

A regular meeting of the Town Board of the Town of Moreau was held on April 11, 2017 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

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

Town Board Members Present

Todd Kusnierz	Councilman
Alan VanTassel	Councilman
Bob Prendergast	Councilman
Gardner Congdon	Supervisor

Town Board Members Absent

Gina LeClair	Councilwoman
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Also present: Leeann McCabe, Town Clerk; Malcolm O’Hara, Attorney for the Town; Deputy Town Clerk, Tammy Daley; Paul Joseph, Highway Superintendent; Kathleen Moore, Post Star Reporter; Dave Meager, Adirondack Trust; Justin Gonyo, Hudson Rail Consulting; Reed Antis, Planning Board Member and Senior Energy Advisor; Town Residents: Terry Clark, Bruce Flayer, Carol Alden, Elizabeth Lanfear, Karen Epifanio, Kyle Noonan, Jim Rando, Rich Morris; Village Residents: Brigid Martin, Rick Daley, Pete Lemery

The Supervisor led the Pledge of Allegiance.

The minutes from March 15, 2017, March 17, 2017 and March 28, 2017 (3 sets) were prepared and presented to the Town Board in advance of the meeting for their review, comment, correction and approval.

A motion was made by Councilman VanTassel and seconded by Councilman Kusnierz to approve the minutes from March 15, 2017 as prepared.

Roll call vote resulted as follows:

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

The motion failed.

A motion was made by Councilman VanTassel and seconded by Councilman Prendergast to approve the minutes from March 17, 2017 and March 28, 2017 (3 sets) as prepared.

Roll call vote resulted as follows:

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

SET FUTURE MEETINGS AND WORKSHOPS

The Supervisor made a suggestion that a meeting be scheduled during the day to go over the items listed under old business, along with the Attorney, so that they can have answers at the next Board meeting. Councilman Kusnierz stated that it wouldn’t work for him, as he works full-time during the day. He also stated that the reason they have meetings at 7:00pm is because it’s an opportune time for the public to attend. The Supervisor stated that he is attempting to be prepared for the upcoming meeting. Councilman

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Prendergast stated that he would hate to exclude a Board member from participation since it's not an emergency. The Supervisor stated that he's available anytime. Councilman Kusnierz asked what they would be discussing and the Supervisor replied that they would discuss everything listed under old business on the agenda. Councilman Kusnierz suggested, since the items were on the agenda tonight, that they be discussed at this meeting. The Supervisor stated that he would like to thoroughly discuss the items under attorney-client privilege. Councilman Kusnierz stated that the items could be discussed under executive session at the end of the meeting but the Supervisor stated that it's too late and they need to discuss the items with clear minds. Councilman Kusnierz asked the Supervisor if he put the agenda together. The Supervisor replied that he did. Councilman Kusnierz stated that he didn't have a problem moving items up on the agenda for those that are here to speak to the Board and then they can discuss the old business after. Councilman VanTassel agreed with adding clarity to the items and would have difficulty meeting during the day but can. He stated that they need to be more efficient and productive with their bi-weekly meetings. He also thought that they could hear those that wanted to speak and address the old business after.

PUBLIC COMMENT PERIOD *SOLELY FOR COMMENTS AND QUESTIONS PERTAINING TO THE AGENDA

Brigid Martin asked why the Sewer Committee isn't listed under the old business. She asked if the committee has been formed and when their first meeting will be. There was no answer to her question.

