

A regular meeting of the Town Board of the Town of Moreau was held on September 29, 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
Bob Prendergast	Councilman
Preston L. Jenkins, Jr.	Supervisor

**Town Board Members Absent**

None

**Also Present:** Leeann McCabe, Town Clerk; Karla Buettner, Attorney for the Town; Paul Joseph, Highway Superintendent; Jesse Fish, Water Superintendent; Pete Corlew, Recreation Department Laborer; Kathleen Moore, Post Star Reporter; Sandy Mahoney, Recreation Department Program Director; Reed Antis, Planning Board Member and Town Residents and Town Residents Rich Morris, Gardner Congdon and Chris Music; City of Glens Falls Residents Laura Conway and Matt Schuette.

Supervisor Jenkins led the Pledge of Allegiance.

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

**APPROVAL OF MINUTES**

The minutes from September 15, 2015 were prepared and presented to the Town Board in advance of the meeting for their review, comment, correction and approval.

Councilman Vittengl stated that on page 216, 2<sup>nd</sup> paragraph it should read 6-8 hours last week.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to approve the minutes from September 15, 2015 with the above noted correction.

Roll call vote resulted as follows:

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

**SET FUTURE MEETINGS AND WORKSHOPS**

Budget workshops were scheduled for October 15, 2015, October 20, 2015 and October 22, 2015 all at 6:30 p.m.

**15 MINUTE PUBLIC COMMENT PERIOD**

Reed Antis asked when the Moreau Emergency Squad workshop was scheduled for. It was replied that it was scheduled for October 8, 2015 at 6:30 pm. He confirmed that the public hearing for the Library budget is to be held on October 6, 2015 at 7:00 p.m. Mr. Antis also asked about the posting of the Planning and Zoning minutes. The Town Clerk advised him that she is the one that posts the minutes and if he finds that something is missing he should contact her. Mr. Antis asked if any bills were paid at audit

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to the solar company to compensate for them buying power. Councilwoman LeClair stated that there was a bill for two months and fifteen days but she wasn't sure if it got paid. They don't have a spreadsheet of the paid bills with them.

Gardner Congdon addressed the Town Board on the Flag display and was told that they are placed properly. Mr. Congdon also questioned as to why Joe Patricke doesn't attend the Town Board meetings. Councilman Kusnierz stated that the Town Board has a policy that all Department Heads attend regular Town Board meetings. The Supervisor replied that he would have to be paid overtime if he came to the meetings. He asked other questions of Mr. Patricke's work schedule him not being present.

### **SOLAR PROJECT SOLUTION PRESENTATION**

Ben Dickerson from Solar Solutions gave a short presentation. He stated that he wasn't here to sell anything. He stated that he's here for four reasons. The first one is that the Town of Moreau is still opted out of the solar tax exemption. He stated that everyone but the Town of Moreau has to pay taxes on solar to be built. Anyone that wants to put solar in Moreau will be taxed. If they put in a \$6,000,000 solar farm, they get taxed on \$6,000,000. He's asking that the Town look into changing that regulation. The second one is shared renewables. On a residential scale you don't have to have solar panels on your house. There could be a solar array on an old dumpsite and the credits would be shared by hundreds of residents or whoever they choose to off-take that power. What they've been discussing is the possibility of land acquisition or leasing land from the Town. In order to do that, they need to do some site assessment. They need to get a value on the property so they can come back with a lease price that they can build their solar on. The third thing is a solarized campaign. Round two of the solarized campaign started last week. He's asking for the Town to create a small panel that he would be a part of to start a solarized campaign. The fourth is the Micro Grid. If the Town allows them to build solar in strategic locations, that power can be tied into the Micro Grid. He's asking for three things: tax exemption, permission to do some initial land studies and for the Town to consider the solarized campaign. In round two of the campaign, the Town would have to go to a meeting. There is a meeting to be held upstate next week. If not attended the next meeting would be down in western New York. He wouldn't mind going himself at no cost. He wants to see Moreau in their own solarized campaign. Part of the community shared solar is that 20% of the farm has to be low income residents. He stated that NYSERDA doesn't want just rich folks to get solar. Councilman Kusnierz asked how other communities regulate solar in their zoning. Mr. Dickerson stated that NYSERDA started fast tracking and that he would send him the link. Councilman Vittengl asked the Board if it's ok for Mr. Dickerson to go to the meeting as a representative of the Town at no cost to the Town. Councilman Kusnierz questioned how Mr. Dickerson would represent the Town when there is no agreement in place. Mr. Dickerson stated that he would be a third party consultant. Attorney Buettner stated that the concern she's hearing is that he would be representing the Town but with no agreements in place. She stated that this is great but she's hearing that the Town isn't ready yet. Mr. Dickerson stated that if he misses this meeting he can go to the next. Supervisor Jenkins thanked him for coming.

