

A regular meeting of the Town Board of the Town of Moreau was held on November 22, 2016 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

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

The Deputy Town Clerk called the roll.

Town Board Members Present

Bob Prendergast	Councilman
Gina LeClair	Councilwoman
Todd Kusnierz	Councilman (arrived at 7:10 p.m.)
Alan VanTassel	Councilman
Gardner Congdon	Supervisor

Also present: Tammy Daley, Deputy Town Clerk; John Wright, Attorney for the Town; Paul Joseph, Highway Superintendent; Jesse Fish, Water Superintendent; Elizabeth Lanfear, Supervisor’s Confidential Secretary; (arrived at 7:45 p.m.) Peggy Jenkins, Town Assessor; Reed Antis, Planning Board Member and Town Resident; Town Residents Bob and Cherie Kory, Scott Fialkovich and Terry Clark; Village Residents; Brigid Martin, Pete Lemery, and Tom Wade.

Supervisor Congdon led the Pledge of Allegiance.

Supervisor Congdon opened the meeting by saying they had an unusual circumstance and they were going to have an executive session at the start of the meeting.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to adjourn to executive session at 7:05 p.m. to discuss Erie Boulevard and Home of the Good Shephard.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Absent
Councilman VanTassel	Yes
Councilman Prendergast	Yes
Supervisor Congdon	Yes

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

The Town Board returned from executive session at 7:40 p.m., no action was taken.

APPROVAL OF MINUTES

The minutes from November 1, 2016, November 2, 2016, November 8, 2016, and November 10, 2016 were prepared and presented to the Town Board prior to the meeting for their review, comment, correction and approval.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to approve the minutes of November 1, 2016.

Roll call voted resulted as follows:

Councilman VanTassel	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Congdon	Abstain

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A motion was made by Councilwoman LeClair and seconded by Councilman VanTassel to approve the minutes of November 2, 2016.

Roll call vote resulted as follows:

Councilman Prendergast	Abstain
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman VanTassel	Yes
Supervisor Congdon	Abstain

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to approve the minutes of November 8, 2016.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman VanTassel	Yes
Councilman Prendergast	Yes
Supervisor Congdon	Abstain

A motion was made by Councilwoman LeClair and seconded by Councilman VanTassel to approve the minutes of November 10, 2016.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman VanTassel	Yes
Councilman Prendergast	Abstain
Councilwoman LeClair	Yes
Supervisor Congdon	Abstain

SET FUTURE MEETINGS AND WORKSHOPS

No meetings were scheduled.

PUBLIC COMMENT PERIOD

There were no comments from the public.

OLD BUSINESS

The first item discussed was compensation for Town Employees attending Town Board Meetings. Supervisor Congdon explained the draft policy that they had. They needed to decide to pay Town Employees to attend meetings. He stated he thinks if the employee is asked to attend the meeting or they ask to be put on the agenda then they should be compensated for it. If they just attend the meetings to put time in he stated he thinks that it is not appropriate. It was decided to discuss this at the next meeting.

The second item for discussion was Deer Run and Pheasant Way speed reduction request. No one had anything to discuss on it.

Recreation fees for Softball Tournaments was discussed next. Councilman VanTassell stated they needed to come to a Board agreement on the proposed fees. He said the Recreation Department is at a point in time where they need the fees set because they are starting to schedule tournaments. He stated the prices

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they talked about in their workshops were in line with other Towns. Councilwoman LeClair stated that her only concern after talking to Pete was raking the fields after every game. The recreation department suggests 4” of clay on fields. If they are raking the field after every game there might be a sand and clay mixture. Councilman VanTassel stated he talked to Queensbury about that and said they only have 2” to 3” of clay on their fields. He wasn’t convinced that would be a problem.