Elizabeth Lanfear had a letter prepared, mostly with regard to her termination, and read it to the Board. (The complete letter is annexed to the meeting minutes at the end)
After the first few sentences, the Supervisor asked her to stop. The Supervisor told her that the discussion was a personnel matter and should be discussed in executive session. He stated that he wouldn't allow a personnel matter to be discussed in open session. She stated that the rest of her letter isn't related to personnel matters and asked if she could continue. There was discussion back and forth and the Supervisor told her that she was out of order. Ms. Lanfear stated that her questions are of a procedure matter and asked that the Attorney be asked if Town Procedures are something that can be discussed in executive session. She stated that someone else had spoken to the Board about a Town employee going to their home when they weren't there and asked to be heard about her procedural question. The Supervisor told her no because she had her facts wrong. She asked if he went to her house when she wasn't home, uninvited. The Supervisor told her that he didn't need an invitation. The Supervisor stated, that at a previous Board meeting, she had stated that she didn't have an inspection available to her because the Building Inspector wasn't there. Ms. Lanfear stated that was incorrect and that she had simply asked what the Town was going to do in the absence of the Building Inspector. He stated that his comment was correct and that it was on tape. He stated that he saw the contractor's vehicle and saw the scaffolding and pulled into her driveway to make sure that the contractor wasn't being held up. He stated that he never got out of his car and was accused of scaring her children. He stated that he was following his responsibilities of overseeing the Building Department. Ms. Lanfear continued with her letter and mentioned that the Supervisor has a new Confidential Secretary, who has access to everyone's personal information and hadn't been hired yet nor has she completed any of the requirements to be hired. In closing, she thanked the Council people for their support. Councilman Kusnierz thanked her for her assistance to everyone and wished her well. Councilman Prendergast stated that he hated to see her leave. Councilman VanTassel stated that he echoed the words of the other Councilmembers and stated that he's sorry to see her go.

Carol Alden stated that she had reviewed the State Comptroller's Audit of 2012. She stated that the Town's response to the audit, was that they would strive to consolidate water districts. She asked whatever happened to that. Councilman Prendergast explained that one of the issues is with the debt service. Some of the districts have debt and some do not. He stated that to take a district that has no debt and combine them in with a district that has debt isn't fair. He also stated, that another issue is that, some districts have fund balance and others have very little. He stated that what you would be asking them to do, is take a district with fund balance and spread their money to other districts. He stated that the Engineers and Attorneys have both looked into consolidation. He stated that these issues were sticking points for him. Mrs. Alden asked if it was a Board decision not to proceed with it. Councilman Kusnierz stated that when the previous administration was presented with the plan, there wasn't enough support because of the issues that Councilman Prendergast outlined. He stated that he has been looking into it and he knows that

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there are ways to accommodate those with fund balance. He stated that it will take a lot more work but they can get there. He stated that he thought consolidation would be beneficial to everyone in the districts. Mrs. Alden thanked the Board for their response.

61 HUDSON STREET

The Supervisor reported having a proposal from Bob Sears, which was given to the Attorney. Councilman VanTassel stated that he was supportive of the proposal. Councilman Kusnierz stated that he was concerned with the percentage rate, which is a little higher than what's customary. He also stated, that with discussions at the State level, encouraging municipalities to implement inter-municipal agreements and with the new administration in the Village, there is a golden opportunity in that the building may be able to play a key role for an inter-municipal agreement between the Village and the Town. He stated, that if they move forward with a sale, they would miss that opportunity. Councilman Kusnierz was of the opinion that they should have discussions first. He stated that the Town isn't getting any smaller and the building might be able to help with some of the issues. He stated, that at this time, he wasn't on board with the sale of the building. Supervisor Congdon agreed with Councilman Kusnierz. Councilman VanTassel asked that they engage conversation with the Village.

A motion was made by Councilman Kusnierz and seconded by Councilman VanTassel to table the 61 Hudson Street property discussions.

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

Councilwoman LeClair	Absent
Councilman Kusnierz	Aye
Councilman VanTassel	Aye
Councilman Prendergast	No
Supervisor Congdon	Aye

Councilman Prendergast stated that he voted no because, although it sounds good, they've been talking about the building for years. He would like to see it sold. Councilman VanTassel asked that they have meaningful interaction with the Village within 30 days and asked who would contact the Village to see if they're interested. The Supervisor stated that he had already had a conversation with the Mayor. Councilman Kusnierz stated that there are millions of dollars coming down from the State for inter-municipal agreements. He stated that if the Board is looking for a resolution within 30 days, it isn't realistic. He stated that in order to make a good decision, there's more information at their disposal, which they need to use. Councilman VanTassel stated that he's willing to be more patient as long as they're taking some action.

