

TOWN OF MOREAU
Regular Town Board Meeting
June 13, 2023

AGENDA

7:00 p.m. - Regular Town Board Meeting

1. Roll Call / Pledge of Allegiance
2. Approval of Minutes
 - May 9, 2023 - PH Local Law 1 of 2023 - Zoning Amendment
 - May 9, 2023 - PH Local Law 2 of 2023 - Water Ordinance Amendment
 - May 9, 2023 - Regular Town Board Meeting
 - May 23, 2023 - Audit Meeting
 - May 23, 2023 - Regular Town Board Meeting
 - June 1, 2023 - Special Town Board Meeting
3. Water and Sewer Department
4. Recreation Department
5. Building Department
6. Moreau Industrial Park
7. Elections
8. Supervisor Items
9. Executive Session
10. Other Business
11. Privilege of the Floor
12. Motion to Adjourn

A public hearing of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York, for the purpose of considering the adoption of Local Law No. 1 of 2023

The Supervisor called the public hearing to order at 6:47 p.m.

Town Board Members Present

Mark Stewart	Councilmember
Kyle Noonan	Councilmember
Alan VanTassel	Councilmember
John Donohue, Jr.	Councilmember
Theodore T. Kusnierz, Jr.	Supervisor

Also present: Brenda Hutter, Town Clerk; Lisa Sperry, Confidential Secretary to Supervisor; Malcolm O'Hara, Attorney for the Town; Scott Miller, Rep. from CLA Site; Alex Portal, Reporter from Post Star Newspaper; Brian McKenzie, owner of BKM Properties, LLC; Steven Hutter, Town resident.

The Town Clerk read the following notice of the Public Hearing, which was published as a legal ad in the Post Star Newspaper on April 26, 2023:

**TOWN OF MOREAU
NOTICE OF PUBLIC HEARING
TO CONSIDER ADOPTION OF LOCAL LAW**

NOTICE IS HEREBY GIVEN pursuant to Section 20 of the Municipal Home Rule Law of the State of New York that a public hearing will be held by the Town Board of the Town of Moreau on May 9, 2023, at 6:45 p.m. at the Town Municipal Complex, located at 351 Reynolds Road, Moreau, New York for the purpose of considering the adoption of Local Law No. 1 of 2023. If adopted, Local Law No. 1 of 2023 would amend the official Zoning Map of the Town of Moreau with respect to tax map parcels 76.-3-83.111 and 76.-3-89.2 by adjusting the zoning districts with a net gain of 3.69 acres of land to the R-2 district as more specifically identified in the proposed law. Written comments on Local Law No. 1 of 2023 can be submitted to the Town Clerk up and through the time of the public hearing. A copy of proposed Local Law No. 1 of 2023 can be obtained at the Moreau Town Municipal Complex and on the Town's website.

The Supervisor opened the meeting for public comment and stated that anyone wishing to speak would be allowed for up to 5 minutes.

No members of the public wished to be heard.

The Public Hearing was closed at 6:50 p.m.

Respectively submitted,

Brenda Hutter
Town Clerk

A public hearing of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York, for the purpose of considering the adoption of Local Law No. 2 of 2023

The Supervisor called the public hearing to order at 6:51 p.m.

Town Board Members Present

Mark Stewart	Councilmember
Kyle Noonan	Councilmember
Alan VanTassel	Councilmember
John Donohue, Jr.	Councilmember
Theodore T. Kusnierz, Jr.	Supervisor

Also present: Brenda Hutter, Town Clerk; Lisa Sperry, Confidential Secretary to Supervisor; Malcolm O'Hara, Attorney for the Town; Alex Portal, Reporter from Post Star Newspaper; Town Residents Steven Hutter, Virginia Livsey, & Bruce Flayer.

The Supervisor gave a brief overview of the proposed Local Law No. 2 of 2023, stating that if adopted it would amend a previous water ordinance.

The Town Clerk read the following notice of the Public Hearing, which was published as a legal ad in the Post Star Newspaper on April 26, 2023:

**TOWN OF MOREAU
NOTICE OF PUBLIC HEARING
TO CONSIDER ADOPTION OF LOCAL LAW**

NOTICE IS HEREBY GIVEN pursuant to Section 20 of the Municipal Home Rule Law of the State of New York that a public hearing will be held by the Town Board of the Town of Moreau on May 9, 2023, at 6:50 p.m. at the Town Municipal Complex, located at 351 Reynolds Road, Moreau, New York for the purpose of considering the adoption of Local Law No. 2 of 2023. If adopted, Local Law No. 2 of 2023 would add Article IX: Restrictions, Ground Water Use, Area 1 and 2 to Chapter 145 of the Code of the Town of Moreau. Written comments on Local Law No. 2 of 2023 can be submitted to the Town Clerk up and through the time of the public hearing. A copy of proposed Local Law No. 2 of 2023 can be obtained at the Moreau Town Municipal Complex and on the Town's website.

The Supervisor received email correspondence from Kathy Brown, who requested be put on public record. In her e-mail to the Supervisor, she stated that "per water well use in the superfund settlement, no law for well water used in settlement area unless your water is contaminated per testing, 40 William St is not per testing."

The Supervisor opened the meeting for public comment and stated that anyone wishing to speak would be allowed for up to 5 minutes.

No members of the public wished to be heard.

The Public Hearing was closed at 6:53 p.m.

Respectively submitted,

Brenda Hutter
Town Clerk

A Regular Meeting of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

The Supervisor called the meeting to order at 7:00 p.m.

The Town Clerk called the roll.

Town Board Members Present

Mark Stewart	Councilmember
Kyle Noonan	Councilmember
Alan VanTassel	Councilmember
John Donohue, Jr.	Councilmember
Theodore T. Kusnierz, Jr.	Supervisor

Also present: Brenda Hutter, Town Clerk; Lisa Sperry, Confidential Secretary to Supervisor; Malcolm O'Hara, Attorney for the Town; Scott Miller, Rep. from CLA Site; Alex Portal, Reporter from Post Star Newspaper; Brian Huntley, Deputy Highway Superintendent; Brigid Martin, Town Historian; Town Residents: Steven Hutter, Virginia Livsey, Bruce Flayer, Carl Hourihan, Colleen Martin, Brian McKenzie, Will Zimmerman, Carly Mankouski

The Supervisor led the Pledge of Allegiance.

