

A regular meeting of the Town Board of the Town of Moreau was held on October 9, 2018 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

John Hogan	Councilman
Kyle Noonan	Councilman
Theodore T. Kusnierz, Jr.	Supervisor

Town Board Members Absent

Alan VanTassel	Councilman
Gina LeClair	Councilwoman

Also present: Leeann McCabe, Town Clerk; Karla Buettner, Attorney for the Town; Jesse Fish, Water Superintendent; Paul Joseph, Highway Superintendent; Peggy Jenkins, Assessor; Kathleen Moore, Post Star Reporter; Reed Antis, Planning Board member and Town Resident; Town Residents: Bruce Flayer and Virginia Livsey

The Supervisor led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes from September 25, 2018 (Month-end Meeting and Town Board Workshop) were prepared and presented to the Town Board prior to the meeting for their review, comment, correction and approval.

Resolution #2018-353

A motion was made by Councilman Hogan and seconded by Councilman Noonan to approve the minutes from September 25, 2018 (Month-end Meeting and Town Board Workshop) as prepared.

Roll call vote resulted as follows:

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

SET FUTURE MEETINGS AND WORKSHOPS

Budget workshops were scheduled for October 17, 2018 at 6:00 p.m. and October 18, 2018 (if needed) at 6:00 p.m.

HEALTH INSURANCE

Resolution #2018-354

A motion was made by Councilman Hogan and seconded by Councilman Noonan that the Town Board accept the following healthcare plans for Town employees for the period beginning December 1, 2018 and ending November 30, 2019:

- CDPHP HDHMO Qualified (324)
- MVP Silver 3 Liberty HDHP

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And, that Jaeger and Flynn have the authority to contact both CDPHP and MVP to procure these plans on the Town's behalf.

Roll call vote resulted as follows:

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

The Supervisor stated that the cost of the CDPHP HDHMO plan is similar to the plan from last year, however, it will save the Town 1.2%. He stated that the estimated annual premium for the CDPHP plan would be \$194,250.00 and if all of the employees were to choose MVP plan, which they aren't, the cost would be \$220,010.00.

RECREATION DEPARTMENT REQUEST

Resolution #2018-355

A motion was made by Councilman Noonan and seconded by Councilman Hogan memorializing the vote to repair the John Deer F932-Mower through Falls Farm & Garden Equipment Co., Inc. in the amount of \$1,282.30. The expense will be paid from account A7140.4, which has a balance of \$5,859.02.

Roll call vote resulted as follows:

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

Councilman Hogan stated that in the future, they should be looking at vendors who don't charge for diagnostics. The Supervisor stated that the Town's procurement policy should be followed in obtaining 3 quotes, however, in this case it was an emergency repair and the Board had been polled.

HIGHWAY DEPARTMENT REQUESTS

The Highway Superintendent received three (3) quotes for the purchase of six (6) drywells as follows:

Chemung Supply P.O. Box 527 Elmira, NY 14902	\$1,186.00
Lane Enterprises 825 Route 67 Ballston Spa, NY 12020	\$1,035.00
Steel Sales, Inc. 8085 State Highway 12 Sherborne, NY 13460	\$1,142.00

Resolution #2018-356

A motion was made by Councilman Hogan and seconded by Councilman Noonan approving the purchase of six (6) drywells from Lane Enterprises in the amount of \$1,035.00. The expense will be paid from account DB5110.450, which has a balance of \$2,907.18 as of October 1, 2018.

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Roll call vote resulted as follows:

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

Resolution #2018-357

A motion was made by Councilman Noonan and seconded by Councilman Hogan approving an open purchase order for Rock Salt in the amount of \$20,000.00 from Morton Salt. The purchase will be made under Saratoga County Contract #18-PWS-10R and will be paid from account DB5142.490, which has a balance of \$21,912.52 as of September 26, 2018.

Roll call vote resulted as follows:

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

Resolution #2018-358

A motion was made by Councilman Hogan and seconded by Councilman Noonan approving an open purchase order for Crushed Stone in the amount of \$5,000.00, to be used on various 2018 Town road projects. Availability and cost will determine the supplier covered under the Saratoga County Crushed Stone Contract #17-PWCSG_50R. The expense will be paid from account DB5110.493, which has a balance of \$7,381.36 as of September 27, 2018.