LABERGE GROUP – DRAFT MS4 REPORT – DON RHODES

This agenda item was skipped over.

INSURANCE RENEWAL PRESENTATION – DAVE MEAGER

Dave Meager gave a presentation to the Board with regard to the Town's insurance policy, which is due to be renewed. He had passed out a summary of his proposal to the Board and went over some of the highlights. He stated that by increasing the deductible for Buildings from \$1,000.00 to \$5,000.00, saved the Town \$3,000.00 per year. He stated that it was a good decision. He explained how some of the Highway vehicles are covered under the Contractors portion of the policy, as it's less expensive to cover the dump trucks and heavy equipment vehicles under that portion of the policy. He stated that dump trucks that are 10 years old or newer are covered for replacement cost. He stated that Paul Joseph had gone through and upgraded the limits for those vehicles 10 years and newer. He stated that the Town has a \$500.00 deductible on the contractor portion of the policy and thought that was low. He stated that there would be a savings to the Town with a higher deductible and that he would give a figure for that. Mr. Meager stated that the Town is in its fifth year of having to pay a capitalization fee and that next year they would get that back (\$914.44). He reported that NYMIR had an 8% increase in premiums this year for

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their auto portion of policies. He suggested, in order to offset the cost increase and to save the Town \$1422.00, the Town may want to consider dropping Comprehensive and Collision coverages on several of the Town's older lightweight vehicles. He gave a list of the vehicles in question and stated that other town's drop collision on vehicles that are 10 years or older. He also stated that he's trying to keep the premium within the budget for the Town. Mr. Meager referred to page 12 of the Insurance Summary and stated that State Law requires a Breach Notification Policy to be in place by municipalities, which would specify procedures to be taken in the event of unauthorized access to private information in the Town's care, which has been compromised and provided a sample for the Town to adopt. Mr. Meager explained the Human Resource Consultation and stated that his agency has partnered with ThinkHR to provide free HR related services and resources to their clients via a toll free number or by online chat with trained, senior level professional advisors. He stated that if the Town is interested, he would assist in enrolling into the program. Mr. Meager discussed hacking and stated that the Town has personal data on all of its employees. NYMIR provides \$1,000,000 in liability coverage for any suite brought against the Town due to information being compromised. He stated that the Town doesn't have and recommended coverage, in that if information gets compromised, they would offer credit counseling to those who were affected as well as help them get their identity back. He thought that the cost for the coverage would be around \$600.00. He provided an application, should the Town request this coverage. The Supervisor suggested that Location #2 – Beach & Bath House be completely removed from the coverage as well as the garage at 61 Hudson Street. He also suggested removing coverage for the Salt Shed and stated that nothing can happen to it because it's a cement building. Councilman Kusnierz stated that if the building were struck down by lightening, he would like to see it covered. Mr. Meager was asked to let the Town know what the savings would be, if those items were eliminated from coverage. The Supervisor questioned the rate on the water towers and stated that they wouldn't catch fire. Mr. Meager stated that the coverage includes vandalism and lightning strikes. Mr. Meager stated that he would get back to the Supervisor with the rates for each tower and how much it would be to take them off. Councilman Prendergast asked if the coverage covers sabotage of the water system and Mr. Meager replied that it did. He also stated that acts of war are not covered but terrorism is. Councilman Kusnierz stated that he thought the Town should sign the application for the Human Resource Consultation and for the Cyber Security. Mr. Meager stated that it's a 3 page application form that the Town's IT person or Town employee could complete. Mr. Meager stated that if they get the application back to him, he can get it added onto the policy. He also stated that he would get back to the Town with the cost of coverage without the Beach buildings, the Salt Shed, the old Town Hall Garage and the Water Towers. He will also figure in the difference in premium if they cancel the collision on the older Highway vehicles. He thanked the Board for their time and left the meeting at 8:06 p.m.