A resolution was proposed by Councilman VanTassel and seconded by Councilwoman LeClair for setting field use fees for Moreau Recreation for softball tournaments on the schedule that was reviewed.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman VanTassel	Yes
Councilman Prendergast	Yes
Supervisor Congdon	Yes

Councilwoman LeClair stated that they still need to specify what percent of players justifies if it is an out of town team or a Town of Moreau team to qualify for the lower price. She stated that it used to be 60% or 80% of the team that needed to be a Town resident, she wasn’t sure. Councilman VanTassel stated that it still needs to be discussed. Councilwoman LeClair stated they need to have something in place to be able to charge them a local fee or an out of town fee. She stated the Rec Commissioners used to say in order to be a local team there had to be at least 80% of the team living in the Town. She also stated that they used the ASA registration form for proof of where the person lived. Councilman VanTassel suggested that they schedule a meeting before the end of the year with Pete and Sandy to determine the in Town and out of Town fee qualifications. Councilwoman LeClair stated we have to tell them that we don’t have a criteria yet to determine the fee if someone wants to schedule something before they decide. Councilman Prendergast asked when they register. Elizabeth Lanfear stated they would do it now if they could. She noted this decision, however, was not stopping anybody from registering for fields. They were all in agreement to get this done before the end of the year.

HIGHWAY REQUESTS

Highway Department is requesting a front window assembly. Councilman Kusnierz asked what happened to the window assembly. Paul Joseph stated that is has been rotting out the last few years, and the bottom pane is completely gone.

A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast authorizing the purchase of a front window assembly at a cost of \$1,845.82 from Vantage Equipment. The purchase will be paid from account DB5130.405 with a balance of \$6,380.61.

Roll call vote resulted as follows:

Councilman VanTassel	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Congdon	Yes

Supervisor Congdon asked Paul Joseph what the tilt assembly was for. Paul Joseph stated it was for the side broom so they could go up into the wing walls to get the dirt off. Supervisor Congdon stated he has never seen dirt up there on the wing walls. He also stated he would like to see it before he approves it. Councilwoman LeClair suggested the Supervisor go and look at it with Paul Joseph and then they could have a vote on it. This item was tabled.

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A new oil pan for truck #12. A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the purchase of a new oil pan for truck #12 from Sno Depot at a cost of \$1,710.00 including freight and lifetime warranty. The purchase will be made from account #DB5130.492 with a balance of \$11,669.43. Councilman VanTassel stated that if the Highway Department is ever down a truck they need to let the Town Board know as soon as possible. If they get a big storm that could be a problem with a truck down. Paul Joseph agreed.

Roll call vote resulted as follows:

Councilman VanTassel	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilmen Kusnierz	Yes
Supervisor Congdon	Yes

Councilman Prendergast said since they are on the topic of Highway he asked Paul Joseph about the Mr. Hooper situation and if he still wants a roadway off Route 197. Paul Joseph stated that he talked to Mr. Hooper and he is backing down right now. He stated there is a house at the end and the deed is in his wife's name, and they both have to be in his name and he can't afford the expense right now of changing the name on the deed.

Councilwoman LeClair asked if anyone had any questions for Paul about the Building Department's truck. She stated by the sounds of it the truck is in "pretty" bad shape. Councilman VanTassel stated they saw a write up on what's wrong with the truck, but haven't seen any estimates on the cost to repair the truck. Paul Joseph stated they didn't ask for estimates, they only asked what was wrong with the truck. Paul said he would get the pricing for them. Reed Antis asked if the Building Department truck isn't safe to drive, what does the department drive to do inspections. Councilwoman LeClair said they use their personal vehicles and are reimbursed for mileage.

Supervisor Congdon asked Paul Joseph if he has been able to talk to the Building Inspector about doing the curb cut. Paul stated he has not talked to anyone. He also stated he was waiting to talk to the concrete people, it's not a problem to do it, each contractor has a different way they want it cut out because everyone lays their forms differently. Paul said he will be more than happy to work with whoever he needs to.