APPROVAL OF MINUTES

The following minutes were prepared and presented to the Town Board members in advance of the meeting for their review, comment, correction, and approval:

- April 25, 2023– Month End Meeting
- April 25, 2023– Regular Town Board Meeting

Resolution #2023-155

A motion was made by Councilmember VanTassel, seconded by Councilmember Stewart, and carried, to approve the April 25, 2023– Month End Meeting; and the April 25, 2023 – Regular Town Board Meeting minutes as prepared.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

LOCAL LAW NO. 1 of 2023 - ZONING AMENDMENT

The Supervisor asked that Counsel go over the next step in adopting Local Law No. 1. Malcolm O'Hara, Attorney for the Town, read aloud the Full Environmental Assessment Form (FEAF), Part-2- Identification of Potential Project Impacts, the Town Board determined that there was no significant environmental impact with respect to this Local Law. After this Counsel proceeded to read aloud the FEAF, Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance. The Town Board determined that there will be no significant adverse impact on the environment; therefore, a negative declaration may be issued. After reading each of these aforementioned applications, Town Counsel's recommendation to the Board is to approve SEQRA and authorize Supervisor Kusnierz to sign and execute.

A Regular Meeting of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Resolution #2023-156

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to authorize the Supervisor to sign and execute the State Environmental Quality Review for Local Law No. 1, 2023.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

The Town Clerk read the following resolution aloud:

**RESOLUTION
TOWN BOARD
TOWN OF MOREAU**

SUBJECT: ADOPTION OF LOCAL LAW 1 of 2023

WHEREAS, the Town Board of the Town of Moreau ("Board") is considering the adoption of Local Law No. 1 of 2023. Local Law No. 1 of 2023, as proposed, amends the official Zoning Map of the Town of Moreau with respect to tax map parcels 76.-3-83.111 and 76.-3-89.2 by adjusting the zoning districts with a net gain of 3.69 acres of land to the R-2 district as more specifically identified in the proposed law, and

WHEREAS, the Board finds that the adoption of Local Law No. 1 of 2023 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 2023 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 10(1)(i) of the Municipal Home Rule Law; and

WHEREAS, pursuant to Section 20 of the Municipal Home Rule Law, a public hearing on the proposed adoption of Local Law No. 1 of 2023 was properly noticed in the newspaper and posted, and was duly conducted on May 9, 2023, at the Town Municipal Complex; and

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

A Regular Meeting of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

WHEREAS, the Board, serving as lead agency for this Unlisted action under SEQRA, reviewed a full environmental assessment form and determined that the action does not present any adverse environmental impacts; and

WHEREAS, the Saratoga County Planning Board reviewed the law and SEQRA documents and issued an approval on March 23, 2023;

WHEREAS, after thorough review and deliberation, the Board proposes to adopt Local Law No. 1 of 2023; and

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

NOW THEREFORE, BE IT RESOLVED, that the Board hereby adopts Local Law No. 1 of 2023, which amends the law as stated above; 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.

Resolution #2023-157

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to approve the foregoing resolution as read into the record by the Town Clerk, and adopt Local Law No. 1 of 2023.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

A Regular Meeting of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

LOCAL LAW NO. 2 of 2023 - WATER ORDINANCE AMENDMENT

Malcolm O'Hara, Attorney for the Town, read aloud the Short Environmental Assessment Form (SEAF), Part 2 - Impact Assessment, at which the Town Board determined that the adoption of Local Law No. 2 of 2023 would not have any significant impact on the environment, nor would it have any adverse impacts on the public health or facilities. Further, the adoption of the law is a reasonable exercise of governmental authority. After reading the aforementioned application, the Town Counsel's recommendation to the Board is to authorize Supervisor Kusnierz to sign and execute the SEAF, Part 2 - Impact Assessment.

Resolution #2023-158

A motion was made by Councilmember Noonan, seconded by Councilmember Stewart, and carried, to authorize the Supervisor to sign and execute the Short Environmental Assessment Form (SEAF), Part 2 - Impact Assessment, for Local Law No. 2, 2023.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

The Town Clerk read the following Resolution aloud:

**RESOLUTION
TOWN BOARD
TOWN OF MOREAU**

SUBJECT: ADOPTION OF LOCAL LAW 2 of 2023

WHEREAS, the Town Board of the Town of Moreau ("Board") is considering the adoption of Local Law No. 2 of 2023. Local Law No. 2 of 2023, as proposed, adds Article IX: Restrictions, Ground Water Use, Area 1 and 2 to Chapter 145 of the Code of the Town of Moreau, and

WHEREAS, the Board finds that the adoption of Local Law No. 2 of 2023 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. 2 of 2023 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 10(1)(i) of the Municipal Home Rule Law; and

WHEREAS, pursuant to Section 20 of the Municipal Home Rule Law, a public hearing on the proposed adoption of Local Law No. 2 of 2023 was properly noticed in the newspaper and posted, and was duly conducted on May 9, 2023, at the Town Municipal Complex; and

A Regular Meeting of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

WHEREAS, the Board 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. 2 of 2023; and

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

NOW THEREFORE, BE IT RESOLVED, that the Board hereby adopts Local Law No. 2 of 2023, which amends the law as stated above; 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.

Resolution #2023-159

A motion was made by Councilmember Noonan, seconded by Councilmember Stewart, and carried, to approve the foregoing resolution as read into the record by the Town Clerk, and adopt Local Law No. 2 of 2023.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

A Regular Meeting of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

HIGHWAY

Supervisor Kusnierz welcomed and congratulated Brian Huntley on his newly appointed position of Deputy Highway Superintendent.

Maureen Leerkes has announced that after 24+ years serving as the Highway Department Clerk, she will be retiring. The Supervisor thanked her for her service, further stating that on behalf of the Town Board, staff, and members of the community, she will be missed.

Resolution #2023-160

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to accept the retirement of Maureen Leerkes, Highway Department Clerk, with an effective date of June 30, 2023.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

The Highway Superintendent put in a request to open a purchase order for crushed stone in the amount of \$5,500.00. This would be drawn off the Saratoga County Contract # 22-PWCSGS-50R. The funding will come from account DB5110.493, which as of 5/1/2023 has a balance of \$13,754.59.

Resolution #2023-161

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, authorizing the Highway Superintendent to open a purchase order for crushed stone in the amount of \$5,500.00. The expense will be under Saratoga County Contract # 22-PWCSGS-50R, to be paid from account DB5110.493.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

The Supervisor gave a brief summary of a previous request that was made to the Highway Superintendent and subsequently approved by the Town Board at the April 11, 2023, Regular Board Meeting. The request was regarding a list of miscellaneous items that were consequently declared as "Surplus Equipment/Parts" and auctioned off on the website-Auctions International. The Highway Superintendent submitted the auction results for the Board's review and approval. The total amount of the forementioned auction results came in at a total of \$17,448.50.