PROPOSAL – SEWER RATE ANALYSIS FOR CURRENT USERS – DON RHODES

There was a brief discussion regarding the proposal from Laberge Group to perform a sewer rate analysis. Councilman VanTassel stated that the Supervisor had been directed to sign the MS4 agreement with Laberge but that the Sewer Analysis proposal hadn't been acted on.

A motion was made by Councilman VanTassel and seconded by Councilman Kusnierz authorizing and directing the Supervisor to sign the proposal from Laberge Group for a Sewer Rate Analysis for a lump sum fee of \$1,500.00.

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

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

HIGHWAY GARAGE ROOF SETTLEMENT

The Supervisor asked that the Board put off any action on this agenda item for 2 weeks. The Board was in agreement.

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PLANNING BOARD VACANCY

A motion was made by Councilman Prendergast and seconded by Councilman VanTassel to appoint Myron (Mike) Shaver as a permanent member of the Town of Moreau Planning Board to fill the unexpired term of Dave Paska.

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

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

BACKFLOW PREVENTION INSPECTIONS

The Supervisor asked Jesse Fish about the inspections that are needed at the Town properties and he replied that they need to be done by someone who's certified. He stated that he had a list of certified inspectors and would get a copy to the Board. Councilman VanTassel stated that the goal is to get everyone, who is supposed to have an inspection, current.

HIGHWAY TRUCKING GRAVEL TO THE INDUSTRIAL PARK – MEMORIALIZE VOTE

Councilwoman LeClair had first brought to the attention of the Board that there was left over gravel following the National Grid project completion. They had offered the Town the gravel but it needed to be moved and placed elsewhere. Since Councilwoman LeClair was absent from this meeting, the Board asked the Highway Superintendent if he had any information. The Highway Superintendent stated that he has already taken 30 loads and that there are about 150 to go. He stated that it's all being stockpiled right now and if they decide to, they can use it for bike paths or roads at the park or by the river.

A motion was made by Councilman Kusnierz and seconded by Councilman VanTassel to memorialize a vote authorizing the Highway Department to haul surplus gravel to the Industrial Park.

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

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

HIGHWAY REQUESTS

None

RECREATION REQUESTS

None

OLD BUSINESS

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

Attorney O'Hara stated that they could take care of one of the items under Attorney business. Councilman Kusnierz stated, that at the organizational meeting, they had agreed to accept block, faxed and electronic

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signatures subject to Counsel's review of what needed to happen. He stated that Counsel has since done that and they've indicated that a resolution needs to be done.

A motion was made by Councilman Kusnierz and seconded by Councilman VanTassel that the Town permit faxed and scanned signatures from vendors on vouchers for payment.

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

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

- Attorney – Charges in Water District 1 (Fortsville Road)

Supervisor Congdon asked Attorney O'Hara if he had a report for them on the Water District 1 matter. He replied that he had information and that it should be discussed in executive session as it is an attorney client matter.

- Engineering – Stormwater Management Officer

There was discussion relating to the Stormwater Management Officer and the MS4 Annual Report. Councilman VanTassel stated that a resolution is needed to establish a public hearing for public comment on the report.

The following resolution was read into the record by the Town Clerk by a motion of Councilman VanTassel.