Councilman Prendergast stated that he and the Water Superintendent, Jesse Fish, attended a meeting that morning with the Village Mayor Joe Orlow, Trustee Hayes and the Village water department regarding a few issues. The Village needed to be involved with correcting a few of these problems. The Village had asked the Town to supply them with some water. Once they did this the Water Superintendent informed them that the meter in the pit on Feeder Dam is not working. So when they do send water to the Village the Town doesn't have an accurate reading of how much they are sending them. He stated the Town gives them an estimate and they pay the bill, it's not a good way to operate and we need to change it. Councilman Prendergast said the pit on Harrison Ave. Extension has no back flow preventive. He said they went to the meeting with the thinking whoever owns the pits should be responsible for maintaining them, whether it is repairing or installing what needs to be replaced. The Town owns the pit on Feeder Dam Road. The Village agreed to take care of the back flow preventer on Harrison Ave. Extension. The Town would replace the meter on Feeder Dam Road. Councilman Prendergast said the meter that was originally purchased was about \$5,500.00. It no longer works and the warranty runs out after a year for Municipalities. He said since the company Master Meter had problems with those meters they have offered us a meter for \$2,728.50, and our Water Department can install the meter.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to purchase a 6" octave meter from Master Meter for the meter pit on Feeder Dam Road in the amount of \$2728.50. The purchase would be made from account # 8310.4 Water II.

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Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman VanTassel	Yes
Councilman Prendergast	Yes
Supervisor Congdon	Yes

Councilman Prendergast also said that he and the Water Superintendent also talked about replacing the laborer in the Water Department. He stated they looked at the advertisement that was put in when they hired the previous water laborer, and made a few modifications to it. The first change is that the person needs to have a High School Diploma or GED, and second, the ability to operate a backhoe. This person would also need to pass the Town's Pre-Employment process. He feels they really need to act on this. The Water Superintendent has a lot of knowledge and experience and doesn't know how long he will be with the Town. They need someone to get to that point again. Supervisor Congdon totally agrees with that. He thinks they should put it on the website and post it to see what kind of response it gets. If that doesn't work then they can go other routes. Elizabeth Lanfear said she could put it on Craig's List also. Highway Superintendent Paul Joseph stated you could also put it on LinkedIn. Councilman Kusnierz said he had no problem with advertising with the Town's two designated newspapers. He feels this would reach a wider range. Councilwoman LeClair stated their goal is to get someone with additional skills and she has no problem to advertise in the newspapers also.

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz to advertise in the Post Star Newspaper and the Chronicle Newspaper for the position of Water Department Laborer.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman VanTassel	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Supervisor Congdon	Yes

INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF SOUTH GLENS FALLS

Councilman Prendergast said the intermunicipal agreement has kind of stalled and said they need to get that going again. He stated they wanted to have a meeting with the Village to discuss water rates, and that was resolved. Councilman VanTassel thinks they need to have Council draft that up so it can get signed. Councilman Kusnierz said in order to get Council to draft up an agreement the Board has to come up with what constitutes an emergency, how will they be served, and the price. Also need to discuss when it will take effect. Jesse Fish said he had talked to Council Karla Buettner and he explained to her the Town has an almost unlimited supply of water from the Hudson River and unless we have a catastrophic event we would always be able to supply the Village with water whenever they need it and what they need. He said Council Buettner stated with that said there isn't much of a concern to determine whether it's an emergency or not.

Councilman Kusnierz said he had one more concern about water. He stated there has been a member of the public in a water district that has repeatedly come to Town Board Meetings to look for action on our part. He thinks with the Boards support that they could address this one problem, and ask our Water Department to go into these homes in that district (Water 1) that had the problems and not only look at them, but to check and see if they are loose and tighten them. He stated he thinks it would be good for the Town to do this. Councilman Kusnierz asked the Water Superintendent if that is something he could do. Jesse Fish stated "Not without some help". Jesse's concern is that if they loosen that fitting to see if it tight are they getting the same fit when you tighten that compression fitting back up, or are you weakening it up because it has already been compressed. Supervisor Congdon made the suggestion on inserting a letter in the water bill recommending the homeowner to look at their fitting, and if they see a problem with it they can contact the Town. Councilman Kusnierz said he wouldn't know if the fitting was bad or not, and

