

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

The Supervisor called the meeting to order at 7:02 p.m.

The Town Clerk called the roll.

**Town Board Members Present**

Alan VanTassel	Councilman
Bob Prendergast	Councilman
Gina LeClair	Councilwoman
Todd Kusnierz	Councilman [arrived at 7:05 p.m.]
Gardner Congdon	Supervisor

**Town Board Members Absent**

None

**Also present:** Leeann McCabe, Town Clerk; Malcolm O’Hara, Attorney for the Town; Jesse Fish, Water Superintendent; Paul Joseph, Highway Superintendent; Sandy Mahoney, Recreation Program Director; Robin Renaud, Supervisor’s Confidential Secretary; Reed Antis, Planning Board Member and Town Resident; Michael Goot, Post Star Reporter; Dave Meager, Adirondack Trust Agency; James Norton, Community Coalition for Family Wellness; Alex Powhida, Counsel for Camelot Associates; Harry Gutheil, Village of South Glens Falls Mayor; Tony Girard, Village of South Glens Falls Trustee; Town Residents: Nathaniel Smythe, Terry Clark, Huguette Delvaux, Roberta Stevens, Kristine Burrell, Mike Shaver, Maria Jennings, Charlene Endal, Jamie Campagnone, Art Boucher, Ken Miner; Village Residents: Brigid Martin, Charlie Granger

The Supervisor led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

This agenda item was tabled as the Supervisor hadn’t had a chance to read the minutes.

**SET FUTURE MEETINGS AND WORKSHOPS**

No new meetings scheduled. The Month-end meeting will remain scheduled for July 25, 2017 at 6:30pm.

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

Mike Shaver addressed the Town Board with regard to the agenda item for an Inter-municipal Water Agreement with the Village of South Glens Falls. He was concerned that before the Town sells water to the Village, they should look at what they charge the residents in Districts 2 and 4. He suggested lowering the rates due to the excess fund balances in those districts and stated that it would also affect the rate they sell water to the Village.

Alex Powhida, Attorney for Camelot Associates, addressed the Town Board with regard to Palmerton Heights Building Permits. He stated that Camelot had purchased lots from the developer, Ryan Denis. He stated that they have 2 building permits which have been put on hold and 1 lot needing a permit. The Town Board passed a resolution at the last Town Board meeting which put a hold on all permits until Mr. Denis replies to the Town Board in writing as to when the road will be completed. He stated that on behalf of Camelot, he is requesting the Town Board revisit the resolution. He stated that Camelot didn’t assume the obligations of RMD when they purchased the lots and shouldn’t be held up while the Town is waiting on Ryan Denis to take care of his obligation. There was brief discussion. The Highway Superintendent stated that the road will need to be addressed this year. The Supervisor asked the Highway Superintendent to mark the roads in the loop to keep the heavy trucks off. The Highway Superintendent stated that he would. Attorney O’Hara stated that as far as he knows, there’s only one other individual aside from Camelot who owns lots. He thought that the resolution could be modified to be made

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

applicable to the lots that are owned by the developer and that he not transfer the lots until he takes care of the road.

A gentleman from the audience asked if a lien could be placed on the lots.

A motion was made by Councilman Kusnierz and seconded by Councilman VanTassel that the resolution adopted on June 27, 2017 relating to the issuance of building permits at the Palmerton Heights location shall not be applicable to lots that are owned by Camelot Development Associates, LLC.

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

Reed Antis addressed the Board over the budgeted item in miscellaneous revenues in the amount of \$148,500.00 for the pay back of the force main. He stated that it's now July with less than 6 months before the end of the year. He asked what was going on with the matter. There was a lengthy discussion with Attorney O'Hara stating that he had given the Town Board a memo back in May with options. Councilman VanTassel pulled up the email, forwarded it to the Supervisor's email and asked his Secretary to print copies for the Board. She returned with copies and it was decided that they would have discussion relating to the matter in executive session.

#### **CLOSE PUBLIC HEARING – LOCAL LAW 1 OF 2017**

The Supervisor stated that there is a letter of withdrawal with regard to the proposed zoning change by Mr. Stewart.

