lot of the Head Start. He referred to Reynolds Road as "a demon," and said he asked 3 or 4 years ago if there's a way to reduce the speed on the road from 55 to 45, and asked if it was a State regulation. He said trucks speed through at 65 miles an hour. Councilmember Stewart said it's 100% New York State Department of Transportation (NYSDOT). He referenced a tragic accident that had taken place on a 55 MPH road near the Ballard Road elementary school in Wilton near the State Police barracks, a Fire Department, and a large warehouse operation (ACE Warehouse). There was a push to reduce the road speed then, including studies, but the speed was not changed. Though it is a DOT matter, he added the Supervisor could draft a letter of concern, which may be all the Board can do. Supervisor Fish said in light of the preschool and posted speed limit, he would draft a letter of concern.

Tom Masso said the Board was lucky the business of the meeting included the industrial zone pause because it shortened his remarks but he still had some questions. He asked how long the pause would last. Supervisor Fish said it has to be discussed with Counsel, but he estimated 6-9 months. He said it should not exceed 1 year, and asked Attorney O'Hara to weigh in. Counsel said that is what the courts have upheld. Mr. Masso said the NYSDEC virtual hearing will be held on February 7 and an in-person hearing on February 8 at the high school. He added local citizens are mobilizing to oppose Biochar and plan to speak. He asked if anyone from the Town had notified the NYSDEC about the pause. He said it would support the position of many planning to speak and went on to say it would come up at the meeting, He thought it would be beneficial for the DEC to be notified by the Town that this is being considered. Councilmember Donohue said the pause is to look at zoning and not directed at a specific project. Mr. Masso suggested that the Board consider adding verbiage to future code that excludes, "any facility that burns or processes trash, sewage sludge, or any other hazardous materials," and urged the Board to enforce existing prohibitions covered by Town Code sections 91 & 92 prohibiting the importation of hazardous material to the Town of Moreau. He said a number of Towns have adopted such language. Supervisor Fish said any code pertaining to industrial property should apply to all industrial zones.

Dominic Tom said he listened to the audio from the 1/9/24 meeting and said he was livid over the delay of the issuance of RFPs. He asked for confirmation that earlier in the current meeting they had decided to extend current counsel's service through the rest of 2024. Multiple councilmembers said yes. He said he felt sickened because a lot of people expressed a desire for change during the 2023 campaign season, and he suggested it was perhaps due to their handling of the Biochar issue in the past. He then said he had a "wish list" of items he would like to ask for in addition to rescinding the resolution that had just been passed.

- Mr. Tom asked the Board to "do whatever is legally and financially feasible" to hire an on-staff Town attorney, and a certified, licensed, professional Engineer, and more full-time Building Inspectors. He stated the positions would pay for themselves through the actions they take.
- He urged the Board to hire a full-time, qualified, certified Water Superintendent and qualified laborer. He said two or more employees whose certifications or licenses were paid for by the Town turned down the job after the previous Superintendent's retirement. He would like to know if they could potentially

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return. He stated there's no reason to pay another Town's Superintendent \$64.71 an hour part-time. He then stated he would skip one of his remarks to avoid getting "in trouble."

- He asked the Board to make a policy that employee misuse of property would result in the employee's immediate termination or misconduct charges being filed.
- He went on to suggest GPS units in all town vehicles for periodic review for violations.
- He suggested the Town and Village collaborate to contract with a commission-based grant-researcher/writer, as other Towns have done. He said he is tired of seeing and hearing about private and public grants received in other communities, especially the annual \$10,000,000 Downtown Revitalization improvement program.
- Mr. Tom asked that salaried department heads or their deputies be required to attend regular and special Town meetings, give periodic reports on their duties, explain relevant proposals and agenda items, and answer questions from the public. Hourly employees should not be sent in their places, he added.

At this point he questions whether he had exceeded his given time. Councilmember Noonan explained he had a total of 5 minutes, and Councilmember Killian said Mr. Tom had 30 seconds remaining.

- He said if the "budget officer" role is still in the budget, it should be eliminated and the funds re-allocated to the new hires he had mentioned previously. He called the position and related stipend a "sham," because he said most of the work of the budget is completed by staff.

Gina LeClair said she knew the Board had just resolved to sign a one-year contract with counsel, and said she believed they had previously been retained on a month-to-month basis. She asked if the annual contract could be terminated with 30 days' notice. Supervisor Fish confirmed that either party could terminate the contract with 30 days' notice. She said she wanted to be sure everyone knew that was in the contract. Councilmember Stewart said the Board has a lot going on, that they are taking steps they are excited about, and that legal representation is important going forward.

Jorge Padron wanted to bring up two items. First, he referenced the February 7 & 8 NYSDEC hearings on the proposed Moreau Biochar project. He said he would like everyone to make comments on the project because they are listening and it's important that the DEC get the community's input. He also said it was important that the DEC hear from our elected officials. He said when a participant registers for the hearings they can check a box to indicate if they are a Town official. He said they weigh those comments heavily and urged Board members to participate.

His second topic was related to the Town website. He said in a previous meeting someone had pointed out an old project listed on the site that had been tabled. He said the issue had been raised as a criticism of the current Board, so he went to review the website himself. He said there were issues that someone could be critical of, but he didn't come to the meeting to do that. He offered the Board a packet that contained a page-by-page review of the site with suggested changes for each page, and gave it to the Clerk. Examples of suggested changes included removal of old employee photos, contact information, and outdated links. He said he understood of all the things the Town is facing now, the website may not be the top priority, but he said it reflects poorly on the Town when citizens, people from other Towns, the DEC, etc. visit the site and find misinformation. He said he would be willing to volunteer to assist with making updates if needed or wanted.

He added that actions the Board had taken earlier in the meeting was getting things started on correcting mistakes or "closing some loopholes." He gave an example of the requirement to notify residents of new proposed business projects where there is a certain density of residential properties. He said in the case of

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Biochar, he was never notified because his neighborhood did not meet the density requirement, even though the project would be 1200 feet from where he lives. He said he has seen the Planning Board subject other businesses to more scrutiny. He said he was glad that the Board is taking a look at these issues now.

Councilmember Stewart addressed all commenters saying their comments were not going unheard. He said there were good ideas in their remarks. Regarding GPS in Town vehicles, he said Mr. Tom is correct, and in regard to grant-writing, that is a skillset of some applicants being reviewed currently. He said the website should be updated, and added it has been a very busy January. He said he didn't think cameras would improve the issues at the recreation park, but involvement of other members of the community will.

Supervisor Fish said the Planning and Zoning Board minutes from 2023 need to be updated and posted as soon as possible. He said he has heard this complaint a lot and it is a valid concern.

Councilmember Killian said he is on the committee that oversees the website and that they would do something that week to get things changed on the site.

Councilmember Donohue said many of the issues raised in the public comment period were already being discussed, that things are a work in progress, and that he appreciates the public suggestions.

COMMITTEE REPORTS

No Committee reports were given.

Resolution 47-2024 A motion was made by Councilmember Donohue to adjourn the meeting.

Asked if all were in favor, the following responses were given:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0 and the meeting was adjourned at 7:15 PM.

Respectfully submitted,

Erin Trombley

Erin Trombley
Town Clerk

A special meeting of the Town Board of the Town of Moreau, Saratoga County was held at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 26th day of January, 2024.

The meeting was held in person. The Supervisor called the meeting to order at approximately 9:05 AM. The Supervisor asked for an attendance roll call and led the Pledge of Allegiance.

PRESENT: Patrick Killian Councilmember
Mark Stewart Councilmember
Jesse A. Fish, Jr. Supervisor
ALSO PRESENT: Erin Trombley Town Clerk
Elizabeth Bennett Confidential Secretary

OTHERS PRESENT: Steve Doheny, Brigid Martin, Steven VanGuilder (Moreau EMS)

Resolution 48-2024 A motion was made by Councilmember Stewart, second by Councilmember Killian, to set a public hearing for the South Glens Falls Fire Department contract on February 13, 2024 at 6:55 PM.

Asked if all were in favor, the following responses were given:

Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 3:0

Resolution 49-2024 A motion was made by Councilmember Stewart, second by Councilmember Killian, to close the public hearing for the Moreau Emergency Squad contract.

Asked if all were in favor, the following responses were given:

Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 3:0

Resolution 50-2024 A motion was made by Councilmember Stewart, second by Councilmember Killian, to authorize Supervisor Fish to sign the Moreau Emergency Squad contract.

Asked if all were in favor, the following responses were given:

Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 3:0

Resolution 51-2024 A motion was made by Councilmember Stewart, second by Councilmember Killian, to adjourn the meeting.

Asked if all were in favor, the following responses were given:

Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 3:0

The meeting was adjourned at 9:07 AM.

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Respectfully submitted,

Erin Trombley

Erin Trombley
Town Clerk

DRAFT

ADOPTION OF LOCAL LAW NO. 1 OF 2024,

WHEREAS, the Town Board of the Town of Moreau ("Board") is considering the adoption of Local Law No. 1 of 2024, which, if adopted as proposed, repeals Local Law No. 4 of 2023, Chapter 115 of the Code of the Town of Moreau entitled "Sewer Regulations"; and

WHEREAS, the Board finds that the adoption of Local Law No. 1 of 2024 is in the best interest of the Town and it is necessary to provide for the health, safety and welfare of Town residents and property owners; and

WHEREAS, the Board finds that the adoption of Local Law No. 1 of 2024 is a necessary and proper exercise of authority by the Board; and

WHEREAS, the authority for the enactment of this local law is found in Section 2 of the Municipal Home Rule Law; and

WHEREAS, pursuant to Section 2 of the Municipal Home Rule Law, a public hearing on the proposed adoption of Local Law No. 1 of 2024 was properly noticed in the newspaper and posted, and was duly conducted on January 23, 2024, at the Town of Moreau Town Hall; and

WHEREAS, the Board has considered the public comments made at the public hearing; and

WHEREAS, the Board, serving as lead agency for this Unlisted Action under SEQRA, reviewed a Short Environmental Assessment Form and determined that the action does not present any adverse environmental impacts; and

WHEREAS, after thorough review and deliberation, the Board proposes to adopt Local Law No. 1 of 2024; and

WHEREAS, the Attorney for the Town has prepared the necessary documents for filing this local law with the Secretary of State including the text of the law itself;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby adopts Local Law No. 1 of 2024, which repeals Local Law No. 4 of 2023; and

BE IT FURTHER RESOLVED, that the Board adopts and authorizes the filing of a negative declaration; and

BE IT FURTHER RESOLVED, that the Board hereby authorizes the Town Clerk and the Attorney for the Town to make such minor modifications to the local law documents as they deem necessary and thereafter are directed to execute and file the said documents as required by law and to take all of the necessary action for the promulgation thereof.

Motion:

Seconded:

Roll Call:	<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Supervisor Fish	_____	_____	_____
Councilmember Noonan	_____	_____	_____
Councilmember Stewart	_____	_____	_____
Councilmember Donohue	_____	_____	_____
Councilmember Killian	_____	_____	_____

Moreau, New York

January 23, 2024

TOWN OF MOREAU
PURCHASE REQUEST & QUOTE SUMMARY

Department: HIGHWAY DEPARTMENT

Date: 1/29/2024

Description of Purchase Request: Rock Salt 2024

Vendor's Name and Address:

Price: \$40,000.00

Vendor's Name and Address:

Price: \$

Vendor's Name and Address:

Price: \$

[Please list all vendors contacted for a quote, even if they didn't submit a quote.]

Account number purchase will be paid from: DB5142.490

Balance in account and date: \$228,000.00 **as of** 1/1/2024

Amount Budgeted for the current year: \$228,000.00

Department Head's Recommendation: Morton Salt, Saratoga County Contract 23-PWS-10R

Board Approval Received: ___ Yes ___ No

Date Approval Received: _____

Vendor Authorized: _____

Amount Approved: _____ **Total: \$** _____

**TOWN OF MOREAU
Highway Department
1543 Route 9
FORT EDWARD, NY 12828
Chris Abrams: Highway Superintendent**

TOWN BOARD MEMO

TO: Board Members
FROM: Chris Abrams
SUBJECT: New Hire - Wingman/Flagger
DATE: January 31, 2024

This memo is to request authorization from the Town Board to hire Jordan Green as a part-time wingman/flag person for the Highway Department. Adding another wingman/flag person to the crew would allow us to work more efficiently, as well as provide the resources to put an additional plow truck on the road during inclement weather. Mr. Green lives in South Glens Falls. I believe he would be a great fit for this position.

