

A regular meeting of the Town Board of the Town of Moreau was held on February 28, 2017 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

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

The Town Clerk called the roll.

Town Board Members Present

Todd Kusnierz	Councilman
Alan VanTassel	Councilman
Bob Prendergast	Councilman
Gina LeClair	Councilwoman
Gardner Congdon	Supervisor

Town Board Members Absent

None

Also present: Leeann McCabe, Town Clerk; Malcolm O’Hara, Attorney for the Town; Paul Joseph, Highway Superintendent; Elizabeth Lanfear, Supervisor’s Confidential Secretary; Pete Corlew, Recreation Maintenance Supervisor; Reed Antis, Planning Board Member and Town Resident; Kathleen Moore, Post Star Reporter; Town Residents: Terry Clark, Angela Wadsworth, Chris Music, John Hogan, Andrew Schmidt and Peter Aust from Barton & Loguidice

The Supervisor led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes from February 14, 2017 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 Councilman Kusnierz to approve the minutes from February 14, 2017 as prepared.

Asked if all in favor, the following responses were given:

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

SET FUTURE MEETINGS AND WORKSHOPS

It was reported that the Fire Company wanted to have a meeting with the Town and Village Boards to give a presentation regarding the proposed Fire District. A tentative date was set for May 2, 2017 at 7:00. The Supervisor’s Secretary will check to see if this date is acceptable to the Fire Company.

A special meeting of the Local Development Corporation was scheduled for March 14, 2017 at 6:55 p.m.

PUBLIC COMMENT PERIOD – solely for comments and questions related to agenda items

None

STEWART & BOVEE – CHANGE TO ZONING DISTRICT BOUNDARIES

A request for a zoning change had been presented to the Town Board back in October and the Town Board then referred the request to the Town Planning Board and County Planning Board for recommendation. Councilman Kusnierz reported that the Town Planning Board reviewed the request at their December

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meeting and recommended approval. The County Planning Board reviewed the request and determined that there is no significant County-Wide or community impact. The next step would be a public hearing but at the recommendation of the Zoning Administrator, they will need from the owner of the properties, a completed Part I of the Full Environmental Assessment Form along with precise mapping depicting the parcels involved in the requested change. Once the information is received, they can set a date for a public hearing.

RECREATION DEPARTMENT- FALL SOCCER PROGRAM; PJ MOTSIFF

This agenda item was canceled

OLD BUSINESS

- Attorney – Fee for force main debt service

The Supervisor stated that he didn't want to open up any problems associated with the pay back of the force main. He stated that there are legal steps that need to be taken and asked the Attorney for the Town to work them out. He stated that we need to know what to do to pay back the General Fund debt. The Supervisor stated that he's reluctant to just set up a fee, that hasn't been set up in accordance with the law. Attorney O'Hara stated that he needed some additional information from the Supervisor to start the process and asked that he call his office tomorrow. Councilman Kusnierz asked if the Town has the legal authority to collect a debt, when the debt is already paid. He also stated that there is more to the force main issue than just legal. He stated that there is a financial perspective and asked if they should be hiring a CPA for the entire sewer program. The Supervisor stated that a public hearing was done in 2008 but it didn't address the issue of the force main.

- Attorney – Acceptance of block, faxed and electronic signatures on vouchers

Attorney O'Hara stated that Attorney Buettner is still working on this.

- Attorney – Local Development Corporation

A special meeting was set earlier in the meeting for March 14, 2017 at 6:55 p.m. to discuss and adopt a plan for dissolution.

- Recreation – Alton Knapp/Flood Plain @ Sand Bar Beach

Councilwoman LeClair stated that they need to work with an engineer in order to get all of the paperwork done. There was conversation over the need to move the building due to the flood plain. Councilwoman LeClair stated that the Town would need a building permit to proceed. The Supervisor had concerns over the costs involved. There was discussion over the lease agreement with the Village. Councilman VanTassel stated that the agreement is due to expire and they know they're getting into areas that need professional advice. Laberge Group was asked to provide the Town with a proposal and they responded with a cost of \$1800.00 to help with the permit process. Councilman VanTassel suggested that the Supervisor speak with Don from Laberge Group to discuss what can be done to get around the flood plain issues and the permit process. He stated that we can decide to do something to move forward or we can do nothing. The Supervisor stated that he would first like to look at the lease agreement with the Village. Councilwoman LeClair expressed her concern over not making any progress on the matter and asked that the Supervisor take over and once he's put everything together, the Board can discuss it.

