

A regular meeting of the Town Board of the Town of Moreau was held on August 22, 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

Alan VanTassel	Councilman
Bob Prendergast	Councilman
Gina LeClair	Councilwoman
Todd Kusnierz	Councilman [arrived just after roll call]
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; Dave Meager, Adirondack Trust Insurance; Laura Conway and Matt Schuette from Jaeger & Flynn; Kathleen Moore, Post Star Reporter; Reed Antis, Town Resident and Planning Board member; Town Resident: Nat Smythe; Village Residents: Mike Linehan and Charles Granger

The Supervisor led the Pledge of Allegiance.

The Supervisor thanked everyone for their help in getting the new flag pole displayed out front, where it belongs.

APPROVAL OF MINUTES

The minutes from June 27, 2017 (Public Hearing), July 25, 2017 (Month-end meeting) and August 8, 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 Councilwoman LeClair to approve the minutes from June 27, 2017 (Public Hearing) as prepared.

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

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

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast to approve the minutes from July 25, 2017 (Month-end meeting) with a noted change made at the August 8, 2017 meeting.

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 VanTassel to approve the minutes from August 8, 2017 as prepared.

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

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

SET FUTURE MEETINGS AND WORKSHOPS

None scheduled

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

Reed Antis stated that he was curious about the sewer fee and asked what would happen with the budget since nothing has been decided by the Town Board. He also asked why discussion relating to the force main are executive session items. He stated that the fees were put in the budget and the public doesn't know what's going on. He stated that there's only 4 months left in the year and he's afraid that the residents will end up having to pay the \$148,000 and not the sewer people. He asked if there would be any information tonight on the matter. The Supervisor stated that it will be brought up later in the meeting. He would like to know what the Attorney has to say on the matter.

NYS PAID FAMILY LEAVE – LAURA CONWAY (JAEGER & FLYNN) & DAVE MEAGER (ADIRONDACK TRUST INSURANCE)

Dave Meager was present from Adirondack Trust and explained the legislation recently passed that will add Paid Family Leave (PFL) benefits to the current Disability Benefits Law beginning January 1, 2018. He explained that the program provides wage replacement to employees while they're out of work for new child bonding, caring for an ill family member and events related to a family member's active-duty, military status. He mentioned that the program is designed to be funded by the employee but the employer can choose to fund the premium if desired. Mr. Meager also stated that New York State private employers will be mandated to carry these benefits but public employers will not be mandated. They can opt in or opt out of the program. He explained the schedule provided to the Town Board, which showed the number of weeks available and the average weekly wage percentage. The number of weeks eligible in 2018 will be 8 and by 2021 the number of weeks available will be 12 and with a higher average weekly wage. Mr. Meager suggested that the Town Board not rush into any decisions and asked that they all study the information very carefully. The Supervisor asked if this will be looked upon as an additional benefit and Mr. Meager replied that it would. Councilman Prendergast stated that he's familiar with the Family Leave Act and mentioned that manpower would be an issue. He mentioned that we're not overstaffed right now, so it could become an issue.

Laura Conway was present from Jaeger and Flynn and gave a short presentation to educate the Town on the Paid Family Leave benefit. She stated that the Town will need to make a decision by October 1, 2017 and ratify with the union. The Town will also need to notify the employees and the NYS Workers Compensation Board of their decision 90 days before January 1, 2018, which is October 1, 2017. Councilman Kusnierz stated that the employees would only contribute about \$36.00 but the Insurance could pay out \$1,000's and asked how that would work. He asked if eventually the rates would have to go up. Mr. Schuette replied that it's a pool and that the Insurance companies have to watch the claims. Ms. Conway also mentioned that the Town would need to consider this when updating the Employee Handbook. Councilman VanTassel asked if this would be an annual decision and it was replied that it would have to be decided every 12 months. Councilman VanTassel asked if New York State has opted in themselves and the reply was that the State hadn't taken a position yet. The Supervisor commented that the Town Board had a better understanding on the benefit. Councilman VanTassel stated that they'll have to make some decisions internally to see how they want to drive this forward.

HIGHWAY REQUESTS

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the Quality Inn of Cortland at a cost of \$349.75 for 5 nights, which will be paid from account 8310.4 as well.

The Water Superintendent mentioned that following this class, Mr. Dubois will still need to be with the Town for a year before he can supervise the system alone.

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

FINCH LAND PURCHASE

The Supervisor stated that he had received a memo from Patricia Watkins and asked Attorney O'Hara why the need for title insurance. There was a brief discussion over the need for title insurance. The Supervisor didn't see the need for it. Councilman Kusnierz thought it would be prudent to have the insurance. Attorney O'Hara stated that the title company did the abstract for no fee and suggested that if the Town decided not to pay for the title insurance, they would most likely charge for the completion of the abstract. He stated that it was a relatively modest fee.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair to approve title insurance and relative fees relating to the Finch land purchase and authorizing the Supervisor to pay the bill.