Chris Abrams
Highway Superintendent

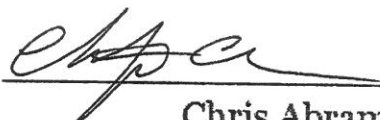
TOWN OF MOREAU
Transfer Station
1543 Route 9
FORT EDWARD, NY 12828
Chris Abrams: Highway Superintendent

TOWN BOARD MEMO

TO: Board Members
FROM: Chris Abrams
SUBJECT: Transfer Station Pricing
DATE: February 2, 2024

This memo is to request authorization from the Town Board to make a minor adjustment to the pricing on the Transfer Station fee schedule. It is \$2.00 for a 13 gallon bag; \$2.50 for 14-32 gallon bags. Three 13 gallon bags can fit into a 32-33 gallon bag. I propose consolidating the sizes and slightly increasing the price; changing the price to \$3.00 for 13-32 gallon bags for residents. Rounding the price up to the dollar will also make it easier to maintain the correct amount of change in the cash register. I believe this update is more efficient and better aligns with the current fee schedule.

Also, we have an issue with our carpet pricing. We need to adjust our price for rugs/carpets over 12x15. Right now Town residences pay just over 12 cents per square foot for a 12x15 rug. I feel we should change the price for over 12x15 rugs to 13 cents per square foot and for the out of town residences the price should be 17 cents per square foot.



Chris Abrams
Highway Superintendent

TOWN OF MOREAU TRANSFER STATION FEE SCHEDULE

Corner Route 9 and Butler Road
518-798-8126

RATES EFFECTIVE March 1, 2024

Monday/Tuesday/Thursday/Friday/Saturday

7:30am to 3:45pm

****USER PERMIT REQUIRED FOR RESIDENT RATES****

TOWN OF MOREAU RESIDENT FEES

NON-RESIDENT FEES

HOUSEHOLD GARBAGE:

\$ 2.00 13 gallon bag
\$ 2.50 14-32 gallon
\$ 4.00 33-45 gallon
\$ 5.00 46-55 gallon
\$ 7.00 56-90 gallon

PRICE NOW

\$4.00 13 gallon bag
\$5.00 14-32 gallon bag
\$6.00 33-45 gallon bag
\$7.00 46-55 gallon bag
\$8.00 56-90 gallon bag

TIRES:

\$7.00 Tires up to 15"
\$10.00 Tire 16" -20"

\$7.00 Tires up to 15"
\$10.00 Tire 16" -20"

LARGE SINGLE ITEMS:

\$15.00 Large Chair
\$25.00 Large Sofa
\$30.00 Sofa bed/Hide-A-Bed
\$12.00 6 X 9 Rug
\$17.00 9 X 12 Rug
\$22.00 12 X 15 Rug
\$37.00 over 12 X 15 Rug

\$20.00 Large Chair
\$35.00 Large Sofa
\$45.00 Sofa bed/Hide-A-Bed
\$20.00 6 X 9 Rug
\$22.00 9 X 12 Rug
\$27.00 12 X 15 Rug
\$52.00 over 12 X 15 Rug

MATTRESSES/BOX SPRINGS (EACH)*:

\$8.00 Crib/Toddler
\$12.00 Twin/Full Size
\$20.00 Queen Size
\$25.00 King Size

\$15.00 Crib/Toddler
\$20.00 Twin/Full Size
\$25.00 Queen Size
\$30.00 King Size

Furniture, mattress and rugs that are soaking wet will be charged double.

Construction debris & demolition materials will not be accepted.

YARD WASTE

ACCEPTED FROM TOWN OF MOREAU RESIDENTS ONLY

Composting, leaves, and grass clippings – NO CHARGE

Brush (Fallen limbs from storm damage-Maximum size: 4' in length and 4" in diameter)

Passenger vehicles, pick-up trucks & small utility trailers not exceeding 6' X 12": **NO CHARGE**

Utility trailers larger than 6' X 12'; dump trailers, stake body and dump trucks: **\$ 30.00 per load***

*** NO LOT CLEARING & NO COMMERCIAL HAULERS***

***Exception: No Charge for Town of Moreau Mobile Home Park owners hauling on behalf of park residents.**

FREE RECYCLING FOR SARATOGA COUNTY RESIDENTS

Cardboard, Glass, Plastic, Newspapers, Tin Cans/ Metal (PLEASE RINSE CONTAINERS)

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5.00 14-32 gallon bag
6.00 33-45 gallon bag
7.00 46-55 gallon bag
8.00 56-90 gallon bag

Revised w/
proposed new
price

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*Exception: No Charge for Town of Moreau Mobile Home Park owners hauling on behalf of park residents.

FREE RECYCLING FOR SARATOGA COUNTY RESIDENTS

Cardboard, Glass, Plastic, Newspapers, Tin Cans/ Metal (PLEASE RINSE CONTAINERS)

AGREEMENT

THIS AGREEMENT is made in duplicate originals the ____ day of _____, 2024 between **The Town of Moreau**, a municipal corporation with its office at 351 Reynolds Road, Moreau, County of Saratoga, and State of New York (hereinafter “the Town”) and **Empire City Soccer Academy (formerly Adirondack Lynx Soccer Academy, LLC)** (hereinafter “**the Soccer Academy**”), with a mailing address of 12 Northrup Drive, Queensbury, NY 12804 (hereinafter “the Soccer Academy”).

WITNESSETH:

WHEREAS, the Town owns, operates and maintains fields located at the Harry J. Betar Recreation Park (hereinafter “Rec Park”), which are available for use by the general public; and

WHEREAS, **the Soccer Academy** is requesting permission from the Town to provide spring and fall recreation soccer programs at the Rec Park to students in the South Glens Falls Central School district and adjacent school districts, from Pre-K through Grade 6; and

WHEREAS the parties hereto desire to enter into this Agreement, the term of which is April 1, 2024, through November 3, 2024, for the purpose of memorializing the terms, conditions, and requirements upon which **the Soccer Academy** will be permitted to use the fields.

NOW, THEREFORE, the parties hereto agree as follows:

1. USE OF FIELDS, SCHEDULES, AND REQUIRED PAYMENTS:

- a. The Town shall purchase and supply the paint for all **Soccer Academy** practices and games played at the fields and provide goals, as determined by **the Soccer Academy** and Recreation Leader.
- b. **The Soccer Academy** shall follow any/all COVID-related rules or guidelines imposed by the Town and the New York State DOH.
- c. In the event that the Town must close the Recreation Park or is prohibited from allowing **the Soccer Academy** to use the fields due to COVID restrictions, a prorated refund will be granted to **the Soccer Academy** based on their actual amount of field use at the time of closure.
- d. **The Soccer Academy** shall submit a copy of the current year’s program participation fee schedule (Schedule A) and no late fees shall be assessed.
- e. Each program participant who registers prior to April 1st, 2024, for the spring program or September 1, 2024, for the fall program, shall receive a t-shirt. Those registering late are not guaranteed to receive one.

- f. No later than April 1st, 2024, for the spring program or September 1, 2024, for the fall program, **the Soccer Academy** shall submit a final league schedule and field layout for review and approval by the Recreation Leader.

Provided that **the Soccer Academy** submits its proposed schedule for approval to the Recreation Leader, the Town agrees that the fields designated for the approved schedule will not be rented for use to any other program. Notwithstanding the foregoing, the Town may rent the fields to another program or otherwise use the fields at any time when the fields are not in use by **the Soccer Academy** pursuant to the approved schedule and layout.

- g. The spring season will begin on April 1, 2024, and end on June 30, 2024, while the fall season will begin on September 1, 2024, and end on November 3, 2024. On Monday-Thursday from 4:30 pm to 7:00 pm and on Saturdays from 8:00 am to 12:00 pm, **the Soccer Academy** will have the use of fields assigned by the Recreation Director or his designee, which may include Combo Field 1, Combo Field 2 and the area adjacent to softball fields 5 and 6.
- h. No later than June 30th, 2024 for the spring season and November 3, 2024 for the fall season, **the Soccer Academy** shall provide the Town Clerk's Office with a roster of all registered participants and shall pay the Town ten dollars (\$10) per registered participant, with the exception of students receiving scholarships for the program based on Free/Reduced Lunch status with the South Glens Falls Central School District or those students who receive a scholarship because their parent is a volunteer coach. There will also be an exception for families with multiple children participating in the soccer program, in which case **the Soccer Academy** shall pay the Town ten dollars (\$10) for the first registered child and five dollars (\$5) for each additional sibling.
- i. At the request of the Town Clerk or Recreation Director, **the Soccer Academy** shall submit copies of all financial records to the Town related to **the Soccer Academy's** use of the fields.
- j. The determination to close the fields or to rest fields for maintenance and other like purposes shall be at the discretion of the Recreation Director or their designee. There are periods of time that play on the fields will need to be temporarily suspended due to fertilization or maintenance. Notice of the determination to close fields will be given to **the Soccer Academy** by the Recreation Leader or their designee one week prior to the closing of the field and/or fields. Safe use of the fields is always a top priority. The integrity of the established schedule will be a secondary consideration when making these determinations.

- k. The determination of rain outs or unplayable fields will be at the discretion of the Recreation Leader or their designee and **the Soccer Academy**. The decision to stop play due to inclement weather after start of any game will be the responsibility of **the Soccer Academy**. Notwithstanding the foregoing, the Recreation Leader reserves the right to postpone or cancel games at his/her discretion based upon weather or field conditions.
- l. Non-weather-related changes to **the Soccer Academy** league schedule requires twenty-four (24) hours' notice to the Recreation Director. Notice is to be provided within normal working hours of 7:00 a.m. to 4:00 p.m. All schedule changes are subject to the approval of the Recreation Leader.
- m. **The Soccer Academy** shall not sublease any fields or facilities within the Rec Park.

2. **DCJS SEX OFFENDER REGISTRY SEARCH:** **The Soccer Academy** will complete a Sex Offender Registry Search of all its coaches and volunteers. No later than April 1, 2024, for the spring season and September 1, 2024, for the fall season, **the Soccer Academy** will submit the attached form, per the guidelines listed. The form must be complete and list first name, last name and date of birth of each coach and volunteer. The results of the search will be sent directly to the Town by the DCJS. In the event of a name being listed on the Sex Offender Registry, the Town will notify **the Soccer Academy**, and that person will be precluded from participating as a coach or volunteer with the program.

3. **SOCCER ACADEMY ADVERTISEMENT:** **The Soccer Academy** may place banners uniformly along the permanent roadway fences by the Gansevoort Road entrance and the road to the Quad fields. Signs can be placed no sooner than April 1, 2024, and shall be taken down by the Soccer Academy no later than November 3, 2024. The Soccer Academy shall be solely responsible for the maintenance, condition and storage of all signs. All signs shall be no larger than 3'x 8' and placement is subject to the prior approval of the Recreation Director.

4. **MAINTENANCE:** **The Soccer Academy** and Town shall be responsible for the following maintenance and cleanup:

- a. **The Soccer Academy** shall clear the fields and sidelines from garbage and forgotten items after each game.
- b. The Rec Department will paint field lines as needed

5. **ACCIDENTS/INJURIES:** Accidents or injuries to persons which require immediate medical attention or damage to property shall be immediately reported by **the Soccer Academy** to the Recreation Leader or their designee. **The Soccer Academy** shall provide the Recreation Leader a written summary of the events and circumstances involved no later than twenty-four (24) hours after the incident.

6. **INDEPENDENT STATUS:** During the existence of this Agreement, **the Soccer Academy** shall remain an individual, independent entity, retaining its separate identity and shall in no way be considered a division, department or agent of the Town.

7. **TERM OF AGREEMENT:** The term of this Agreement shall be from April 1, 2024, through November 3, 2024. This Agreement may be extended upon the mutual written consent of the parties hereto.

8. **TERMINATION:** The Town may terminate this Agreement for convenience upon thirty (30) days written notice.

9. **INSURANCE AND INDEMNIFICATION:** At the time of execution of this Agreement, **the Soccer Academy** shall purchase and maintain in full force and effect, during the period covered by this Agreement, a policy or policies of liability insurance protecting **the Soccer Academy** with limits of at least \$2,000,000 for bodily injury and property damage combined single limit. The liability insurance policies shall specifically name the Town of Moreau as an additional insured on a primary and non-contributory basis. A certificate of such coverage from an insurance company authorized to do business in New York State and naming the Town as an additional insured shall be provided at the time of execution of this Agreement.

No later than April 1, 2024, **the Soccer Academy** shall be responsible for providing to the Town proof of liability insurance for any outside travel teams which are scheduled to play at the Rec Park, within the schedule of **the Soccer Academy**. If any outside teams are added to the schedule, proof of liability shall be provided prior to their scheduled games.