- Recreation – Field usage fees

Councilman VanTassel stated that he's not done entirely with what needs to be done. He stated that they've evaluated expenses for labor and materials. He stated that Little League and Girls Softball are apples to apples with about the same amount of usage as well as their expectations for the use of the concession stands. He stated that the fee they're proposing to the Board for both is \$3,000.00 for the

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season and \$1,000.00 for the use of the concession stands for the season. He stated that spring Lacrosse had a contract for \$600.00 last year. Councilman VanTassel stated that he had shared the numbers with Little League with the understanding that they needed to be approved. To this date he hasn't had any pushback. His suggestion is to get the fees approved and then they can move forward with contracts. Councilwoman LeClair stated that they wouldn't be doing any in-kind service agreements any longer.

A motion was made by Councilman VanTassel and seconded by Councilwoman LeClair that the Town notify both Little League, Girls Softball and spring Lacrosse, that they can move forward with their contract process. The fees would be \$3,000.00 for the field usage for the season for both Little League and Girls Softball and \$1,000.00 for the use of the concession stands. The fee for spring Lacrosse would be \$600.00 for the season.

Asked if all in favor, the following responses were given:

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

Councilman VanTassel stated that PJ Motsiff isn't here tonight. He will be coming in on March 14, 2017 instead. With regard to his proposed spring soccer program, he decided to do what he did last year and just pay for field usage instead of having a contract. He asked that someone provide him with what they paid last year.

Liz Lanfear asked if the Town Board will determine what will be considered In Town vs. Out-of-Town for tournaments. Councilman VanTassel replied that they would have it all figured out by March 14, 2017.

- Recreation – Advertise; Lifeguards at Sandbar Beach

Councilman VanTassel thought that it was a little early to spend money to advertise. He suggested that it be advertised on Facebook and on the Town's website. The Board was in agreement. Councilwoman LeClair asked if Sandy could send out letters to the past lifeguards letting them know that they need to re-apply if they're interested in lifeguarding again this year. There were no objections to her suggestion.

- Engineering – Town Designated Engineers

The Supervisor stated that somehow the Town failed to remove Garry Robinson as a Town Designated Engineer. Councilman VanTassel stated that he received an email in that they need to do something more formal. Garry is still providing services on programs that he wasn't told not to. He needs to be notified.

A motion was made by Councilman VanTassel and seconded by Councilwoman LeClair that Garry Robinson P.E. be removed from the list of authorized Town Designated Engineers.

Councilman VanTassel rescinded his motion.

A motion was made by Councilman VanTassel and seconded by Councilman Kusnierz that Garry Robinson P.E. be removed as the Town's Stormwater Management Officer.

Asked if all in favor, the following responses were given:

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

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A motion was made by Councilman VanTassel and seconded by Councilman Prendergast that Garry Robinson P.E. be removed from the authorized list of Town Designated Engineers.

Asked if all in favor, the following responses were given:

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

Elizabeth Lanfear asked if she should send him a letter tomorrow advising him of the resolution and the Supervisor replied yes.

Councilman VanTassel stated that they will need to memorialize a proposal from Laberge Group and ask the Supervisor to sign the contract with regard to Stormwater Management for the Town. As it would take them some time to put everything together, he asked Counsel if there would be a problem having a window of time that the Town would be without a Stormwater Management Officer, while they execute the agreement with Laberge Group. The Supervisor stated that there are two issues. The first being the day to day Stormwater to which it was agreed that Maureen would handle. He stated that in terms of the reporting at the end of the year, that position needs to be filled. Attorney O'Hara stated that as long as the process is going to be set in motion tonight, it shouldn't be a problem. The Supervisor stated that the Stormwater Management program is underway. Maureen is going to be doing the daily reporting and Don Rhodes will be doing the year-end report.

Elizabeth Lanfear stated that she was approached by Jamie Campagnone from Galusha. They are finishing up the Point Drive project and asked what engineer they should be dealing with. They also have a new project on Feeder Dam Road and asked what engineer they will use for the pre-construction. Councilman VanTassel stated that the Highway Superintendent has already been given direction and that Laberge Group is the Town designated engineer that should be contacted. Paul Joseph stated that Point Drive is all done. He stated that Attorney Buettner already has a letter from Garry Robinson and from himself. He stated that she questioned whether or not she could use the letter from Garry Robinson even though it was dated before the first of the year. Elizabeth Lanfear asked if Attorney Buettner should accept his letter and Councilman VanTassel stated that they would clarify it tomorrow.

The Supervisor stated, that while on the subject, there is a Coulter lawsuit relating to Woodscape II. She tripped and fell because of a lip in the road. He asked the Highway Superintendent why the lip was still there. Mr. Joseph replied that Michael's group hadn't finished the job yet. Councilman Kusnierz stated that they should discuss this subject in executive session so they don't prejudice the Town.