A Regular Meeting of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Resolution #2023-162

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to approve and accept the auction bid results at a total amount of \$17,448.50.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

RECREATION DEPARTMENT / BIG BEND TRAIL PROJECT

Malcolm O'Hara, Attorney for the Town, went over the Full Environmental Assessment Form (FEAF), Part 2 - Identification of Potential Project Impacts and Part 3 - Evaluation of the magnitude and Importance of Project Impacts and Determination of Significance. After Counsel read aloud each item in the aforementioned assessment forms, the Town Board determined that there will be no significant adverse impact on the environment; therefore, a negative declaration may be issued. The Town Counsel's recommendation to the Board was to approve each of these and authorize Supervisor Kusnierz to sign and execute.

Resolution #2023-163

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to authorize Supervisor Kusnierz to sign and execute the proposed FEAF.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

The Town Clerk read the following Resolution aloud:

**Town of Moreau
Big Bend Trail Project
SEQRA Lead Agency Declaration**

WHEREAS on March 28, 2023 the Town of Moreau Town Board (Board) passed resolution #2023-122 accepting a completed Part I Full Environmental Assessment Form (FEAF) for the Big Bend Trail Project (the Action), stating their intent to act as Lead Agency in the State Environmental Quality Review Act (SEQRA) review of the Action, and stating the Board's intent to perform a coordinated SEQRA review with the New York State Department of Environmental Conservation (DEC) as an involved agency, and

WHEREAS on March 29, 2023 the Board's land planning consultant sent a Notice of SEQRA Declaration of Intent to be Lead Agency to DEC on behalf of the Board along with the completed FEAF Part 1 and project plans, and

WHEREAS DEC did not respond to the Board's declaration of intent to serve as Lead Agency within 30 days.

A Regular Meeting of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

THEREFORE, BE IT RESOLVED that the Board, in accordance with 6NYCRR Part 617.6, declares itself to be Lead Agency for the review of the Action under SEQRA.

Resolution #2023-164

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to approve the foregoing Resolution as read into record by the Town Clerk, declaring the Town of Moreau as Lead Agency for the review of the action under SEQRA.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

The Town Clerk read the following Resolution aloud:

**Town of Moreau
Big Bend Trail Project
SEQRA Negative Declaration**

WHEREAS on May 9, 2023 the Town of Moreau Town Board (Board) passed Resolution # 2023-164, declaring the Board to be Lead Agency for the State Environmental Quality Review Act (SEQRA) review of the Big Bend Trail Project (the Action), and

WHEREAS at their May 9, 2023 meeting the Board reviewed a completed Part II of the Full Environmental Assessment Form (FEAF) prepared by their land planning consultant while giving thorough and careful consideration to the potential environmental, social and economic impacts associated with the Action, and

WHEREAS the Board did not identify any potentially large impacts during their completion of Part II of the FEAF, and

WHEREAS the Board thoroughly and carefully reviewed a completed Part III of the FEAF prepared by their land planning consultant at their May 9, 2023 meeting.

THEREFORE, BE IT RESOLVED that the Board hereby issues a SEQRA Negative Declaration for the Action and authorizes the Town Supervisor to sign the completed FEAF Part III documenting the Board's decision to issue their Negative Declaration and to conclude the review of the Action under SEQR.

Resolution #2023-165

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to approve the foregoing Resolution as read into record by the Town Clerk, authorizing the Town Supervisor to sign the completed FEAF Part III documenting the Board's decision to issue their Negative Declaration and to conclude the review of the Action under SEQRA.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

A Regular Meeting of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Councilmember Stewart gave a brief update on the following items:

- The hood that is over at the softball fields has been fixed.
- The South Glens Falls Boys Baseball Organization finished the field, and it looks great.
- A couple of weeks ago the backflow preventers were tested and subsequently failed. The Recreation Department has been collaborating with multiple companies from the Town of Moreau; Some of which suggested bringing in an engineer, due to the complexity of fixing whatever the issue is. Apparently, there are multiple pipes coming into these preventers with no tracking system as to why they are there.

Councilmember Stewart thanked the Pine Knolls Alliance Church for volunteering their time in helping with the beach.

Supervisor Kusnierz stated that they are finding it challenging with the hiring of Part-Time Lifeguards. His recommendation is to have the Town pay up to \$150.00 for certification and training, requiring that they provide documentation at the end of the season proving that they completed the required training. Councilmember VanTassel added that he spoke with the Village of South Glens Falls and they are willing to post on their website promoting the Town's Recreation Department on our behalf.

Resolution #2023-166

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, authorizing the Town to pay up to \$150.00 for the necessary certification and training of Lifeguards, with a stipulation that they stay employed with the Town for entire season; otherwise, they would be responsible for the payment themselves.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

ETHICS ADVISORY COUNCIL

The Supervisor stated that there are a couple of expired terms and two individuals have expressed interest in serving on the Ethics Advisory Board. The Supervisor recommends the appointment of Tim Cooper to fill the term of Sonya Fowler, whose term had expired on December 31, 2022.

Resolution #2023-167

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to appoint Tim Cooper to fill the vacant position that was previously held by Sonya Fowler, as a member of the Ethics Advisory Board whose term had expired on December 31, 2022.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Under the authority of the Local Code, the Supervisor also chose to name Tim Cooper as Chair of the Ethics Advisory Board.

A Regular Meeting of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Resolution #2023-168

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to appoint Joe Nichols to fill the position that Catherine Knapp vacated in 2016.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

WATER AND SEWER DEPARTMENT

Supervisor Kusnierz went over a no cost Change Order - County Forcemain Connection - Contract 2, that would replace the federal wage schedule as required to be eligible for State Revolving Fund loan consideration.

Resolution #2023-169

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to approve Change Order 2, County Forcemain Connection - Contract 2 to Bellamy Construction Company, Inc. which will replace the federal wage rates that are in the current contract.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

The Supervisor gave a brief overview of the Bid Proposals that were opened on April 27, 2023, regarding the Moreau Industrial Park Pump Replacement. They were as follows:

J Squared Construction Corp 277 Wolf Hill Road Voorheesville, NY 12186	Bid Amount: \$ 125,000.00
Trinity Construction Inc 180 Bridge Street Selkirk, NY 12158	Bid Amount: \$ 75,823.00
CFI Contracting Inc. 286 Sacandaga Rd Johnstown, NY 12095	Bid Amount: \$ 69,000.00

The Water Superintendent's recommendation is to accept the Bid from CFI Contracting Inc.

A Regular Meeting of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Resolution #2023-170

A motion was made by Councilmember VanTassel, seconded by Councilmember Stewart, and carried, to accept CFI Contracting Inc.'s bid of \$69,000.00 for the Moreau Industrial Park Pump Replacement.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

TRANSFER STATION

The Supervisor stated that the Transfer Station has been looking into increasing the fees that are currently being charged at this Town owned facility.

