

A regular meeting of the Town Board of the Town of Moreau was held on November 24, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Supervisor Jenkins called the meeting to order at 7:04 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
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Also present: Leeann McCabe, Town Clerk; Malcolm O'Hara, Attorney for the Town; Paul Joseph, Highway Superintendent; Jesse Fish, Water Superintendent; Ted Monsour, Transfer Station Laborer; Kathleen Moore, Post Star Reporter; Sandy Mahoney, Recreation Program Director; Reed Antis, Planning Board Member and Town Resident; Members of the Moreau Emergency Squad, Andre Delvaux, Steve VanGuilder and Helen Glenn; Town Residents: Rich Morris, Alan VanTassel and Charlie Granger.

The Supervisor led the Pledge of Allegiance and then welcomed everyone to the meeting and asked that all electronic devices be silenced or turned off.

APPROVAL OF MINUTES

The minutes from November 4, 2015, November 10, 2015 (2 sets) and November 12, 2015 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 Vittengl and seconded by Councilwoman LeClair to approve the minutes from November 4, 2015, November 10, 2015 (2 sets) and November 12, 2015 as prepared.

Roll call vote resulted as follows:

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

SET FUTURE MEETINGS AND WORKSHOPS

Public Hearings were scheduled for December 8, 2015 for the Moreau Emergency Squad at 6:40 p.m. and the South Glens Falls Fire Company at 6:50 p.m. for the purpose of receiving public comment on proposed contracts for 2016.

15 MINUTE PUBLIC COMMENT PERIOD

Reed Antis spoke to the Town Board regarding concerns over a Purchase Power Agreement.

HIGHWAY DEPARTMENT REQUESTS

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz authorizing the purchase of (2) 315/80R22.5 Hankook AH11 Steer Tires for Truck #11, Mounted and Balanced, from Adirondack Tire at a cost of \$859.02. This will be paid from account DB5130.405, which has a balance of \$9,238.54 as of November 3, 2015.

A regular meeting of the Town Board of the Town of Moreau was held on November 24, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

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 Kusnierz authorizing the purchase of (4) Dunlop SP464 11R24.5 Drive Tires for Truck #19, Mounted and Balanced, from Adirondack Tire at a cost of \$1,617.48. This will be paid from account DB5130.405, which has a balance of \$9,238.54 as of November 3, 2015.

Roll call vote resulted as follows:

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

The Highway Superintendent submitted a memo to the Board requesting direction regarding the heating system at the old highway garage. There are some units that won't start and the ones that did were making bad noises. He contacted three different vendors to look at the system and only one came to look at it. The vendor who looked at the system replied that all (5) units have cracks in the heat exchangers and operating these units would create a very dangerous work environment. The Highway Superintendent asked for a quote to replace all (5) units. There was no money budgeted for this repair. Supervisor Jenkins stated that the Buildings and Grounds Committee should look at this before any approval is made as there might be a better solution.

WATER DEPARTMENT REQUESTS

None

RECREATION DEPARTMENT REQUESTS

Sandy Mahoney reported that her Department has been working on new forms for the Recreation Park and they've also been working on contracts. She stated that there is one contract that still hasn't been signed. Supervisor Jenkins stated that this would be discussed in executive session.

Jesse Fish stated that there was a Water Committee meeting last week that he was unable to attend and asked what the result of the meeting was. Councilwoman LeClair stated that they discussed changing billing periods as well as rates. They haven't worked out the numbers yet. By lowering what the Town takes in by \$14,000-\$15,000 it would result in only a \$25.00 annual savings for some customers.

TRANSFER STATION REQUEST

Ted Monsour was present and explained the need for a Dumpster Guard at the Transfer Station. The price that was previously quoted by Dumpster Guard LLC was reduced by \$150.00. Mr. Monsour stated that by having a cover for the open top container it would save aggravation and keep people from getting hit with bungee cords. This would also keep snow and ice out of the dumpster. Councilman Vittengl asked if this is a safety issue and Mr. Monsour replied yes.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to purchase a dumpster guard from DumpsterGard LLC in the amount of \$1,150.00. This would be paid from account TS8160.4.