- Engineering – Sewer

Councilman VanTassel stated that they have a proposal from Laberge Group to help push the sewer project forward. Although he's been very happy with a lot of things he's seen with Laberge Group, the Town owes itself to at least look at another engineering firm. Councilwoman LeClair agreed with Councilman VanTassel. Councilman VanTassel stated that Peter Aust is in attendance tonight. He represents one of the firms that had submitted an RFP. The Supervisor asked about the committee of people who had signed up to give input. Councilman VanTassel stated that there should be a Town Board Committee first to help drive the project forward. He stated that there needs to be some structure. He volunteered to be on the committee. The Supervisor asked about the public committee. Councilman VanTassel stated that once the Town Board Committee has been formed and they select an engineer, then they can get input from the public. The Supervisor was of the opinion that the public should be heard first. Councilman VanTassel thought that both initiatives could run in parallel and asked if the Supervisor would be ok with the Board forming a 2 member Committee to help drive the initiative forward. The Supervisor thought that the public should have input first. Councilman VanTassel asked if there was

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another Board member who would like to join him on the Committee. Councilwoman LeClair volunteered and suggested that they invite some of the engineering firms in to have discussion on how they should move forward. Councilman Kusnierz thought that they should entertain proposals from engineers who perform these services for municipalities so that Board members have programs that they can pick and choose from and then they can bring in the resident committee. He stated that at the end of the day, it would be a waste of time, if they have no viable solution. The Supervisor stated that he felt they should talk to the public first and then have engineers make a proposal based on what the public and Town Board want. Councilman VanTassel asked the Supervisor if he would be supportive of Board Members having conversation with each other individually and come up with 2 names so they can move forward on the project. The Supervisor stated that the Post Star had written an article stating that the Town is moving forward on the project and that it wasn't true. He stated that it was a misleading article. Councilman VanTassel stated that there needs to be more structure if the project is to move forward. Councilman Kusnierz liked the idea of Councilman VanTassel to have conversations individually. The Supervisor thought that they should meet together. Councilman VanTassel stated that he doesn't have a problem meeting together but that would constitute a meeting and there will be time constraints and would limit their ability to move quickly. Councilman VanTassel stated that the Board will get back to the Supervisor with a couple names so that they could move forward. The Supervisor stated that in the meantime, he would speak with Don. Councilman VanTassel asked the Supervisor, just to be clear, that he's ok with the Board members speaking individually and coming up with a couple engineering firms that they can ask to come in. The Supervisor had no problem with that.

- Energy – Solar City

Reed Antis stated that he had sent an email to the Board today and asked if everyone had a chance to look at it. He explained to the Board that the Power Purchase agreement with Monolith that he has is different from the agreement given to him by Monolith. Mr. Antis explained that there is a smaller array system than what was contracted to be placed. He stated that he's reached out to NYSRDA and he's awaiting a response. We're producing less power from the solar array than what was predicted. Monolith had told him that the contract was changed but couldn't remember when. He stated that the Town can't get off the demand charges because they aren't producing enough energy. Mr. Antis stated that there's another issue and that's that the Town is using too much energy. Councilman Prendergast asked Attorney O'Hara to look at the contract. Attorney O'Hara asked Mr. Antis if it's exhibit "A" that he's referring to. Mr. Antis replied that it was. Attorney O'Hara asked the Town Clerk to provide him with a copy tomorrow.

Mr. Antis stated that he's waiting for NYSRDA to get back to him about how it will affect the Town if they have 2 power purchase agreements. He was speaking about Monolith and Constellation. He doesn't recommend either contract being signed yet.

Mr. Antis stated that the Town has lighting districts that aren't metered. The cost is calculated not based on usage. He wasn't quite sure if the Town would be able to use the energy created from a solar array towards these charges. He's waiting to hear back from NYSRDA on this matter as well.

There was a lengthy discussion on the electric usage at the water towers. Councilman Prendergast stated that he would speak with the Water Superintendent and find out where they are at with insulation. Mr. Antis stated that the Town needs a complete energy audit. Councilman Prendergast stated that they had a professional look at the buildings and it was reported that it wouldn't make a difference if the heaters were replaced and that there's no guarantee that adding insulation would make a difference. Councilman Prendergast stated that if Mr. Antis has any other suggestions, he'd be willing to hear them.

- Energy – Insulation

Councilman VanTassel stated that he wanted to go up and take a look to see what's been done in the attic. He stated that it was quoted for 8 hours, which he thought was low, and they came and did it in 2 hours. He'll get a ladder so that he and the Supervisor can go up and take a look.

