

A regular meeting of the Town Board of the Town of Moreau was held on February 11, 2014 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

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

The Deputy Town Clerk called the roll.

Town Board Members Present

Robert J. Vittengl, Jr.	Councilman
Gina LeClair	Councilwoman
Todd Kusnierz	Councilman
Preston Jenkins	Supervisor

Town Board Members Absent

Bob Prendergast Councilman

Also Present: Barbara Porter, Deputy Town Clerk; Karla Buettner, Attorney for the Town; Paul Joseph, Highway Superintendent; Jesse Fish, Water Superintendent; Reed Antis, Planning Board Member and Town Resident; and Dick Manell, Town Resident

Supervisor Jenkins welcomed everyone to the meeting and asked everyone to turn off or silence all electronic devices.

MINUTES

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

January 28th (2 Sets) and January 30th

MINUTES – JANUARY 28, 2014 – MONTH-END AUDIT MEETING 6:30 p.m.

No comments or corrections.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to approve the minutes from the Month-End Audit Meeting dated January 28th as prepared.

Roll call vote resulted as follows:

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

MINUTES – JANUARY 28, 2014 – REGULAR TOWN BOARD MEETING 7:00 p.m.

Correction: Page 41 – Under Highway Department Requests – 3rd and 4th line - Change “2002 GMC C85 Bucket Truck” should be changed to read “2002 Freightliner C85 Bucket Truck”

MINUTES – JANUARY 30, 2014 – PUBLIC HEARING LOCAL LAW NO. 1 OF 2014

No comments or corrections.

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A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to approve the minutes of the Regular Town Board Meeting held on January 28th as corrected and the minutes from the Public Hearing on Local Law No. 1 of 2014 dated January 30th.

Roll call vote resulted as follows:

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

SET FUTURE MEETINGS/WORKSHOPS

Supervisor Jenkins said he met with Joe Patricke today about the Sign Law and he and Councilwoman LeClair are the only ones who have given him their comments on the Sign Law. He asked Councilman Vittengl and Councilman Kusnierz to get their comments and suggestions to Joe Patricke so they can schedule a workshop.

Councilwoman LeClair said there hasn't been any response to the ad in the newspaper from farmers interested in serving on the Agricultural Advisory Committee and she said she was willing to reach out to John Arnold and ask him if he was interested in serving on the committee. She also suggested that they have Paul from Chazen Company reach out to the farmers who have attended the Farmland Protection Grant Meetings to see if they want to participate in the Agricultural Advisory Committee.

Councilman Kusnierz stated that at the last public presentation he did talk to members of the agricultural community who expressed an interest in serving on the committee and he will give Councilwoman LeClair those names. He said there are at least three or four people.

15 MINUTE PUBLIC COMMENT PERIOD

Reed Antis asked for an update on the sandbar beach area.

Councilman Vittengl said he met with the Mayor of the Village of South Glens Falls again and got information for Attorney Buettner about the feasibility of us investing in their property through a long term lease. He said they have worked out details of a long term lease. He said it is in the works.

Reed Antis asked if this was brought up last month in committee reports.

Councilman Vittengl replied no, because "it was between them".

Reed Antis asked if consideration could be given to streaming the Town Board Meetings through the Town's website or You Tube.

Supervisor Jenkins said he would explore this and what the potential cost would be and bring it back to the Town Board at the next meeting.

Reed Antis said he heard the comments on the audio or read the minutes from the meeting where the water department pump station off Nolan Road was going to be inspected for asbestos and possibly torn down. He wanted to know the history of this. Is it no longer needed by the water department now that the water department is in the old highway garage?

Supervisor Jenkins said the building isn't in very good shape. The roof is in bad condition. We have to check for contamination and then we can get rid of the contents of the building. There are two wells that have to be filled in and closed up for safety. If the building is sound we may be able to put a new

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roof on it and maybe it can be used by the rowing club for storage of equipment. If not then it will be demolished and the site secured.

Reed Antis asked if there is a liaison to the Economic Development Corporation that Ed Bartholomew is the head of.

Supervisor Jenkins stated that he serves on the Adirondack Gateway Council and is the Treasurer, which works with the Economic Development Corporation and they are working on several issues right now. They got grant money from CFA and they are trying to resolve the issues. They have to resubmit to the Department of State what their plan is.

HIGHWAY DEPARTMENT REQUESTS

The following quotes were received for the purchase of four complete cutting edge sets for the plow and wing on Truck #17 and for the plow on Truck #11 and for the plow on Truck #12:

Chemung Supply	\$3,400.00 plus freight
Northern Supply	\$4,904.00 plus freight
Viking Cives	\$3,826.00 plus freight

This purchase would be made out of account DB5130.492 that had a balance of \$41,835.43 as of 2/3/14.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the purchase of four complete cutting edge sets for trucks in the highway department from Chemung Supply at a cost not to exceed \$3,400.00 plus shipping and handling.

