

A regular meeting of the Town Board of the Town of Moreau was held on August 11, 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

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

Town Board Members Absent

Bob Prendergast	Councilman
-----------------	------------

Also present: Leeann McCabe, Town Clerk; Stefanie DiLallo Bitter, Attorney for the Town; Paul Joseph, Highway Superintendent; Jesse Fish, Water Superintendent; Jeff McCabe, Town Justice; Pete Corlew, Recreation Department laborer; Wade Sherman, PS Technical Services; Reed Antis, Planning Board member and Town Resident; Kathleen Moore, Post Star reporter; Terry Clark, Town Resident and Village Residents Harry Gutheil and Chris Music.

Supervisor Jenkins led the Pledge of Allegiance.

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

APPROVAL OF MINUTES

The minutes from July 28, 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 Councilwoman LeClair and seconded by Councilman Vittengl to approve the minutes from July 28, 2015 (2 sets) as prepared.

Roll call vote resulted as follows:

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

SCHEDULE FUTURE MEETINGS AND WORKSHOPS

None scheduled.

15 MINUTE PUBLIC COMMENT PERIOD

Terry Clark spoke regarding the placement of the American Flag at half-staff and stated that the American Flag should never be below the other flags.

Mr. Clark also asked the Supervisor if and when the fittings were going to be checked. The Supervisor replied that the fittings will be checked. He didn't have a time as to when this would be done.

Mr. Clark received a letter from the Town Clerk stating that he wasn't eligible to receive a copy of the Monolith Solar contract as there was a confidentiality clause in the contract. He stated that it should be

A regular meeting of the Town Board of the Town of Moreau was held on August 11, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

foivable. Councilman Kusnierz stated that the contract should be released as long as the proprietary items have been redacted.

Mr. Clark asked Councilman Vittengl about his personal use of Monolith Solar. Councilman Vittengl stated that he purchased the plan after the Town had. Mr. Clark felt he should have abstained from voting for the Solar contract as it was a conflict of interest.

Harry Gutheil made mention as to the condition of the sod around the Town Hall building. He stated that \$100,000.00 was spent grading, sodding and seeding. The lawn is full of weeds and dead spots and should be taken care of before they lose what they have invested in it.

Mr. Gutheil spoke regarding a FOIL request that he had made regarding the Town Hall building and Town Highway garage building. He stated that no one seems to know how many and what size septic tank was installed at the Town Hall. The Board approved a 2,000 gallon tank but there's an invoice for a 750 or 1,000 gallon tank. There's an invoice from IBS Septic stating that they pumped 2,000. If there's only a 1,000 or 1,500 gallon tank, how did they pump 2,000 gallons? The Supervisor will get verification on that. Paul Joseph believed that it was a 1,500 gallon tank.

Mr. Gutheil also stated that part of the information relating to his FOIL request was denied because it was considered to be privileged information.

Mr. Gutheil's 5 minute time limit had expired.

Reed Antis asked about the McGregor closure and where the State is issuing funds to the Municipalities.

Councilman Kusnierz wanted to go back to Mr. Gutheil's concern over his FOIL request and stated that he's committed to open Government and that unless something can't be released due to a proprietary nature by direction of Counsel and the Board should decide how they want to police it. Councilman Kusnierz stated that if he asks him for the information, he'll get it for him.

Mr. Antis asked his question again and the Supervisor replied that McGregor has been put on the market and they're looking for prices. Mr. Antis stated that the money to the Municipalities was to be for economic development and asked again if this had been done. The Supervisor stated that it's been put in a vault and left there for right now.

COMPUTER SERVER BACK-UP

Wade Sherman from PS Technical Services presented the Town Board with a few different options for backing up the main server. He recommended a unit (Qnap) that can be located anywhere in the Town Hall away from the server room. This uses a program that runs realtime backups throughout the day and also makes a copy on the removable USB drives to take off site. The program will also allow for backup from up to 10 additional work stations on the network, as well as email notification of backup status. Councilwoman LeClair asked Mr. Sherman if his Company didn't give a proposal initially because the phone system was included in the RFP's. He replied that this was true but had given our number to a couple of people that are capable of taking care of the phones. Councilwoman LeClair asked about the heat where the server is kept in the Building Inspector's office. He stated that you need ventilation that will circulate the air and take the heat out. He's not an air conditioning specialist but can help with suggestions. The cost of the total backup project would be \$2,600.00. Councilwoman LeClair made a motion to approve this backup plan. There was no second to her motion. Supervisor Jenkins asked Mr. Sherman to get the paperwork for the plan together and they would have time to look it over before the next Town Board meeting in two weeks.