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz to close the public hearing for Local Law 1 of 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

#### **DAVE MEAGER – INSURANCE**

Mr. Meager addressed the Board and explained how the Town's reciprocal insurance program with NYMIR works. He stated that after being in the program for 5 years, the Town is receiving the first of four refunds for the capitalization fees and presented a check to the Town in the amount of \$1,143.06. He stated that as long as the Town stays with NYMIR, they'll receive 3 more refunds.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to accept a refund check from NYMIR, for a Capital Return in the amount of \$1,143.06.

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

Councilman VanTassel	Aye
Councilman Prendergast	Aye
Councilwoman LeClair	Aye
Councilman Kusnierz	Aye

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

Supervisor Congdon                      Aye

A gentleman representing Riverview Galusha asked if the Public Comment period had been closed and the Supervisor stated “no”. He asked if he could be heard and he was allowed. He stated that he had spoken with Jim Martin, the Town’s Zoning Administrator regarding construction inspections. He asked the Town Board if they might adopt a procedure that would allow contractors to use their own consultants for inspections as they are already the engineer of record. He also stated that many other Towns already allow this. He stated that right now they have to pay for their own engineers as well as the Town’s. There was a brief discussion, with concerns over the Town’s interests being protected and in conclusion, Councilman Kusnierz stated that it’s very expensive to the developers and that the issue needs to be addressed. He stated that the Town Board would need to look into a policy that will make sure the Town’s interests are protected. He stated that there might need to be a change in the Town Code, which would require a Local Law and a public hearing. He suggested that the Board review the local ordinance and asked Attorney O’Hara to provide this information to the Town Board and to the Building Department. Councilman Kusnierz also suggested that after they have the information provided by Counsel, they reach out to some of the developers and then have discussion at the next Town Board meeting.

Terry Clark addressed the Town Board and made comments directly toward Councilwoman LeClair about her recollection of the last Town Board meeting. There was a brief discussion between the two.

**TRANSFER STATION REQUEST**

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz to run an advertisement in the Post Star for vacant positions.

Councilman Prendergast stated that the personnel committee met and interviewed an individual tonight for the transfer station. He stated that Ted is going to need some time off, so they need to act on this. He stated that he doesn’t have a problem advertising but thought that there was a candidate they interviewed that might be promising and would like to offer a job to her. He did relay the information from Ted that they would still need additional employees.

Councilwoman LeClair stated that the Recreation Department is down a few employees as well.

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

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

A motion was made by Councilman Prendergast and seconded by Councilman VanTassel to offer a position of Part-time Clerk at the Transfer Station to Mary Vaillancourt at a rate of \$12.00 per hour, pending successful completion of a physical and background check.

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

Councilman Kusnierz stated that one of the reasons he is supportive of advertising is that the Town has a population of 15,000 and anything the Town can do to get the word out for employment opportunities to the residents is good.

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

Councilman VanTassel stated that if the Town is going to run the ad, it would be insignificant to list a couple positions. There were no objections to his request.

### **HIGHWAY REQUESTS**

- Hudson Drive/North Rd. Drainage Replacement

The Highway Superintendent had previously supplied information to the Town Board with bids for the repair of a section of drainage pipe. It was questioned as to whether or not this was a drainage district. Attorney O'Hara read from a set of minutes in 1976, which provided for a drainage area instead of a district, cost of which would be absorbed solely by persons of that district. By creating a drainage area, it would allow the Town to expend to any extent they agree on from the General Town funds or Federal Revenue Sharing monies.

Councilwoman LeClair stated that Ms. Mahoney reported on behalf of her mother at the last meeting, that she hadn't had any problems. Councilwoman LeClair spoke with the Highway Superintendent and he stated that Ms. Mahoney's mother was one of the first people he had received a call from and that her sump pump wasn't turning off due to all of the water. The Highway Superintendent stated that there were other people who have called him because their pumps are running non-stop as well. He stated that there is about 600' of pipe that needs to be replaced and that it's the last section that's galvanized pipe.