The Soccer Academy shall be responsible for all damage to life and property due to the activities of the Soccer Academy or the use by **the Soccer Academy** of the fields as authorized under this Agreement. Further, it is expressly agreed that **the Soccer Academy** shall indemnify and hold harmless the Town, its officers, employees, agents and assigns for any claims, actions or damages including the Town's reasonable attorney's fees arising out of **the Soccer Academy's** use of the fields and as authorized herein and whether caused by negligence, errors, omissions, willful conduct or otherwise.

10. **SEVERABILITY:** In the event any term or provision of this Agreement is deemed void or unenforceable, the remainder of this Agreement and the application of such provision, other than to the extent it is held invalid, will not be invalid or affected thereby.

11. **GOVERNING LAW:** This Agreement has been executed and delivered in the State of New York and shall be governed by and interpreted in accordance with the laws of the State of New York.

12. **WAIVER:** No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

13. **ENTIRE AGREEMENT.** This Agreement constitutes the entire Agreement between the parties and shall not be modified except by a subsequent written agreement executed by the authorized representatives of the parties hereto.

14. **NON-ASSIGNMENT.** This Agreement may not be assigned without the written consent of the Town of Moreau.

15. **AUTHORITY.** Each of the persons signing below warrants that he or she is duly authorized to sign this Agreement on behalf of the party for which he or she is signing.

IN WITNESS WHEREOF, this Agreement has been duly executed by the parties hereto on the day and year written opposite their respective signatures.

DATED: _____

BY: _____

Town of Moreau
Jesse A. Fish, Town Supervisor

DATED: _____

BY: _____

Empire City Soccer Academy

CONTRACT

THIS AGREEMENT is made this _____ day of February 2024 by and between the Town of Moreau, a municipal corporation whose principal place of business is 351 Reynolds Road, Moreau, New York 12828 (hereinafter the "TOWN") and the Washington-Saratoga-Warren-Hamilton-Essex County Board of Cooperative Educational Services (hereinafter "BOCES") 10 LaCrosse Street, Hudson Falls, New York 12839.

WITNESSETH:

WHEREAS, the Town needs specific work done at Town of Moreau, Harry J. Betar Memorial Park, Town of Moreau, Saratoga County, namely site development on an existing parking area, widening of an existing trail system, spreading of wood chips and the clearing of fields for future use, and

WHEREAS, the Town had previously contracted with BOCES to clear a connector path at the end of Nolan Road, referred to as the Big Bend Trail, final removal of cut trees in that area is not yet complete, and

WHEREAS, BOCES has both Heavy Equipment and Conservation programs at the Southern Adirondack Education Center, which trains students in their junior and senior of high school in the areas of equipment operation, maintenance, environmental conservation practices and plot clearing, and BOCES desires a work site for its classes,

NOW THEREFORE, the parties mutually agree to the following:

1. Scope of Work

The students enrolled in BOCES Heavy Equipment and Conservation courses will perform the following:

- a. At the Recreation Park
 - i. Site development of the existing parking areas
 - ii. Widening of the existing trail system
 - iii. Spreading of wood chips
 - iv. Such other work as agreed upon by the BOCES instructor and the Town of Moreau in the furtherance of the objective.

- b. At Nolan Road on the Big Bend Trail
 - i. Removal of any remaining trees on the site
 - ii. Staying inside the approved work area

2. Equipment and Materials

- a. Students will use the BOCES equipment assigned to the Heavy Equipment and Conservation Programs in completing the tasks.
- b. Any other materials/equipment needed for project completion will be supplied by the Town of Moreau.
- c. All fuel will be paid for by the Town of Moreau. The Town of Moreau will be responsible for the direct delivery of diesel fuel to the work site. Gasoline will be used from the BOCES supply, and the Town of Moreau will be billed for the gas at the end of this agreement.
- d. Hydraulic fluids, anti-freeze and minor repairs incurred on Town Property, i.e., flat tire, less than \$100 will be paid for by the Town of Moreau.

3. Consideration

In consideration for the work to be performed by BOCES, The Town will provide all the trees removed during this project to BOCES, which will be entitled to the stumpage value thereof as payment.

4. Term

This Agreement shall commence on February 14, 2024, and unless terminated at an earlier date, will end on June 30, 2024. The parties agree that this Agreement may terminate on 30 days written notice by either party to the other party.

5. Incident Report

In the event of any accident, damage or incident to person or property, BOCES shall prepare an incident report and submit it to the Town Recreation Director within twenty four (24) hours of the incident.

6. The Town further agrees that BOCES will not guarantee or make any Representation as to the quality of projects heretofore mentioned.

7. BOCES shall be responsible for all damage to person, life and property to the extent caused by the negligent activities or willful misconduct or omission or otherwise of the students or BOCES employees or agents and expressly waives any claims against the Town for damages to person, life or property. BOCES shall indemnify and hold harmless the Town, its officers, employees, agents and assigns from and against any losses, claims, demands, payments, suits, actions, recoveries, and judgements including reasonable attorney fees to extent caused by the negligent activities or willful misconduct or omission of the students or BOCES employees or agents.
8. During the term of this Agreement BOCES shall maintain a liability insurance policy in the amount of \$20 million and name the Town as an additional insured on a primary and non-contributory basis. A copy of the Certificate of Insurance shall be provided to the Town prior to commencement of the work.
9. This Agreement constitutes the entire Agreement between the parties and shall not be modified except by a subsequent written Agreement executed by the authorized representatives of the parties hereto.
10. Each of the persons signing below warrants that he or she is duly authorized to sign this Agreement on behalf of the party for which he or she is signing.
11. **HOLD HARMLESS/INDEMNIFY**

BOCES shall hold the Town of Moreau harmless from any and all claims arising out of BOCES uses of the subject property. BOCES shall indemnify the Town of Moreau for any and all claims and defense costs or expenses which may arise from any claims brought against the Town of Moreau as a result of BOCES use of the subject property.

TOWN OF MOREAU

WASHINGTON-SARATOGA-WARREN-
HAMILTON-ESSEX BOCES

By: _____
Jesse A. Fish, Jr., Supervisor

By: _____

Dated: _____

Dated: _____

COPY

VOUCHER

TOWN OF MOREAU
351 Reynolds Road
Moreau, New York 12828-9261

Department(s): Town Clerk

Claimant's Name and Address: New York State Town Clerks Association
ATTN: Patty Kalba
335 Route 202
Somers, NY 10589

Date Voucher Received	
Fund - Appropriation	Amount
A1410.4	40.00
TOTAL	\$ 40.00

VOUCHER NO.

Date	Quantity	Description of Materials or Services	Unit Price	Amount										
		March 2024 Regional Educational Seminar * March 10-11, 2024 for Erin Trombley, Town Clerk		\$ 40.00										
<table border="1"> <tr> <td>Voucher checked for mathematical accuracy</td> <td>Initials: <u>JK</u></td> </tr> <tr> <td>Invoice Attached and Signed as Received</td> <td><u>JK</u></td> </tr> <tr> <td>Department Head Authorization Affixed</td> <td><u>JK</u></td> </tr> <tr> <td>Town Board Members Authorization</td> <td></td> </tr> <tr> <td>Date Paid</td> <td>Check No.</td> </tr> </table>			Voucher checked for mathematical accuracy	Initials: <u>JK</u>	Invoice Attached and Signed as Received	<u>JK</u>	Department Head Authorization Affixed	<u>JK</u>	Town Board Members Authorization		Date Paid	Check No.		
Voucher checked for mathematical accuracy	Initials: <u>JK</u>													
Invoice Attached and Signed as Received	<u>JK</u>													
Department Head Authorization Affixed	<u>JK</u>													
Town Board Members Authorization														
Date Paid	Check No.													
TOTAL			\$	40.00										

Claimant's Certification

I, Patricia Kalba, certify that the above account in the amount of \$ 40.00 is true and correct, that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied, that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

1/30/2024 Date Patricia Kalba Signature Registration Chair Title

(Space Below for Municipal Use)

Department Approval
The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.
1/31/24 Date [Signature] Authorized Official

Approval for Payment
This claim is approved and ordered paid from the appropriation indicated above.

Date Auditing Board

Regional Trainings

The NYSTCA Regional Trainings are designed to educate clerks on the latest changes by holding educational opportunities in towns throughout New York State. Regional Trainings are held each year in September, December, and March. Seasoned Clerk? New Clerk? Each training offers a different topic with a keynote speaker, with ample time for questions and answers. We promise you will learn something! Each training includes lunch with registration to extend the networking and discussion of relevant topics of our profession. Make sure to check the date and location of the next Regional Training near you!

Quotes from recent Regionals

" I really want to tell you that I thought that I had this down pat!"

" I am so glad that you asked this question. It takes courage and I bet someone across this room is wondering the same thing"

" I have been doing this for seven years and I didn't know anything about this!"

2024 Regional Training

<u>Date & Place</u>	<u>Registration Link</u>
March 11, 2024 - Saratoga	<u>Register HERE</u>

NYSTCA Registration

registration@nystca.com <registration@nystca.com>

Mon 1/29/2024 1:49 PM

To: Erin Trombley <townclerk@townofmoreau.org>

You don't often get email from registration@nystca.com. [Learn why this is important](#)

Erin

Your registration has been received and is being processed.

Registration is not considered complete until payment is received.

Best regards,

Patricia Kalba, RMC/CMC

Registration Chair

Name of Town	: Moreau
Is your town a member of NYSTCA?	: Yes
Name	: Erin Trombley
What is your role/title?	: Clerk
Are you a member of the Board of Directors or Executive Committee?	: No
Phone	: (518) 742-9310
Email Address	: townclerk@townofmoreau.org
I am unable to attend the Regional Meeting, but would like to ask the following question(s) of the speaker(s):	:
Payment Instructions	:
Total Due	: \$ 40
Your input is valuable. Please submit a topic for future Regional Meetings.	:

AGREEMENT

This Agreement made the ___ day of _____ 2024, among the **Town of Moreau**, a municipal corporation with its office at 351 Reynolds Road in the Town of Moreau, County of Saratoga and State of New York (hereinafter "the Town") and the **South Glens Falls Fire Company, Inc.** a corporation duly organized pursuant to the laws of the State of New York, with its principal office located in the Village of South Glens Falls, County of Saratoga and State of New York (hereinafter "the Fire Company").

WITNESSETH

WHEREAS, pursuant to Section 184 of the Town Law, a fire protection district embodying all of the territory of the Town of Moreau outside the incorporated Village of South Glens Falls, except the property owned by the State of New York, has been duly established in the Town of Moreau; and

WHEREAS, pursuant to Section 184 of the Town Law, the Town is authorized to enter into a contract with an incorporated fire company maintaining adequate and suitable apparatus and appliances for the furnishing of fire protection to and in the fire protection district; and

WHEREAS, the Fire Company maintains adequate and suitable apparatus and appliances furnishing of fire protection in the fire protection district; and

WHEREAS, the parties hereto desire to enter into a one-year Agreement; and

WHEREAS, the Town Board has conducted a Public Hearing on the Agreement as provided by law; and

NOW THEREFORE, the parties hereto agree as follows:

ARTICLE 1. GENERAL. The Town engages the Fire Company to provide and furnish fire protection to the fire protection district and the Fire Company agrees to provide and furnish such fire protection for the duration of this Agreement upon the terms and conditions specified herein.

ARTICLE 2. TERM OF AGREEMENT. The term of this Agreement shall be for one year beginning January 1, 2024 through December 31, 2024.

ARTICLE 3. SERVICES TO BE PERFORMED BY FIRE COMPANY. The Fire Company shall at all times during the term of this Agreement be subject to call for attendance upon any fire occurring in the fire protection district when notified by alarm or by telephone call. At any such time, the Fire Company shall respond and attend upon the fire without delay with the necessary firemen and one or more trucks and suitable ladders, pumps, hose and other apparatus of the Fire Company. Upon arriving at the scene of the fire, the firemen of the Fire Company attending the fire shall proceed diligently, and in every way reasonably suggested to the extinguishment of the fire and the saving of lives and property in connection therewith. At all times during the term of this Agreement the Fire Company shall furnish and maintain proper and suitable motor fire trucks together with equipment and apparatus which is heretofore been furnished by the Fire Company in connection with the Contract now existing between the parties for fire protection for the fire protection district and for the purpose of performing the services in this Agreement.

ARTICLE 4. COMPENSATION TO THE FIRE COMPANY. In consideration of the Fire Company providing the aforesaid fire protection services to the Town, the Town agrees to pay the Fire Company the sum of **SIX HUNDRED THIRTY-FIVE**

THOUSAND SEVEN HUNDRED SEVENTY-FOUR AND 00/100 DOLLARS

(\$635,774.00) as payment for the fire protection services agreed to herein.