- Energy – Smart Watt and Cost Control Associates

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Councilman Prendergast asked Mr. Antis his opinion of Smart Watt vs. Cost Control. Mr. Antis stated that they need to do a physical energy audit not just review bills to see if you're getting the right rate. Councilman VanTassel stated that he would agree and disagree at the same time. He stated that he's worked with a lot of companies that use companies like Cost Control. He stated that he's talking apples to oranges. He stated that Smart Watt would do an energy efficiency assessment and Cost Control works on getting money back on bills. Councilman VanTassel was of the opinion that they should be doing both. Councilman Prendergast stated that they had used Cost Control Associates several years ago and it was a benefit to the Town. He stated that it's been long enough since and he thought that it would benefit the Town again. He stated that they had supplied the Town with an agreement.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the Supervisor to sign the agreement with Cost Control Associates.

Councilman Kusnierz asked what their fee was. Councilman Prendergast replied that it's based on what they find. They take a percentage of what the savings are that they find.

Asked if all in favor, the following responses were given:

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

Councilman Prendergast stated that with regard to Smart Watt, he feels that they should hold off and look at it a little closer.

- Energy – Constellation Agreement

Councilman Prendergast asked Mr. Antis what he knows about the Constellation agreement. Mr. Antis stated that he's waiting to hear back from NYSRDA to see if Solar City and Constellation can work together.

Councilman Kusnierz stated that the Town had signed a 20 year power purchase agreement and the only way out of it is to pay significant penalties. Mr. Antis stated that there were issues with National Grid after the original agreement was signed and now that the issue has been resolved, they'll need a new signed agreement before they can go forward. Councilman Kusnierz stated that Counsel should review the contract. Mr. Antis explained what had happened with the original agreement and the issue with National Grid. He stated that Solar City can't proceed until a new agreement is signed, which the Supervisor has. He also stated that he's waiting to hear from NYSRDA to see if the power generated would offset the lighting districts. He stated that right now, it legally can't.

Councilman VanTassel stated that he shows that more energy is being produced according to the on-line application. Mr. Antis stated that he would meet with him to go over the details.

- Town Hall – Curb Cut

The Supervisor asked the Highway Superintendent when the curb cut would be done. Paul Joseph stated that the Town needs to hire a contractor to pour the cement. The Supervisor stated that he has a person who would pour it. The Supervisor stated that it could be done for around \$500.00 if the Highway Superintendent cuts it out. He asked for a resolution not to exceed that amount.

A motion was made by Councilman Prendergast allowing the Supervisor to spend an amount up to \$500.00 for the replacement of the curb.

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Councilman Kusnierz asked if the Highway Superintendent would be billing the Town. Mr. Joseph stated that his department would be doing the cut at their convenience and that he wouldn't charge the Town. He did feel that the \$500 figure was too low for what they need to do. The Supervisor stated that the cut didn't need to be that big and Mr. Joseph replied that it has to be to code. Councilman VanTassel stated that they can cut the curb but eventually, they'll have to deal with the doors.

Councilman VanTassel seconded the motion with the understanding that the project is done to code.

Councilman Kusnierz asked if the Town was going to get three quotes and the Supervisor replied "no". He's being authorized to spend up to \$500.00.

Asked if all in favor, the following responses were given:

Councilwoman LeClair	Aye
Councilman Kusnierz	Nay
Councilman VanTassel	Aye
Councilman Prendergast	Aye
Supervisor Congdon	Aye

Councilman Kusnierz stated that he was voting no because they predominantly always get three quotes and then they would authorize to spend up to a certain amount. He stated that this is contrary to the Town's policy. Councilman VanTassel thought that the procurement policy had a ceiling much higher, which would keep them from having to get three quotes. Councilman Kusnierz agreed with Councilman VanTassel that they should look into handicapped doors as it goes hand in hand with the curb. Councilman VanTassel stated that they had budgeted for a solution to the doors.

There was a lengthy discussion on the cost for services to the Town.

- Town Hall – Ongoing Bird Issue at the Entrance.