Resolution #2023-171

A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, and carried, to change the Transfer Fee Schedule as follows:

RESIDENT FEES:

HOUSEHOLD GARBAGE:

\$ 2.00 13-gallon bag
\$ 2.50 15-32-gallon bag
\$ 4.00 33-45-gallon bag
\$ 5.00 46-55-gallon bag
\$ 7.00 56-90-gallon bag

TIRES (MAX 20"):

\$ 7.00 Tire 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

MATTRESSES/BOX SPRINGS (EACH)*:

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

A Regular Meeting of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

NON-RESIDENT FEES

HOUSEHOLD GARBAGE:

- \$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 (MAX 20"):

- \$10.00 Tire up to 15"
- \$15.00 Tire 16" - 20"

LARGE SINGLE ITEMS:

- \$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)*:

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

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

INSURANCE RENEWAL

The Supervisor reported that the Town received an insurance renewal proposal from Amsure. The overall premium increase will only be around 3.7 %, which is less than the numbers that were originally given to the Town during last year's budget season. The overall renewal premium for this policy is \$99,506.41; however, this does not include Cyber Liability coverage, which is due to expire on 5/25/2023. The Supervisor recommends that the Town proceed with the proposal.

Resolution #2023-172

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to authorize the Supervisor to sign and execute the insurance agreement received from Amsure, as presented to the Town on April 26, 2023.

A Regular Meeting of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Councilmember Stewart requested that the Town revisit the previous motion that was made regarding the new Transfer Fee Schedule, as an effective date of when the new fees were going to officially take place was not made.

Resolution #2023-173

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to have the new Transfer Station Fee schedule go into effect on June 1, 2023.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

ASSESSOR’S OFFICE

The Supervisor congratulated Leah Cronin, Town Assessor, on receiving a full scholarship to attend the 2023 Cornell Fall Conference offered by the New York Assessors Association. The Assessor submitted a request for herself and her Senior Assessment Clerk, Riley McGuiggan to attend this conference. If approved, Senior Assessment Clerk, Riley McGuiggan would be signing up for the “RPSv4- Beginners and Beyond”; at a cost to the Town being \$930.65 (this cost includes food, hotel, and mileage).

Resolution #2023-174

A motion was made by Councilmember VanTassel, seconded by Councilmember Stewart, and carried, to authorize Senior Assessment Clerk, Riley McGuiggan, to attend the conference on July 16 - July 18, 2023, at a cost to the Town being \$930.65 (this cost includes food, hotel, and mileage)

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

The Town Assessor requested approval from the Board to attend this same conference from July 16, 2023 - July 21, 2023. Due to receipt of the aforementioned scholarship, the Town Assessor’s attendance would be at no cost to the Town.

Pending approval from the Town Board for each individual to attend this conference, the Town Assessor requested permission to close the Assessor’s Office on Monday, July 17th & Tuesday July 18th.

A Regular Meeting of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Resolution #2023-175

A motion was made by Councilmember VanTassel, seconded by Councilmember Stewart, and carried, authorizing the Town Assessor, Leah Cronin, to attend the 2023 Cornell Fall Conference, offered by the New York Assessors Association, from July 16, 2023 - July 21, 2023, as well as authorization to close the Assessor's Office on Monday, July 17th & Tuesday July 18th.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

COURT OFFICE

The Supervisor's office received a letter of resignation from Court Clerk, Rachel Clothier, with an effective date of April 13, 2023.

Resolution #2023-176

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to accept the resignation of Rachel Clothier, with an effective date of April 13, 2023.

SUPERVISOR ITEMS

Supervisor Kusnierz reported that the Town of Moreau has received the April 2023 Mortgage Tax Report from the Saratoga County Treasurer's Office. The Town expects to receive \$40,696.00, which is a slight decrease from the \$42,949.50 that the Town received last year.

The Supervisor stated that that Saratoga County has generously offered to sponsor the 2023 Career Jam which will take place on October 3rd and October 4th at the Hudson Valley Community College Campus at Tech Smart in Malta. This program is for students as well as employers throughout the County. More information can be found on their website, <https://www.career-jam.com/>.

The Supervisor received a travel advisory that will be going into effect at 7 p.m. on Friday May 12, 2023, and will end at 6 a.m. on Monday May 15, 2023. The ramps at Exit 17 will be closed. Travelers will not be able to exit the Northway into the Town of Moreau northbound as well as inability to go through Route 9 entrance onto the Northway Northbound.

EXECUTIVE SESSION

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to adjourn for an executive session at 8:24 p.m. to review existing and pending litigation with the City of Glens Falls.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

A Regular Meeting of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

A motion was made by Councilmember VanTassel, seconded by Councilmember Stewart, and carried, to return from executive session at 8:28 p.m., with the Supervisor noting that no action was taken during this session.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

OTHER BUSINESS

The Supervisor briefly discussed a Notice of Claim that was filed by the Town of Moreau against the City of Glens Falls arising out of the terms of a Facility Agreement that was entered into on September 14, 1994; however now that the Town has been moving forward with construction that ties in with Saratoga County, there is no need to continue with this claim.

The Town Clerk read the following Resolution aloud:

RESOLUTION
TOWN BOARD
TOWN OF MOREAU

WHEREAS, the Town Board of the Town of Moreau previously authorized the supervisor to file a notice of claim against the City of Glens Falls arising out of the terms of a Facility Agreement entered into between the town and the city on September 14, 1994; and

WHEREAS, the Facility Agreement between the town and the city was amended on August 21, 2008 and again on July 7, 2011; and

WHEREAS, the Town of Moreau has received approvals to extend its sewer infrastructure in a southerly direction.

NOW, THEREFORE, IT IS:

RESOLVED, the Town Board of the Town of Moreau authorizes the supervisor to withdraw the notice of claim previously served upon the city of Glens Falls.

Resolution #2023-177

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to adopt the foregoing resolution as read into the record by the Town Clerk.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

A Regular Meeting of the Town Board of the Town of Moreau was held on May 9, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Councilmember Donohue asked if the Board had looked over the information that he had provided to them regarding the sponsorship of the Village summer concert series. He made a motion to have the Board sponsor the Village of South Glens Falls 2023 summer concert series by giving \$500.00; however, there was not a second motion made.

PRIVILEGE OF THE FLOOR

No members of the public wished to be heard.

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to close the meeting for the evening at 8:35 p.m.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Meeting adjourned,

Respectively submitted,

Brenda Hutter
Town Clerk

A month-end meeting of the Town Board of the Town of Moreau was held on May 23, 2023, in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

The Supervisor called the meeting to order at 6:52 p.m.