Out of the aforesaid sum, the amount of \$100,000 is to be dedicated and reserved to the purchase of a new fire truck.

The Town shall make the above-referenced payment directly to the Fire Company.

The TOWN further agrees to provide and the Fire Company agrees to accept, as additional compensation, eighty (80%) percent of the cost of enhanced cancer disability benefit insurance required pursuant to General Municipal Law 205-cc, up to the sum of FOUR THOUSAND AND NO/100 DOLLARS (\$4,000.00). It is understood and agreed that the Fire Company will purchase insurance at \$137 per eligible fire fighter, and the cost of any insurance purchased above this sum will be borne solely by the Fire Company. A list of the eligible firefighters is attached hereto as **Schedule A**. Release of the funds will occur only upon receipt and approval by the TOWN of a voucher and proof of payment by the Fire Company of the additional insurance, in accordance with the TOWN's procurement and financial policies. This additional compensation is for the 2024 year only.

ARTICLE 5. DATE OF PAYMENT: The TOWN shall pay said sum identified in the first paragraph of ARTICLE "4" in installments as follows:

- (A) The sum of **Three Hundred Seventeen Thousand Eight Hundred Eighty-Seven and 00/100 Dollars (\$317,887.00)** on the 31st day of January 2024, representing 50% of the total compensation identified in the first paragraph of ARTICLE "4."

(B) The sum of **One Hundred Fifty-Eight Thousand Nine Hundred Forty-Three and 50/100 Dollars (\$158,943.50)** on the 15th day of May 2024, representing 25% of the total compensation identified in the first paragraph of ARTICLE "4."

(C) The sum of **One Hundred Fifty-Eight Thousand Nine Hundred Forty-Three and 50/100 Dollars (\$158,943.50)** on the 15th day of September 2024, representing 25% of the total compensation identified in the first paragraph of ARTICLE "4."

ARTICLE 6. INDEPENDENT STATUS. During the existence of this Agreement, the Fire Company shall remain an individual, independent contractor, retaining its separate identity and shall in no way be considered a division, department or agent of the Town.

ARTICLE 7. FURTHER OBLIGATIONS OF FIRE COMPANY.

(A) The Fire Company agrees to keep the trucks and equipment insured against loss by fire, theft or collision, and that in case said trucks are stolen, destroyed by fire or collision, totally or otherwise, to reasonably repair or replace the same so that the trucks and equipment contemplated herein, shall at all times be available for use and protection of the fire protection district.

(B) The Fire Company shall keep, maintain and operate all trucks and equipment at its own expense.

(C) On or before August 31, 2024 the Fire Company shall furnish the following:

1. A complete financial audit of its financial affairs certified by a certified public accountant.

2. A comparison of budgeted expenditures and revenues versus actual expenditures and revenues for the previous completed fiscal year.

3. Should the Fire Company fail to furnish the financial audit and comparison of budget expenditures and revenues as specified above the Town may conduct a financial audit of the Fire Company upon reasonable notice to the Fire Company. The Fire Company shall cooperate with the Town and/or its representatives in the conduct of any such audit.

(D) The Fire Company agrees to comply with the provisions of all state and federal laws, local statutes, ordinances and regulations that are applicable to the performance of this contract.

ARTICLE 8: INSURANCE AND INDEMNIFICATION: The Fire Company agrees to purchase and keep in force, during the period covered by this Agreement, policy or policies of Automobile, General, Errors and Omissions, and Umbrella Liability Insurance protecting said Fire Company with limits of at least \$3,000,000.00 for Bodily Injury and Property Damage combined Single Limit. The Fire Company agrees to indemnify and save harmless the TOWN from any and all claims arising out of the operation of the said Fire Company service pursuant to this Agreement. The TOWN shall be named as an additional insured on a primary and non-contributory basis and said Fire Company agrees to furnish to the TOWN Certificates of Insurance showing coverages as above set forth. The Fire Company shall also maintain worker's compensation insurance in accordance with New York State Law.

ARTICLE 9. SEVERABILITY. In the event any term or provision of this Agreement is deemed void or unenforceable, the remainder of this Agreement and the application of

such provision, other than to the extent that is held invalid, will not be invalid or affected thereby.

ARTICLE 10. GOVERNING LAW. This Agreement has been executed and delivered in the State of New York and shall be governed by and interpreted in accordance with the laws of the State of New York.

ARTICLE 11. WAIVER. No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

ARTICLE 12. ENTIRE AGREEMENT. This Agreement constitutes the entire Agreement among the parties and shall not be modified except by a subsequent written agreement executed by the authorized representatives of the parties hereto.

ARTICLE 13. NON-ASSIGNMENT. This Agreement may not be assigned without the written consent of the Town of Moreau.

ARTICLE 14. AUTHORITY. Each of the persons signing below warrants that he or she has been duly authorized to sign this Agreement upon resolution of the respective governing board of the party for which he or she is signing.

IN WITNESS WHEREOF, this Agreement has been duly executed by the parties hereto the day and year written opposite their respective signatures.

TOWN OF MOREAU

Date: _____

By: _____
Jesse A. Fish, Jr., Town Supervisor

SOUTH GLENS FALLS FIRE COMPANY,
INC.

Date: _____

By: _____
_____, President

STATE OF NEW YORK)
COUNTY OF SARATOGA) ss.:

On the ____ day of _____ in the year 2024 before me, the undersigned, a Notary Public in and for said state, personally appeared JESSE A. FISH, JR. personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
COUNTY OF SARATOGA) ss.:

On the ____ day of _____ in the year 2024 before me, the undersigned, a Notary Public in and for said state, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

SCHEDULE "A"

South Glens Falls Fire Company-Schedule A for 2024

Tim Bennett
Robert Bulman Jr.
Robert Bulman Sr.
Keith Chadwick
Rob Chadwick
Pete Corlew
Tyler Corlew
James Davie
Reed Devitt
Bonnie Dickinson
Sean Dunbar
Corey Farr
Dan Fitzgibbon
R.J. Harrington
Brandon Hayes
William Hesse Sr.
Anissa Jacox
Kenneth Jacox
Bruce Lant
Matt LaPointe
Logan Marino
Mike Norman
Wayne Palmer
William Passineau
Jon Pease
Tim Pease
Art Porlier
Nicholas Quinn

Don Ranck
Andrew Rich
Chris Rich
John Rivers
Tim Schwab
Chris Skogsberg
John Smith
Tim Snowball
Benjamin Vaillancourt
Nate Voorhis

As of 1/23/2024

TOWN OF MOREAU

LOCAL LAW NO. 2 OF 2024

A TEMPORARY MORATORIUM PROHIBITING THE REVIEW, APPROVAL OF APPLICATIONS, AND GRANTING OF BUILDING AND OTHER MUNICIPAL PERMITS FOR LAND USE APPROVALS IN THE COMMERCIAL, INDUSTRIAL, AND MANUFACTURING ZONING DISTRICTS WITHIN THE TOWN OF MOREAU

Be it hereby enacted by the town board of the town of Moreau

Section 1. Title:

Establishing a six-month moratorium prohibiting the review, approval of applications, and granting of building and other municipal permits for land use approvals in the Commercial, Manufacturing, and Industrial Zoning Districts (C-1, CC-1, C-2, C-3, M-1, M-1A, and M-2) Zoning Districts.

Section 2. Purpose and Intent.

It is the purpose and intent of the Town Board of the Town of Moreau to protect the public health, safety, and welfare of the residents of the Town of Moreau (“Town”) and to maintain the status quo by temporarily suspending the processing of land use approvals as provided herein and to further suspend the rights of land owners and their designees to obtain development approvals and permits as identified below for a period of six months from the date of the adoption of this local law while the Town Board analyzes and considers potential appropriate revisions and amendments to the Town Zoning Code regarding the uses currently permitted in the Commercial, Manufacturing, and Industrial Zoning Districts to address new circumstances not addressed by its current laws.

Section 3. Legislative Findings

- (a) The Town Board finds that to better effectuate the purposes and intent of the Town Code and the Town’s Comprehensive Plan dated April 2019 concerning quality of life issues, community growth, zoning, plan site review, and industrial development in the community, and further, to ensure that said Code and the Town’s Comprehensive Plan reflect and address the impacts of the past evolution of development in the Town upon the current general welfare of its residents, it is deemed necessary to temporarily prohibit the issuance of permits or approvals allowing commercial, manufacturing, and industrial uses.
- (b) The Commercial districts within the current zoning chapter are chronically outdated. This is particularly the case with the changes in commercial land use development over the last ten years. “Brick and mortar” retail has changed completely with the onset of online consumerism. The evidence exists with the very apparent and noticeable downturn in “big box” retail development, indoor malls, even commercial strip centers with small footprint connected retail stores. In addition to being out of

step with the current trends in commercial development, the current use schedules for the commercial districts are out of date, overly broad and generalized, and poorly defined – if there any definition at all. The most glaring example rests with the term “businesses which primarily service highway traffic” which is the first use listed in the most intense commercial district, the General Commercial (C-1) District. This is a broadly generalized term and is not even defined in the zoning chapter. This creates ambiguity and increases the risk of undesirable and /or incompatible uses occurring. The use schedules of the commercial districts need to be rebuilt based upon the existing condition and the planned initiatives as reflected in the adopted comprehensive plan. The adopted comprehensive plan is the best resource for guidance to update the zoning chapter as the plan reflects the sentiments of the residents.

- (c) Additionally, new consideration of commercial zoning through updated use schedules and definitions would require a new round of public input allowing for direct resident involvement in structuring new districts. In summary, the degree of land use regulation under the current zoning chapter increasingly allows for the continuation and proliferation of land uses that are out-of-step with the adopted comprehensive plan and they do not reflect the current trends in commercial and industrial development.
- (d) The three industrially utilized areas of the Town are contained in the Manufacturing 1 and 2 (M-1 and M-2) and General Manufacturing and Industrial (M-1A) Zoning Districts. Geographically, the areas where industrial uses are concentrated are dispersed throughout several areas of the Town. The concentrations occur basically in three areas: in the northeastern portion of the Town around the Moreau Industrial Park; an areas to the southeast along the Hudson River; and an area to the south of the interchange with Interstate I-87 at Exit 17. From an overall area standpoint, existing industrial/manufacturing uses in the Town comprise 588+/- acres (approximately 2.4% of the land area) on 8 parcels (approximately .2% of the overall number of parcels). However, this level of industrial/manufacturing use is somewhat misleading as the Town has a significantly larger amount of land area and parcels within one of the three industrial/manufacturing zoning districts but is currently vacant and not classified as “existing.”
- (e) The Moreau Industrial Park was created in 1994 with a goal of attracting twenty-two (22) shovel-ready lots. However, during the 30 years of its existence, only one business has located there. There is concern that the decades-old vision of industrial development in the Town may now be obsolete and therefore should be revisited with community input to determine whether a change of permitted uses will render the Moreau Industrial Park more marketable while simultaneously addressing any potential impacts associated with industrial uses.

- (f) In addition, since 1994, the density of residential use has increased substantially along the traffic corridors leading to the Moreau Industrial Park. The 2019 Comprehensive Plan warns of a “problematic aspect” of the Moreau Industrial Park’s location which, with future build-out, may draw increased, heavy truck traffic. The Comprehensive Plan specifically identifies the concern that the traffic “will need to traverse through traditional residential areas” over roads which are “not well suited to withstanding traffic associated with heavier trucks.”
- (g) The 2019 Comprehensive Plan prioritizes a revision and update of the zoning chapter of the Town Code so that (1) land use schedule and discretionary approval of industrial projects is up-to-date and based upon sound definition of permitted use; (2) Reviews that are conducted to a sound and well-conceived set of review criteria; (3) the use schedule for designated industrial areas which are in the midst of or nearby residential neighborhoods is adjusted to remove industrial uses that could have a potentially adverse impact to these residential areas (e.g. excessive noise, odors, heavy truck traffic, extended hours of operation, etc.); (4) any future expansion of industrial uses and or zones are logically limited to areas in close proximity to Instate I-87, and (5) zoning boundaries follow parcel boundaries and, where appropriate, employ the use of buffer zones to mitigate the adverse effects of conflicting land uses.
- (h) An item for further consideration of a revised zoning chapter rests with the fiscal implications of the land use and how land uses are managed through zoning – particularly commercial and industrial land uses. If the real property tax system that primarily supports municipal government and public-school districts is to function and be effective as intended, then industrially commercially zoned parcels must operate at levels which maximize valuation. It is very important to bear in mind that residential development does not grow the “tax base”. Numerous studies of delivering the cost of municipal and public education services demonstrate that on average the residential parcel requires a \$1.30 in municipal and public education services for each \$1.00 paid in real property tax. Correspondingly, the industrial/commercial parcel requires \$.30 in such services for each \$1.00 paid in real property tax. From an economic and fiscal point of view it is necessary to review the need for proportionate balance in the land use pattern of the town. In the ideal scenario, commercial/industrial parcels generate a significant portion, if not the bulk of revenue derived from the real property tax levy. This is accomplished through commercial/industrial parcels with optimal valuation. The associated benefit of commercial/industrial property valuation at optimal levels is the obvious stress taken away from residential properties to bear the burden of generating sufficient real property tax revenue. Rather the burden shifts to commercial/industrial parcels. The primary method by which a municipality can manage land use and assure that property valuation is in balance and the bulk of the tax levy is not overly borne by the residents is – zoning. An effective and up-to-date set of zoning regulations can

directly influence the degree of investment made in commercial/industrial properties thereby directly affecting the level of valuation.