TOWN OF MOREAU
MS4 ANNUAL REPORT AVAILABLE FOR PUBLIC COMMENT

WHEREAS, The Town of Moreau is required by State and Federal regulations to take part in the New York State permit program as a small municipal separate storm sewer system (MS4); and

WHEREAS, the Town is in the process of updating its Stormwater Management Program (SMP) to meet State permit requirements; and

WHEREAS, the State permit requires that the Town of Moreau submit a final MS4 Annual Report to the NYSDEC by May 19, 2017; and

WHEREAS, the NYSDEC requires that the draft MS4 Annual Report be made available for public review and comment prior to submitting a final report; and

WHEREAS, NYSDEC requires that citizens have the opportunity to provide comment on the draft MS4 Annual Report and have an opportunity to participate in the development, implementation, review, and revision of the SMP process; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby establishes a public hearing on April 25, 2017 at 6:55 p.m. to allow citizens an opportunity to provide comment on the draft MS4 Annual Report; and

BE IT FURTHER RESOLVED, the Town Clerk is authorized and directed to publish any legal notice or advertisement as required to establish said public hearing; and

BE IT FINALLY RESOLVED, the draft MS4 Annual Report will be made available for public review on the Town's website, at Town Hall and at the Town Highway Department.

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The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

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

There were several items under Old Business that were skipped over.

Agenda item #17 was brought up before items #14-16

RESOLUTION – HUDSON RAIL CONSULTING – RAIL LINE ENDORSEMENT

Justin Gonyo, President of Hudson Rail Consulting, a Consultant for the Saratoga IDA, was present and gave a brief presentation regarding the South Glens Falls Branch of the former Delaware & Hudson Railway, which was purchased from the IDA in 1996. He's proposing the re-activation and rehabilitation of the rail line that travels through the Town of Moreau and terminates in the Village of South Glens Falls. He stated that the line was de-activated in 1982. As Consultant to the Saratoga IDA, they would complete the application to NYSDOT to obtain funding to rehabilitate the line. He stated that there is \$27.5 million allocated in the State budget for railroad upgrades, construction and alike. He stated, the goal is to be able to service SCA Tissue and the Moreau Industrial Park. He stated that the current truck route to the Industrial Park is convoluted and takes the trucks around Town & City streets. He stated that current and future tenants in the Industrial Park would look favorably at having their own means for transporting their goods and services. He stated that the portion of the line that goes to the Industrial Park has had the tracks removed but the bed is still in place. He stated that through the application process, they would be developing the cost to rehabilitate the line. Mr. Gonyo stated that, what he's looking for, is a resolution from the Town authorizing a letter of support for the proposal.

Councilman Kusnierz thought that this would be a great opportunity, if it comes to fruition. He stated that the Industrial Park has one tenant and the Town has had extreme difficulty trying to grow the number of tenants. He stated that this may be the component that's needed. He supported the resolution.

Brigid Martin asked what the quality of life impact would be for those living in the Village, if trains were to come through. She asked if the plan would be posted for residents to look at. The Supervisor stated that he felt the Board is capable of understanding the ramifications. Councilman Kusnierz stated, what a railcar can do from a transportation standpoint is take vehicles off the road. Mr. Gonyo stated that hazardous materials are safer being transported by rail.

A motion was made by Councilman Kusnierz and seconded by Councilman VanTassel authorizing the Supervisor to draft and submit a letter of support for Hudson Rail Consulting, which would benefit SCA Tissue and the Moreau Industrial Park.

Roll call vote resulted as follows:

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

HIRING OF ROBIN RENAUD – CONFIDENTIAL SECRETARY

The Supervisor stated that he is notifying the Board of his appointment of Robin Renaud to the position of Confidential Secretary and also that the salary goes with the position. Councilman Kusnierz stated that when they established the salary at the organizational meeting, for that position, it had a name with it.