The Highway Superintendent had supplied three quotes for the drainage work as follows:

Galusha & Sons, LLC	\$57,957.00
TKC	\$69,800.00
hma Contracting Corp.	\$111,300.00
Rozell Industries	\$133,700.00

Councilman Kusnierz stated that this cost wasn't budgeted for and the Highway Superintendent asked him if he recalled Farnan Road paving being questioned at budget time because it was quite an expense. He stated that it was left in the budget and he was suggesting that they transfer the money budgeted for that project into the drainage account for this project. The Highway Superintendent also mentioned that the Town would be receiving \$168,000 to \$172,000 in CHIPs money this year. Councilman Prendergast asked the Highway Superintendent if he knew exactly what the problem was and Mr. Joseph replied that he had run a camera down the line and it was deteriorated. Councilman Prendergast asked if his department could do the work and Mr. Joseph replied "no". Councilwoman LeClair stated that if they wanted to create a district it would take some time. She stated that the Highway Superintendent has the money and the people who live in that area need help now. Councilman Prendergast asked the Highway Superintendent if he's positive this needs to be done and if it will correct the problem. The Highway Superintendent stated yes to both questions. He was asked how the rest of the pipe looks and he replied that it's all good and that it's all plastic, which was replaced in the 80's.

A motion was made by Councilwoman LeClair to hire Galusha and Sons at a cost of \$57,957.00 to repair the drainage system located on Hudson Drive and North Road area and to be paid from the Highway Superintendent's Highway Servicing.

Councilwoman LeClair rescinded her motion so that they could first transfer money.

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz that \$57,957.00 be transferred from account DB5112.493.4 Nova Chip – Paving, with a current balance of \$480,985.68 and, be transferred to account B8540.4 Drainage – Contractual.

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

Councilwoman LeClair	Aye
Councilman Kusnierz	Aye
Councilman VanTassel	Aye

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

Councilman Prendergast           Aye  
 Supervisor Congdon               Aye

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz to hire Galusha & Sons, LLC in the amount of \$57,957.00 to replace the drainage system in the Hudson Drive/North Road area.

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

- Town Tree RFP's

The Town received 4 Proposals for tree and stump removal as follows:

**Adirondack Tree Surgeons  
 353 Gurnspring Road  
 Gansevoort, NY 12831**

<u>Tree Removal</u>	<u>Est. Quantity</u>	<u>Bid Price/tree</u>	<u>Total</u>
over 5" to 12" dbh	1	\$250.00	\$250.00
over 12" to 18" dbh	3	\$1,500.00	\$4,500.00
over 18" to 24" dbh	12	\$2,000.00	\$24,000.00
over 24" to 36" dbh	20	\$2,500.00	\$50,000.00
over 36" dbh	7	\$3,000.00	\$21,000.00

Stump Removal

over 5" to 12"	\$100.00
over 12" to 18"	\$150.00
over 18" to 24"	\$200.00
over 24" to 36"	\$250.00
over 36"	\$300.00

**Richard Sears Tree Experts, Inc.  
 P.O. Box 133  
 Glens Falls, NY 12801**

<u>Tree Removal</u>	<u>Est. Quantity</u>	<u>Bid Price/tree</u>	<u>Total</u>
over 5" to 12" dbh	1	\$350.00	\$350.00
over 12" to 18" dbh	3	\$650.00	\$1,950.00
over 18" to 24" dbh	12	\$800.00	\$9,600.00
over 24" to 36" dbh	20	\$1,500.00	\$30,000.00
over 36" dbh	7	\$2,400.00	\$16,800.00

Stump Removal

over 5" to 12"	\$80.00
over 12" to 18"	\$150.00
over 18" to 24"	\$270.00
over 24" to 36"	\$350.00

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

over 36" \$500.00

**Tree Care by Stan Hunt  
53 Boulevard  
Queensbury, NY 12804**

<u>Tree Removal</u>	<u>Est. Quantity</u>	<u>Bid Price/Tree</u>	<u>Total</u>
over 5" to 12" dbh	1	\$200.00	\$200.00
over 12" to 18" dbh	3	\$300.00	\$900.00
over 18" to 23" dbh	12	\$400.00	\$4,800.00
over 24" to 36" dbh	20	\$475.00	\$9,500.00
over 36" dbh	7	\$1,100.00	\$7,700.00