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he thinks the letter should say something like if they would like their water connection checked to contact the Town. Councilman Kusnierz stated he was only bringing this up because a previous Board was supposed to get this done and didn't. Jesse Fish asked if they were going to check Water District 6 too. The board said no, just Water District 1. Councilman Kusnierz stated he wants the homeowner to have the option to get their connection checked. If they decided not to that's fine too. The Board was in agreement to add an insert into the water bills asking if they wanted their water connection checked they should contact the Town Clerk's Office.

2017 CONTRACTS

Elizabeth Lanfear stated they needed to decide on BID's for Transfer Station. She stated the contract ends December 31, 2016. Supervisor Congdon stated they needed approval to go ahead with it. A motion was made by Council Kusnierz and seconded by Councilwoman LeClair to authorize Council to draft bid documents for the Transfer Station for a two year contract.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman VanTassel	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Supervisor Congdon	Yes

A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast to have the Supervisors office draft RFP documents for Town Attorney and Annual Update Document (AUD).

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman VanTassel	Yes
Councilman Prendergast	Yes
Supervisor Congdon	Yes

PURCHASE DESKS FOR BUILDING DEPARTMENT CLERK AND ASSESSOR

A motion was made by Councilman Prendergast and seconded by Councilman VanTassel to transfer funds \$504.00 from A1355.4 General Fund- Assessor-Contractual to A1355.2 General Fund-Assessor-Equipment. The transfer is needed to purchase a desk for the Assessor from WB Mason.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Council VanTassel	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Supervisor Congdon	Yes

A motion was made by Councilman Prendergast and seconded by Council Vantassel to purchase the desks from WB Mason as shown on purchase document with a price for both offices \$2006.40.

Roll call vote as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman VanTassel	Yes

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Supervisor Congdon Yes

AUTHORIZATION TO SIGN CONTRACT – JAKE LOSAW CUSTOM CARPENTRY

A motion was made Councilman VanTassel and seconded by Councilman Prendergast to authorize the Supervisor to sign the contract with Jake Losaw Custom Carpentry for repairs to Town Hall.

Roll call vote as follows:

Councilman VanTassel	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Congdon	Yes

INCOME SURVEY

Councilwoman LeClair stated she had a talk with Jason Denno earlier and if the Town was willing to do an income survey of the homes within the Sewer District, and if that income was \$500.00 less than the last time the sewer was proposed the Town would be able to go from a 1 1/2 % interest rate loan to a 0% interest rate loan. The Town would only need 38% of the surveys back because there was such a large number of people in the Sewer District. The cost of the survey from Tedford Consulting would be up to \$14,691.00. That price would be for an initial mailing and for a second mailing if they did not get a good response from the first mailing. This also included all the paperwork for the mailings. If the Town did some of the work like putting the letters in the envelope and stamping the envelopes it would save some money. The woman that Councilwoman LeClair talked to about this didn't give her an exact amount of savings. If the Town did this survey it could save the Town close to \$5,000,000. Councilwoman LeClair also stated that with the 0% interest loan and with the 1,590 approximate sewer customers it would be about a savings of about \$101.65 per EDU per year. Councilwoman LeClair talked to the Principal Account Clerk Fran about what account would pay for the survey and she said there was about \$28,000 in the Sewer Account. She stated if they want to do this they should decide soon because it takes a considerable amount of time to do the survey. Supervisor Congdon asked if that includes businesses or just residential. Councilwoman LeClair stated she believes it's just residential. She will check on this about the apartments also.