- (i) The Town Board recognizes the impact that this type of development may have on the health, safety and general welfare of the Town, its inhabitants and visitors and upon the existing uses, public services, traffic and the environment in general. These circumstances require the Town Board to review this portion of the Town's zoning code in order, among other things, to ensure that existing and future industrial/manufacturing uses are located in the appropriate zoning district and in an area which has infrastructure that can support such uses without harm to surrounding districts. Pending adoption of any updated zoning regulations that result as a consequence, it is therefore necessary for the Town Board to take reasonable, temporary measures to suspend the review and approval of any land use applications relating to the construction and development of all uses within the commercial, manufacturing, and industrial zoning districts of the Town in order to protect the public interest and welfare. Projects currently under construction and projects that have received final Planning board approval are not subject to this moratorium.
- (j) This land use and operational moratorium will permit the Town Board adequate time in which to evaluate and draft updated and necessary legislation to allow for proper and authorized regulation of commercial, manufacturing, and industrial uses within the Town. During the term of the moratorium, the Town Board shall work to evaluate, prepare and, if needed, to eventually adopt revised or additional land use provisions and regulatory processes to provide for and promote the safety, health, protection and general welfare of the persons and property in the Town of Moreau.

Section 4 Definitions.

Commercial and Communications District (CC-1): The CC-1 District is that area where telecommunications towers and related equipment are allowed by special use permit only. Site plan review is required for all uses.

General Commercial District (C-1): The general commercial district is that area where intense commercial development exists or is anticipated. Site plan review is required for all uses in order to create coherent and safe traffic patterns, efficient loading and unloading, an aesthetically pleasing shopping environment and safe pedestrian circulation.

General Manufacturing and Industrial Zoning Districts (M – 1 and M-1A): The general manufacturing and industrial district provides for the maintenance and expansion of heavy industry and large-scale manufacturing without competition from other uses.

Industrial Project: The acquisition, reconstruction, improvement, or alteration, in whole or in part, of any site, plant, structure, building or other facility for manufacturing, processing,

(including recycling), warehousing, commercial, industrial, or technological research purposes or for other industrial use.

Industrial Site: Any land within the town zoned for industrial use, to get any buildings or structures on such land, suitable as a site for manufacturing, processing (including recycling), warehousing, commercial, industrial, or technological research purposes or for other industrial use.

Light Manufacturing and Industrial Zoning District (M-2): The light manufacturing and industrial district provides for the establishment of light manufacturing, industry or storage uses or offices without competition from competing uses. It is located adjacent to Route 9 and Exit 17 of the Northway to allow convenient access to industry to receive and disperse materials.

Manufacturing, Heavy: Any industrial process whereby the nature, size or shape of articles or raw materials is changed into a product which generally could be stockpiled in outdoor storage areas and would require shipping by rail or heavy truck.

Manufacturing, Light: Any industrial process whereby the nature, size or shape of articles is changed into a product which generally shall be a finished product which ordinarily would not be stockpiled in an outdoor storage area.

Neighborhood Commercial District (C-2): The neighborhood commercial district is designed to enable residents of the town's outlying areas to obtain staples, necessities, and other goods from small-scale neighborhood-oriented shopping areas without traveling to major commercial centers.

Residential and Professional District (C-3): The residential and professional district is designed to allow productive use of established single-family residences along the major Route 9 corridor without infringing on the character of the neighborhood.

Section 5. Moratorium.

Pursuant to the statutory authority vested in the Town to regulate and control land use and to protect the health, safety, and welfare of its residents, effective immediately and continuing for a period of six (6) months following the date on which this local law is filed with the Secretary of State, there is hereby a moratorium on the submission and processing of new as of yet unfiled and all pending applications for any and all applications for building permits, site plan approvals, special use permits, subdivision approvals, variances or any other municipal approvals for all uses within the Commercial, Manufacturing, and Industrial Zoning Districts of the Town, pending the Town Board's completion of adoption of revised zoning regulations related to these Zoning Districts.

(a) The Town Planning Board shall not accept any application, grant any approval to, or continue the review of a subdivision plat, site plan, special use permit or other permit that includes the permitting, construction, and/or development within the Commercial, Manufacturing, and Industrial Zoning Districts of the Town.

(b) The Town Building Department shall not accept any building permit applications or grant any Certificates of Occupancy or Certificates of Compliance for any use within the Commercial, Manufacturing, and Industrial Zoning Districts of the Town unless that use has received final approval from the Town Planning Board.

(c) Projects currently under construction and projects that have received final Town Planning Board approval as of the effective date of this local law are not subject to this moratorium.

Section 6. Variance.

A. Should any owner of property affected by this local law suffer any extraordinary hardship due to the enactment and application of this local law, then the owner of said property may apply in writing to the Zoning Board of Appeals for a variance from strict compliance with this local law. For purposes of this local law, extraordinary hardship shall not be (1) the mere concern that regulations may be changed or adopted, or (2) the mere delay in being permitted to make an application or waiting for a decision on an application during the period of this moratorium.

B. Procedure. Upon submission of an application for a variance to the Zoning Board of Appeals, the Zoning Board of Appeals shall, within forty-five (45) days of receipt of a completed application, schedule a Public Hearing on said application upon five (5) days written notice in the official newspaper of the Town. The Zoning Board of Appeals shall, within thirty (30) days of the close of the Public Hearing, render its decision either granting, denying, granting in part or denying in part, the application for a variance.

C. Standard of Review. In reviewing an application for a variance based upon a claim of extraordinary hardship, the Zoning Board of Appeals shall consider the following criteria:

(1) The extent to which the proposed development activity would cause significant environmental harm, adversely impact surrounding natural resource areas, public health, comfort, or safety concern and/or have a negative impact on the Town.

(2) Whether the moratorium will expose a property owner to substantial monetary liability to a third person or would leave the property owner completely unable, after a thorough review of alternative solutions, to have a reasonable alternative use of the property.

Section 7. Termination and Extension.

The Town Board may, by resolution, terminate this moratorium prior to its expiration, or alternatively, extend the moratorium for a period of six (6) months, as the Town Board, in its sole discretion, deems necessary to properly analyze and study the impact of commercial, manufacturing, and industrial uses within the Town under the Town's existing zoning code and allow for the adoption of any zoning amendments deemed necessary.

Section 8. Notice to Applicants – Zoning Changes

This section provides notice to all applicants that although an application may proceed through the review process, the applicant proceeds at its risk, because such application may be impacted or denied because of a change in zoning requirements. Approval shall not be granted unless the application complies with all zoning and other requirements in effect on the date of approval.

Section 9. Supersession of Inconsistent Laws

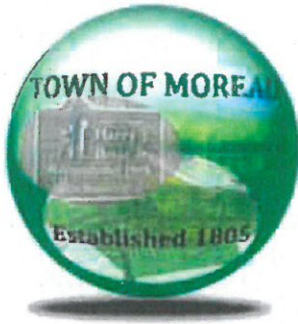
The Town Board hereby declares the legislative intent to supersede any provision of any local law, rule, or regulation and any provision of the New York State Town Law, to the extent it may be inconsistent with same and be permitted by the New York State Constitution, the State Municipal Home Rule Law, or any other applicable statute. Specifically, this local law is intended to supersede the default subdivision approval provisions in Town Law Section 276 to the extent that any delay resulting from the moratorium shall not result in a default approval and that the time periods for conducting hearings and issuing decisions on applications set forth in Article 16 of the New York Town Law, including but not limited to Town Law sections 267-a, b, and c, 274-a, 274-b, 276, 277, and 278, are hereby superseded.

Section 10. Severability.

Any section, paragraph, subdivision, or provision of this local law that shall be determined by a court of law as invalid or unconstitutional shall not impair the validity of other sections, paragraphs, subdivisions or provisions of this local law as a whole. The extent that the same shall be considered applicable and effective and that only such part so decided to be invalid or unconstitutional shall be considered ineffective.

Section 11. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.



Town of Moreau
Building and Zoning Dept.
Town Office Complex
351 Reynolds Road
Moreau, NY 12828-9261
Phone: (518) 792-4762 ~ Fax: (518)792-4615

Matt Dreimiller
Building Inspector

Jim Martin
Zoning Administrator

MEMORANDUM

To: Town Board

From: Jim Martin, AICP – Zoning Administrator

Date: Thursday, February 8, 2024

Re: Justification for a Proposed Moratorium Over Parcels under Industrial and Commercial Zoning

Thanks for including me on these deliberations – it is most helpful in my provision of answers and hopefully constructive guidance as you work your way through this consideration of a moratorium. Now on to the question posed to me: *“Could you provide what issues you see in the commercial zoning that would require asking for a moratorium that couldn’t just be handled by looking at that zoning?”*

The basis for my recommendation to include the commercially zoned parcels of the Town as well is based upon the same deficiencies noted with the industrially zoned parcels. The commercial districts within the current zoning chapter are chronically outdated. This is particularly the case with the changes in commercial land use development over the last – I’ll say 10 years. “Brick and mortar” retail has changed completely with the onset of online consumerism. The evidence exists with the very apparent and noticeable downturn in “big box” retail development, indoor malls, even commercial strip centers with small footprint connected retail stores. In addition to being out of step with the current trends in commercial development, the current use schedules for the commercial districts are out of date, overly broad and generalized, and poorly defined – if there is any definition at all. The most glaring example rests with the term “businesses which primarily service highway traffic” which is the first use listed in the most intense commercial district, the General Commercial (C-1) District. This is a broadly generalized term and to make the matter worse, the term is not defined in the zoning chapter. This creates ambiguity and increases the risk of undesirable and /or incompatible uses occurring. The use schedules of the commercial districts need to be rebuilt based upon the existing condition and the planned initiatives as reflected in the adopted comprehensive plan. As I said earlier, the adopted comprehensive plan is the best resource for guidance to update the zoning chapter as the plan reflects the sentiments of the residents.

Additionally, new consideration of commercial zoning through updated use schedules and definitions would require a new round of public input allowing for direct resident involvement in structuring new districts. In summary, the degree of land use regulation under the current zoning chapter increasingly allows for the continuation and proliferation of land uses that are out-of-step with the adopted comprehensive plan and they do not reflect the current trends in commercial and industrial development.

An item for further consideration of a revised zoning chapter rests with the fiscal implications of the land use and how land uses are managed through zoning – particularly commercial and industrial land uses. My reason for this statement is explained as follows: If the real property tax system that primarily supports municipal government and public-school districts is to function and be effective as intended, then industrially commercially zoned parcels must operate at levels which maximize valuation. It is especially important to bear in mind that residential development does not grow the “tax base.” Numerous studies of delivering the cost of municipal and public education services (I have performed such analyses directly myself) demonstrate that on average the residential parcel requires a \$1.30 in municipal and public education services for each \$1.00 paid in real property tax. Correspondingly, the industrial/commercial parcel requires \$.30 in such services for each \$1.00 paid in real property tax. From an economic and fiscal point of view one can instantly see the need for proportionate balance in the land use pattern of the town. In the ideal scenario, commercial/industrial parcels generate a significant portion, if not the bulk of revenue derived from the real property tax levy. This is accomplished through commercial/industrial parcels with optimal valuation. The associated benefit of commercial/industrial property valuation at optimal levels is the obvious stress taken away from residential properties to bear the burden of generating sufficient real property tax revenue. Rather, the burden shifts to commercial/industrial parcels. The primary method by which a municipality can manage land use and assure that property valuation is in balance and the bulk of the tax levy is not overly borne by the residents is – zoning. An effective and up-to-date set of zoning regulations can directly influence the degree of investment made in commercial/industrial properties thereby directly affecting the level of valuation.