Town Board Members Present

Mark Stewart	Councilmember
Alan VanTassel	Councilmember
John Donohue, Jr.	Councilmember
Theodore T. Kusnierz, Jr.	Supervisor

Town Board Members Absent

Kyle Noonan	Councilmember
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Also present: Dianne Lewis, Deputy Town Clerk; Lisa Sperry, Supervisor's Confidential Secretary; Anna Labiak, Billing Coordinator; Chris Abrams, Highway Superintendent; Jeremy Brogan, Recreation Director; Brigid Martin, Town Historian; Ann Purdue, Planning Board Member; Karla Buettner, Attorney for the Town; Alex Portal, Reporter for The Post Star; Dominic Tom, Resident; Jeanne Kozloski, Resident

Resolution #2023-178

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to authorize payment to Ferguson Waterworks in the amount of \$2,380.44 for invoice #1154696. A water pump at one of the apartment complexes needed to be replaced. The Town Board had previously approved it, in an amount not to exceed \$2,000.00. The vendor is looking for the Town to pay the invoiced amount, and we will have credit with them afterwards.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Resolution #2023-179

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to authorize payment to Adirondack Truck Repair LLC in the amount of \$11,048.17 for emergency repairs to truck #13, because of an exhaust leak under the cab.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Resolution #2023-180

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, that \$353.99 be transferred from A5010.401 General – Highway Superintendent – Mileage/Conferences to A5010.2 General – Highway Superintendent – Equipment to transfer funds for equipment purchased.

A month-end meeting of the Town Board of the Town of Moreau was held on May 23, 2023, in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Resolution #2023-181

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to approve the payment of bills as audited.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

AUDITED CLAIMS

General Fund – A Account Claim Nos. 392-399, 401, 403-406, 410-411, 416, 419, 422, 427, 430-435, 444-445, 450, 454, 456-457, 462, 464, 479	\$152,539.89
Town Outside Fund – B Account Claim Nos. 397, 414-415, 420-422, 439-442, 444, 452, 462, 465-468	\$11,066.93
Consolidated Water District Fund – CW Account Claim Nos. 393-394, 397-398, 401, 408, 414, 433, 446, 458, 462, 474, 477	\$70,245.37
Highway Fund – DB Account Claim Nos. 400-402, 412-413, 417-418, 425, 428-429, 433, 436-438, 443, 448-449, 451, 453, 455, 459, 461, 463	\$101,680.67
Sewer I Fund – GI Account Claim Nos. 393-394, 397-398, 401, 444, 473	\$3,897.74
EFC – Sewer 1 Ext. 5 Fund – HG Account Claim Nos. 470, 472	\$29,366.47
Landfill Reserve – LF Account Claim No. 475	\$1,047.85
Meadow Ridge Lighting – MR Account Claim No. 392	\$92.92
Pallette Lighting – PA Account Claim No. 392	\$200.04
Palmerton Heights – PH Account Claim No. 392	\$494.74
Pinewood Lighting – PW Account Claim No. 392	\$278.11
Riverview Lighting – RV Account Claim No. 392	\$315.40
Sherwood Forest Lighting – SH Account Claim No. 392	\$298.92

A month-end meeting of the Town Board of the Town of Moreau was held on May 23, 2023, in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Trust & Agency – TA Account Claim No. 469	\$1,811.78
Transfer Station Fund – TS Account Claim Nos. 393-394, 398, 407, 409, 414, 422, 424, 426, 433, 460, 462	\$9,907.36
Tanglewood Lighting – TW Account Claim No. 392	\$143.03
Woodscape II – WP Account Claim No. 392	\$362.78
Woodscape – WS Account Claim No. 392	\$463.81

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to close the meeting for the evening at 6:59 p.m.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Meeting adjourned.

Respectfully submitted,

Dianne Lewis
Deputy Town Clerk

A regular meeting of the Town Board of the Town of Moreau was held on May 23, 2023 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

The Supervisor called the meeting to order at 7:00 p.m.

The Deputy Town Clerk called the roll.

Town Board Members Present

Mark Stewart	Councilmember
Alan VanTassel	Councilmember
John Donohue, Jr.	Councilmember
Theodore T. Kusnierz, Jr.	Supervisor

Town Board Members Absent

Kyle Noonan	Councilmember
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Also present: Dianne Lewis, Deputy Town Clerk; Lisa Sperry, Supervisor's Confidential Secretary; Chris Abrams, Highway Superintendent; Jeremy Brogan, Recreation Director; Brigid Martin, Town Historian; Ann Purdue, Planning Board Member; Karla Buettner, Attorney for the Town; Alex Portal, Reporter for the Post Star; Dominic Tom, Resident; Jeanne Kozloski, Resident

The Supervisor led the Pledge of Allegiance.

Prior to the start of the meeting, Supervisor Kusnierz commented regarding the incident that Saratoga County is working through. We had two of our Deputy Sheriffs that were shot this morning while executing a federal warrant as part of a multi-agency effort. The Saratoga County Board of Supervisors wants to thank the Saratoga County Sheriff's Office for their commitment to keeping our community safe and putting their lives on the line to protect us. Our thoughts are with the deputies that were injured this morning, and we send strength and support for their recovery. We extend our gratitude to the first responders that assisted on scene, and to all the law enforcement involved in the situation, including Councilmember Stewart.

HIGHWAY DEPARTMENT

Resolution #2023-182

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to open a purchase order with Main Care Energy in the amount of \$25,000.00 for diesel fuel for the 2023 budget year under State contract # PC-69482.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Resolution #2023-183

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to open a purchase order with Global Montello Group in the amount of \$25,000.00 for gasoline for the 2023 budget year under County contract # PC-69516.

A regular meeting of the Town Board of the Town of Moreau was held on May 23, 2023 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Resolution #2023-184

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to hire Elyse Stocker as a full-time clerk for the Highway Department at a salary of \$40,425.00, subject to the successful completion of a background check and pre-employment physical within a 2-week period. Elyse's effective date will be Monday, June 5th, 2023.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Supervisor Kusnierz stated that Ms. Stocker was in the top two scoring levels on the list of people that had passed the civil service exam, scoring a ninety, and she is a graduate of Hudson Valley Community College.

RECREATION DEPARTMENT

Resolution #2023-185

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to re-hire Zackary Smatko and Caleb Karig as full-time, seasonal, Senior Lifeguards at a rate of \$16.23/hr. as well as re-hire Jack Paton as a full-time, seasonal, Lifeguard at \$15.50/hr. Effective dates for all employees will be Wednesday, May 24th, 2023.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Resolution #2023-186

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to re-hire Myles Hogan and Ethan Casavant as full-time, seasonal Laborers for the Recreation department at a rate of \$15.50/hr. effective Wednesday, May 24th, 2023. Further, to hire Anita Generous, Kelan Kearney, and Sean Melvin as full-time, seasonal Laborers for the Recreation department at a rate of \$15.00/hr., subject to successful completion of a background check and pre-employment physical within a 2-week period, effective Wednesday, May 24th, 2023.