Roll call vote resulted as follows:

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

There was discussion at a previous meeting with a concern from a tax payer, regarding the Town Highway's sand pile. The owner of the property across the street had stated that the sand blows from the pile and into his units. The Highway Superintendent looked into a fabric fence, which would help keep the sand from blowing across the road.

The following quotes were received:

Fence Screen.com	\$545.92
150' x 6' with re-enforcement & wind holes, fasteners and freight	
Chain Link Fence Co.	\$896.00
150' x 6' no re-enforcement, with freight	
My Tarp.com	\$925.32
150' x 6' re-enforced, with shipping	

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Adirondack Fence Co. \$796.58
150' x 6' with wind holes, no shipping

The lower priced quote was from Fence Screen.com, which is a commercial 600 series. The cost will supply 150 feet of fabric plus industrial grade fasteners and a reinforced center binding strip. The fabric includes 1/2 moon air vents. There was a brief discussion as to which fund the purchase would be made from. The Supervisor stated that he had a conversation with the Principal Account Clerk and that the funds would come out of A5132.480, however, funds would need to be transferred. As they weren't sure how much would need to be transferred, the Supervisor suggested that they make the purchase and then transfer the money before they pay the bill.

Resolution #2018-359

A motion was made by Councilman Hogan and seconded by Councilman Noonan to accept the quote for fence fabric from Fence Screen.com in the amount of \$545.92.

Roll call vote resulted as follows:

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

HIGHWAY GARAGE ROOF UPDATE & HVAC

The Supervisor stated that the Board members should have received an evaluation of the Highway Garage HVAC Mechanical System. He stated that Laberge Group had performed the service as an addendum to their January contract. They performed an evaluation of the HVAC mechanical system and outlined their findings and recommendations. The Supervisor read the evaluation aloud. In summary: If corrective measures are pursued, it is recommended that the Town contract directly with MH Engineering to develop the required plan and bid documents. Although a detailed design would be required for a proper cost estimate, MH Engineering recommended a \$75,000-\$80,000 construction budget should be established for HVAC improvements. The Supervisor suggested that the Board members review the document and then have additional conversation at a budget workshop for next year. Councilman Noonan suggested that they rescind the motion made at an earlier meeting, which authorized the opinion from another engineering firm. The Supervisor stated that they could do that but didn't have the wording of the resolution available at this meeting.

The Supervisor stated that he has received the bid documents for the repair of the Highway Garage roof. He stated that he will have to reach out to the engineers to find out, timing wise, what the Town can and can't do, so they don't jeopardize the \$200,000 grant. He stated that he didn't think there would be a problem putting it out to bid for 2019 as long as the work doesn't begin prior to the contract. The Supervisor stated that he would provide a copy to the Highway Superintendent to review and will also share the documents with the Building Department for their input.

WATER DEPARTMENT REQUEST

The Supervisor stated that he had nothing for the Water Department.

BOARD OF ASSESSMENT REVIEW APPOINTMENT

Resolution #2018-360

A motion was made by Councilman Noonan and seconded by Councilman Hogan to re-appoint Timothy Long as a member of the Board of Assessment Review for another 5 year term, which will expire September 30, 2023.

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Roll call vote resulted as follows:

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

TOWN HALL ENTRANCE HIGHWAY PERMIT

The Supervisor stated that in 2015 the Town received approval from NYS DOT to fix the entrance to the Town Hall. The permit was only good for three (3) months and it expired. The Town has re-applied for a new permit, however, the approval process now goes through the Albany office and the engineer reviewing the request stated that with multi-lane driveways that enter State highways, a traffic light is required. There were four (4) lanes on the original plans. The Supervisor stated that he told her the Town wouldn't be willing to put in a traffic light. The engineer then told the Supervisor that two (2) lanes would be ok but they would need new stamped plans before she could sign off. The Supervisor asked for authority to reach out to the engineer who did the original plans. The Supervisor also stated that the engineer for the State asked that the culvert be 15" instead of 12", which was in the original design. Councilman Hogan asked if they needed to do a resolution giving the Supervisor authority to contact the engineer. The Supervisor replied that he would reach out to the engineer first, to see what they would charge.

PART-TIME ASSESSOR CLERK

Resolution #2018-361

A motion was made by Councilman Hogan and seconded by Councilman Noonan accepting the resignation of Stacy Lavin from the position of part-time Assessor's Clerk, with October 5, 2018 being her last day.