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The Supervisor asked why he would expect to have a change in the salary for the position. He stated that if the Board wants to acknowledge his appointment at the same salary, he wouldn't have a problem with that. Councilman VanTassel stated that he would like to make sure that the potential Town employee completes the necessary paperwork. The Supervisor agreed that she would complete what's required but nothing beyond that. Councilman VanTassel stated that he and possibly other Board members would like to see the application. The Supervisor stated that there is no application and Councilman VanTassel stated that there is and it's part of the hiring process. The Supervisor stated that it's his appointment and the Board needs to know no more than that. Councilman Kusnierz stated that no one is challenging his appointment but the Board has the right to establish the salary. The Supervisor stated that the salary was set at the organizational meeting and Councilman Kusnierz replied that the salary went with a name. The Supervisor replied that it went with the position. Councilman VanTassel stated that he's supportive of who we wants to hire but that the Town has some responsibility for her to complete paperwork.

FRIENDS OF MOREAU LAKE STATE PARK & FRIENDS OF GRANT COTTAGE – OPEN HOUSE – MAY 6, 2017

The Supervisor reported that they will be having an open house on May 6, 2017.

RESOLUTION – UPDATE ECODE ON LINE

The Supervisor stated that he didn't have anything on this subject.

OLD BUSINESS

- Waste Management Contract

The Town Clerk reported that at the previous Town Board meeting, they had approved Waste Management for waste hauling services but didn't specify if they were accepting their 9 mos. bid or the 21 mos. bid. The Board didn't have the information present to look over and asked the Town Clerk to poll them tomorrow.

RESOLUTION – UPDATE ECODE ON LINE

Attorney O'Hara stated that they need to do a resolution to update the e-code on line. The Town Clerk asked if they were looking to put a different e-code on line, which is different from what they already have. Attorney O'Hara stated that Jim Martin asked to have the e-code updated to reflect changes that had been made. The Town Clerk explained that in order for the e-code to be updated the actual Town Code would need to be updated first. Attorney O'Hara thought that the Town Code had already been updated. It was decided that they would speak with Jim Martin and have him explain in more detail what he's requesting.

PUBLIC COMMENT PERIOD

Terry Clark asked Councilman Kusnierz if his daughter's water lines broke because the anchors weren't in place. There was some conversation that was inaudible. Mr. Clark then stated that he has a junction in his front yard that could blow apart and he has to live with that. The Supervisor asked Mr. Clark to state his questions. Mr. Clark asked why, if the public is most important, they're last to be able to speak and why only 5 minutes. He stated that the public should be first as they have better things to do too.

Councilman Prendergast stated that Ms. Martin had brought up questions earlier about the Sewer Committee. He stated that she had good questions and that he keeps hearing the question as to when the committee will be formed. He stated that eventually there should be a committee formed but it was his understanding, that when they brought the Laberge Group in, they had ideas about sewer. His opinion was that, we shouldn't form a committee before we get the ideas from the engineers. Once we have the ideas, the committee can then be formed and give input on the ideas suggested. The Supervisor agreed with Councilman Prendergast's comment and stated that if the committee is formed before the ideas, such as clarifying the rates, are brought forward, they won't have anything to talk about. Councilman VanTassel

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stated that two meetings ago, they talked about creating a couple different internal committees. There was also consideration of not only bringing Laberge in but to bring in other engineering firms, for their suggestions. He stated that they should be moving forward on this. He stated that it should be done in a public forum such as a workshop or at a Town Board meeting. The Board can then decide who they want to move forward with. He stated that someone will need to contact the two other firms and set something up. The Supervisor stated that they first need to clarify, who pays what. He just found out that those who live in Fenimore are paying for the EFC bond in Water District 1, Extension 2. He stated that it was wrong and wondered how it happened. He stated that we need an engineering evaluation for the capacity, given the framework of what we already have, to pay for it. He stated that we can then go to the committee and say, you have this much money to move forward.