A regular meeting of the Town Board of the Town of Moreau was held on November 24, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Councilman Kusnierz stated that when this was first brought to the Board he didn't see where this purchase would save the Town money. He did thank Mr. Monsour for taking the time to look into this.

Roll call vote resulted as follows:

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

The motion failed.

CLOSE PUBLIC HEARING – MOREAU EMS FEE SCHEDULE INCREASE

Supervisor Jenkins stated that the Public Hearing needs to be closed before any action can be made and asked if there were any more comments. Reed Antis stated that the Town Board needs to be up to speed on the Not-for-profit laws but did feel that the new rates were fair and stated that they should be approved.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to close the public hearing on the Moreau Emergency Squad Fee Schedule Increase at 7:30 p.m.

Roll call vote resulted as follows:

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

Supervisor Jenkins stated that there hadn't been a fee increase in seven years and he was ready to vote on this proposed increase. Councilman Kusnierz stated that the Town is very fortunate to have such a high level of care in our community and that some other Counties don't even come close to the level of care that we have. He stated, that as the Supervisor had said, it's been seven years since the last increase. He also stated that there is a new fee increase that will further the level of care that the Moreau Emergency Squad can provide.

A motion was made by Councilman Kusnierz and seconded by Councilman Vittengl approving the new fee schedule for the Moreau Emergency Squad as follows:

BLS	\$850.00
ALS 1	\$950.00
ALS 2	\$1,050.00
RMA	\$100.00
ALS – RMA	\$200.00
Specialty Care Transports	\$1,800.00
ALS Fly Car	\$250.00
Mileage	\$20.00 per loaded mile

Roll call vote resulted as follows:

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

A regular meeting of the Town Board of the Town of Moreau was held on November 24, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

RE-APPOINT GERHARD ENDAL TO ANOTHER TERM AS CHAIRMAN OF THE ZONING BOARD OF APPEALS

A letter of interest to serve another term was received from Mr. Gerhard Endal, whose term is due to expire on December 31, 2015. Supervisor Jenkins stated that he's done a good job as Chairman and asked for a motion to re-appoint.

A motion was made by Councilman Vittengl to re-appoint Gerhard Endal as Chairman of the Zoning Board of Appeals.

Councilman Kusnierz stated that his term doesn't end until December 31, 2015 and respectfully asked that this be tabled until the end of the year. There were no objections to his request.

DISCUSS HOURS FOR ASSESSOR'S CLERK

The Town Board had received a memo from Francine Thibodeau requesting an hourly rate for the Assessor's Clerk since this person would no longer receive vacation, personal, holiday or sick pay when her position is cut to part-time. The Supervisor stated that this doesn't have to be acted on tonight. He's concerned over some of the issues. He asked that everyone think about this so that they can make the right decision. He will discuss this with the Assessor's Clerk as he doesn't want to lock in the hours.

RE-HIRE MICHELLE JOHNSON, CLEANER, PT

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to Re-Hire Michelle Johnson as part-time cleaner at a rate of \$10.00 per hour.

Roll call vote resulted as follows:

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

RESOLUTUION TO TRANSFER MONEY FROM GENERAL FUND TO WATER DISTRICT 2 DUE TO THE SALE OF TREES IN WATER DISTRICT 2

The Supervisor stated that he has a report from Saratoga Land on the trees that were cut down by the river in three different parcels. One parcel was in Water District 2. The breakdown they gave was \$5,494.15 for the 10 acre parcel, \$11,700.00 for the second parcel and \$23,867.77 for the Water District 2 parcel. He stated that this information had been provided to the Board. He stated that he's not prepared to act at this point but at some time they'll have to transfer the money. The Supervisor spoke with the comptroller and he stated that Water District 2 should get the benefit of the trees that were cut in the Water District. He stated that he would make a request to Mr. Gerber to see how he came up with these figures and then the Town Board can go from there.