The Supervisor stated that in the spring, birds nest where they want to nest. He stated that the Town spent money putting up wire and an artificial owl. He stated that short of shooting them, they're going to nest there. He stated that they should advise people to watch their step and don't look up. He stated that they're only here in the spring. He stated that it's nature and it's a poor design on the building. He asked to let the matter go. Councilwoman LeClair stated that Kevin Elms had volunteered to run wires, which have worked well in other places. The Supervisor stated that he doesn't want to spend any more money on the birds. Councilwoman LeClair stated that Mr. Elms volunteered his time. Councilwoman LeClair stated that there's bird poop on the cement. It comes in the Town Hall and it's all over the tile and the carpet. Councilman Kusnierz asked Councilwoman LeClair to reach out to Mr. Elms and have him make a recommendation to the Board. The Supervisor had a concern of him going up on a ladder without being insured by the Town. Councilman Kusnierz stated that the Supervisor was concerned about spending money and they just gave him an option that had no fee involved. He asked the Supervisor which way he wanted it. The Supervisor stated that he had just given the name of someone to Councilman Prendergast. Councilman Kusnierz asked who the person was and the Supervisor replied Danny Johnson. Councilman Kusnierz stated that he and Councilwoman LeClair didn't know that he had a person in mind. The Supervisor stated that he was just discussing it with Councilman Prendergast but explained how the format for the Board is a bad set-up because they can't hear each other. He stated that it was set up more for a courtroom setting not a boardroom setting. Councilman Kusnierz asked the Supervisor if he was going to contact Mr. Johnson and report back to the Board. The Supervisor replied "yes". Councilman Kusnierz asked if he was going to give the Town a price and the Supervisor replied that the resolution was to spend up to \$500.00. Councilwoman LeClair asked if he was talking about the curb and he replied yes. Councilman Kusnierz stated that they were talking about the birds. The Supervisor stated that he didn't want to touch the birds. He asked why the Town would spend money on some little birds. Elizabeth Lanfear stated that it's not just the poop on the walkway but they poop on the handles and people have to reach to open the doors. She stated that the poop is all over the entranceway and it's not just in the spring, it's all year long. She stated that it's disgusting and it's not right. Councilwoman LeClair stated that they

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carry disease. The Supervisor stated that they will look at it but he doubted if anything would remedy the situation. He asked what the Board wanted to do. Councilwoman LeClair brought up Kevin Elms again and the Supervisor stated that he's not insured by the Town. Elizabeth Lanfear asked if he could sign a hold harmless agreement. Attorney O'Hara stated that it wouldn't be good enough. Councilman Prendergast stated that they would take a look at it.

- Town Hall – 61 Hudson Street

The Supervisor stated that he has nothing new regarding the 61 Hudson Street property. Councilman Prendergast stated that he wants to get it sold. Councilman VanTassel recommended Bob Sears as a realtor.

A motion was made by Councilman Prendergast and seconded by Councilman VanTassel to engage the services of Bob Sears to be the listing agent for the sale of 61 Hudson Street.

Asked if all in favor, the following responses were given:

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

Councilman VanTassel stated that before it gets listed the Town would need to place a value on the property. Councilman Prendergast stated that there was a price the Board was comfortable with. Attorney O'Hara stated that they could have the Supervisor sign the listing agreement at the next Board meeting.

- Town Hall – Disputed Water Bill

The Supervisor stated that he would be introducing a motion at the next Town Board meeting to reimburse those on Fortsville Road who have been billed and aren't using the water. He stated what the easements read and stated that the Town has a moral obligation to honor what the document states.

The Supervisor stated that the Board will need to decide what they would like to do with the disputed water bill from Ms. Hayes and then brought up the next agenda item.

- Town Hall – Changeover Email Server

Councilman VanTassel stated that Mannix Marketing will discontinue to provide e-mail service to the Town. He stated that he has spoken with them and they're flexible with no deadline yet. He reported that the Town had received a proposal from PS Technical Services for an Office 360 program. The proposal was for \$6,000.00. He felt that was a little high and stated that he would be speaking with them. He stated that they aren't taking action right now. He stated that he will either negotiate a better price or get an explanation of the cost. Councilman VanTassel did recommend the Office 360 Migration, which is an approved solution by New York State.

Councilman Prendergast asked to go back to the previous agenda item about the disputed water bill. He stated that the Board had made a decision quite some time ago and asked if anyone wanted to take action on her request. Councilman Kusnierz stated that the Board did take action in that she was allowed to pay the bill over a year's time, which is not part of our policy. He stated that the Board has been sympathetic to her issue but he's not prepared to change the terms. Councilwoman LeClair and Councilman Prendergast were in agreement.

- Town Hall – Legal Services Contract

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The Supervisor asked if any of the Board members had comment on the contract. Councilman VanTassel stated that it was reviewed back in January and has no additional comments at this time. Councilman Prendergast noticed some comments on the contract and Elizabeth Lanfear noted that they were from Rudy Klick. He had done a comparison analysis from last year. The Supervisor noted the percentage of increase in their hourly fees being approximately 17% and he's opposed to the contract. He stated that someone needs to sharpen their pencil. He concluded his comments by stating "performance counts". Councilman Kusnierz stated that a service has been provided and rendered in good faith and they were not given any indication that the Town Board wasn't going to use them. He stated that in view of the fact that RFP's were put out and legal counsel for the Town is still the lowest RFP, and they've provided, in good faith, legal services for 2 months.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair to engage the services of Bartlett, Pontiff, Stewart and Rhodes P.C. for the 2017 calendar year, per contract provided by the firm and authorizing the Supervisor or Deputy Supervisor to sign the contract.