A regular meeting of the Town Board of the Town of Moreau was held on May 23, 2023 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Resolution #2023-187

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to approve the flag football program for the upcoming fall season. The cost to the players will be \$30.00 for the session, with all signup sheets and money to be collected by the Town Clerk's office. There were 115 players last year, and they hope to grow upon that this year. The approximate income from the program would be \$3,500.00, and the approximate expense for shirts, trophies, and belt flags would be \$1,675.00.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Supervisor Kusnierz stated that there was a request regarding the Bulldog Selects Basketball "Big 3" Summer Camp. It came to the Supervisor's attention late in the day that it requires more background information before the Board members can act on it. They will gather information and bring it back up again at the next Board meeting.

Councilmember Stewart commented that the new bleachers for the Rec were delivered last week. He thanked Highway Superintendent Abrams for his help with equipment and getting them unloaded.

There was discussion regarding outdoor cameras at the Rec fields. There have been e-mails back and forth with Counsel. If they are just for security issues, Counsel has no issues with them. There was confusion as to individuals taking pictures and streaming somehow. Councilmember Stewart stated that they are going to be available for streaming. Counsel questioned who can view it. Counsel's understanding was that it was for security, not for a streaming service to watch the games. Councilmember Stewart's understanding was that the cameras were for security as well as viewing field one for streaming of the games. Counsel inquired if there was sign-off from the parents if they can stream them. Councilmember Stewart stated that they were instructed after the last meeting that they could install them, but they could not make them operational until we had an agreement with Counsel. They are going to collaborate with Counsel and the Supervisor's office for waivers. Counsel questioned if we had gotten anything yet. The Supervisor's Secretary stated that all we had received was costs and specs. Councilmember Stewart stated that both he and the Rec Director had been in contact with a point person, and they will reach out to them tomorrow. Counsel wants to know where it will be streaming, who has access to it, where it is being stored, all the security features. If it is out there anyone can see it. Not all parents agree with that, and she wants to protect the Town, so we need to have that in place. Whenever someone can, they need to get her that information or get her a contact person. Councilmember VanTassel stated that the current instruction was to only use the cameras for security reasons. Councilmember Stewart stated that they are all on the same page, and he will get Counsel that information so that we can move forward. Supervisor Kusnierz asked the Rec Director to find out how they are managing the streaming. He was unaware of the streaming issue.

A regular meeting of the Town Board of the Town of Moreau was held on May 23, 2023 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

WATER & SEWER DEPARTMENT

Resolution #2023-188

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to authorize Supervisor Kusnierz to sign the contract for construction services in relation to the pump at the Moreau Industrial Park that was approved at the last meeting, upon approval from Town Counsel and our insurance carrier. Counsel has reviewed the contract that they provided to us and made red line changes because the insurance part of it was not robust. Counsel stated that they have not heard back regarding the changes.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Resolution #2023-189

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to authorize Supervisor Kusnierz to sign Contract Addendum No. 2021140-02 dated May 10th, 2023 to increase Laberge Group's fees by \$8,990.00 plus postage for the income survey and report to assess NYSEFC funding program eligibility.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Councilmember VanTassel stated that it will be money well invested, and Councilmember Stewart echoed that it is the Board's responsibility to keep costs and interest rates down where they can.

CYBER SECURITY

Resolution #2023-190

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to authorize Supervisor Kusnierz to execute the contract with Orbital Fire, our vendor for cyber security services, as it relates to staff training. The contacted rate would be \$244.40 per month.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Resolution #2023-191

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to authorize Supervisor Kusnierz to sign the Cyber Insurance rider with Amsure Insurance, at a cost of \$3,777.51 annually. The total insurance cost came in at \$1,400.00 under the budgeted amount.

A regular meeting of the Town Board of the Town of Moreau was held on May 23, 2023 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Councilmember VanTassel commented that it is not easy to get a cybersecurity renewal these days, and we are fortunate to get both a renewal and a decent price.

Resolution #2023-192

A motion was made by Councilmember VanTassel, seconded by Councilmember Stewart, and carried, to approve the voucher for \$3,777.51 to pay Adirondack Trust Financial Services Inc for the excess line placement listed above.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

TOWN CLERK'S OFFICE

Resolution #2023-193

A motion was made by Councilmember VanTassel, seconded by Councilmember Stewart, and carried, to ratify the standard workday for the Highway Superintendent to the New York State and Local Employee's Retirement System at 22.60 workdays per month based on his Record of Activities.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

SUPERVISOR ITEMS

Resolution #2023-194

A motion was made by Councilmember VanTassel, seconded by Councilmember Stewart, and carried, to reschedule the August 2023 month-end and regular Town Board meetings from August 22nd to August 29th, to give the Supervisor's staff time to complete the audit portion of the meeting, as there are multiple vacations ending or beginning around the original date.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

A regular meeting of the Town Board of the Town of Moreau was held on May 23, 2023 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Councilmember Stewart stated that he will be out of the state on August 29th, and there will need to be enough other Board members available on that date for a quorum.

The Supervisor reported on the May 2023 sales tax distribution. If you look at the County perspective, sales tax revenue is down 2.25% from last year, which is about \$285,000.00 less. The Town of Moreau received \$329,493.00 last year. We are down to \$329,977.00 this year. The mortgage tax distribution for October 1st, 2022, to March 31st, 2023 is down 33% at the County level from the same period last year. The Town of Moreau's decrease was just over 55%, from \$282,051.00 to \$125,000.00. We are not having the same number of homes turn over in our town, but that is the trend County-wide.

The Supervisor stated that there was an instance of bullying by a Councilmember in the parking lot after the conclusion of the last Town Board meeting that precipitated a quote for outside cameras for the entrances to Town Hall. He further explained that there will be zero tolerance of such behavior, and he believes this action will curtail any further instances.

Resolution #2023-195

A motion was made by Councilmember VanTassel, seconded by Councilmember Stewart, and carried, to purchase outside cameras for Town Hall from Storedtech in the amount of \$3,418.74.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Councilmember Stewart stated that having cameras outside Town Hall will have multiple benefits, and we are currently behind the times when it comes to our system. Councilmember Donohue responded that there is a difference between bullying and spirited discussion. He engaged in the incident in question, and he also believes that the cameras are a smart idea.

The Supervisor stated that we had a contract with Mannix Marketing for website hosting. It came to his attention that it expired in 2010. We asked for an updated contract. We received one from Mannix Marketing at a price of \$550.00 a year, which is the same price that we paid last year. Councilmember VanTassel recommended that we sign it, but that we put something in the books to review it next year at budget time. Supervisor Kusnierz replied that the contract is for twelve months from signing, but we can still revisit it at budget time. Councilmember VanTassel stated that he was okay with us not signing it today, as we are still paying the monthly bill for hosting, there is just no maintenance agreement at this time, and it has not impacted us in any way. Counsel stated that they always have a concern when there is no agreement, but if Councilmember VanTassel can get one in the next couple of weeks, which will suffice.