Stump Removal

over 5" to 12"	\$50.00
over 12" to 18"	\$100.00
over 18" to 24"	\$125.00
over 24" to 36"	\$150.00
over 36"	\$200.00

**A-1 Tree Works  
339 Clendon Brook Road  
Queensbury, NY 12804**

<u>Tree Removal</u>	<u>Est. Quantity</u>	<u>Bid Price/Tree</u>	<u>Total</u>
over 5" to 12" dbh	1	\$55.00	\$55.00
over 12" to 18" dbh	3	\$200.00	\$600.00
over 18" to 23" dbh	12	\$395.00	\$4,740.00
over 24" to 36" dbh	20	\$800.00	\$16,000.00
over 36" dbh	7	\$1,100.00	\$7,700.00

Stump Removal

over 5" to 12"	\$20.00
over 12" to 18"	\$40.00
over 18" to 24"	\$60.00
over 24" to 36"	\$100.00
over 36"	\$150.00

Councilman VanTassel asked the Highway Superintendent if the prices for the stumps would coincide with the number of trees asked to be cut. The Highway Superintendent stated that the number of trees were just an estimate so they could get prices. He stated that right now, he only has 19 trees to be removed and 2 stumps.

A motion was made by Councilman Kusnierz and seconded by Councilman VanTassel to accept the bid from Tree Care by Stan Hunt with documentation for the actual cost of work based on consultation with the Highway Superintendent.

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

Councilman Prendergast	Aye
Councilwoman LeClair	Aye
Councilman Kusnierz	Aye
Councilman VanTassel	Aye

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

Supervisor Congdon                      Aye

- NYS DOT Paving Contract – Laberge

There was a brief discussion regarding the Pavement Restoration Project for Feeder Dam Road and Reservoir Road. The Supervisor stated that NYS DOT approved Gorman Group per Saratoga County bid and asked the Highway Superintendent if he would need Laberge Group for Construction Administration or Observation Services. The Highway Superintendent stated that there is one inspection that they have to do and they also have to do the paperwork.

A motion was made by Councilwoman LeClair and seconded by Councilman VanTassel authorizing the Supervisor to enter into a contract with Gorman Group with contract costs to be based on unit pricing per the current Saratoga County bid, and as outlined in the enclosed estimate. If needed, the Town Board also authorizes the Highway Superintendent to oversee and undertake the work as outlined in the enclosed PS& E package. Also, if needed, the Board should consider authorizing Laberge Group to deliver construction administration services on a time and material basis by resolution as outlined.

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 Kusnierz stated that the Town Board just received Bid specs today relating to the cemetery work needed at Rice Cemetery. He asked if the Board wanted to move on this item. The Supervisor stated that there were many other items on the agenda that needed to be taken care of. He also asked that they skip over the Recreation Request items and move other items to the top of the agenda. He asked for more time to look at the Cemetery bids before they act on it.

**TOWN CLERK AUTHORIZATION TO OPEN ACCOUNT FOR TAXES**

The Town Clerk presented a request to the Town Board asking for authorization to open a separate bank account for Tax Collection.

A motion was made by Councilman Prendergast and seconded by Councilman VanTassel authorizing the Town Clerk to open up a separate account for Tax Collection.

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 Kusnierz stated that the Town Clerk was asking for a separate account as well as needing petty cash for tax collection. The Town Clerk stated that they could handle the petty cash in December as she wouldn't need it at the present time.

**RESOLUTION FOR PURCHASE OF LAND**

Attorney O'Hara stated that there was already a resolution done in 2015 to purchase the piece of land owned by Excess Land, LLC.

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

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz authorizing the Supervisor or Deputy Supervisor to sign the contract to purchase two parcels from Excess Land, LLC along the Nolan Road Boat Launch area and to be paid for from the Recreation Reserve Fund in the amount of \$30,000.00.

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

It was mentioned that an increase in appropriations needed to be done first.

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz to rescind the previous motion.

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

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast to increase appropriations by \$30,000.00 to HT7180.2 Town Wide Recreation – Administration – Equipment To increase 2017 Appropriations using Unreserved Fund Balance due to purchasing two parcels from Finch Pruyon on Nolan Road per board resolution on November 10, 2015.