Roll call vote resulted as follows:

Councilman VanTassel	Aye
Councilman Prendergast	Aye
Councilwoman LeClair	Aye
Councilman Kusnierz	Aye
Supervisor Congdon	Nay

Councilman VanTassel stated that he had reviewed the other proposals and they were all more expensive. The Supervisor stated that the RFP stated that the fees were open for discussion and that never happened.

- Cemetery – Mapping

This agenda item was tabled.

HIGHWAY REQUESTS

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the Supervisor to sign the Shared Services Agreement with the Town of Saratoga.

Asked if all in favor, the following responses were given:

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

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to purchase diesel fuel for the 2017 budget year from Main Care Energy, under Saratoga County Contract, at a cost of \$20,000.00 to be paid from account DB5142.460 with a balance of \$54,338.10 as of February 14, 2017.

Asked if all in favor, the following responses were given:

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

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A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast to approve the contract with Saratoga County-Road Striping for 2017. There is \$32,000.00 allocated in account A3310.499 to cover this budgeted item but due to the variables of paint cost and labor, they are unable to quote an exact cost at this time. The motion also authorizes the Supervisor to sign the contract.

Councilman Kusnierz stated that he believed if they stripe a road, they have to continue striping it. He asked if this contract includes the striping of existing roads and the Highway Superintendent replied "yes".

Asked if all in favor, the following responses were given:

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

The Town Board received a memo from the Highway Superintendent stating that there have been 4 complaints from residents on Mott Road regarding people driving at excessive speeds. They are asking that the speed limit be reduced to 40 mph. He asked the Board to petition New York State for a speed reduction on this road. He stated that there is a day care center and a railroad crossing on the western end of the road and that the Town of Northumberland is also going to petition the State as well.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair to petition New York State for a speed limit reduction to 40 mph on Mott Road in the Town of Moreau.

Asked if all in favor, the following responses were given:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast to place a bulk order of air, oil and fuel filters with Weller's Auto Parts in the amount of \$2,700.00. This will be paid from account DB5130.492, which has a balance of \$39,090.53 as of February 17, 2017.

Asked if all in favor, the following responses were given:

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

TRANSFER STATION

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz to advertise and put out to bid for Waste Hauling Services at the transfer station. The bid to be held on March 17, 2017 at 2:00 p.m. and to authorize the Supervisor to sign the contract once it has been awarded.

Asked if all in favor, the following responses were given:

Councilman Kusnierz	Aye
Councilman VanTassel	Aye
Councilman Prendergast	Aye

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Councilwoman LeClair	Aye
Supervisor Congdon	Aye

Councilman Prendergast stated that they had interviewed a few people before the Board meeting tonight for possible employment at the transfer station.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to hire Elizabeth Hall and Joseph Brady for the transfer station, with it being a part-time position, under 20 hours per week and with no benefits. There is a potential for on-call hours as needed. The pay will be as outlined in the 2017 adopted budget. Employment is pending successful completion of a physical. Once completion is successful, employment may begin immediately.

Asked if all in favor, the following responses were given:

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

RAGNAR RELAY – PERMISSION TO USE TOWN ROADS

A letter was received from the NYS DOT regarding an application received for the use of public roads for the Ragnar Relay. The State saw no reason that the Town should object to the request.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the Ragnar Relay to use the Town of Moreau roads for their relay, being held on September 22-23, 2017.

Asked if all in favor, the following responses were given:

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

Supervisor Congdon stated that Dave Paska had resigned from the Planning Board last night and asked for a Resolution to accept his resignation.

Reed Antis asked if they were going to appoint Mike Shaver to the Planning Board as he had just been appointed as an alternate. There was some discussion as to his lack of experience because he had just been appointed.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair accepting the resignation of David Paska from the Town of Moreau Planning Board.

Asked if all in favor, the following responses were given:

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

Mr. Antis stated that usually the alternate moves up to the position of Board member when there's a vacancy. He stated again that Mike Shaver is the alternate and he's the only one that applied to be an alternate within the past six months. He suggested that he be appointed as a permanent member and that

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the rest of the Board members would take care of him. There were no motions made to appoint Mr. Shaver as a permanent member.