Roll call vote resulted as follows:

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

Paul Joseph, Highway Superintendent, submitted a request to purchase a crack sealing machine. He submitted four bids from the NY State Thruway Authority as follows:

Trius, Inc.	No Bid
Cimline Northeast	\$41,297.00
Thorworks Industries, Inc.	\$43,459.00
Crafco, Inc.	\$37,574.00

\$49,600 was allocated for this purchase in the 2014 Highway Budget in account DB5130.2 that had a balance of \$397,180.00 as of 2/3/14.

Paul Joseph recommended purchasing the crack sealing machine from Crafco, Inc. per their bid of \$37,574.00.

Paul Joseph said he had to run this by Attorney Buettner first, because this is a "piggy back" off the NYS Thruway Bid.

Attorney Buettner said a Local Law would have to be passed to use the best value rather than the lowest responsible bidder, but she didn't think that was what he was doing here.

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Paul Joseph said again that he was “piggy backing” off the NYS Thruway Contract.

Attorney Buettner said she didn’t see a problem doing that.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the purchase of an Asphalt Melter/Crack Sealer from Crafc0, Inc. under the NYS Thruway Contract in an amount not to exceed \$37,574.00.

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

Paul Joseph, Highway Superintendent, reported that they were running very close on salt. It is hard to get deliveries. They are rationing the salt distributed to all the Towns. The State’s first priority is shipping it all downstate and upstate is getting limited. He has had salt on order since January 27th and he got word that he is receiving three loads, but he should be getting more than four loads. The last two storms they have used mostly straight sand so the roads are going to be a little sloppy for a longer period. In response to a question from Councilman Kusnierz, he said the bin is partially full. He has been promised delivery of two loads tomorrow, but that promise has been broken three times already.

Councilman Kusnierz told Paul to try NYS DOT and they probably have some they can give him.

Paul Joseph replied that he did talk to NYS DOT last week and George told him he had to hold off.

RECREATION DEPARTMENT REQUESTS

A request was received from Tim Johnston, Maintenance Director, to purchase a truck for the Recreation Department. He obtained a quote under State Contract through a Chautauqua County Bid for a 2014 Ford F250 from Van Bortel Ford in the amount of \$24,885.00.

He also requested the purchase of a stainless steel “V” plow for the truck and he obtained the following quotes:

TNT Body King	\$4,600.00 State Contract Price
Van Bortel Ford	\$6,244.29 State Contract Price through Chautauqua Bid
Arrowhead Equipment	No Quote Submitted

Discussion followed.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the transfer of \$885.00 from A7140.4 – General Fund – Playgrounds & Recreation – Contractual into A7140.2 – General Fund – Playgrounds & Recreation – Equipment to purchase a 2014 Ford F250 and plow.

According to a note on the transfer of funds form, the amount budgeted for this truck was based on a 2013 truck being purchased and the price has increased for a 2014 truck including delivery charges this being the reason for the transfer.

Roll call vote resulted as follows:

Councilman Kusnierz	No
Councilwoman LeClair	Yes

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Councilman Vittengl	Yes
Councilman Prendergast	Absent
Supervisor Jenkins	Yes

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the purchase of a 2014 Ford F250 from Van Bortel Ford under State Contract through Chautauqua County Bid at a cost not to exceed \$24,885.00 and to purchase a stainless steel “V” plow for the truck from TNT Body King at a cost not to exceed \$4,600.00 under State Contract.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	No
Councilman Prendergast	Absent
Supervisor Jenkins	Yes

Councilman Kusnierz said he wanted to explain his vote and said that he voted no, because the amount exceeded the amount budgeted for a truck.

Supervisor Jenkins said they budgeted \$28,600.00 and Councilman Kusnierz said this number exceeds the \$28,600.00. Supervisor Jenkins said they budgeted money for this truck. Councilman Kusnierz said he thought they just transferred funds, because the amount exceeded the budgeted amount and Supervisor Jenkins replied that they transferred \$885.00 to cover the difference in cost with a plow. He said again that \$28,600.00 was in the budget.

The next request from the Recreation Department was for the purchase of scoreboards for the softball quads. The following quotes were received:

All American Scoreboards	\$16,160.00
Tomark Sports	\$14,080.00
Varsity Scoreboards	\$11,073.44

This purchase would be made out of account HP7180.2 that has a balance of \$50,000.00.

Councilman Kusnierz asked if they have talked about buying scoreboards and the answer was no. He said they have talked for some time now about getting playground equipment for the area around the Girl’s Softball Quads. That should be our focus first.

Councilman Vittengl stated that Amy Alfonso is working on that now and she will have information for the next meeting. The scoreboards are something that we need for the State Tournament. He said it is either scoreboards out in the field with wiring running to them or scoreboards mounted on the building with controls inside and the wiring would be right there.