Roll call vote resulted as follows:

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

COURT REQUEST

A motion was made by Councilman Noonan and seconded by Councilman Hogan authorizing the Town Court of the Town of Moreau, to apply for the 2019 JCAP Grant in the amount of \$10,111.57 and authorizing the Supervisor to sign the application.

Roll call vote resulted as follows:

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

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SEXUAL HARASSMENT PREVENTION POLICY

The Supervisor stated that the Town is statutorily required to have a policy in place. Attorney Buettner stated that the Town has the Policy, Complaint Form and Acknowledgement Form. She stated that the Department of Labor guidelines state that the policy has to be adopted by October 9, 2018. Attorney Buettner stated that she needed to know who complaints would be made to, so she could complete the policy. Supervisor Kusnierz stated that complaints should go to Jeffrey Cruz, Principal Account Clerk.

Resolution #2018-362

A motion was made by Councilman Hogan and seconded by Councilman Noonan, Resolving that the Town Board hereby adopt a Sexual Harassment Prevention Policy. It is further resolved that all employees shall be trained in the Sexual Harassment Prevention Policy as required by Law.

Roll call vote resulted as follows:

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

Attorney Buettner stated that the training must occur within one year from today, with annual training thereafter.

PRIVILEGE OF THE FLOOR

Reed Antis presented before the Town Board. He commented on the intersection of Route 32 and Reservoir Road. He stated that the Town has well marked that there is an intersection approaching Route 32 from Reservoir Road but stated that the State doesn't denote the approaching intersection from Route 32.

Mr. Antis asked that the Water Tower Buildings be upgraded with insulation. He stated that kilowatts are over 4,000. He thought they could get it down to 2,000 kilowatt hours.

Mr. Antis asked that the Town Board re-address 61 Hudson Street. He stated that no one can use it and suggested that it be demolished and put back on the tax rolls.

Supervisor Kusnierz stated that there are many factors involved putting budgets together. He stated that there are employees looking to be better compensated. He stated that they need to make choices when putting the budget together. The Supervisor stated that there is more work to do on the budget and that they can have conversation on the building.

SUPERVISOR'S ITEMS

The Supervisor reported receiving a request from residents of Pine Valley Drive asking to have a road closure for a Block Party/Halloween Parade on October 31, 2018. The closure would be for a short section of Pine Valley Drive and Jerome Lane from 4:30 p.m. through 6:00 p.m.

Resolution #2018-363

A motion was made by Councilman Hogan and seconded by Councilman Noonan authorizing the closure of Pine Valley Drive and Jerome Lane on October 31, 2018 from 4:30 p.m. through 6:00 p.m.

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Roll call vote resulted as follows:

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

The Supervisor stated that the Board members should have a copy of the Moreau Landfill Inspection observations completed on September 21, 2018 by CT Male. He stated that there were two (2) things of note, brought to the Town's attention. There's a small tree that fell to the surface in the south west corner that should be removed. Also, the gas vent (GBK) is broken at the ground surface and needs to be repaired by replacing the damaged section of PVC. The Supervisor asked the Highway Superintendent if he could take a look at it. He stated that the last few times there was a broken piece of PVC, the Transfer Station employees took care of it. He did say that he would take care of the tree. The Supervisor stated that he would speak to the Transfer Station employees.

The Supervisor reported receiving a travel advisory from New York State DOT, stating that Route 32, between Brownville Road and Jewell Road, will be closed from October 15, 2018 through October 20, 2018.

The Supervisor stated that they are working on an updated parking ordinance. He stated that one of the residents within the area that would allow no parking was concerned that if they allow no parking on both sides of the street and they have a family gathering, they would be in violation of the parking ordinance. He suggested that they consider just one side of the road. There was a brief discussion relating to the proposed updated ordinance. The Supervisor stated that it's a work in progress and suggested that they have a workshop in November.

A motion was made by Councilman Hogan and seconded by Councilman Noonan to adjourn to executive session at 7:55 p.m. for the purpose of discussing CSEA contract negotiations, future contract modifications to the AT&T contract for broadband and to discuss the work history of an unnamed Town employee.

Roll call vote resulted as follows:

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

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

A motion was made by Councilman Hogan and seconded by Councilman Noonan to adjourn the executive session at 8:27 p.m. with no action taken and to resume the regular session.

Roll call vote resulted as follows:

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

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A motion was made by Councilman Hogan and seconded by Councilman Noonan to close the meeting for the evening at 8:27 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
Town Clerk