Lastly, based upon my experience with moratoria, over the years both as a municipal planning official and an elected official, they are most effective when they properly constructed to address the broad goal to be achieved. If too narrow in their scope, they are less effective and subject to a successful challenge. This was the principal point made by the several attorneys I spoke with at the County Planning Conference last week and the other attorneys I have worked with in other municipalities. This was another consideration in my recommendation to broaden the moratorium to include commercially zoned parcels.

In closing, as the Zoning Administrator for the Town and as a certified planner with over 40 years of experience, it is my opinion that a pause of several months or even a year in both the industrial and commercial development would be worth the short-term delay in such development to achieve the adoption of a revised zoning chapter that reflects the sentiment of the residents and the comprehensive plan. Furthermore, from a fiscal and economic perspective, the resulting zoning chapter is likely to have the net effect of bringing about a land use pattern that maximizes return on investment and valuation while achieving provision of services, products and employment that are aligned with the sentiments of the community.

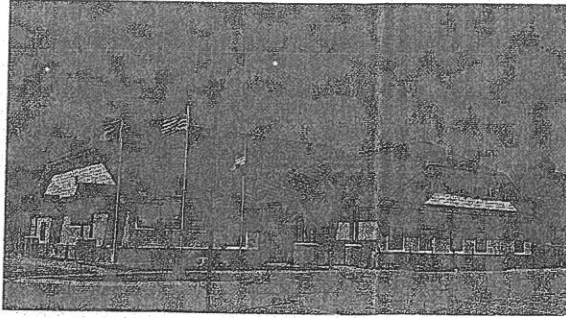
Again, thank you for the opportunity to address the question received – if I can address any further questions, please do not hesitate to reach out.

Town of Moreau

351 Reynolds Road
Moreau, NY 12828-9261

Jesse A. Fish, Jr.
Supervisor

Phone: (518) 792-1030 Fax: (518) 792-4615
E-mail: moreausuper@townofmoreau.org



Patrick Killian
Deputy Supervisor

John Donohue
Councilmember

Kyle Noonan
Councilmember

Mark Stewart
Councilmember

January 19, 2024

To: Jesse A. Fish, Jr., Town Supervisor
From: Jeffrey Cruz, Principal Account Clerk
Re: Medicare Reimbursement

I have been made aware of an interpretation of the newly adopted Town of Moreau Employee Handbook that differs from the original intention of the handbook language.

Section 708 *Medical Insurance for Retirees* includes the following verbiage under the section subtitled *Medicare Part B Reimbursement* states "The Town will reimburse an eligible retiree and the retiree's spouse for the cost of the Medicare Part B premium."

Supervisor Jenkins and the Town Board capped the Town's reimbursement for Medicare costs to \$289.20 per quarter, which has stayed in effect through 2023. The reimbursement was also only previously given to the retiree and not the retiree's spouse. The Medicare Part B premium for 2024 is \$174.70 per month (\$524.10 per quarter for comparison).

The Medicare Reimbursement was considered to be a partial reimbursement for those retirees who have joined the Town Medicare Advantage plan. While the language of the handbook does not specify "partial," it also does not specify that the reimbursement is for the "total" cost either, which has led to the ambiguous interpretation.

The Handbook also states that "the Town Board may, at its discretion and in accordance with plan documents, modify or eliminate this reimbursement for any retiree or retiree's spouse."

The current cost to the Town for the Medicare Reimbursement is split between the General Fund (A), the Town Outside Fund (B), the Highway Fund (DB), the Transfer Station Fund (TS), the Consolidated Water Fund (CW), and the Sewer Fund (GI).

	Quarterly Cost	Annual Cost
Current Cost (no spouse; capped at \$ 289.20 per quarter):	\$ 6,073.20	\$ 24,292.80 ✓
Option A (with spouse; capped at \$ 289.20 per quarter):	\$ 8,965.20	\$ 35,860.80
Option B (with no spouse; \$ 524.10 per quarter):	\$ 11,006.10	\$ 44,024.40
Option C (with spouse; \$ 524.10 per quarter):	\$ 16,247.10	\$ 64,988.40 —

If the Town Board chooses either Option A, B, or C as the standard interpretation, a budget amendment may need to be completed before the end of the year.

A special meeting of the Town Board of the Town of Moreau was held on July 30, 2001 in the Town Office Building, 61 Hudson Street, South Glens Falls, New York.

The meeting was convened at 5:35 p.m.

The Deputy Town Clerk called the roll, which resulted in the following Town Board Members being present or absent:

Town Board Members Present:

Harry G. Gutheil, Jr.	Supervisor
Bob Prendergast	Councilman
Niki Baker	Councilwoman

Town Board Members Absent:

Rich Hewlett	Councilman [arrived 6:10 p.m.]
Larry Bulman	Councilman [arrived 5:55 p.m.]

Also Present: Leeann McCabe, Deputy Town Clerk.

The meeting began with discussion about the Town Hall Building. Supervisor Gutheil told Councilman Prendergast and Councilwoman Baker that since the last Town Board Meeting he had called a brief staff meeting and asked the employees to get him lists of things that need to be done in the building and he will see that the work gets done.

A handicapped accessible bathroom was discussed briefly.

Medicare reimbursement was discussed. The Town has been reimbursing some retirees for their medicare payments. It was agreed this should be researched and find out how it was started and who qualified.

A motion was made by Councilwoman Baker and seconded by Councilman Prendergast to adjourn to executive session at 5:45 p.m. to discuss personnel.

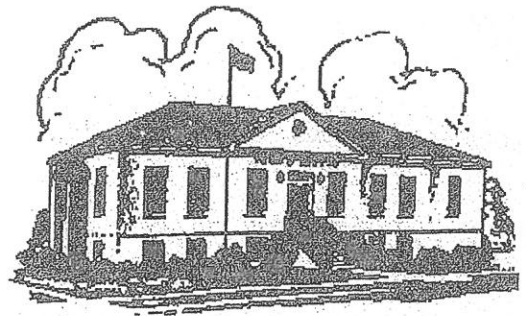
Roll call vote resulted as follows:

Councilman Prendergast	Aye
Councilwoman Baker	Aye
Supervisor Gutheil	Aye
Councilman Bulman	Absent
Councilman Hewlett	Absent

The Deputy Town Clerk did not sit in on the executive session.

No action was taken as the result of the executive session.

Town of Moreau
SARATOGA COUNTY, STATE OF NEW YORK
TOWN OFFICE BUILDING
P.O. BOX 1349
SOUTH GLENS FALLS, NY 12803
PHONE (518) 792-1802
FAX (518) 792-1062
E-Mail: moreausuper@townofmoreau.org



TO: Harry G. Gutheil, Jr., Supervisor
FROM: Fran Thibodeau, Sr. Account Clerk Typist
DATE: July 19, 2002
SUBJECT: Retroactive Medicare Reimbursements

You have asked me to research Medicare Reimbursement for retired Town employees. Without sitting and reading through several years of minutes, I have not been able to come up with much information. I have researched the indexes of the minutes for several years, but was still unsuccessful. I did find the attached information from a November 1995 board meeting.

In addition, I have enclosed notes from a conversation I had with Marilyn before she left concerning Medicare Reimbursements. I also spoke to Anne Kusnierz today, and she indicated to me that there was nothing in writing but she felt that a practice of paying Medicare Reimbursements for retired employees had been established.

[Note: Next page is the
referenced notes from Marilyn.]

MEDICARE REIMBURSEMENTS

Several years ago, before Harry, it was decided to pay the retirees medicare insurance premium that is charged to them by the Social Security Administration. This payment is only for the retirees now. The number of people will not increase. Once the retired employee dies, the payment stops. If there is no ex-retiree, there is no payment. The Town will also reimburse the retiree's spouse, but once again, if the employee dies, the spouse's reimbursement is done.

These payments are done four times each year and due:

January, February & March - due to retiree in April

April, May & June - due to retiree in July

July, August & September - due to retiree in October

October, November & December - due to retiree in January

*Per
Marilyn*

These payments are manual checks and debited to TA20-2 (Medicare Reimbursements)

We can call the Social Security Administration for the premium amount each year that is deducted from the retiree's social security check or go online: socialsecurityadministration.gov or try: www.medicare.gov/Basics/Amounts2002.asp

At 2/21/02 - there are currently three ex-employees left on this medicare reimbursement program.

A check will be cut to Trust & Agency from the General Fund for the total amount of Medicare Reimbursements gets deposited into the Trust & Agency Fund, The Trust & Agency Fund will cut manual checks to the three remaining retirees each quarter.

The Organizational Meeting for the Year 2012 was held by the Town Board of the Town of Moreau on January 3, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Kusnierz referred to resolution #15 that authorizes highway purchases relating to repairs to equipment to be purchased without prior Town Board approval up to \$1,000.00, but subject to being competitively priced. He thought that it was only for emergency repairs and this resolution doesn't read that way.

It was the consensus of the board that it should read "for emergency repairs".

Supervisor Jenkins said that he would like the Personnel Committee to take a look at issues regarding part-time employees. There are two people who were hired prior to January 2005. He said they talked a year ago about grandfathered part-time employees and there is one, a Town Justice who is still on health insurance. He said the Personnel Committee should come back to the full board with some ideas on what we should do about this. He said the question is: Is somebody considered terminated from service if they go from one election to the next? They said before that because he didn't have a break in service he was still eligible for it. They should at least discuss it again. He doesn't run for election in 2012, but if the board was going to change anything they should do that in 2012.

Councilman Kusnierz said he has strong feelings on that.

Supervisor Jenkins also stated that there was another issue about retired employees and Medicare payments. He said that some are making zero payments and get a refund from us for it and some don't have to make any Medicare payments. It is getting very expensive. It is up to \$1,200 a year now. They should look into these issues too.

Supervisor Jenkins noted that Bartlett, Pontiff, Stewart & Rhodes should be deleted from resolution #36.

It was also noted that the hourly rate of \$170 for Lewis & Greer needs to be confirmed.

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz to approve resolutions #1 through #45 as follows:

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Absent
Supervisor Jenkins	Yes

1. Resolution setting 2012 salaries for elected officials:

Supervisor	\$45,076.00
Councilpeople (each)	\$10,800.00
Town Justice (each)	\$25,425.00
Town Clerk	\$40,194.00
Highway Superintendent	\$50,430.00

2. Resolution setting the following respective annual salaries (52 Week) or hourly rate, as approved in the 2012 Budget except as otherwise provided under Town Law, Civil Service Law, or other applicable law, rule, or agreement.

A regular meeting of the Town Board of the Town of Moreau was held on January 30, 2019 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

beneficial to the Town. The Supervisor stated that he would draft the RFP and provide a copy to the Board for approval before it goes out. The Board had no objections to his request.

MEDICARE REIMBURSEMENT

The Supervisor stated, that it had been brought to his attention, the Town has been paying quarterly Medicare reimbursements to eligible retired Town employees, with only one employee that has been authorized by resolution to receive them. He stated that this Board wants to follow the letter of the law and not do anything inappropriately. He therefore held the fourth quarter payments to the retirees until there is a policy in place for them. He stated that the cost to the Town is \$15,038.40 annually. His recommendation is to adopt a policy, which will allow eligible retirees to continue to receive those payments.

Resolution #2019-121

A motion was made by Councilwoman LeClair, seconded by Councilman VanTassel and carried, authorizing the Supervisor to make quarterly Medicare reimbursement payments, in the amount of \$289.20, to all existing retirees who will be eligible in 2019.

The Supervisor stated, moving forward, he would like to have further discussion on how they will handle any further full-time employees that will retire.

Councilman Noonan asked what the intent of further discussion would entail. Supervisor Kusnierz stated that he would like a Town Board workshop for discussion on how they want to handle the matter going forward. Does the Board want to continue the practice, or, does the Board want to set an amount, or change the amount for new retirees?

Councilman Noonan confirmed that Jeffrey Cruz had contacted other communities to see how they handle Medicare reimbursement. Supervisor Kusnierz stated that some offer the reimbursement and some don't.

Councilman VanTassel apologized to those who have been delayed in getting their check and hoped that they wouldn't expect the Supervisor to break the law, without having a policy in place.

Roll call vote resulted as follows:

Councilman Hogan	Absent
Councilman VanTassel	Aye
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

PRIVILEGE OF THE FLOOR

Reed Antis commented that the Town made a payment of \$4,000.00 to Lewis & Greer, and wondered how many litigations they were handling. The Supervisor replied that they were special counsel for the hydro facilities.