COURT REQUEST

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl approving the Court request for Linda Blackburn and Jennifer Miller to attend the NYS Court Clerk's Conference and for Judge McCabe to attend the NYS Magistrates Conference to be held on September 27th – 29th, 2015 in

A regular meeting of the Town Board of the Town of Moreau was held on August 11, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

Niagara Falls, New York at a cost not to exceed \$1,600.00. This will include the Registration fees, Lodging and mileage and will be paid from account A1110.4.

Roll call vote resulted as follows:

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

HIGHWAY DEPARTMENT REQUESTS

A memo was received from the Highway Superintendent stating that he had received a letter from NYS DOT regarding a pilot project initiated for Saratoga County to calculate road mileage which is used to calculate the CHIPS apportionments to our town. It was determined that here is an additional .20 miles of roadway that can be claimed as part of Farnan Road. A Town Board resolution is needed affirming the ownership of .20 miles of Farnan Road.

This item was tabled at the request of the Attorney for the Town as she had some questions regarding this matter.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair approving the purchase of a tire for the New Holland Tractor #49 at a cost of \$1,041.95 from Adirondack Tire.

Roll call vote resulted as follows:

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

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair approving the purchase of (6) 30" Rings & Grates from EJ USA at a cost of \$1,613.76 to be paid from account DB5110.450, which has a balance of \$3,080.25 as of August 6, 2015.

Roll call vote resulted as follows:

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

There was a request from the Highway Superintendent on June 4, 2015 to hire a mechanic effective June 22, 2015. The Supervisor reported that the Duties Statement has been approved by the County and a letter of approval has been received from CSEA (the Supervisor read the letter aloud). He stated that this will carry them through the December 31, 2015 contract and then they will have to negotiate a new contract for the mechanic position.

Councilman Kusnierz asked if a new position will have to be created because this new person will only be a mechanic. Paul Joseph replied "no". This position will take the place of the vacant position and this person will perform the same duties as the previous person.

Supervisor Jenkins stated that this will need three resolutions.

A regular meeting of the Town Board of the Town of Moreau was held on August 11, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair approving the Duties Statement and to create the position of Mechanic.

Roll call vote resulted as follows:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl approving the letter of agreement with the CSEA and authorizing the Supervisor to sign.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes [with the understanding that this isn't a contract amendment]
Councilman Vittengl	Yes
Councilman Prendergast	Absent
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to hire Gregory T. Carta as Mechanic for the Highway Department at a rate of \$20.00 per hour pending successful completion of a pre-employment physical and background check.

Roll call vote resulted as follows:

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

BUILDING DEPARTMENT REQUESTS

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the Assistant Building Inspector to attend an educational conference sponsored by New York State Fire Marshalls and Inspectors Association, to be held on September 1st – 4th, 2015, in Liverpool, New York at a cost of \$724.00, which includes the Registration Fee and Lodging plus reasonable and proper expenses including mileage and meals.

Roll call vote resulted as follows:

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

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the purchase of a Konica Minolta Bizhub C554e from Seeley Office Systems at a cost of \$5,774.30 to be shared by the Building Department and Assessor's Office.

Roll call vote resulted as follows:

A regular meeting of the Town Board of the Town of Moreau was held on August 11, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

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

RECREATION DEPARTMENT

A request for split rail fencing was made at the last Town Board meeting and more information was requested before it was acted upon. An amount of \$4,590.00 received verbal approval by a majority of the Town Board and needs to be ratified at this meeting.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the purchase of split rail fencing at a cost of \$4,590.00 for the Recreation Park. This will be paid from the Recreation Capital Projects account.