Attorney O'Hara stated, that at the last meeting, he was requested to contact Prentiss & Carlisle. He sent them a letter and he was contacted by them yesterday. Attorney O'Hara stated that he was advised, if the Board is not willing to meet with them, they may commence litigation. Councilman Kusnierz stated that he doesn't have a problem meeting with them. Attorney O'Hara was directed to invite them to the next Town Board meeting on March 14, 2017.

MEMORIALIZE VOTE – LABERGE; TAKE OVER MS 4 PROGRAM

A motion was made by Councilman Prendergast and seconded by Councilman VanTassel to memorialize the action of a verbal vote that Laberge Group take over the MS4 Program and authorizing the Supervisor to sign the agreement.

Roll call vote resulted as follows:

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

SHMD PROCLAMATION

A motion was made by Councilman Prendergast and seconded by Councilman VanTassel proclaiming March 3rd and 4th 2017 as "Dance Marathon Weekend" and for the following proclamation to be made a part of the minutes.

PROCLAMATION

WHEREAS, for the 40th consecutive year the South Glens Falls High School is hosting the annual South High Marathon Dance to raise funds to benefit local charities, organizations and individuals in the community and tri-county area; and

WHEREAS, the first South High Marathon Dance was held in 1978 with about fifty dancers participating and has grown to an astounding 800 plus dance participants who will dance for an amazing 28 hours, and

WHEREAS, the first marathon dance raised \$1,500 and this amount has increased to \$762,153.87, the amount raised in 2016, for a grand total over the years of over \$5.6 million, and

WHEREAS, over the past 39 years the funds raised by the marathon dance have been distributed to over 408 beneficiaries within South Glens Falls/Town of Moreau and surrounding communities, and

WHEREAS, the recipients chosen to benefit from the proceeds raised by this year's dance are as follows; Ryan Alger, Fred Armstrong, Mary Belair, Alex Blanco, Joseph Chaplek, Aidan Collins, Joseph Colombo, Don Crandall, Louis Daignault, Richard Daley, Noelle Edwards, Khloe Elman, Kathy Elrick, Carlos Falcon, Amelia Fellows, John Gallagher, Taylor Hayes, Morgan Ives, Victoria Johnson, David Karnes, Finnegan Kirchner, Otto Miller, Terence Pledger, Mike Podkladek, Lucianno Samu, Max Samu, Loressa Schulze, Brittany Smith, Connor Traver, Angel Names Association, Ben Osborn Memorial Fund, CAPTAIN Youth and Family Services, Glens Falls Area Youth Center, Glens Falls Hospital Snuggery, Lyme Action Network, Moreau Emergency Squad, Open Door Mission, Rebuilding Together Saratoga County and Southern Adirondack Independent Living, Alzheimer's Association and

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WHEREAS, the dance marathon has become a tradition which brings the whole community together in an emotional, exciting and gratifying experience that will stay with those involved for the rest of their lives, and

WHEREAS, the Town Board of the Town of Moreau, extends their sincere gratitude to all those involved and especially to the students who devote their time and effort to making the Marathon Dance a success, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby proclaims March 3rd and 4th, 2017 “Dance Marathon Weekend” as a tribute to our community.

Roll call vote resulted as follows:

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

SUPERVISOR’S ITEMS

A request was presented from the NYS Division of Parole to use the Town’s meeting room for conducting out of office Parole meetings with the State Parolees. The Supervisor read the letter aloud, basically stating that by using the Town’s facility, it would alleviate travel hardships on the officer. Their request was to use the Town meeting room on the 1st and 3rd Tuesdays of the month from 12:00pm to 4:00pm. A memo written by Judge McCabe stated that they would be seeing about 62 Parolees per month and that about 90% of them live in the Town of Moreau. The conversation detoured to what is considered a Town resident and what isn’t. The Supervisor made statements about those who are mentioned in the Post Star, who give a residence address of Moreau, and live in one of the Town’s motels. He stated that they don’t really live in the Town of Moreau. The Supervisor stated that people are being placed in our motels and that it’s bid out to the lowest price. Councilman Prendergast stated that he’s always had concerns over these issues. He stated that people are placed in the communities where they are to meet. Councilman Kusnierz stated that it’s a benefit to the members of society and to our community, that these individuals are kept tabs on. He stated that if they’re in our community and have to travel to meet the parole officer, you can lose track of them. Councilwoman LeClair stated that she would like to revisit the Town Code that they passed a few years ago that prohibited motels from allowing long term rentals to those who don’t have a permanent residence elsewhere. She stated that a motel can’t be a permanent abode. Councilman VanTassel stated that a couple issues have been brought up but there’s only one issue on hand tonight. He agreed with Councilman Kusnierz in that they should keep a close eye on these individuals. He stated that even good people make mistakes, so it’s an assumption that all of these parolees aren’t good people that live in our community. He stated that we need to keep our communities safe and this is one way to help by allowing the supervision in the Town. Councilman Kusnierz asked if we would get any money from the State for providing the space. Councilwoman LeClair suggested a trial period of 6 months. She also stated that there are people breaking the law if they’re using motels as a permanent address and this issue needs to be addressed as well. Councilman Kusnierz wanted to make it clear that not every parolee is living in a motel or hotel. Councilman VanTassel stated that a good percentage of these parolees are good citizens of our community. He stated that good people make mistakes too.