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

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz authorizing the Supervisor or Deputy Supervisor to sign the contract to purchase two parcels from Excess Land, LLC at a cost of \$30,000.00.

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

#### **FEMA LARGE PROJECT CLOSEOUT – MEMO**

The Supervisor reported receiving a memo from his Secretary regarding a FEMA project and stated that he would keep the Board advised of the situation.

#### **CFA DEC WQIP PROGRAM – LABERGE**



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

The Town Board was given copies of a document from Laberge Group with regard to the filing of the 2017 CFA DEC WQIP application. The Supervisor asked to put this on hold until he had an opportunity to review the documents and stated that he would like to know more about it. It was mentioned that the documents had to be returned by July 12, 2017 and that the application is due by July 28, 2017. Councilman VanTassel stated that the Board already approved Laberge to submit an application for the Town and that these documents that they are asking for are to support the application.

A Resolution was offered by Councilman Kusnierz and seconded by Councilwoman LeClair authorizing the Town Supervisor to submit an application to New York State Department of Environmental Conservation, Water Quality Improvement Project for the possibility of a grant to assist the Town with the MS4 mapping.

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

### **RIVERFRONT DISCUSSION**

Councilwoman LeClair gave an update on the Riverfront project.

### **INTER-MUNICIPAL WATER AGREEMENT WITH THE VILLAGE OF SOUTH GLENS FALLS**

There was a very lengthy discussion pertaining to what rate the Town would charge the Village should they need help with water. Councilwoman LeClair stated that at the last meeting, they were asked how much the Town pays for their water and she reported that the Water Superintendent and Rudy Klick came up with a cost of \$2.77/1,000 gallons. Councilman VanTassel asked the Mayor what rate he was looking for and he replied that he had concurred with the Councilman's resolution at the last meeting for \$2.29. Councilman Prendergast stated that there has never been discussion of the Village being charged at the municipal rate. Councilman VanTassel asked the Mayor, now that he knows what the Town pays for water, would he be happy with the \$2.77. The Mayor stated that he's interested in Inter-municipal cooperation and believes in having a relationship with your neighbors. He stated that he feels it's being lost over the dollar signs. Councilman VanTassel asked the Mayor again if \$2.77 would work for the Village. Also asking him to keep in mind that \$2.77 is significantly less than anything the Town charges its residents. The Mayor stated that the rate of \$2.77 includes salaries and equipment and that he wasn't interested into buying into that. Councilman VanTassel stated that the rate is substantially less than that. The Mayor stated that they would build the air stripper. The Supervisor made comment about previous cooperation between the Town & the Village. Councilman Prendergast stated that he has nothing against the Village. He stated that they're our neighbors and that when they've needed water, the Town has provided it. He commented that it was implied that the Town isn't being a good neighbor and he stated that he took offense to that. Councilwoman LeClair agreed with Councilman Prendergast and also stated that anytime the Village needed water, we've supplied it. She also commented that she didn't know how we could charge the Village less than what our own residents pay. The Mayor asked again what the price might be to supply the water if they purchase directly from Queensbury.

Art Boucher stated that he lived in Fenimore and that he had paid for water from the Village for years. He stated that when the Town wanted to put water down Sisson Road, they wanted to tap into the Village line. He stated that he was told if the water was put in that he would pay half of what he was paying to the Village. Mr. Boucher stated that he's paying the same rate for Town as he was Village water. He suggested that the Village pay the same rates that the Town residents pay.

Councilman Kusnierz asked the Mayor if he had conversations with his Trustees as far as what water rate they were looking at and the Mayor replied that he hadn't. He stated that they knew that the rate had gone

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

from \$2.25 to \$3.89 and back down to \$3.25. The Mayor stated that NYS DOH wants them to have a contract. Councilman Kusnierz asked the Mayor what his thoughts were on the \$2.77 and Mr. Gutheil stated that he would bring it before his Board.

Mike Shaver asked how much Village residents pay for their water and Trustee Girard answered \$2.25 per thousand.