### **HIGHWAY DEPARTMENT REQUESTS**

A request was made to appropriate \$6,600.00 toward tree and/or stump removal with A1 Tree Services for the current budget year. The Highway Superintendent stated that the trees were marked.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast approving the Highway Superintendent to appropriate \$6,600.00 toward tree and/or stump removal with A1 Tree Services for the current budget year. There is \$10,000.00 in account DB5110.457.

Roll call vote resulted as follows:

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

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There was discussion regarding the usage of a Portable Trommel Screen at the Transfer Station to take care of the leaves and such. The product could be used by the Transfer Station, Recreation Park and Highway Department. Councilman Prendergast asked what we did with the material in the past that we didn't screen. Paul Joseph stated that there were companies that would take the material and screen it and give us a little back. There hasn't been anyone recently. Paul stated that they would like to try this for a week at \$3,000.00. Councilman Kusnierz asked if the money was budgeted for this. Paul Joseph replied not specifically but he has the money. Councilman Vittengl stated that the idea was to try this out for a week and if it worked it might be a good investment for the Town. He stated that this would free up space at the transfer station and give Rec and Highway access to the topsoil. A transfer is needed if this lease is to take place.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to transfer \$1,000.00 from DB1990.4 and to transfer \$1,000.00 to DB5110.480 – Contractual Misc. Councilman Kusnierz stated that this a good idea to screen but it hasn't been budgeted for. He stated that they should move forward after it's been budgeted. He won't support this.

Roll call vote resulted as follows:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the rental of equipment from Monroe Tractor at a cost of \$3,000.00 per week for one week to make compost. This expense will be divided by \$1,000.00 each from Highway (DB5110.480) Recreation (A7140.4) and Transfer Station (TS8160.4).

Roll call vote resulted as follows:

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

### **WATER DEPARTMENT REQUESTS**

There was discussion regarding the billing in Water District 1 if water has been shut off at the curb. The Water Superintendent had a user ask to have his water bill waived because he had a fire and the water was shut off at the curb. He asked if the same rules apply to Water District 1 as in Extension 1 and 2 of Water District 1 because there is debt. It was the general opinion to allow this credit for this instance only until they make a decision.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to waive the billing charge for one resident whose water is shut off at the curb.

Roll call vote resulted as follows:

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

### **APPROVE GAS VENT REPAIR AT LANDFILL**

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A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl approving MCES to repair the damage gas vents and perform other landfill repairs at a cost not to exceed \$5,030.00. This will be paid from the Capital Reserve Account.

Roll call vote resulted as follows:

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

### **WATER CONSOLIDATION**

Councilwoman LeClair reported that she and Councilman Prendergast, the Water Superintendent and Harry Gutheil met with Tim Burley regarding consolidation. There were questions asked that Tim couldn't answer and he suggested reaching out to an expert Tim Goodfriend to answer these questions. Tim Burley was to forward info to Tim Goodfriend. His rates are \$150 to \$200 per hour. Councilman Prendergast stated that there are legal questions that Tim Burley can't answer. They need an expert. What do they do with fund balance? There are districts without debt and districts with debt. This is a real issue when consolidating. He stated that they need to spend money to go forward and asked if they want to put trust in Tim Burley & hire Tim Goodspeed. Councilwoman LeClair stated that even if we consolidate, it won't cut back on bookkeeping. Councilman Prendergast wanted the Board to be aware what Tim Burley's recommendation was and he stated that there was no resounding yes and no definite no. Councilman Kusnierz recommended that the Town Board look at the memo that counsel has provided from 2012 that outlines the discussion with the comptroller's office with consolidation procedures. He asked that they look at this again and wait one meeting before they vote on this. Attorney Buettner will recopy everyone with this memo. Councilman Prendergast stated that what we charge is a concern of his and every Board member here. There have been questions and a lot of discussion as to what we charge for hook-ups to our water system. All of the information came from Mr. Burley. He asked him in this building the other day if the rates are what they should be and it was a resounding yes, if you want to take care of the system. He has figures to support these rates. Gardner Congdon is opposed to the fees and stated that he has facts and figures also. He stated that Tim Burley's report is bogus and that it's difficult for young people to purchase homes with these fees included.