Mr. Antis commented that the meeting tonight should have taken place at 7:00 p.m. He commented that the Supervisor, when Councilman, always asked that meetings not start before 7:00 p.m. and was disappointed that he changed that.

Mr. Antis encouraged the Town Board to listen to the audio of the Planning Board meeting held last Monday night. He stated that it was very informative from the public perspective.

Mr. Antis also encouraged the Town Board to read the Planned Unit Development for the sewer district. He commented that it gives more broad control of the sewer district.

708 **Medical Insurance for Retirees**

Coverage – The Town currently offers medical insurance coverage to an eligible full-time employee or eligible full-time Elected Official (as defined in Section 706 above) who retires from the Town. Coverage is also currently available for eligible dependents (includes spouse) if they were covered under the Town's medical insurance plan at the employee's date of retirement. In the event the retiree predeceases the dependents, the dependents may continue medical insurance coverage provided they pay the full cost of the premium. Coverage of a dependent at the time of divorce or legal separation is in accordance with plan documents and COBRA requirements.

Eligibility – To be eligible for coverage, the retiree must meet each of these requirements: 1) have at least ten years of continuous service with the Town; 2) have retired directly from the Town; and, 3) have been granted a retirement benefit from the New York State Employees' Retirement System. Notwithstanding the above, an employee who leaves employment due to disciplinary action is not eligible for medical insurance or prescription drug coverage for retirees. These eligibility requirements are subject to change by resolution of the Town Board.

Plan – The Town Board may, at its discretion, change the medical insurance plan at any time, including, but not limited to, type of coverage, retiree contributions, and type of carrier.

Premium Payment (Employees Who Retire On or After January 1, 2022) – A full-time employee or full-time Elected Official who retires on or after January 1, 2022 will be required to contribute the same amount to the premium payment in retirement that they contributed as an active employee or Elected Official.

Changes in Premium Contributions – The amount of the insurance premium a retiree or retiree's spouse is required to contribute is subject to change by resolution of the Town Board. The Town Board will provide a two-month written notice of such change.

Medicare Part B Reimbursement – The Town will reimburse an eligible retiree and the retiree's spouse for the cost of the Medicare Part B premium. Such reimbursement will cease for both the retiree and the retiree's spouse upon the death of the retiree. Reimbursement will also cease for a spouse upon legal separation or divorce. The Town Board may, at its discretion and in accordance with plan documents, modify or eliminate this reimbursement for any retiree or retiree's spouse.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Medical Insurance for Retirees provisions set forth immediately above and should refer to the applicable collective bargaining agreement.

402 **Meal Breaks**

Meal Breaks – An employee who works more than six hours in a given day will receive an unpaid, duty-free meal break not to exceed sixty minutes.

Scheduling of Meal Breaks – Scheduling of meal breaks must be approved by the Department Head in accordance with the needs and requirements of the department. Meal breaks must normally be taken in the middle of the employee's workday. Unless otherwise directed by the Department Head, an employee may leave the work-site during the meal break.

Observance of Meal Breaks – In accordance with New York State regulations, an employee who works more than six hours in a given day is required to take the scheduled meal break. An employee is not allowed to work through the meal break to make up lost work time or to leave work early. In addition, the meal break may not be taken at the end of an employee's workday in order to leave work before the normal quitting time.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Meal and Rest Breaks provisions set forth above and should refer to the applicable collective bargaining agreement.

Customer Number 187817
Invoice 9990000628656

Customer Number
187817

Please include a copy of this page with all payments.

Legally Responsible Party (LRP):

TOWN OF MOREAU
351 REYNOLDS ROAD
MOREAU, NY 12828

Transaction
9990000628656
Billing Date
22-Jan-2024

Facility Name & Address:
MOREAU BIG BEND TRAIL
NOLAN ROAD
MOREAU, NY 12803

SPDES ID Number
NYR11L713

Terms	Due Date	Customer Contact	Contact Phone
30 NET	21-Feb-2024	THEODORE KUSNIERZ	
Description	Billing Year	Disturbed Acres	Future Impervious Acres
Base Fee	2023		
			Fees
			110.00

Special Instructions

All payments must be in U.S. dollars only.

SubTotal (\$)	110.00
Interest (\$)	0.00
Penalties (\$)	0.00
Payments (\$)	0.00
Credits (\$)	0.00
Outstanding balance as of 22-Jan-2024 in USD	110.00



**Department of
Environmental
Conservation**

RECEIVED BY

FEB 05 2024

TOWN OF MOREAU
SUPERVISOR'S OFFICE

Customer Number 187817
Invoice 9990000628656

Environmental Conservation Law (ECL) Article 72 and 6NYCRR Part 481 of this Department provide that all persons who require a permit, certificate, or approval pursuant to a State environmental regulatory program, or who are subject to regulation under a State environmental regulatory program, are required to submit an annual fee to this Department.

**Checks should be made payable to:
NYS Department of Environmental Conservation.
Please include a copy of this invoice along with your
payment.**

Remittance must be received by the payment due date shown on the invoice to avoid interest and penalty charges. Interest rates are set by the Commissioner of Taxation and Finance, and assessed pursuant to Article 72 of the Environmental Conservation Law. Penalties are assessed based on the amount of the payment deficiency at a rate of five percent of that deficiency per month, not to exceed twenty-five percent. NOTE: The penalty rate for the Operating Permit Program may differ and is shown on your invoice, if applicable.

Remit To:
NYS DEPARTMENT OF ENVIRONMENTAL
CONSERVATION
PO BOX 784971
PHILADELPHIA, PA 19178-4971

DISPUTES: Please take notice that pursuant to 6 NYCRR 481.9(c) challenges to a Regulatory Program Fee may be rejected under the following circumstances: (1) failure to make a request for a recalculation of the fee within 30 business days of the date of the Department's original invoice; or (2) failure to make payment in full of the undisputed amount of the annual program fee; or (3) failure to give a specific reason for challenging the fee. A new fee recalculation request must be submitted for each year's assessment, regardless of the status of the previous years recalculation request.

SubTotal (\$)	110.00
Interest (\$)	0.00
Penalties (\$)	0.00
Payments (\$)	0.00
Credits (\$)	0.00

Outstanding balance as of 22-Jan-2024 in USD 110.00

IF A DETERMINATION IS MADE IN FAVOR OF THE DEPARTMENT, DISPUTED AMOUNTS NOT PREPAID AT THE TIME OF DISPUTE ARE SUBJECT TO INTEREST AND PENALTY CHARGES, RETROACTIVE FROM THE DUE DATE.

If you have any questions regarding this bill, you may call the Regulatory Fee Determination Unit's INFORMATION LINE (518) 402-9343 between 9:00am and 4:00pm Monday through Friday.

Dispute Forms, Change of Address Forms and Permit Transfer Forms can all be requested at any Regional DEC Office or you may download them directly at <https://www.dec.ny.gov/about/61016.html>

\$ 1620.4

To:
THEODORE KUSNIERZ
TOWN OF MOREAU
351 REYNOLDS ROAD
MOREAU, NY 12828

Elizabeth Bennett

From: Hotaling, Thomas J (PARKS) <Thomas.Hotaling@parks.ny.gov>
Sent: Thursday, February 8, 2024 2:42 PM
To: Michael Panich; Elizabeth Bennett
Cc: Dwyer, Danielle (PARKS)
Subject: RE: Town of Moreau: Big Bend invoice from DEC

Hi Mike and Elizabeth,

The permit fee is an eligible expense for reimbursement. We would just need a copy of the cancelled check.

Danielle,
Please add any additional details.

Thank you.

Thomas Hotaling
Recreational Trails Program

NYS Office of Parks, Recreation and Historic Preservation
625 Broadway, Albany, NY 12207
Thomas.Hotaling@parks.ny.gov
518-474-0455



From: Michael Panich <mpanich@thelagroup.com>
Sent: Wednesday, February 7, 2024 9:50 AM
To: Elizabeth Bennett <ssec@townofmoreau.org>
Cc: Hotaling, Thomas J (PARKS) <Thomas.Hotaling@parks.ny.gov>
Subject: RE: Town of Moreau: Big Bend invoice from DEC

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Good morning, Elizabeth –

As I mentioned on the phone, the \$110 charge from DEC covers the 2023 cost of the SPDES permit for the Big Bend Trail's SWPPP (Stormwater Pollution Prevention Plan). When all the paperwork was filed with the agency last year, the Town didn't have to pay the fee at that time, instead they bill in January 2024 for the previous year's permit. Similarly, next January/Feb. 2025, the Town can expect to receive another invoice for \$110 from DEC to cover the permit for the calendar year 2024.

I'm CC'ing Thomas Hotaling on this correspondence to inquire with him your question regarding reimbursement for this permitting fee.

PROFESSIONAL SERVICE AGREEMENT

FOR

LEGAL SERVICES

THIS AGREEMENT, made this 25th day of January, 2024 by and between the **TOWN OF MOREAU**, a municipal corporation existing by and under the laws of the State of New York and having its principal place of business located at Town Hall, 351 Reynolds Road, Moreau, New York 12828, (hereinafter called the "TOWN") and **TABNER, RYAN & KENIRY, LLP**, 18 Corporate Woods Boulevard, Suite 8, Albany, New York 12211 (hereinafter called the "CONSULTANT"):

WITNESSETH:

WHEREAS, the CONSULTANT has heretofore submitted a proposal for professional legal services; and

WHEREAS, the TOWN has accepted the offer of the CONSULTANT for such professional services,

NOW, THEREFORE, THE PARTIES HERETO DO MUTUALLY COVENANT AND AGREE AS FOLLOWS:

ARTICLE I. SERVICES TO BE PERFORMED

The CONSULTANT shall perform the professional services hereinafter set forth under the Article II entitled "SCOPE OF WORK".

ARTICLE II. SCOPE OF WORK

During the period of this Agreement the CONSULTANT agrees to perform professional services as follows:

- A. Legal services related to special district work for water and sewer districts, revising the Town's sewer ordinance, and any related litigation;
- B. Legal services in connection with such other matters as determined by the Supervisor and Town Board.

ARTICLE III. AVAILABLE DATA

All technical or other data relative to this Agreement in the possession of the TOWN or in the possession of the CONSULTANT shall be made available to the other party to this AGREEMENT without expense to the other party.

ARTICLE IV. COOPERATION

THE CONSULTANT shall cooperate with representatives, agents and employees of the TOWN and the TOWN shall cooperate with representatives, agents and employees of the CONSULTANT to the end that work may proceed expeditiously and economically.

ARTICLE V. FEES

In consideration of the terms and obligations of this AGREEMENT, the TOWN agrees to pay, and the CONSULTANT agrees to accept, as full compensation for all services rendered under this AGREEMENT, fees and reimbursements determined as follows:

The CONSULTANT shall bill and render services on an hourly basis as follows:

Partners - \$240.00 per hour; Associates - \$175.00 per hour; Paralegals - \$100.00 per hour.

CONSULTANT shall only bill for disbursements incurred upon the prior authorization of the TOWN, excluding disbursements necessary for recording of papers in the County Clerk's Office, obtaining of title insurance, filing fees for permits paid to official agencies and other such necessary legal expenditures. No reimbursement shall be made or for other expenses unless prior authorization shall have been obtained. Bills shall be submitted to the Town on a monthly basis.

ARTICLE VI. ACCOUNTING RECORDS

Proper and full accounting records shall be maintained by the CONSULTANT which records shall clearly identify the costs of the work performed under this AGREEMENT. Such records shall be subject to periodic and final audit by the TOWN upon request. Such records shall be accessible to the TOWN for a period of two (2) years following the date of final payment by the TOWN to the CONSULTANT for the performance of the work contemplated herein.

ARTICLE VII. ASSIGNMENTS

The CONSULTANT is prohibited from assigning, transferring, conveying, subcontracting, or otherwise disposing of this AGREEMENT, or of CONSULTANT'S right, title or interest therein without the previous consent in writing of the TOWN.

ARTICLE VIII. OWNERSHIP OF MATERIALS

All right, title and ownership in and to all materials prepared under the provisions of this AGREEMENT shall be in the TOWN including the right of republication.

ARTICLE IX. REPORTING DUTIES

CONSULTANT shall in all appearances, appear as Special Counsel to the Town Attorney and report regularly to the Department Heads and/or the Town Attorney as they are directed.

ARTICLE X. RELATIONSHIP

CONSULTANT shall at all times be deemed to be an independent contractor and shall not be considered an agent or employee of the TOWN for any purpose, nor shall CONSULTANT be entitled to participate in any employee benefit programs maintained by the Town for its officers, agents and employees.