Councilman Kusnierz wanted to give an update on the sewer so far. He said he thinks Jason Denno and Kevin have done a great job on getting the price down from last time. Also there will be a 40% increase in EDU's. The price to do the sewer did go up because of the increase in EDU'S, materials, and construction. Last time it was going to cost around \$ 13.8 million dollars, today it's over \$ 23 million dollars, he stated that is a scary number but utilizing the low interest rate will help. He said Kevin has managed to work the numbers down from just under \$600.00 to around \$522.00 per EDU. Other towns similar to our size are paying anywhere from \$700.00-\$800.00 per EDU. Councilman Kusnierz also stated the Board would have to make a decision on whether they wanted to go with a Permissive Referendum or a Mandatory Referendum. He is in favor of the Mandatory Referendum because the Town sets the time schedule for it and it takes a lot of the unknowns out of it. We will know early if people want it or not. He recommends the Board goes with that one. Councilman Prendergast also agreed with the Mandatory Referendum. He stated they were the ones who are going to be in the district and they are the ones paying for it. This also tells the people the Town is with them and if they don't want it that is fine too. Scott Fialkovich had asked if the person does not want to hook up to sewer do they still have to pay. The answer was yes. The Town is required to charge those in that district that the debt in is. Mr. Fialkovich is also concerned about the added traffic that would be on Route 9 if more businesses moved in because there would be sewer there. Councilman Kusnierz stated the State would do a traffic study if need be.

A motion was made by Councilwoman LeClair and seconded by Councilman VanTassel to hire Tedford Consulting to do an income survey for the purpose of the Sewer District. The money would come from account GI 8110.4, which has a balance of \$28,896.00.

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Roll call vote resulted as follows:

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Councilman VanTassel	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Supervisor Congdon	Yes

HIRE-TRANSFER STATION VACANCY

Councilwoman LeClair made a motion and seconded by Councilman Prendergast to hire Donald Woodward as a laborer for the transfer station at a rate of \$11.94 per hour. Mr. Woodward's has already had his background check completed. He would just need to pass the physical.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman VanTassel	Yes
Councilman Prendergast	Yes
Supervisor Congdon	Yes

SUPERVISOR'S ITEMS

A motion was made by Councilman Kusnierz and seconded by Prendergast to deposit the excess sales tax check for November after they pay obligations into the Town Outside Village Fund.

Roll call vote resulted as follows:

Councilman VanTassel	Yes
Council Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Congdon	Yes

Supervisor Congdon said he had talked to an individual about 61 Hudson Street Property, and he will have the report at the next meeting. Elizabeth Lanfear asked what should be done about the extension of the current listing. The Supervisor said nothing, they don't have to extend it.

PUBLIC COMMENT PERIOD

Reed Antis asked if there was any luck on finding Planning Board or Zoning Board Alternates. The Supervisor stated no, but maybe the Board does. Councilman Prendergast asked if it has been advertised again, Reed said it is on the Website. Mr. Antis said the problem is if the Chairman on the Zoning Board leaves for 2-3 months and that leaves only four members. If one of them isn't there then you don't have a quorum.

Elizabeth Lanfear stated that the heat is off in the Sherriff's Building, and wanted to know what to do about it because there is water in there and can't be turned off. Councilman VanTassel state that the heat needed to turned back on in there somehow. Supervisor Congdon told Elizabeth to call him tomorrow and he would take care of it. Elizabeth also said she heard back from Ed Bartholomew about the master meter for the Upper Hudson Revitalization Plan. It is a local government grant for the design and construction of the master meter. Per Mr. Bartholomew, the design and bid is going to happen over the winter, with the construction going to happen in the spring of 2017. The meter will be placed at the Town's output to Glens Falls.

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Reed Antis commented that there are some large limbs at Rice Cemetery that Roy can't move himself and would need to be cut up. Maybe they could direct somebody to move the large limbs out of the way.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to go back into executive session at 9:15 p.m.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman VanTassel	Yes
Supervisor Congdon	Yes

The Deputy Clerk did not sit in on executive session.

The Town Board returned from executive session at 10:00 p.m. No action was taken.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to go back into regular session from executive session and close the meeting at 10:00pm.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman VanTassel	Yes
Supervisor Congdon	Yes

Meeting adjourned.

Respectfully submitted,

Tammy Daley
Deputy Town Clerk