Bruce Flayer addressed the Board and stated that he had heard Mr. Gonyo's presentation about the rail lines. He stated that in order to rehabilitate the line, you'll have to put up a number of rail road crossings, such as at Fort Edward Road. He stated that people have homes there, which would have freight trains going through their front yards as well as going through a lot of other residential areas. He was of the opinion that before the Town gives their blessing on the project, they should look at the map of where the project is to be. The Supervisor thought that was a good idea and that before they go too far in discussing the matter, they need to find out what the future use would be. He stated that the project being presented to the Board is relatively new and they don't have enough information to answer all the questions. Councilman Kusnierz stated that a recommendation letter from the Board doesn't mean that they'll get the funding. The Supervisor stated that Mr. Flayer's points were well taken.

Rick Daley asked what the status of the Beach House was. Councilman VanTassel stated that the Supervisor was working on it last and he didn't have an update tonight. The Supervisor stated that there was nothing new on the subject.

Councilman VanTassel asked that they go back to agenda item #16, which was relating to the e-code. He stated that the information he had from Jim Martin stated that the on-line code isn't correct and that back in 2011 the Board made changes to the code for Highway Design and Road Construction. Councilman VanTassel stated that developers are looking at incorrect information on line and what Mr. Martin is looking for, is a resolution from the Board that would reflect the written version that was established in 2011. Councilman Kusnierz stated that they periodically update the code and he thought that the Clerk's office sends the updates to the Company so that it can be changed. The Town Clerk stated that the code had never been updated. Councilman VanTassel stated that the written version was changed in 2011 and the on-line version never got updated. The Town Clerk stated that the Subdivision Regulations, which are in the code, don't have the new Highway Design Standards. She stated that she gives out the new Standards with the Regulations and also stated that whatever was supposed to be done, didn't get done. She believed there was mention of needing a local law to get it changed. She stated that she believed Mr. Martin was going to speak with Attorney Buettner. Councilman Kusnierz stated that they will have to look into it.

A motion was made by Councilman Kusnierz and seconded by Councilman VanTassel to adjourn to executive session at 9:00 p.m. for the purpose of an Attorney Client Privilege discussion relating to Water District 1, Extension 2 and to discuss an unnamed employee for future employment in the Town.

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

Councilman Kusnierz	Aye
Councilman VanTassel	Aye
Councilman Prendergast	Aye
Councilwoman LeClair	Absent
Supervisor Congdon	Aye (he stated, as long as minutes are taken)

The Town Clerk was asked to attend the executive session and take minutes.

Jesse Fish was invited into the executive session shortly after it started and left the executive session after the discussion of the Water District ended.

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There was no action taken in the executive session.

A motion was made by Councilman VanTassel and seconded by Councilman Kusnierz to adjourn the executive session and resume the regular session at 9:58 p.m.

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

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

A motion was made by Councilman VanTassel to establish a salary for the Supervisor's Confidential Secretary, Robin Renaud, at the budgeted salary of \$34,333.00, effective April 6, 2017.

Brigid Martin asked if the Board was aware that the person in question had been brought up on charges in 2011. The Supervisor stated to Ms. Martin, that she wasn't a member of the Board.

Councilman VanTassel stated that there was a motion on the table and repeated it.

There was no second to the motion.

A motion was made by Councilman VanTassel and seconded by Councilman Kusnierz to adjourn the meeting for the evening at 10:00 p.m.

Asking if all in favor and with commotion, it was unclear as to how each member voted. The Town Clerk believed the following to be accurate:

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

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

A regular meeting of the Town Board of the Town of Moreau was held on April 11, 2017 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