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

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

DISTRICT #1 – WATER REFUNDS

A motion was made by Councilwoman LeClair and seconded by Councilman VanTassel to pay back the Water District #1 residents, who are not hooked up and not using the water, with the understanding that they will pay \$1,700 or the current buy in fee at the time they choose to be hooked-up. The refund total thus far, for 10 residents, is \$7,467.60, which includes penalties and interest amounts paid from residents while awaiting a decision from the Town. The refunds will be paid from anticipated water revenues and not fund balance. The customers will not have any future billings unless they decide to hook-up.

Roll call vote resulted as follows:

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

It was mentioned that there were some people who hadn't responded to the Supervisor's letter. The Supervisor's secretary was asked to send certified letters, to those people who hadn't responded. The Supervisor also directed the Town Clerk to create and keep a separate file specific for this purpose.

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Mr. Antis asked that the Supervisor explain to the public, that these 10 people won't be paying toward the debt of that district. He then asked if that was correct and Councilwoman LeClair replied that he was correct.

Councilman Kusnierz commented that the Town is only providing checks to those people who provided a document in writing. He stated that if they didn't respond, we will send them a certified letter and if they still don't respond, they won't get a refund.

FIRE EXTINGUISHERS

The Special Project Aide had received price quotes for the annual inspection and servicing of the Town's fire extinguishers. The Town Board was unsure who he was recommending for the service but thought that New York Fire and Security was who he intended to use.

A motion was made by Councilman Prendergast and seconded by Councilman VanTassel awarding New York Fire and Security for the contract as provided to the Town, for the maintenance of the extinguishers, pending verification from Rudy Klick.

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

OLD BUSINESS

- Town Hall – Curb Cut

The Supervisor reported that RFP's had been sent out.

- Town Hall – Ongoing bird issue

The Supervisor commented that the birds are behaving.

- Town Hall – Insulation

The Supervisor stated there was nothing new on the matter.

- Town Hall – Force Main Payback
- Highway Department – Highway Garage Roof Settlement
- Prentiss & Carlisle

The Supervisor commented that these three items would be discussed in executive session.

- Village of South Glens Falls – Inter-Municipal Water Agreement

The Supervisor asked if any of the Board members had a number in mind. Councilman VanTassel stated that a number was presented to the Village and they haven't hear back. He also commented that there has been no attempt to have further discussion but that he was agreeable to it.

Councilman Prendergast asked what they needed to do to close out the insulation matter. It was replied that the Building Inspector has to meet with the contractor and do a walk-through of the attic to inspect the work. Councilman VanTassel stated that both have been busy and that there's no harm as long as it doesn't drag out past the middle of September.

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SUPERVISOR'S ITEMS

The Supervisor reported that he had received a memo from the Principal Account Clerk regarding health insurance. The Town Board was asked if they wanted her to put out official RFP's for health insurance options. It was agreed that she should get three different estimates for budget time but that it wasn't necessary for official RFP's.

PUBLIC COMMENT

Mr. Antis asked some questions about Article 7's. He stated that the Town has been paying GM Bunk, through Lewis & Greer and asked who he was. The Supervisor replied that he was an engineer, reviewing components of the hydro sites and doing a report. The Supervisor stated that he was requested by the Attorney. Mr. Antis asked if it takes 8 months to prepare the information. The Supervisor commented that it is a litigation matter and he wasn't at liberty to discuss the matter. Mr. Antis asked if a court date has been set yet and Attorney O'Hara stated that he wasn't aware of one. Mr. Antis asked if the School is a party of interest in the proceeding. The answer received was that Attorney O'Hara doesn't represent the Town on this matter and that the School Board is aware of the proceedings. Mr. Antis asked if there is anything on SCA or if there are any other Article 7's. There was no audible answer.

COMMITTEE REPORTS

Councilwoman LeClair stated that the old pump house has been surveyed for contaminants by Kirby VanVleet. He can't help with anything other than the survey. He did provide Councilwoman LeClair with some names and she will have the Supervisor's secretary copy the survey for them and they can meet with the Water Superintendent and Building Inspector to look at the building.

Councilman Kusnierz stated that he had received a call from Ted Monsour requesting that the Recreation Department return the Transfer Station's chipper so they can start chipping.

Councilwoman LeClair stated that she and Pete Corlew had met with Charlie's Office Furniture regarding the furniture in the annex building and they'll be coming to take it away. She stated that the chairs from H&R Block are being moved to the Sheriff's building and she'll try to get some more.

A motion was made by Supervisor Congdon and seconded by Councilman VanTassel to adjourn to executive session at 8:20 p.m. for the purpose of discussing personnel matters, applications for Principal Account Clerk, the Highway Garage settlement issue, the logging contract issue with Prentiss and Carlisle and to discuss the Force Main Payback following the executive session in an Attorney-Client conference.

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

The Town Clerk was asked to sit in on the executive session to take minutes of any action taken.

The Supervisor left the executive session before its completion.

A motion was made by Councilman VanTassel and seconded by Councilman Kusnierz to adjourn the executive session and resume the regular meeting at 9:00 p.m., with no action being taken in executive session.

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

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

A motion was made by Councilman VanTassel and seconded by Councilman Prendergast to close the regular meeting for the evening at 9:01 p.m.

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

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

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
Town Clerk

The above minutes are not intended to be a complete transcript of the meeting, only a summary. To hear the full audio of the meeting, please visit the Town's website: www.townofmoreau.org