

A regular meeting of the Town Board of the Town of Moreau was held on May 26, 2015 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 Town Clerk called the roll.

Town Board Members Present

Bob Prendergast	Councilman
Robert J. Vittengl, Jr.	Councilman
Preston L. Jenkins, Jr.	Supervisor

Town Board Members Absent

Gina LeClair	Councilwoman
Todd Kusnierz	Councilman

Also Present: Leeann McCabe, Town Clerk; Karla Buettner, Attorney for the Town; Paul Joseph, Highway Superintendent; Reed Antis, Planning Board Member and Town Resident; Town Residents, Dana Charpentier, Gardner Congdon, Angela Wadsworth, Keith and Carrie Baker and Village Resident, Rachel Nardin.

Supervisor Jenkins led the Pledge of Allegiance.

Supervisor Jenkins welcomed everyone to the meeting and asked that any electronic devices be silenced or turned off.

APPROVAL OF MINUTES

The minutes from May 12, 2015 (2 sets) were prepared and presented to the Town Board in advance of the meeting for their review, comment, correction and approval.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to approve the two sets of minutes from May 12, 2015.

Roll call vote resulted as follows:

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

SET FUTURE MEETINGS AND WORKSHOPS

Nothing scheduled.

15 MINUTE PUBLIC COMMENT PERIOD

Reed Antis asked if the Town is in the process of negotiating for land on Nolan Road. Supervisor Jenkins stated that some issues are being negotiated. He asked if there was a log across the road. Councilman Vittengl stated that the gate was locked to protect the loggers. Supervisor Jenkins stated that Finch Prun's property is in the middle of Town owned property and we're looking for an easement.

Dana Charpentier who lives on Reynolds Road stated that he was sad to see the Sheriff's sub-station close down. He stated that last summer was the best summer. People would see the Sheriff sign and slow down. It used to be a speedway on Reynolds Road. Supervisor Jenkins stated that they may have discussions again. He stated that they didn't want to be in the yellow house but if we could provide adequate space

A regular meeting of the Town Board of the Town of Moreau was held on May 26, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

someplace else, they may come back. He stated that it's something they can work on, the deputies that reported here live in Town and can get to the cars quicker.

Mr. Charpentier also reported that there is a light over the garage that's very bright and shines into his home. Supervisor Jenkins stated that he would talk to someone about that.

Mr. Charpentier also asked who he could talk to regarding the woods across the street from the Town Hall. He was directed to call Jason Kemper from Saratoga County. He works with the forest lands.

HIGHWAY DEPARTMENT REQUESTS

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl approving Cold in Place Recycling-Saratoga County Contract #15-PWPA-28R in the amount of \$57,025.00. This will be paid from account DB5112.493.3 which has a balance of \$57,025.00 as of 5/4/2015.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl approving a purchase order in the amount of \$475,000.00 for projects covered by Saratoga County contracts: 14-PWPA-30R, 15-PWST-43R, 15-PWPA-28R, 15-PWAC-3R to complete the 2015 budgeted projects. This will be paid from account DB5112.493.4 which has a balance of \$536,663.00 as of 5/4/2015.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl approving the hiring of Royce Gilligan on a part-time as needed basis at a rate of \$12.00 per hour, following his retirement from the Town.

Roll call vote resulted as follows:

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

WATER DEPARTMENT REQUESTS

There were no requests from the water department. Supervisor Jenkins reported on the Asset Management study. He stated that the question is, do we consider consolidation. He also stated that the Board could authorize, tonight, the attorney for the Town to put together the plan that required Tim Burley to come up with the approach, which is very detailed, to include debt structure, equipment and assets. There would be a couple alternatives once they get to that point. Once the plan is done, we would set a public hearing and look at the alternate things they could do. Supervisor Jenkins has spoken with Ms. Buettner and stated that she's discussed this with the State in the past to see what's required and it's

A regular meeting of the Town Board of the Town of Moreau was held on May 26, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

pretty detailed in what the law states you have to do. He stated that the State would like to consolidate all special districts if they could. He was also looking at the possibility of a simple CFA covering the cost to do this. Councilman Prendergast stated that he's not against consolidation but would like a full Board present to make a motion. This would be costly as it is quite involved and would like to wait until there's a full Board present. It was agreed that they should wait.

RECREATION DEPARTMENT REQUESTS

There was a verbal approval of grub control for the girls' softball fields and a resolution needs to be done for this to pass.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast approving the Recreation Department to apply grub control for the two softball fields with licensed personnel from the South Glens Falls CSD to supervise. The chemicals will be purchased from Turf Management at a cost of \$1,760.00.

Roll call vote resulted as follows:

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

There was a resolution on May 12, 2015 approving a feasibility study which included a design of an adaptive playground by Play by Design of Ithaca, NY at a cost of \$2,269.00. The resolution needs to be corrected to state "design day" and not the actual design.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to correct the original resolution of May 12, 2015 to approve a "Design Day" presentation to be held on May 26, 2015 for a feasibility study for an adaptive playground by Play by Design of Ithaca, NY at a cost of \$2,269.00.

Roll call vote resulted as follows:

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

Councilman Prendergast stated that it was told to him that Tim Johnston was going to go out and get some fencing prices for the playground that's over by the quads. At the end of the season last year, there was concern from some of the parents regarding the fencing. He was told that this would be a priority at the beginning of this year and it has not been done. He doesn't like the idea that it was told that it would be a priority and hasn't been. He would like to know what changed that this didn't get done. When parents are upset and the Board conveys to the parents that something will be a priority it should be. He wants an answer.