Roll call vote resulted as follows:

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

CEMETERY WORKSHOP RECAP

Reed Antis gave a brief overview of the workshop he attended on July 30, 2015. The first thing they discussed was cemetery restoration and monument care. He stated that because the Town allocates funds for the upkeep of the abandoned cemeteries, they are considered municipal cemeteries and are now Town property. He stated that it's customary for people to pay for burial plots, which the Town doesn't do and he advised that the comptroller for the State would advise that the Town is giving away Town property. He stated that the last burial that took place; the woman never lived in the Town and didn't provide a deed. This is a grey area. The other topic they discussed was maintenance and care. He stated that if the cemeteries are mowed to "golf course short" it causes erosion to the monuments. There are programs where the Town can ask for grant money that will help to repair dangerous monuments. The third thing they got out of the workshop was that cemeteries are a cultural aspect of the Town. One of the cemeteries they addressed was in the Town of Moreau (Rogers Cemetery) on West River Road. The cemetery was started in the 1800's and General Rogers, who fought in the Revolutionary War, is buried there and we can't gain access to it. The Town's Highway Superintendent has been working with National Grid and General Electric in hopes to be able to gain access. He stated that we could put this on the National Register and add this as a cultural aspect of the Town. Mr. Antis stated that in the last week of July he had sent an email to the Board with a copy of an article from the Plattsburgh Press. He stated that we should reach out to the South Side Association and make sure things are going well so they don't become another burden on the Town. In closing he suggested that the Town not cut the grass every week. They can use the money they save elsewhere. Also to think about cemeteries as cultural assets.

REQUEST FOR TOWN HALL CLOSURE ON CHRISTMAS EVE

A request was made by the Town Clerk to have the Town Hall close for Christmas Eve. It has been past practice to allow the closure of the Town Hall on the day before or after Christmas, as long as everyone has a personal day or vacation day left to take.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair authorizing the closure of the Town Hall Building on December 24, 2015 as long as everyone has a personal day or vacation day to take and that the public is properly notified.

Roll call vote resulted as follows:

A regular meeting of the Town Board of the Town of Moreau was held on August 11, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

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

GRANT'S COTTAGE – APPROVAL TO PAY

A presentation was made at a previous Town Board meeting asking the Town to provide funding for Grant's Cottage. There was \$5,000.00 budgeted for this expense.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to expend \$5,000.00 to fund Grant's Cottage. This will be paid from account A7520.4.

Roll call vote resulted as follows:

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

RFP'S COMPREHENSIVE PLAN AND ZONING CODE UPDATE

Only one proposal was received by the due date of July 30, 2015. This was received from The LA Group with a total proposal of \$53,964.75. The project would take approximately two years and would start with forming a Project Advisory Committee. Followed by Inventory and Community Profile, Community Assessment, Community Vision and Planning Goals and Objectives and the First Public Hearing. There is \$25,000.00 in this year's budget for this project. The Supervisor stated that he's been happy with The LA Group in the past and wouldn't have a problem using them for this project and asked for a motion to award this contract to The LA Group. Councilwoman LeClair asked if there is Grant money available for this project. The Supervisor replied that Shelter Planning will be working with The LA Group as part of their proposal to look for funding.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair awarding the contract for a Comprehensive Plan and Zoning Code Update to The LA Group at the proposed cost of \$53,964.75 to be paid over two years. The project will start September 1, 2015.

Roll call vote resulted as follows:

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

DEFIBRILLATOR

There was brief discussion on defibrillators and AED's. It was mentioned that the AED at the Town's Recreation Park is at present not working. Cardiac Life can replace the parts for \$156.70. A proposal was given to add a unit to the Town Hall Building as well. This could be moved from here to the beach to the Highway Department as needed to keep it active. The Supervisor stated that he would like more information on this before they purchase a new one.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to order parts from Cardiac Life to repair the AED at the Recreation Park at a cost of \$156.70.

A regular meeting of the Town Board of the Town of Moreau was held on August 11, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

Roll call vote resulted as follows:

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

15 MINUTE PUBLIC COMMENT PERIOD

Reed Antis asked if the Water Committee has met yet with Harry and Mike Shaver. The Supervisor stated that they have to decide first if they want to pay for the engineer to come down. The Water Committee will first meet with Jesse and Tim Burley. The Supervisor's secretary will contact all of them to schedule a meeting. They will look at the asset management plan, the training involved, what the software issues are and the pluses and minuses of consolidation.