ARTICLE XI. INDEMNIFICATION

The CONSULTANT shall defend, indemnify and save harmless the TOWN, its employees and agents, from and against all claims, damages, losses and expenses (including, without limitation, reasonable attorney's fees) arising out of, or in consequence of any negligent act or omission of the CONSULTANT, its employees or agents, to the extent of its or their responsibility for such claims, damages, losses and expenses.

ARTICLE XII. INSURANCE

The CONSULTANT agrees to procure and maintain without additional expense to the TOWN insurance of the kinds and in the amounts provided under Schedule "A" attached hereto. Before commencing work, the CONSULTANT shall furnish to the TOWN, a certificate or certificates, showing that the requirements of this article have been satisfied.

ARTICLE XIII. PAYMENTS BY CLAIM FORM

All requests for payment to CONSULTANT shall be made upon claim forms of the TOWN and submitted for approval to the Comptroller of the TOWN on a monthly basis.

ARTICLE XV. TERM OF AGREEMENT

This Agreement shall be effective upon its acceptance by the Town Board for the Town of Moreau.

ARTICLE XVI. TERMINATION OF AGREEMENT

The TOWN shall have the right at any time to terminate the work required of the CONSULTANT by this AGREEMENT, by written notice of such termination provided to the CONSULTANT by the TOWN, and, in the event of such termination of this AGREEMENT, the CONSULTANT shall be entitled to compensation for all work theretofore authorized and

performed, pursuant to this AGREEMENT, such compensation to be in accordance with ARTICLE V of the AGREEMENT.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed the day and year first above written.

TOWN OF MOREAU

TABNER, RYAN AND KENIRY, LLP

By: *Jessie A. Fitch, Jr.*

By: *William F. Ryan, Jr.*
William F. Ryan, Jr., Esq.

SCHEDULE "A"

INSURANCE COVERAGE

The kinds and amounts of insurance to be provided are as follows:

- A. Workers' Compensation and Employees Liability Insurance - A policy or policies providing protection for Employees of the obligor in the event of job related injuries.
- B. Automobile Liability Policies with the limits of not less than \$500,000 for each accident because of bodily injury , sickness or disease, including death at any time, resulting therefrom, sustained by any person caused by accident, and arising out of the ownership, maintenance or use of any automobiles and with the limits of \$500,000 for damage because of injury to or destruction of property, including the loss of use thereof, caused by accident and arising out of the ownership, maintenance or use of any automobiles.
- C. General Liability including comprehensive form, contractual premises/completed operations and broad form property insurance shall be furnished with limits of not less than:

<u>Liability For</u>	<u>Combined Single Limit</u>
Bodily Injury & Property damage	\$500,000
- D. Errors and Omissions policy with limit of not less than \$4,000,000.

**EMPLOYMENT AGREEMENT
FOR DOG CONTROL SERVICES**

THIS AGREEMENT is made the 1st day of December, 2023, between the TOWN OF MOREAU, a municipal corporation with its offices at 351 Reynolds Road in the Town of Moreau, County of Saratoga and State of New York (hereinafter "the Town") and JAMES CORDINER, residing at 50 Mountain Road in the Town of Gansevoort, County of Saratoga and State of New York (hereinafter "CORDINER").

WITNESSETH:

WHEREAS, the Town requires the services of a qualified individual to serve as a dog control officer pursuant to Article 7 of the New York State Agriculture and Markets Law to investigate and take corrective action in cases of violations of state and local municipal dog control laws and regulations and provide dog control services within the boundaries of the Town of Moreau; and

WHEREAS, CORDINER represents that he is professionally capable of carrying out the services which are the subject of this Agreement; and

WHEREAS, it is understood between the parties that this Agreement is intended to secure the services of CORDINER because of his reputation and ability to perform the services in accordance with the qualifications of requirements established by the Town; and

WHEREAS, the Town has determined that CORDINER is equipped and situated to serve as Dog Control Officer and to perform dog control services within the boundaries of the Town of Moreau.

NOW, THEREFORE, the parties hereto agree as follows:

ARTICLE 1. SERVICES TO BE PERFORMED BY CORDINER. CORDINER agrees to serve as the Town's Dog Control Officer and provide dog control services to the Town from December 1, 2023 through November 30, 2024 and thereafter upon the terms and conditions set forth herein:

- (a) The dog control services include investigation and corrective action in all cases involving violations of state and municipal dog control laws and regulations.

(b) CORDINER shall issue summons or appearance tickets to violators and shall institute and thereafter prosecute and complete the necessary proceedings in Moreau Town Court for violations of state and municipal dog control laws and regulations.

(c) CORDINER shall provide all of the necessary materials, equipment and supplies to properly conduct the dog control services.

(d) If necessary, CORDINER shall remove or transport dogs to the Saratoga County Society for the Prevention of Cruelty to Animals ("County SPCA") or at such other location as the Town and CORDINER may agree upon.

(e) CORDINER shall not be considered or deemed an employee of the Town.

ARTICLE 2. COMPENSATION TO CORDINER. During the term of December 1, 2023 through November 30, 2024 of this Agreement, CORDINER shall be paid ONE-THOUSAND, SIX-HUNDRED and NO/100 DOLLARS (\$1,600.00) monthly for his services.

ARTICLE 3. TERM. This Agreement shall be effective as of December 1, 2023 and extend through November 30, 2024.

ARTICLE 4. INSURANCE. During the term of this Agreement, CORDINER shall maintain a liability insurance policy to cover his activities under the terms of this Agreement with a policy limit of not less than ONE MILLION DOLLARS (\$1,000,000) and at no expense or cost to the Town and shall arrange the Town to have the Town named as an additional insured on said policy. All insurance certificates shall be provided to the Town Clerk prior to commencement of services.

ARTICLE 5. COMPLIANCE WITH LAWS. CORDINER shall comply with all applicable labor and employment laws and other laws applicable to the services hereunder.

ARTICLE 6. ADDITIONAL TERMS.

(a) In carrying out the duties and responsibilities of this Agreement, CORDINER shall not utilize firearms, except as otherwise may be allowed under the provisions of the Agriculture and Markets Law.

(b) CORDINER shall provide the Town with a number where he can be reached on a 24-hour basis.

(c) CORDINER shall submit monthly reports to the Town detailing all dog control activities for the previous month. The report shall be filed on or before the second Tuesday of each month. The failure to comply with this requirement shall constitute a substantial breach of this Agreement and grounds for cancellation under Article 7.

ARTICLE 7. CANCELLATION. Either party may terminate this Agreement upon 45 days written notice to the other party. Notwithstanding the foregoing, the Town may immediately terminate this Agreement at any time if CORDINER is in default or in substantial breach of any terms, conditions or requirements of this Agreement.

ARTICLE 8. SEVERABILITY. In the event any term or provision of this Agreement is deemed void or unenforceable, the remainder of this Agreement and the application of such provision, other than to the extent it is held invalid, will not be invalid or affected thereby.

ARTICLE 9. GOVERNING LAW. This Agreement has been executed and delivered in the State of New York and shall be governed by and interpreted in accordance with the laws of the State of New York.

ARTICLE 10. WAIVER. No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

ARTICLE 11. NON-ASSIGNABILITY. This Agreement may not be assigned without the written consent of the Town of Moreau.

ARTICLE 12. ENTIRE AGREEMENT. This Agreement constitutes the entire Agreement between the parties and shall not be modified except by a subsequent written agreement executed by the authorized representative of the parties hereto.

ARTICLE 13. AUTHORITY. Each of the persons signing below warrants that he or she is duly authorized to sign this Agreement on behalf of the party for which he or she is signing.

TOWN OF MOREAU: TOWN & COUNTY 2024 TAXES

FISCAL YEAR: 01/01/2024 to 12/31/2024	WARRANT DATE: 12/31/2023	STATE AID - COUNTY: \$44,427,204.00	TOWN: \$580,167.00
MAKE CHECK PAYABLE TO:		BANK	BILL NUMBER
		003336	PAGE 1 OF 1

MOREAU RECEIVER OF TAXES
351 REYNOLDS ROAD
MOREAU, NY 12828

TO PAY IN PERSON:
Town Municipal Building
Monday - Friday
8:00 AM - 4:00 PM

PROPERTY INFORMATION:
TAX MAP #: 414489 62.-1-3
DIMENSION: 50.03 acres
RS: 1 CLASS: Rural vac>10
ADDRESS: 303-321 Potter Rd
SCHOOL: So Glens Falls
FULL MARKET VALUE: 32000.00
UNIFORM % OF VALUE: 100.00
ASSESSMENT: 32000

PROPERTY OWNER:

Town of Moreau
351 Reynolds Rd
Moreau NY 12828

COPY

MEMORANDUM BILL

If you feel the assessment on your property is too high, you have the right to file a grievance to lower it for future tax bills. For information, please contact your assessor for the booklet "How to File a Complaint on Your Assessment" and to inquire about exemptions. Any reduction in assessment will NOT be reflected on this bill.

LEVY DESCRIPTION	TAX LEVY	% Change From Prior YR Levy	RATE	TAXABLE VALUE	AMOUNT DUE
NYS MANDATES	72074826	3.6000	1.96625400	32000.00	62.92
GENERAL COUNTY	1714078	-20.6000	0.02952600	32000.00	0.94
GENERAL TOWN	1597016	3.7000	0.85096000	32000.00	27.23
LIBRARY	3722312	0.0000	0.42341800	32000.00	13.55

PAYMENT PERIODS

From:	To:	Tax Amount:	Penalty:	Notice Fee:	Total Due:	Amount Paid:	Date Paid:
JAN 1	JAN 31, 2024	104.64			104.64		
FEB 1	FEB 1, 2024	104.64	1.05		105.69		
FEB 2	FEB 29, 2024	104.64	1.05	2.00	107.69		
MAR 1	MAR 31, 2024	104.64	2.09	2.00	108.73		

TOTAL TAXES PAID TO DATE:	\$0.00	REMAINING TAXES DUE EXCLUDING ANY INTEREST OR PENALTY:	\$104.64
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TOWN OF MOREAU: TOWN & COUNTY 2024 TAXES
RECEIVERS STUB

414489 62.-1-3
Town of Moreau
351 Reynolds Rd
Moreau NY 12828

BILL NO.: 003336
BANK:
MUNICIPALITY: Town of Moreau
SCHOOL: So Glens Falls
PROPERTY ADDRESS:
303-321 Potter Rd

TOTAL TAXES PAID TO DATE:	\$0.00	REMAINING TAXES DUE EXCLUDING ANY INTEREST OR PENALTY:	\$104.64
PLEASE RETURN ENTIRE BILL WITH YOUR PAYMENT		CHECK THIS BOX IF YOU WOULD LIKE A RECEIPT <input type="checkbox"/>	

ADIRONDACK P & M

Po Box 562, Glenis Falls, NY 12801-0562
 Phone No. (518) 793-3883, Fax No. (518) 793-4114



PLUMBING & MECHANICAL
 CONTRACTORS
 AND SHEET METAL FABRICATORS



PROPOSAL

Date	Estimate #
1/31/2024	140638

"Quality work is remembered long after the price is forgotten"

Name / Address	Ship To
Moreau Town Hall 351 Reynolds Road Fort Edward, NY 12828	Moreau Town Hall 351 Reynolds Road Fort Edward, NY 12828

Project
SWO - 6886

Description	Qty	Rate	Total
Labor and materials to replace gas regulator for the building: - We will isolate line to take apart regulator and reinstall new one. - Test lines and startup units. Sales Tax	1	2,340.00	2,340.00T
		7.00%	163.80
A1620.401			tax exempt

This contract does not include any cost to correct inadequate, illegal, obsolete, or defective Plumbing/HVAC equipment nor does it include removal, moving, or charging of any Plumbing/HVAC equipment not specified in this contract. Contract is for the work described above only - painting, patching, electrical, carpentry, or roofing work is not included unless specified above.

All work is to be done in a neat and workmanlike manner in accordance with existing codes governing our craft. Unless otherwise noted, terms are payment of progress billing upon completion of that phase. A service charge of 1 1/2% per month will be added to any unpaid balance. All materials and equipment remain property of Adirondack P&M, Inc. until the contract is paid in full.

We guarantee the installation to be free of defects in workmanship and materials for one year from the date of installation.

If Adirondack P&M, Inc. is not paid in full for the work and services as set forth above, and this account is turned over for collection, then the damages sought by Adirondack P&M, Inc. will include the full amount of this invoice plus court costs and reasonable attorney fees. The customer agrees to personally guaranty payment to Adirondack P&M, Inc for work as described above.

This proposal may be withdrawn by us if not accepted within 10 days.

Accepted By (customer) _____ Date _____

Adirondack P&M, Inc. _____

Total	\$2,503.80
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