Councilman Kusnierz said we have had tournaments there before, what did we use for scoreboards?

Councilman Vittengl replied that we haven’t had any scoreboards. He thinks it is something that we may need for the tournament, he wasn’t sure. He said they could table it until the next meeting when Tim Johnston could be in attendance as he is the one that attended the meeting at the high school when this was discussed.

Councilman Kusnierz said he didn’t recall this being discussed at budget time and it is “a pretty good chunk of change”.

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Supervisor Jenkins said they could table it until they see what the playground equipment issue is. He said they just received a check today for \$42,000.00 to go into this account.

Councilman Kusnierz asked how these quotes came about. Was something put out there so everybody was bidding on the same item? He was a little concerned about how the numbers were arrived at. He wasn't saying they are right or wrong, but when something costs a significant amount of money we put out information so everybody has an equal opportunity to put together a quote.

Supervisor Jenkins said they would table this until a later meeting.

The following quotes were received for the rental of a 10 yard dumpster for the Rec. Park for the period of April 2014 through October 31, 2014 and the rental of a 2 yard dumpster for the beach area for June 21, 2014 through September 8, 2014 with weekly pickups billed on a 28 day billing cycle:

County Waste	10 Yard \$225.00 2 Yard \$55.00
Waste Management	10 Yard \$396.00 2 Yard \$141.00
Ace Carting Corp.	10 Yard \$275.00 2 Yard \$70.00
Cassella	10 Yard \$1,575.00 On Call \$225.00

The cost to rent the dumpsters would be broken down as follows and out of the following accounts:

Beach: \$55.00 x 4 months = \$220.00 from account A7310.4 – Balance in account: \$65,658.00
 Rec. Park: \$225.00 x 8 months = \$1,800.00 from account A7140.4 – Balance in account \$40,300.00

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the rental of a 10 yard dumpster for the Rec. Park at a cost not to exceed \$1,800.00 out of A7140.4 from County Waste and authorizing the rental of a 2 yard dumpster for the Beach area at a cost not to exceed \$220.00 out of account A7310.4 from County Waste.

Roll call vote resulted as follows:

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

The following quotes were received for the rental of one handicapped and one regular portable toilet:

Cooks Septic	Regular \$110.00 Handicapped \$165.00
Stone Industries	Regular \$70.00 Handicapped \$125.00
IBS	No Quote Submitted

The rental of the portable toilets would come out of account A7310.4 that has a balance of \$40,300.00.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the rental of one regular and one handicapped portable toilet from Stone Industries at a cost not to exceed \$195.00 a month based on a four week billing cycle or \$2,550.00 per year.

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Roll call vote resulted as follows:

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

WATER DEPARTMENT REQUESTS

The Water Superintendent requested permission to purchase 24 water meters at a cost not to exceed \$4,800.00 for use in Districts 3 through 6.

The water district that the meters are used in will pay for the meters.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the purchase of 24 water meters at a cost not to exceed \$4,800.00.

Roll call vote resulted as follows:

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

Interviews for the position of water department laborer were scheduled for February 19th starting at 6:30 p.m. with 10 to 15 minute intervals. [Note: The interviews were scheduled for February 5th, but were cancelled due to weather.] Terry McGuire will be asked to call the candidates and schedule their interviews before the Board.

CHANGE OF CLASSIFICATION TO PT REC. LABORER – JAMES DAVENPORT

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the change in job classification for James Davenport to Part-Time Rec. Laborer.

Roll call vote resulted as follows:

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

TRANSFER STATION COMPACTOR INSPECTION/SERVICE

Supervisor Jenkins stated that the Transfer Station Compactor hasn't been inspected since 2010. He said they were in the process of trying to get three quotes, but they may only be able to get two. Last time it was just under \$600.00. He asked for authorization to spend up to \$1,000.00 to have the compactor serviced and when he gets the prices he will call everyone and get a verbal approval to go ahead and have it serviced.

Councilman Kusnierz asked if the tonnage is down in the compactor or what is the issue?

Supervisor Jenkins said it is just advisable to have it serviced. It hasn't been serviced since 2010.

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Supervisor Jenkins then said he would get two prices and call the Town Board Members and get a verbal approval to go ahead with the servicing of the compactor.

REQUEST OF RICHARD MANELL FOR A TEMPORARY MOBILE HOME PERMIT

Supervisor Jenkins stated that Joe Patricke went over a request with him that was received from Richard Manell for a temporary mobile home permit allowing him to live in his “trailer” while he builds a house on his property located at 585 Clark Road. He has water, heat, electricity and a proper sewer system hooked up to the trailer. Supervisor Jenkins said the Town Board has allowed these types of permits in the past and it is allowed under the Town Code. The permit would be for one year.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the issuance of a temporary mobile home permit to Richard Manell for a period of one year while he builds his house on property he owns at 585 Clark Road.