Annexed to April 11, 2017 Minutes- Letter from Elizabeth Lanfear

For over a year, I have worked for the Town of Moreau as the Confidential Secretary to the Supervisor. This position is different than most, as it is an "at-will" appointment. For the people in the audience who may not know, this means there is no set term to the appointment. Whomever is appointed serves at the pleasure of the Supervisor and can be let go at any time. This past week, Supervisor Congdon terminated my employment as his Confidential Secretary and is proposing to hire a new Secretary this evening. People have told me they are sorry to hear this and have even been angry with the situation. However, I am not. That is the nature of this position and I knew this going into it. There are rules and procedures in place when working in government and I know them and I support them. This is part of that procedure. I was also well aware that I was taking a job working for an extremely controversial man who has his own way of doing things. That fact is what ultimately led to the "mutual frustration and dissatisfaction with each other," as the Supervisor wrote it in his letter, letting me go. When I took this job, along with it, in my opinion, came a responsibility to the Town, not just to the Supervisor. I have no trouble acknowledging that I am headstrong and have my own opinions about things. I was certainly not raised to be a "yes woman" or a doormat. As my time with the Town continued, I realized that I also have a responsibility to my own children, to set the example that when have a job you treat people with respect, do what is right, stand up for yourself and do that job to the best of your ability and by the rules. Nobody is perfect, but the effort has to be made to follow rules and procedures, as they exist for a reason. It was well known by the Town Board and the employees at Town Hall that the Supervisor and I often clashed on procedure. I objected when I was told to give confidential attorney/client communication to a Town resident and was yelled at to do it, anyway. We clashed when I was walking out of the office to go home and be with four of my boys who were absent from school as they were sick. The Supervisor, having just arrived at the Town Hall, demanded that I turn the computer back on and write a letter for him that was never used. Most recently, however, was an argument we had which stemmed from the Supervisor arriving on my property unannounced, uninvited and while I was at work. I had a child home and they called my desk to ask what was going on. It startled my child and that fact very much bothered me, as a mom. Two days later, when I asked the Supervisor why he did that, he stated that he was "making sure you were ok." I explained that I was at work when he left the office to go to my home. I was having work done on my house and the Supervisor decided he wanted to see it. What is more alarming than anything is how I was treated when I asked him not to do that again. He didn't see anything wrong with being on my property, uninvited. He also leaned over the desk where I was sitting and spoke in a very condescending, aggressive tone to me. That is not any way to treat anyone and it is sad to have watched it happen at work and at meetings. Tonight, on the agenda, is the appointment of my replacement. Again, the Supervisor is able to appoint his Confidential Secretary, but there is a process. That process has not been followed. I believe the public should be aware that Supervisor Congdon brought in another person the day after he let me go. This person has not been hired by Board resolution and has not completed the Town's pre-employment processes. Yet, this person who is not a Town employee, for four days has had unfettered access to employees' personal information, bank account information and confidential information about Town matters. At a recent Town Board meeting, there was an agenda item for an individual who was looking to complete community service at the Transfer Station. The individual had actually started working at the Transfer Station, when it was realized that the Town Board had not approved it. I polled the Board and a majority, which included Councilman VanTassel, Councilman Kusnierz and Supervisor Congdon directed me to have the individual leave until the Board had approved the community service. This person did not have access to anything, yet the Board followed the correct procedure to protect the Town. I ask why those procedures have not been followed with the position of Confidential Secretary. If raising concerns about the way an elected official conducts Town business paints me in a negative light with some, I accept that. I do not harbor any ill will for my termination. I agree with the Supervisor's words that "our lack of working relationship with one another and our extreme differences of opinion of how [the] office should be managed," made it difficult to work together. However, it is not the responsibility of the Confidential Secretary to manage the office. I believe that is the job of the Town Supervisor. It is also my belief that the Town of Moreau has a great deal of amazing employees. These people are dedicated, hardworking and honorable. They are like a ship's crew. Even if they do their jobs well, the ship will veer off course if nobody is steering. Currently, nobody is steering. I would like to thank Councilman VanTassel, Councilman Prendergast, Councilwoman LeClair and Councilman Kusnierz for their support when I began this job and throughout this past year. Each of you played an important part in the tremendous learning curve I was presented with. I will leave this meeting tonight, confident that I did my job to the best of my ability, confident that I made a positive difference in my community and confident that I followed the rules and procedures of the Town. Thank you.