EXECUTIVE SESSION

The Supervisor stated that he does not need an executive session. Counsel agreed.

OTHER BUSINESS

No Councilmembers had other business that needed to be addressed.

PRIVILEGE OF THE FLOOR

Brigid Martin, Town Historian, stated that there was a meeting today with the County Historian regarding the 250th anniversary of the American Revolution. County-wide there will be a ten-year celebration of the turning point at the Saratoga Battlefield. There is constructive collaboration that can go on between the museums and the businesses here. We can also do events with the new Recreation Director, to provide

A regular meeting of the Town Board of the Town of Moreau was held on May 23, 2023 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

educational activities. She asked the Board to think about what they would like her to do, and to keep it in mind at budget time for the next few years. Supervisor Kusnierz responded that he and his colleagues think it is an incredible opportunity, as our area played such a key role in the history of our country. They believe that there will be international tourism associated with that. Historical tourism has been important for other sites, and we are hoping to capitalize on it. They are working on a dedicated revenue stream from our occupancy tax, and they are hopeful that we may have a site in the Village of Schuylerville that will be the hub for this endeavor.

Ann Purdue, Planning Board Member, appeared to address concerns she had about the Planning Board's meeting records. They have been without a recording secretary for quite a while. Deputy Town Clerk Ellen Buttles did take on the role briefly, from the fall until January, but then she left that role. She was present, and she was recording the January 24th meeting, which was her last. Ms. Purdue would like to note that they were thankful for her help during the time that they had her. The purpose of the January 24th meeting was to review and finalize four sets of minutes from prior meetings, including a set that dated back to August of 2022. They understood at the time that those minutes needed to be finalized so that they could be submitted to court for article 78 proceeding, as part of the record. With Deputy Clerk Buttles' departure, they have relied entirely on the posting of audio to satisfy the open meeting requirements. The January audio was up, but Ms. Purdue noticed a month or so later that it was no longer there. She mentioned it to the others at the March Planning Board meeting, and she assumed that it was going to be re-posted. As of the end of April, she noticed that it still had not been re-posted, so she asked Jim Martin, our Zoning Administrator and our interim Chair, John Arnold, if they knew about it. Jim and Katrina, the Building Department Clerk, then forwarded the inquiry to Supervisor Kusnierz, the Town Clerk, and the Deputy Town Clerks. When they met in May, they had received no response to the question. Jim suggested that Ms. Purdue needed to talk to the Town Board, or the Town Attorney. Jim did check again both last week and this week, and still got no response. Ms. Purdue is here to check again, to see if anyone on the Town Board or the Town Clerk can tell her what happened to the audio. Supervisor Kusnierz stated that the Town Board is not responsible for records, the Town Clerk's office is. He stated that he did not know if they had gotten an answer from that office. Ms. Purdue stated that they had not, and the question was asked a long time ago. Ms. Purdue stated that Deputy Clerk Lewis was among the people that were asked. The Supervisor replied that his understanding was that two meetings had been posted for the same day. Deputy Clerk Lewis was asked about the situation and stated that to the best of her knowledge the recorder was turned on, but the microphone may have been inserted into the headphone jack, because the recording was blank. She also stated that she may not have her dates correct, as she was not involved, and was only aware of the situation due to working in the same office and overhearing conversation. She further stated that there was a Town Board meeting that was incorrectly posted to the website in place of a Planning Board meeting, and she was not sure if that had been corrected. Ms. Purdue stated that it had not, and the current Planning Board link for the May meeting is for the audio of the Town Board meeting from May 9th. Supervisor Kusnierz asked if there was one meeting posted, or if it was two. Deputy Clerk Lewis stated that there were initially two meetings linked together on one of the dates, but the Town Clerk's office worked with Jeffrey Cruz to get them separated, so that they could be posted properly. Supervisor Kusnierz stated that he could talk to the Town Clerk about the situation. Ms. Purdue stated that it had been four months, and both she and John Arnold thought the January meeting had been posted. She further stated that if the audio were missing, it should have been brought to the attention of the Planning Board, so that while the meeting was fresh in their recollection, they could have put their notes together and substituted the written minutes. As is now, we are not compliant with the open meetings law. We do not have audio, and we do not have written minutes, and there is no reason for that kind of lapse. It should have been brought to people's attention shortly after it became apparent. Ms. Purdue thinks that we need to be doing something different. Ms. Purdue then questioned Deputy Clerk Lewis as to whether she was sure that there was not audio from that meeting. Deputy Clerk Lewis stated that she did believe that there was not. Councilmember Stewart stated that this is the first time that he has heard of it, and to say that they have not gotten answers for four months does not make sense if the Board has only known about it for five minutes. He agreed that he understands Ms. Purdue's concerns, and we should have released something from the Clerk's office stating that there was an issue. He suggested using a back-up recording device for their meetings in the future, as the Town Board is now doing. He stated that the Planning Board is more than welcome to reach out to him for help with the recordings. Ms. Purdue stated that this is now three times in less than a year that the audio has not recorded correctly. Deputy Clerk Lewis stated that she was aware of Deputy Clerk Buttles speaking to both John Arnold and Jim Martin about the issues with the January recording, although the entire Planning

A regular meeting of the Town Board of the Town of Moreau was held on May 23, 2023 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Board may not have been notified. Ms. Purdue stated that she believed that was the November meeting, and she was aware of that. Supervisor Kusnierz stated candidly that the reason we are in this situation is because people that have been willing to record meetings have been unwilling to do so because of the way they have been treated by Planning Board members, so it has been very challenging to find individuals that are willing to do that once a month. When that happens, these are the things that fall by the wayside. Councilmember Stewart stated that he can reach out to the Town Clerk for confirmation on whether we have an audio recording for January, and have it pushed out to the entire planning board in writing. If there is something that the Town Board can do to make sure that the Planning Board has a backup recording system, Councilmember Stewart will collaborate with the Supervisor's office to make sure that we have a backup recording, and this never happens again. He understands that the planning board has a lot in front of them, and they cannot be expected to go back and remember what happened in January. Ms. Purdue asked for more communication when things like the audio do not happen. Supervisor Kusnierz clarified that they are separate and distinct boards that govern themselves and stated that he has not gotten one communication from the Chairperson that anything needed to be done differently. If the Planning Board wants to do something differently, and the Town Board needs to be involved, there needs to be dialogue. No Planning Board member, to the Supervisor's knowledge has reached out to any member of the Town Board prior to tonight's meeting. Ms. Purdue stated that a dual recording system may be the best route for the Planning Board to go, then. Supervisor Kusnierz stated that if they would like a dual system, they need to make a request, but it would need to come from the Chair of the Board. Ms. Purdue stated that she will go back to the Planning Board and ask for that. It sounds like a favorable idea, and she did not know it was available. Councilmember Stewart stated that it sounds like a plan, and thanked Ms. Purdue for serving on the Planning Board. Ms. Purdue stated that she was pleased to be on it.