CHIPS FUNDING RESOLUTION

The following Resolution was read aloud by the Town Clerk:

WHEREAS, a reliable transportation infrastructure is vital for the safety of New York's travelling public and its economy; and

and WHEREAS, 85 percent of New York's roads and bridges are maintained by local governments;

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WHEREAS, despite well-timed and targeted preventative maintenance treatments, the age and condition of many of our locally-owned transportation assets means that they are beyond preservation and in need of much more costly rehabilitation and reconstruction; and

WHEREAS, estimates by the State Comptroller, DOT and independent studies show a large portion of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete; and

WHEREAS, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

WHEREAS, the New York State Association of Town Superintendents of Highways commissioned its own fifteen year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

WHEREAS, funding for our local system has been far short of what is needed and we've fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

WHEREAS, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is part of the New York State Department of Transportation (NYSDOT) capital program; and

WHEREAS, in the early 1990's the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems' capital programs; and

WHEREAS, when the DHBTF was created, it was agreed that the NYSDOT and MTA five-year capital programs would be similar in size and would be negotiated concurrently; and

WHEREAS, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other; and

WHEREAS, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for the MTA but not the DOT

NOW, THEREFORE BE IT RESOLVED, that the Town of Moreau calls upon the Governor and the state Legislature to make additional state funding and resources available at levels that accurately reflect the critical needs of local roads and bridges, and increase CHIPS funding in the 2016-17 state budget; and BE IT FURTHER

RESOLVED, that the Town of Moreau calls upon the Governor, and members of the state Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and BE IT FURTHER

RESOLVED, that the Town of Moreau calls upon the Governor and members of the state Legislature to recognize the equality of roads, bridges and transit by restoring funding equality between the MTA and NYSDOT five-year programs and by voting on the plans simultaneously.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair to adopt the foregoing Resolution.

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Roll call vote resulted as follows:

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

Councilman Kusnierz asked that copies of the Resolution be sent to Governor Cuomo, Senator John Flanagan, Assembly Speaker Carl Heastie, Senator Kathy Marchione and Assemblywoman Carrie Woerner.

TOWN BANKING PROPOSALS

The Supervisor stated that Francine Thibodeau had provided the Board with information relating to Banking RFP summaries and her recommendation is to stay with Glens Falls National Bank. He stated that the contract with Glens Falls National expires on December 31, 2015 and that the new contract could be taken care of at the Organizational Meeting.

Councilman Kusnierz stated that he would be abstaining because he has a personal relationship with Glens Falls National Bank and TD Bank.

AHC HOUSING REHAB GRANT AWARD CONTRACT – AUTHORIZATION TO SIGN PENDING ATTORNEY REVIEW

The Supervisor is in receipt of the contract for Administration and Implementation of the Town's AHC Housing Rehabilitation Grant Program from Shelter Planning & Development, Inc. He was of the opinion that Attorney Buettner should review the contract first and then they can act on it at the next regular Town Board meeting.

APPLICATION FOR EXTENSION #5 OF SEWER DISTRICT #1

Travis Mitchell gave a brief presentation of the project that will service Winterberry Woods and Arrowhead Meadows Subdivisions, both on Bluebird Road. Councilman Kusnierz asked if these were approved subdivisions and the answer was "yes". Councilman Kusnierz asked what this would do to the projected capacity and Mr. Mitchell replied that right now you have a force main that runs from the Industrial Park Treatment plant and if you took everything that's on the books, including these two projects, you would be around half the capacity. Councilwoman LeClair asked if the citizens along the way would benefit from the line going past their homes. Mr. Mitchell replied that if the homeowners were so inclined, they could petition the Board. If they are brought in, they would have to pay the fees associated with the District. Councilman Kusnierz asked if they would make residents along the route aware of the sewer. The Supervisor replied that they would be out of district users and pay those fees. Jesse Fish asked if the School would be able to hook into the system and the answer was "yes". Jesse stated that residents would have to put in grinder pumps if they hooked into the system as these aren't gravity feed mains. He stated that they should be made aware of that. The Supervisor asked, if the Town puts in a line from exit 17 to tie into this at some point, how it would impact. Mr. Mitchell replied that the infrastructure is large enough to handle the project. The Supervisor stated that a public hearing could be scheduled at the next Town Board meeting.

The Supervisor thanked Mr. Mitchell for his presentation.

