

A regular meeting of the Town Board of the Town of Moreau was held on September 12, 2017 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

The Supervisor called the meeting to order at 7:05 p.m.

The Town clerk called the roll.

Town Board Members Present

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

Town Board Members Absent

Gina LeClair	Councilwoman
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Also present: Leeann McCabe, Town Clerk; Karla Buettner, Attorney for the Town; Jeffrey McCabe and Tim Alden, Town Justices; Paul Joseph, Highway Superintendent; Robin Renaud, Supervisor’s Confidential Secretary; Reed Antis, Town Resident and Planning Board Member; Sandy Mahoney, Recreation Program Director; Pete Corlew, Recreation Maintenance Supervisor; Town Residents: Jan Kropp, Charles Rowson, Dana Charpentier, Bud Whitford, Nathaniel Smythe, Kyle Noonan, Jeffrey Cruz, Jim Rando, John Hogan, Terry Clark; Village Residents: Michael Linehan

The Supervisor led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes from August 22, 2017 and August 29, 2017 (3 sets) were presented to the Board in advance of the meeting, for their review, comment, correction and approval.

A motion was made by Councilman Prendergast and seconded by Councilman VanTassel to approve the minutes of August 22, 2017 as prepared.

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

There were not enough Board members present, who attended the August 29, 2017 Board meeting, to vote for their approval and therefore this agenda item was tabled until the next regularly scheduled Town Board meeting.

SET FUTURE MEETINGS AND WORKSHOPS

A budget workshop was scheduled for September 21, 2017 at 5:30 p.m.

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

None

COURT REQUESTS

- Hiring of new Part-time and Full-time employees

Both Justices were present and explained their requests for hiring 1 Full-time and 1 Part-time employee.

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A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast to offer Jamie Hickey the position of Court Clerk at a salary of \$30,000.00 subject to successful completion of a pre-employment physical and to be effective September 13, 2017.

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

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

A motion was made by Councilman Prendergast and seconded by Councilman VanTassel to offer Kenneth Powers the position of Deputy Court Clerk at a rate of \$12.00 per hour, not to exceed 19 ½ hours per week; pending successful completion of a pre-employment physical and background check, to be effective September 13, 2017.

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

- JCAP Application – Certified Resolution Requested

There was a brief discussion relating to the JCAP Grant with requests for 4 desk shelves with rollers and 2 fire proof filing cabinets. The total grant application to be submitted would be for \$2,600.00.

A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast authorizing the Town Court, of the Town of Moreau, to apply for the 2018 JCAP Grant in the amount of \$2,600.00 and authorizing the Supervisor to sign the application.

Roll call vote resulted as follows:

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

HIGHWAY REQUESTS

- North County Tradeshow & Conference – Stormwater

A motion was made by Councilman Prendergast and seconded by Councilman VanTassel approving Matthew Dreimiller and Maureen Leerkes to attend the North Country Stormwater Tradeshow & Conference at the Great Escape Lodge in Queensbury on October 19, 2017.

Paul Joseph commented that the fees would be covered by the County.

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

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

- Brush Chipper

There was a lengthy discussion relating to the need for a brush chipper and in conclusion Councilman VanTassel stated that the request had been brought to the Board in the spring and the Board had wanted him to get a little more life out of the unit. This had been done as requested and now the unit isn't working at all. The Highway Superintendent was asked if the Transfer Station would be able to use the chipper and he replied that the material at the Transfer Station has too much dirt mixed in with it and that isn't good for the chipper. He was also asked if he needed one so large and he replied "yes" because it cuts down on the clean-up time. Councilman Prendergast stated that the Highway Department needs this item, it was budgeted for and it is a value to the Highway Department. He mentioned that it says a lot when a department head comes back a second time with the same request.

A motion was made by Councilman Prendergast and seconded by Councilman VanTassel authorizing the purchase of a Brush Chipper from Abele Tractor and Equipment Co. in the amount of \$50,988.35 and to be paid from account DB5130.2, with a balance of \$78,822.57 as of September 1, 2017.

Councilman Kusnierz stated that this may be something we need to purchase this year and it may have been budgeted for but he would like to see where the Town is financially with the numbers given that the attorney fees are higher than what they budgeted for. He stated that he wants to see the numbers before he votes yes. He stated that he won't exceed what's budgeted.

Councilman Prendergast stated that he understood Councilman Kusnierz concern but stated that even if they ran into trouble before the end of the year with the building, they couldn't transfer money out of the highway budget anyway.

The Supervisor's Secretary mentioned that the Town should be receiving a FEMA check for around \$100,000.00 within the next few weeks. This was for repair work done on the Clark Road culvert.