Mr. Antis asked if there will be an audit of the Moreau Emergency Squad before year end. The Supervisor replied that they conducted an audit last week. He will be sending a written report to them with what they found. He stated that it was a positive audit and their questions were answered. He stated that Councilwoman LeClair still has some questions from the first audit that haven't been answered. He was comfortable with the audit and stated it was a very good meeting. He stated that the Squad is asking the Town Board to consider charging developers a fee for EMS services. They can look into that at budget time. It will be much easier to do this for the Squad than it would be for the Fire Company. There are a set of laws regarding the Fire Company that state the only money you can give to them has been raised by tax levy.

Mr. Antis asked when the budget process starts. The Supervisor stated that he is already working on the budget and explained the time lines that are mandated by the State.

COMMITTEE REPORTS

Councilwoman LeClair met with Fran Thibodeau over the Employee Handbook. Fran has spent a lot of time going through all the notes and has completed a revision for the Town Board to look at. Councilwoman LeClair asked that everyone take a look at the Handbook and give her or Fran a call with any questions. Also, to let them know in certain areas of the book, which wording is preferred.

Councilwoman LeClair also reported that there were 60 children that participated in the community garden this year.

Councilman Vittengl stated that he had a request from Saratoga Land Management seeking an extension to the time frame for harvesting. The Potter Point property was due to be completed in October and it would be better if they had until December. The Supervisor asked that this be put on the agenda for the next meeting.

Councilman Kusnierz asked if anyone has interacted with the Bouton's. The Supervisor replied that his Secretary had talked to them last week but he will get a start date from Grasshopper Garden's and will give them a call to keep them informed.

SUPERVISOR'S ITEMS

The Supervisor had received correspondence from someone stating that the American Flag should always be in the middle. He's read the etiquette and it states that the Flag needs to be on the left with any other flags to the right and the poles all being the same height.

The Supervisor also received a letter from Saratoga County stating that a portion of Spier Falls Road will be under construction starting Monday with alternating one-way traffic. He directed the Town Clerk to notify the Post Star.

A regular meeting of the Town Board of the Town of Moreau was held on August 11, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

The Supervisor received a copy of an email from Jack Celeste to Tim Johnston commending the Recreation Staff for all their hard work. He read the letter aloud.

The Supervisor reported that the Town is going to have a problem with medical insurance next year. We won't be able to utilize the high co-pay accounts next year as it requires 50% employee participation and he doesn't think that will work. One of the Insurance Companies that had given information last year has requested to provide information again. There were no objections to this request.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to adjourn to executive session at 8:30p.m. to discuss an Article 7 with Lehigh Cement, a water bill issue with a particular customer, a personnel issue at the Recreation Park and a contractual issue.

Roll call vote resulted as follows:

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

The Water Superintendent was invited into the executive session. The 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 9:14 p.m.

Roll call vote resulted as follows:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to close the Town's Beach on August 20, 2015 due to lack of staffing.

Roll call vote resulted as follows:

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

A motion was made by Councilman Vittengl and seconded by Councilman Kusnierz to adopt the following resolution.

IT IS HEREBY RESOLVED, that the Town Board of the Town of Moreau hereby agrees to the proposed settlement of the Article 7 proceeding with Lehigh Northeast Glens Falls vs. the Town of Moreau and all with the reclassification of certain lots. The owner's agreement to merge the lots in the payment of no refund.

IT IS FURTHER RESOLVED, that the Town does hereby authorize the Attorney for the Town to prepare the necessary paperwork including the stipulation of settlement and order to this resolution.

A regular meeting of the Town Board of the Town of Moreau was held on August 11, 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	Absent
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

A motion was made by Councilman Vittengl and seconded by Councilman Kusnierz to adjourn the regular meeting for the evening at 9:17 p.m.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Absent
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
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, only a summary. To hear the complete audio of the meeting, please visit the Town's website at: www.townofmoreau.org