15 MINUTE PUBLIC COMMENT PERIOD

None

COMMITTEE REPORTS

A regular meeting of the Town Board of the Town of Moreau was held on November 24, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Councilwoman LeClair stated that she had spoken with Mr. Hutchins from Lehigh Cement Co. regarding the Merrill's concerns over their gate and the road conditions on Sisson Road. She stated that Mr. Hutchins will be speaking with the Highway Superintendent. The Supervisor stated that he had spoken with Mr. Hutchins as well and that he's not prepared to spend any money at this time. Paul Joseph stated that he had spoken with the Association of Towns. They stated that if there was paperwork at the time the gate was put in that states the road is closed, then they can post it "No Trucks" but they would need to find the paperwork. Councilwoman LeClair stated that the Merrill's have some paperwork and that she would get copies of what they have and get it to Paul.

Councilwoman LeClair spoke with the Community Center regarding the Gardening Program. She stated that the Town won't be spending any money this year and the Community Center is looking for ways to run a Garden program. She also stated that there are concerns over the inability to reach out to Junior High children which are at high risk. She discussed the possibility of using the Maintenance Building for programs. She'll talk to Pete about this. She stated that part of the discussion should be regarding the Beach House as well. The Town uses the Beach House 6-7 weeks per year. They may need to say this isn't our building and just put a roof on it and move ahead as simply as they can so they have the money to spend in the Recreation Park. She needs to know what they anticipate coming into the Recreation Reserve Fund so they have some numbers to work with.

Councilwoman LeClair stated that she had attended a Youth Bureau meeting for Sandy Mahoney so she wouldn't have to take a day off work. She also talked to Jim Martin regarding a bill that Terry was looking for relating to the LWRFP Grant so that can be closed out. In her conversation with him, they also discussed the project that he's working on for the Town right now (Zoning and Comprehensive Plan). He stated that he's reviewed our Zoning and Planning Board and Town Board Minutes. He's done a demographic analysis. He would like a copy of the Farmland Protection Plan and a copy of the Sign Law as we have it. She stated that they talked about having community committee people, whether it's from the Farmland Protection Plan or from people that were interested in the Sign Law, to work with this project. At some point they will have to advertise or contact these people that were on these committees. She stated that they need to move on this, not fast, but maybe as an agenda item or workshop at the beginning of the year. She asked if anyone had any suggestions or questions.

Supervisor Jenkins stated that there is about \$200,000.00 in the Town Wide Capital Projects, which would be subject to permissive referendum. Councilwoman LeClair stated that she had gone over the numbers and they will have to make choices as to how they want to do things. As far as the Zoning, she stated that she would go over the names she has from the previous committees and make contacts for the beginning of the year.

Councilwoman LeClair stated that she and Gardner Congdon had looked at the paperwork on file relating to the Town Hall Building.

SUPERVISOR'S ITEMS

A carbon copy letter was received from Crandall Public Library stating the amount of the levy to be raised from the Town of Moreau for the Library's 2016 Budget. The amount differed by \$65.00. The Supervisor asked the Attorney for the Town for his advice. Mr. O'Hara stated that a Resolution could be passed to amend the 2016 Budget.

A motion was made by Councilman Kusnierz and seconded by Councilman Vittengl to lower the Library portion of the 2016 Town Budget by \$65.00 to \$728,097.00.

Roll call vote resulted as follows:

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

A regular meeting of the Town Board of the Town of Moreau was held on November 24, 2015 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz to adjourn to executive session at 8:10 p.m. to discuss a potential issue with a member in the soccer program, CSEA Negotiations with the Highway Department and Litigation on the Town Hall Building.

Roll call vote resulted as follows:

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

Alan VanTassel was invited into the executive session. The Town Clerk did not sit in on the session.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to adjourn the executive session and re-open the regular meeting at 9:51 p.m.

Roll call vote resulted as follows:

Councilman Prendergast	Absent
Councilman Vittengl	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 Vittengl to adjourn the regular meeting for the evening at 9:53 p.m.

Roll call vote resulted as follows:

Councilman Prendergast	Absent
Councilman Vittengl	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, please visit the Town's website at: www.townofmoreau.org

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