RESOLUTION FOR COMPLETION OF EXAMINATION OF COURT'S FINANCIAL RECORDS

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl acknowledging that the required examination of the Town of Moreau Justice Court's financial records for the year ended December 31, 2014 has been completed and approved by the Moreau Town Board.

A regular meeting of the Town Board of the Town of Moreau was held on May 26, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

Roll call vote resulted as follows:

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

SARATOGA COUNTY BOARD OF SUPERVISOR'S RESOLUTION

Supervisor Jenkins made mention that there was a Resolution by the Saratoga County Board of Supervisors entitled "A Local Law allowing for common, safe items to be excluded from the dangerous fireworks definition as permitted by New York State Penal Law Section 405(5)(b) and wanted to make sure the Board got a copy of the Resolution and asked if anyone had any questions.

He also stated that he gave the Board a copy of a proclamation that was done at the County last week honoring Dan Orsini. It was amazing the things that he did and we've certainly lost a meaningful citizen of this community. He did many things for many people and many organizations.

15 MINUTE PUBLIC COMMENT PERIOD

Reed Antis asked if RFP's have gone out yet for the zoning. Attorney Buettner stated that they will go out this week.

Mr. Antis asked if the fee has been paid yet for the multiple listing for the 61 Hudson Street property. Supervisor Jenkins replied that his clerk would do that when she's done with payroll.

Mr. Antis asked how the Building Department is running without Joe Patricke. Supervisor Jenkins stated that it seems to be going ok for now.

Mr. Antis asked about the litigation with regard to the dog grooming. Attorney Buettner stated that they were waiting on Judge Nolan.

Angela Wadsworth stated that she received the documents that she had requested regarding the Town's Insurance Company. She thanked the Supervisor and then made some comment on the policy.

Ms. Wadsworth asked how the Town Building is coming since the water damage and also the state of the plumbing. Supervisor Jenkins reported that there are still some questions regarding the plumbing. The alarm system is still down and the Insurance Company is still investigating to see what happened to the pipe and they are having it analyzed. If it was construction error, they'll have to check all the other main couplings. The Insurance Company is handling all of this right now. She made comment regarding the pipe break and how she had defected equipment installed as well.

Ms. Wadsworth also wanted to report to the Board regarding her case she had with her land. She stated that there is still litigation with regard to the cost of damages but the property issue has been resolved and she has her land back. She asked the Supervisor, why, if a Town employee forced a contractor to put a 200' swail down her property, so the water wouldn't touch his land, why is she being the one impacted. She stated that she shouldn't have been damaged by the house next door with all the drainage issues. If the Town could step in at that time against a court order, she asked why they can't step in now to correct where this runoff is going to go. She asked why it's being pumped from underground drainages to her property. She stated that it's not fair and it's not properly designed. She asked to have her property fixed. Supervisor Jenkins stated that he would have Attorney Buettner look into these issues.

COMMITTEE REPORTS

None

A regular meeting of the Town Board of the Town of Moreau was held on May 26, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

SUPERVISOR'S ITEMS

None

Supervisor Jenkins asked for a motion to go into executive session and before he completed his sentence Gardner Congdon asked if he could speak.

Mr. Congdon asked what the status was of the tree business down on Nolan Road. Supervisor Jenkins stated that the Town is working with the Finch Company and the gate is open. He stated that we're trying to resolve the issues of right-of-way. Mr. Congdon asked what the issues were and Supervisor Jenkins replied that the question is whether there's an easement or not. They know that there was a road there. The Town can't find any record of easements. Attorney Buettner asked Mr. Congdon if he was talking about the tree thinning. Mr. Congdon stated that he had read the documentation from Saratoga Land Management and from Prentiss and Carlisle and he stated that they don't jive. He asked if money has changed hands yet. Councilman Vittengl stated that they put a deposit down of \$40,000.00 to develop the trails and to do the thinning. We'll get the load sheets when we get paid about 30 days after. Councilman Vittengl stated that the Town should net about \$8,000 to \$10,000 for thinning out at the Industrial Park. Mr. Congdon asked about the bidding process for these jobs. Supervisor Jenkins replied that the consultant sent out the bid packets. Mr. Congdon asked what means they used to put the job out to bid. Councilman Vittengl stated that there was only one bid returned. Mr. Congdon asked who the bid packets were sent out to. Councilman Vittengl stated that he could get that information from Saratoga Land Management. Mr. Congdon asked if he had the information and the answer was no.

A motion as made by Councilman Vittengl and seconded by Councilman Prendergast to adjourn to executive session at 7:40 p.m. to discuss Erie Boulevard Hydro issues and the employment history of a part-time employee.

Roll call vote resulted as follows:

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

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

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adjourn the executive session and re-open the regular meeting at 7:58 p.m.

Roll call vote resulted as follows:

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

There was no action taken in the executive session.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adjourn the regular meeting for the evening at 7:59 p.m.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Yes

A regular meeting of the Town Board of the Town of Moreau was held on May 26, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

Councilwoman LeClair	Absent
Councilman Kusnierz	Absent
Supervisor Jenkins	Yes

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
Town Clerk

The above minutes are not intended to be a complete transcript of the meeting. To hear the complete audio of the meeting, please go to the Town's website at: www.townofmoreau.org