Councilman VanTassel stated that he still liked the offer of \$2.29/thousand because that's what the other municipal customers pay and he mentioned the schools. He also stated that it's 43% less than what they sell water to other Town residents. He asked the Mayor if it could be part of the agreement that they will only take water in the time of need. The Councilman asked if there could be language in the agreement that states if the Village takes the Town beyond the limit that they can buy, that the Village would share the cost. The Mayor stated that it would have to be 30 consecutive days over the limit before the Town would be charged additionally. The Water Superintendent concurred that it's 30 consecutive days over the amount purchased.

A motion was made by Councilman VanTassel that the Town enter into an Inter-Municipal Agreement with the Village of South Glens Falls to sell water at a cost of \$2.29 per thousand gallons, under the condition that the Agreement includes verbiage that water usage is only in the time of need.

There was no second to the motion.

Councilman Kusnierz stated that he appreciated his motion but mentioned that Rudy and Jesse came up with the actual cost of \$2.77 per thousand gallons and that the Mayor was asked if he would be willing to take the offer back to his Board. He stated that the Mayor was willing to do that and he would like to hear what the Village's reaction would be. Councilman Kusnierz stated that he liked the idea of having language in the contract that would protect the Town if they should go over the amount of capacity purchased. He also asked that there be language prohibiting water usage in the Village if the Town has a water ban. Councilman Kusnierz stated that they've come down on the price from the original contract and he would like to hear back from the Village Trustee's before they move forward.

Mike Shaver stated that Water Districts 2 and 4 have very large fund balances and the Town should look at those rates. He also stated that if they lower the rates in these Districts, they might be able to sell to the Village at a lower rate. Councilman VanTassel reminded Mr. Shaver that the Town reduced the rates in those Districts last year and that they continue to look at fund balances.

The Water Superintendent stated that the Village took water from the Town about 3 years ago when a pipe burst. The Town provided water for over 4 months straight and they never went over the limit and never had to buy more capacity. Mr. Fish stated that he has spoken with Jack Dixon many times and that regardless of whether there is a rate in place or not, if the Village has an issue and they need water, he's going to turn the water on. Mr. Fish stated that it would be an emergency situation and that the Village would never go without water. The Supervisor stated that he was aware of that.

#### **ACCEPT RESIGNATION OF KIM ZUPAN**

A motion was made by Councilman Prendergast and seconded by Councilman VanTassel to accept the resignation letter from Kim Zupan without the editorial comment.

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

#### **ACCEPT RESIGNATION OF MARC PORTER – BOARD OF ASSESSMENT REVIEW**

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A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz to accept the resignation of Marc Porter from his position on the Board of Assessment Review.

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 Kusnierz stated, that on behalf of the Town of Moreau residents, he wanted to thank Mr. Porter for his 12 years of service in that capacity. Councilwoman LeClair asked that the Supervisor's office send him a letter to that effect.

### **HIGHWAY GARAGE ROOF SETTLEMENT**

The Supervisor asked if there was anything new and asked the Attorney if he had a chance to speak with the former Supervisor. Attorney O'Hara stated that he had called him to review some documents.

### **OLD BUSINESS**

- Town Hall – Curb Cut
- Town Hall – Ongoing Bird Issue at the Entrances
- Town Hall – Insulation
- Town Hall – Force Main Payback

The Supervisor stated that he had nothing new on any of these items.

### **SUPERVISOR'S ITEMS**

- USDA Rural Development 504 Home Repair Program

The Supervisor reported receiving an email from the USDA Rural Development 504 Home Repair Loan & Grant Program and stated that if anyone wants information they may contact him.

The Supervisor also reported receiving an answer from the Department of Health on the Town's FOIL request relative to Bluebird Terrace.

### **COMMITTEE REPORTS**

Councilman Kusnierz asked if the Board wanted to act on the tree bids for Rice Cemetery that were received today. The first set of proposals were received but the bid prices were for different scopes of work. New RFP's were sent out so that all proposals were for the same scope of work and were received as follows:

Adirondack Tree Surgeons 353 Gurnspring Road Gansevoort, NY 12831	\$8,650.00 (New Proposal)
Richard Sears Tree Experts, Inc. P.O. Box 133 Glens Falls, NY 12801	\$8,600.00 (New Proposal)
A-1 Tree Works 339 Clendon Brook Road Queensbury, NY 12804	\$5,000.00 (New Proposal)



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

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

Councilwoman LeClair stated that the agenda item for signage is due to a problem with dogs in the concession area and around the playing fields in the Park. The Recreation Maintenance Supervisor asked if he could put signs up asking people to keep their dogs on the perimeter of the Park. She also stated that their needs to be some signage regarding the Quick Ups (pop up canopies). The signs should state that they need to be staked down if used and that they can't be placed on blacktop because of the danger involved if they blow away.