There was another brief discussion on the use of the chipper and what the chips are used for. The Highway Superintendent stated that it would cost \$8,000.00 per month to rent one if they had an emergency and it might not be available. He stated that you can't rent it by the day, only by the week or month. Councilman Kusnierz stated again that he wants to see where they are at budget wise and also wants to know how many hours they used the chipper last year.

Roll call vote resulted as follows:

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

The motion failed.

Councilman VanTassel asked the Highway Superintendent to pull together the information requested and bring it to the Board at the next regular Town Board meeting.

- Sensor for #42 Cat Paving Machine – Emergency

The Highway Superintendent wasn't quite sure why this purchase was on the agenda as he was approved at the time of the Organizational Meeting to spend up to \$2,000.00 for emergencies. This purchase was

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only \$1,030.19. Councilman VanTassel stated that there is no need for a resolution and that he would speak to Fran tomorrow regarding the purchase.

RECREATION REQUEST

- Memorialize vote for Flag Football T-shirts, etc.

Councilman VanTassel stated that they need to memorialize the vote for 115 T-shirts at a cost of \$12.00 per shirt for an estimated sum of \$1,380.00

A motion was made by Councilman VanTassel and seconded by Councilman Kusnierz to memorialize the vote to purchase 115 Flag Football T-shirts from Arca Ink at a cost of \$12.00 per shirt.

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

A brief discussion relating the cost for referees took place between Councilman VanTassel and Sandy Mahoney. In conclusion, Ms. Mahoney stated that the cost would be \$15.00 per game for 32 games.

A motion was made by Councilman VanTassel and seconded by Councilman Prendergast authorizing payment to referees for Flag Football at a cost of \$15.00 per game for 32 games for a total of \$320.00.

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

It was commented that the math was in error so Councilman VanTassel made a motion to rescind the previous motion. The motion was seconded by Councilman Kusnierz.

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

A motion was made by Councilman VanTassel and seconded by Councilman Prendergast authorizing payment to referees for Flag Football at a cost of \$15.00 per game for 32 games not to exceed \$480.00.

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

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BLOCK PARTY REQUEST

A request was received from Kyle Noonan to host a block party on Jerome Lane between Pine Valley Drive and Congdon Road on October 31, 2017 from 4:30pm to 6:00pm. Mr. Noonan was present and gave details of the Block Party request.

A motion was made by Councilman Kusnierz and seconded by Councilman VanTassel authorizing the closure of Jerome Lane between Congdon Road and Pine Valley Drive on October 31, 2017 from 4:30pm to 6:00pm for the purpose of a block party.

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

MIKE NOLAN 5K – NOVEMBER 5, 2017

A motion was made by Councilman VanTassel and seconded by Councilman Kusnierz authorizing the use of Town roads provided by a map, for the purpose of the Mike Nolan 5K to be held on November 5, 2017.

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

LETTER OF INTEREST – ZONING BOARD OF APPEALS MEMBER

The Town Board had received two letters of interest to serve on the Zoning Board, Matthew Manning and Jennifer Hargis. The Town Board asked the Supervisor’s Secretary to set up interviews on September 26, 2017. One interview at 6:00pm and the other at 6:15pm.

PAID FAMILY MEDICAL LEAVE ACT

Councilman VanTassel stated that he wasn’t prepared to act on this tonight and asked that the agenda item be tabled until the next regular Town Board meeting.

FLAGS-REPLACEMENT

It was brought to the Town Board’s attention that the State Flag was in need of replacement. The Supervisor stated that he would be able to provide one at no cost to the Town. The Supervisor also stated that they need a Town logo for a Town flag and directed his Secretary to contact the School’s Art Department on behalf of the Town Board to have students design logos in the form of a contest. Councilman Prendergast suggested that the logos can be put on the Town’s website and the general public would be able to vote on them.

LANDING ZONE PAD & DONATION

Councilman Prendergast stated that Mr. Lant needs to see the Building Department regarding the request for the Landing Zone. There was a brief discussion relating to the zoning. It was asked if the entire Landing Zone is on Town property. Paul Joseph explained that everything is on Town property except for

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the driveway leading to the pad. He stated that the driveway is on the Fire Company property. The Supervisor directed his Secretary to contact Mr. Lant and have him meet with the Building Department.

The Supervisor's Secretary stated that there have been two donations made for the construction of the Landing Zone that are being held in the Principal Account Clerk's office and she wanted to know if it was ok to continue to hold them.

Councilman Kusnierz stated that the purpose of this agenda item was to accept the donations.

A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast to accept the donations from two residents, totaling \$6,400.00, for the construction of an Emergency Landing Zone.