### **HIRE REBECCA CORP – PART-TIME CLEANER**

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to hire Rebecca Corp as Part-Time cleaner at \$10.00 per hour pending successful completion of a pre-employment physical and background check.

Roll call vote resulted as follows:

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

### **OFF-SITE BACK-UP**

The Town was presented a quote for off-site back-up at a cost of \$190.00 per month. This would include the back-up of two servers and 14 work stations. The Supervisor stated that he's still not clear on the off-site methods and also mentioned that Wade Sherman is looking into options as well. Councilman Prendergast stated that the problem going off-site is that the companies that are used don't want to be held liable and have disclaimers.

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The Supervisor went on to the next agenda item, which was the 15 minute public comment period and it was mentioned that he skipped the Recreation Department agenda item. He stated that he had nothing in his folder. Sandy Mahoney wanted to make mention of a few things. She reported that she has applied for an Educational Grant and she attended a Saratoga County Youth Bureau meeting. She also brought up discussion on sweat equity. There is a group using the Park that won't sign a contract because they have an issue in the wording of sweat equity. She was directed by the Board to advise this person to pay the fee or provide sweat equity and if they won't, then they won't be able to return next year.

### **15 MINUTE PUBLIC COMMENT PERIOD**

Gardner Congdon spoke regarding DEC and wetland maps. A complaint was made against him which prompted DEC to halt his operation and after investigation Mr. Congdon stated that he was told he wasn't in the wetlands or the buffer zone and that he could finish what he was doing and when he was done that he should give DEC a call and they would come down and look at it. He stated that the maps aren't in agreement and suggested that the Board find out what's what.

Mr. Congdon also mentioned that in the parking lot for soccer field #9, there's two pieces of steel sticking up that can hurt someone. He asked if someone would please look at this and cut it off.

Reed Antis asked if the Town has had any luck with the sale of the old Town Hall Building. The Supervisor replied no. Councilman Vittengl stated that he had shown the building to a realtor a few weeks ago and expressed that if they had someone interested to bring the proposal to the Town. They would like to preserve the historic structure of the building.

Mr. Antis asked if the two buildings out front will be discussed at budget time with the possibility of being put back on the tax rolls. Councilwoman LeClair stated that they are looking into the costs of maintaining these buildings.

### **COMMITTEE REPORTS**

Councilman Kusnierz reported that he has reached out to a few people and has one person who is willing to serve on the Farmland Protection Board along with himself and Councilwoman LeClair.

The Supervisor reported that Buildings and Grounds is to meet with Joe Patricke regarding the men's room door. It needs to have the direction changed. Councilwoman LeClair has called a few places and they don't do the metal work. She will try calling again.

### **SUPERVISOR'S ITEMS**

The Supervisor stated that the Master Meter Program is part of the sewer revitalization. He gave a time line of April 1, 2016 for a design plan & specs, bidding should go out around June 13, 2016 and a bid opening would be around August 10, 2016. Construction would start shortly after. The Town has approached the Cement Company for a permanent easement.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to discuss Insurance Coverages at 8:43 p.m.

Roll call vote resulted as follows:

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

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The Town Clerk did not sit in on the executive session. Representatives from Jaeger & Flynn were invited to sit in on the executive session.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to adjourn the executive session and re-open the regular meeting at 9:27 p.m.

Roll call vote resulted as follows:

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

No action was taken in the executive session.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast to select MVP Silver 3 for Health Insurance through Jaeger & Flynn Associates, Inc.

Roll call vote resulted as follows:

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

Supervisor Jenkins will review numbers with the Principal Account Clerk and bring to the Board.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adjourn the regular meeting for the evening at 9:29 p.m.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Yes
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, only a summary. To hear the full audio of the meeting, you may visit the Town's website at:[www.townofmoreau.org](http://www.townofmoreau.org)

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