This agenda item was tabled for more clarity.

PUBLIC COMMENT PERIOD

Reed Antis stated that, with regard to the above mentioned, the Town law can’t be enforced in the Village of South Glens Falls, where the majority of people living in motels would be at the Clearview. He stated that if people are being placed there, the Town has no control over that.

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Angela Wadsworth stated that regarding parolees, they don't want to make the Town a welcome center. She stated that if they live here, that's different. Ms. Wadsworth spoke to Councilman Kusnierz regarding his run for Town Supervisor and she stated that he attacks people in a vicious way. She stated that she knows he tries to handle things for people in a good way but it's overwhelming to see him get that angry. She made comment to him about who he's willing to meet with and who he doesn't. She told him that he can't pick and choose. There was a short banter back and forth between Ms. Wadsworth and Councilman Kusnierz.

Ms. Wadsworth asked when the Board room was going to be finished. She stated that she was told by Elizabeth that there was only primer on part of the walls and the paints don't match. She also stated that there was something wrong with the vents. Elizabeth stated that she didn't tell Ms. Wadsworth that there was only primer. Ms. Wadsworth explained when she had come in and how she came to think that it was primer. The Supervisor asked Ms. Wadsworth if she was looking for problems with Jake Losaw's work because of the problems that she's had with him. Ms. Wadsworth replied that she was. The Supervisor stated that he would look into the matter. Ms. Wadsworth stated that everyone here lives in the same community and asked that everyone respect each other. Ms. Wadsworth brought up her displeasure with the former Building Inspector and how the Town Hall building was put together. She also complained about the former Supervisor allowing his secretary to make calls on the Town Hall phone for political purposes. Councilwoman LeClair defended the secretary's action and stated that she didn't believe she was directed to make any calls by the former Supervisor. She thought that what she had done was out of her close working relationship with Martin and it was done innocently and without thought of doing anything wrong. Councilwoman LeClair stated that she realized after the fact that it was wrong and apologized for what she had done. Councilwoman LeClair also stated that the Post Star isn't always factual, so Ms. Wadsworth shouldn't always believe what she reads. There was more heated discussion between Councilman Kusnierz and Ms. Wadsworth. Angela's daughter spoke next and told Councilman Kusnierz that he was disrespectful. She stated that if they want this problem to go away, they need to fix it. She stated that she's tired of going outside and having cameras on her. Angela Wadsworth stated that there was a problem with BB guns. Councilman Kusnierz stated that those aren't Town issues, they're neighbor issues and that's what law enforcement is for. The Supervisor told Ms. Wadsworth, that once the snow is gone, he and Councilman Prendergast are going to come see her.

Terry Clark addressed the Board with complaints about the Fortsville Road property owners being charged for water they don't use. He stated that the Town isn't upholding their contract. He asked about the two properties sitting vacant out front and the leaky Highway Garage roof. The full discussion can be heard on the audio.

Elizabeth Lanfear stated that the Annex Building is being leased and that the Town has already received two rent payments.

COMMITTEE REPORTS

Councilwoman LeClair was approached by Bob Vittengl. He and some other people in the community have offered to volunteer to help mark trails and clear them at the Recreation Park and other trails. She asked if she could invite Mr. Vittengl to the next Town Board meeting. Councilman Prendergast asked her to invite him in.

A motion was made by Councilman VanTassel and seconded by Councilman Prendergast to adjourn to executive session at approximately 10:30 p.m. for the purpose of discussing a litigation matter.

Asked if all in favor, the following responses were given:

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

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

The Supervisor left the executive session before its conclusion.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair to return from executive session and resume the regular meeting at 10:45 p.m.

Asked if all in favor, the following responses were given:

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

There was no action taken in or as a result of the executive session.

A motion was made by Councilman VanTassel and seconded by Councilman Kusnierz to close the meeting for the evening at 10:46 p.m.

Asked if all in favor, the following responses were given:

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

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