The Supervisor stated that Councilwoman LeClair could take care of all the Recreation items with one resolution.

Councilwoman LeClair stated that Pete Corlew is requesting to use the Lifeguard's as needed at the Rec Park at the same rate of \$10.00 that he pays laborers.

Councilwoman LeClair stated that Sandy Mahoney has a question about putting a vending machine at the beach. Ms. Mahoney stated that the vending machine is already at the beach and she asked about stocking it with water and tea. She stated that there have been requests. The Supervisor stated that it would be up to the vendor. Ms. Mahoney stated that she had called one of the vendors and they told her the machine wasn't theirs. Councilman VanTassel asked if the Town stocks it now and Ms. Mahoney replied no. Councilwoman LeClair stated that the Town has had problems in the past with stocking their own machines.

Councilwoman LeClair stated that there is a contract for PJ Motsiff's Fall Soccer program and asked if anybody had any comments or questions. Ms. Mahoney stated that PJ Motsiff is charging a little more this year because of insurance but he still plans on giving back \$10.00 per child to the Town.

A motion was made by Councilman VanTassel and seconded by Councilwoman LeClair authorizing the Supervisor to sign contracts with South Glens Falls Youth Baseball, South Glens Falls Girls Softball, Pop Warner Football and PJ Motsiff – Fall Soccer program after Counsel has provided some verbiage as it relates to background checks.

Councilman Prendergast asked about the last meeting with Softball and Baseball in that there was an issue with property that they had purchased that remains in the buildings. Councilman VanTassel stated that the approach was to remove that section from the contract and to address the matter as a separate issue. He stated that Attorney Buettner is looking into the matter. He also stated that both organizations are aware of the matter. He wasn't sure what Attorney Buettner had come up with as yet but thought there would need to be some discovery as to who owns what. He stated that the Town Clerk had pulled minutes on the subject but there wasn't much available that related to the subject of in-kind trade. He stated that it needs to be addressed, otherwise it will continue to be an issue in the future but also stated that he didn't want that issue to hold up these contracts. Councilman Prendergast was ok with the change in the contract. Councilman Kusnierz asked if it was a single year or multi-year contract and Councilman VanTassel replied that it was a three year contract with no escalation.

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

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

Councilman VanTassel stated that the only thing they didn't move on was the vending machine. Councilman Kusnierz stated that he remembers all the problems they had in the past with vending machines. He stated that we were responsible for stocking the machines and he didn't believe that we should be. Ms. Mahoney asked if they aren't going to use the machine can they get rid of it. Councilman Kusnierz suggested putting it on our surplus government. Councilwoman LeClair stated that she needs to reach out to Head Start so that she can take pictures of all the old desks and such and Ms. Mahoney will help her put the information on Gov.Deals.

Councilman VanTassel asked if they were still holding off on approving the minutes so that Councilmembers had more time to review. The Town Clerk stated that one set of minutes had been brought up at the last regular Town Board meeting but there weren't enough Councilmembers present that were at that meeting. She asked the Board if they would consider accepting the minutes from at least June 13, 2017.

The minutes of June 13, 2017 (2 sets) were presented to the Town Board prior to the meeting held on June 27, 2017 for their review, comment, correction and approval.

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz to approve the minutes of June 13,2017 (2 sets) as prepared.

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

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

The Supervisor stated that a motion was in order for an executive session. Councilwoman LeClair started to make a motion and she was interrupted and asked what the executive session was for. Councilman Kusnierz stated that she was making the motion. Councilman VanTassel stated that before they have an executive session on the force main payback, they should review the memo received from Counsel. The motion wasn't completed and there was no executive session.

A motion was made by Councilman VanTassel and seconded by Councilman Kusnierz to close the meeting at 10:01 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	Aye

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](http://www.townofmoreau.org)