Dominic Tom of Cedar Lane wanted to say that his neighborhood is under attack. There are gunshots every day. There is hunting in a way too small, wooded area surrounded by homes on Karen Lane, Eden's Way, Lamplighter Acres, and the Northway. There were more arrests at the Redmond Road crack house last week, including a fugitive driving through the neighborhood to evade police. There is a mountain of new garbage added to the unbelievable filth outside, attracting more vermin. Every offroad vehicle imaginable is driven on the streets by residents and their visitors. Unlicensed, unregistered, uninsured operators of every age. Speeding, running stop signs, driving into oncoming traffic, on private properties and the so-called green spaces. Noise and stink. The drivers harass people and pets. Most shameful is a property his neighbor says resembles the Appalachian backwoods. A solitary resident who suffers from problems best not made public. Lives in squalor, forced out of her decrepit mobile home and into a ramshackle shed, next to a caved in garage and surrounded by a jungle. He brought this woman's plight three years ago to a now former Town Board Member, and he has the e-mail to prove it. He declined in an ensuing phone conversation to bring it to the Town's board of health, which is this Town Board, or its Health Officer, which he found stunning. There are known dog and cat feces left on the streets and on private properties. Squatters now live in a deteriorated zombie house that is in pre-foreclosure, despite the need for a new septic system and deeper well. He is going to wager that this chaos afflicts other Moreau neighborhoods. So he formally requests this Board, in concert with other relevant agencies, to do something about these vital quality-of-life issues. And finally, Board Member and neighborhood resident John Donohue has quietly interceded on these issues at his badgering requests. He has been met with unfortunately sometimes temporary solutions, and, at worst, downright rejection from violators. He urges everyone to remember the oath of office that charges you with protecting the health and safety of Moreau residents.

No other member of the public wished to be heard.

A motion was made by Councilmember VanTassel, seconded by Councilmember Stewart, and carried, to close the meeting at 7:57 p.m.

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

Councilmember Stewart	Aye
Councilmember Noonan	Absent
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

A regular meeting of the Town Board of the Town of Moreau was held on May 23, 2023 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Meeting adjourned.

Respectfully submitted,

Dianne Lewis
Deputy Town Clerk

DRAFT

A Special Meeting of the Town Board of the Town of Moreau was held on June 1, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Supervisor Kusnierz called the Special Meeting to order at 6:45 a.m.

The Town Clerk called the roll.

Town Board Members Present

Mark Stewart	Councilmember
Kyle Noonan	Councilmember
Alan VanTassel	Councilmember
Theodore T. Kusnierz, Jr.	Supervisor

Town Board Members Absent

John Donohue, Jr.	Councilmember
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Also Present: Brenda Hutter, Town Clerk

MOREAU BIG BEND TRAIL

The Supervisor briefly explained that the reason for holding the special meeting is due to time sensitive items regarding the Moreau Big Bend Trail - Phase 1.

Resolution #2023- 196

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to authorize a Bid Opening date of 6/27/23 at 10:00 a.m., for the purpose of furnishing all material, labor, equipment and services, tools, techniques, installation, overhead and profit, and appurtenances necessary in connection with the Moreau Big Bend Trail Project- Phase 1. The Bid Opening will take place at the Town of Moreau Municipal Complex Building, 351 Reynolds Rd, Moreau NY 12828.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Absent
Councilmember VanTassel	Aye
Supervisor Kusnierz	Aye

Resolution #2023-197

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to authorize the Town Clerk to advertise the aforementioned Bid Opening with the Post-Star Newspaper and the New York State Contract Reporter

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Absent
Councilmember VanTassel	Aye
Supervisor Kusnierz	Aye

A Special Meeting of the Town Board of the Town of Moreau was held on June 1, 2023, in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to close the Special Meeting at 6:48 a.m.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Absent
Councilmember VanTassel	Aye
Supervisor Kusnierz	Aye

Meeting Adjourned.

Respectfully Submitted,

Brenda Hutter
Town Clerk

DRAFT

Town of Moreau

351 Reynolds Road
Moreau, NY 12828-9261

Theodore T. Kusnierz

Supervisor

Phone: (518) 792-1030 Fax: (518) 792-4615

E-mail: moreausuper@townofmoreau.org



Kyle Noonan
Deputy Supervisor

John Donohue
Councilmember

Mark Stewart
Councilmember

Alan VanTassel
Councilmember

RESOLUTION

Resolution No. _____

Date: 6/13/2023

Motion By: _____

Seconded by: _____

So be it RESOLVED:

That Dianne Lewis serve as Secretary for the Planning Board and the Zoning Board of Appeals and receive a stipend not to exceed \$100.00 per meeting.

Roll call results as follows:

Councilmember Stewart _____
Councilmember Noonan _____
Councilmember Donohue _____
Councilmember VanTassel _____
Supervisor Kusnierz _____

APPROVED:

Town Clerk

PROJECT NARRATIVE

Twin Bridges

Maintenance & Storage Facility

37-41 Farnan Road

1-5 & 7-9 Electric Drive

The project site encompasses approximately 10.65-acres located at 37-41 Farnan Road and 1-5, 7-9 Electric Drive, located in the Town of Moreau. The tax map identification numbers for the project are 50.-4-17, 18 & 21.

The site is proposed to be operated by Twin Bridges Waste & Recycling and affiliates.

The proposal includes construction of buildings to allow for various uses, such as: maintenance/servicing of vehicles, welding area, cart storage and office space. All buildings will be one-story in height, metal framed, meet all zoning regulations and equipped with the appropriate oil/water separators, grit chambers and holding tanks for proper wastewater management, in compliance with Town and State codes.

There will be dedicated parking areas for fleet vehicles, employees and visitors.

It is anticipated that the facility will be open from 6:00 a.m. to 5:00 p.m., Monday – Friday, and 5:00 a.m. to Noon, Saturday.

Overall, water and sewer usage are estimated at approximately 1,200 to 1,400 gallons per day, which will not have a significant impact on the Town's systems. Public water, sewer, natural gas and electric are available to the site.

Stormwater will be managed on site, complying with Town and NYSDEC regulations.

Minimal LED down type lighting will be used on site for safety and security. The project will not have any impact on the Town's communication system as no special devices are required. There will be no major visual or noise impacts to the surrounding area, as the proposed use will be consistent with the existing property zoning district (**M-1 General Manufacturing and Industrial**).