Roll call vote resulted as follows:

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

AUDIO SOUND SYSTEM FOR MEETING/COURT ROOM

Supervisor Jenkins said that three quotes have been received on an audio sound system for the meeting/court room. He said he would put this on the agenda for the next meeting for consideration.

COLD STORAGE BUILDING AT REC. PARK – CHANGE AWARD

This item was tabled.

MARATHON DANCE PROCLAMATION

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to adopt the following Proclamation that was read out loud by the Deputy Town Clerk:

PROCLAMATION

WHEREAS, for the 37th consecutive year the South Glens Falls High School is hosting the annual South High Marathon Dance to raise funds to benefit local charities, organizations and individuals in the community and tri-county area; and

WHEREAS, the first South High Marathon Dance was held in 1978 with about fifty dancers participating and has grown to an astounding 800 plus dance participants, and

WHEREAS, the first marathon dance raised \$1,500 and this amount has increased to \$489,000 the amount raised in 2013 for a grand total over the years of over \$3.64 million, and

WHEREAS, over the past 36 years the funds raised by the marathon dance have been distributed to over 283 beneficiaries within South Glens Falls/Town of Moreau and surrounding communities, and

WHEREAS, the recipients chosen to benefit from the proceeds raised by this year’s dance are as follows; Amy Austin, Benjamin Simpson, Chloe Kilmartin, Cora Rosa Gargano, Crystal Marie Gates, Daniel French, Elizabeth Barcomb, Frank Ellsworth, Jacqueline and Randy Tyner, Jeremiah Casey, Jillian

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Harrington, JoEllen DeLuca, Kobel Family, Lauren Rowan, Marie Law, Mary Lieberman, Matthew Sorano, Melia Steed, Nicholas Rychcik, Nick Heald, Nola Byrne, Pj Viger, Sarah Harrison-Pautard, Sasha Blake, Theodore McClouth, Timothy Brimmer, Tom Collins, Tracey L. DelVecchio, Wendy Morin, CAPTAIN Youth & Family Services, Epilepsy Foundation of NENY, Hannah' Hope Fund for GAN, Mollie Wilmot Radiation Oncology Center, Rebuilding Together Saratoga County, Saratoga Center for the Family, The Moreau Community Center, Verhonica's Butterflies, Warren Washington CARE Center, Wilton Food Pantry, and

WHEREAS, the dance marathon has become a tradition which brings the whole community together in an emotional, exciting and gratifying experience that will stay with those involved for the rest of their lives, and

WHEREAS, the Town Board of the Town of Moreau, extends their sincere gratitude to all those involved and especially to the students who devote their time and effort to making the Marathon Dance a success, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby proclaims March 7th and 8th, 2014 "Dance Marathon Weekend" as a tribute to our community.

Roll call vote resulted as follows:

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

15 MINUTE PUBLIC COMMENT PERIOD

Reed Antis asked if the Board has seen the Moreau Emergency Squad records yet.

Supervisor Jenkins said they would be going down to the Moreau Emergency Squad to review the records either late next week or the week after.

Reed Antis asked how often they would be reviewing their records.

Supervisor Jenkins said the outcome of this inspection would determine when the next inspection would be done. They certainly wouldn't be going in every month to review them.

COMMITTEE REPORTS

Councilwoman LeClair stated that she spoke with a representative from Fort Edward and that person asked if he could get copies of maps so that they could take them to DEC and try to get approval to have the trails on their water shed property. Councilman Vittengl was going to try and get maps from the Assessor.

Councilwoman LeClair asked if the Board Members had any objection to her asking Amy Alfonso to check with Moreau Lake to see if they had any programs they would like listed on our website. No objections were voiced.

Councilman Kusnierz asked Paul Joseph about Right to Farm Signs being erected in key locations in the Town. He said they talked about it some time ago.

Paul Joseph stated that he has the signs and is waiting for the State and County to erect them on their

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highways in the Town. The signs have been erected on about 85% of the Town's roadways.

SUPERVISOR'S ITEMS

None

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to adjourn to executive session at 7:48 p.m. to discuss the employment history/performance of unnamed employees and to discuss potential litigation.

Roll call vote resulted as follows:

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

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

A motion was made by Councilman Vittengl and seconded by Councilman Kusnierz to adjourn the executive session and re-open the regular meeting at 8:13 p.m.

Roll call vote resulted as follows:

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

No action was taken in the executive session.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to terminate the employment of Kevin Dickinson and Jeremy Tripp effective immediately and authorizing the Supervisor to issue letters of termination.

Roll call vote resulted as follows:

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

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to adjourn the regular meeting at 8:18 p.m.

Roll call vote resulted as follows:

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

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Supervisor Jenkins Yes

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury
Town Clerk