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

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

DENISE JONES – LETTER OF RESIGNATION

A motion was made by Councilman Prendergast and seconded by Councilman VanTassel to accept the resignation of Denise Jones from the position of Water Meter Reader.

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

HAROLD FULLER – WATER DISTRICT #1 REFUND CHECK

It was reported that a refund check had gone out to the Estate of Harold Fuller but in order to cash the check, the family needed it made out to Harold Fuller and not the Estate of. The Supervisor's Secretary stated that she thought the Town Board needed to know because the Warrant for August will have changed. It was agreed that no resolution would be necessary for the change.

FOLDING MACHINE PURCHASE

The Town Clerk had presented information to the Town Board, relating to the repair or replacement of the Town's folding machine, in advance of the meeting. The Supervisor asked if the machine could be repaired and the Town Clerk advised that it could. She stated that it would be \$518.00 for a new power supply in addition to the initial service charge of \$425.00, which included 2 hours of labor. The Supervisor was of the opinion that the unit should be repaired. Councilman Kusnierz and Councilman VanTassel both stated that they were under the impression it couldn't be fixed. The Town Clerk stated again, that the part could be ordered.

A motion was made by Councilman VanTassel and seconded by Councilman Prendergast authorizing the repair of the Town's folding machine by Pitney Bowes at a cost of \$425.00 for the service call and \$518.00 for the power supply, not to exceed \$1,050.00.

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

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

PS TECHNICAL SERVICE

A voucher had been presented from PS Technical Service for the work done on changing over emails. The check for payment was held until the Town Board was sure that all departments had the changeover completed. Councilman VanTassel reported that all departments were completed and that the voucher could be signed.

COUNSEL AT NEXT PLANNING BOARD MEETING

A request had been made by Reed Antis that Counsel be present at the next regular Town Planning Board meeting. The matter before the Planning Board is a request for a shared driveway. There was a brief discussion between Supervisor Congdon and Mr. Antis regarding the Town's Code, specifically Subdivision Regulations. Councilman Kusnierz stated that the Planning Board Chairperson can request to have the Attorney present at any time. Attorney Buettner stated that someone from her firm would be in attendance at the meeting.

OLD BUSINESS

- Town Hall – Curb Cut
- Town Hall – Insulation

The Supervisor stated that he had nothing to report on either of these matters.

SUPERVISOR'S ITEMS

The Supervisor stated that there was a request from the Assessor that was missed from the agenda. She was asking for authorization to attend her annual New York State Assessor's Conference in Lake Placid, October 1-4, 2017.

A motion was made by Councilman Prendergast and seconded by Councilman VanTassel authorizing the Town Assessor to attend the Annual New York State Assessor's Conference to be held in Lake Placid, October 1-4, 2017 and for any expenses incurred, which aren't covered by the State to be a proper Town charge.

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

The Supervisor stated that he had met with the engineer regarding the placement of a sewer meter. There was discussion as to whether it should be on the City side of the river or the Town side. Councilman Kusnierz stated that it would be more difficult to track on a daily basis if it were on the City side. It was agreed that the meter should be on the Town side of the river and the placement should be at the discretion of the Water Superintendent. It was also mentioned that it should be submersible.

PUBLIC COMMENT PERIOD

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Dana Charpentier of Reynolds Road stated that he noticed construction at the Town's Annex Building and asked what it was for. It was replied that Head Start would be using the building. The Supervisor stated that Head Start is doing all the work. Mr. Charpentier stated that there will be more traffic once complete. The Supervisor stated that because there's a school here now, there will have to be a speed limit reduction.

Mr. Charpentier also mentioned that he had been in the Town Park earlier in the day and noticed that there were signs saying "No Tobacco Use". He noticed that someone was smoking but didn't want to approach the person. He asked if there is a Town employee that periodically patrols the Park and would confront people, nicely advising them that there is no tobacco use allowed in the Park. The Supervisor didn't see a need for that. There was a brief discussion, with no direction being given to anyone to enforce the rule.

Reed Antis provided the proper section of the Town Code relating to Subdivisions to the Supervisor. Mr. Antis also stated that he was concerned over the \$148,000.00 budgeted for sewer fees that isn't going to happen. He asked how they will make up for the shortfall. There was a lengthy discussion with no definitive answer to his question, other than it appeared they will be short and will have to look at the budget.

Mike Linehan suggested that the Town Board offer some kind of Savings Bond as an incentive, to the winner of the flag logo. The Supervisor commented that the Town will think of something.

A motion was made by Councilman VanTassel and seconded by Councilman Kusnierz to adjourn to executive session at 8:45 p.m. for the purpose of discussing litigation with SCA Tissue. The Assessor was invited into the executive session.

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

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

The Supervisor left the executive session before its completion.

A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast to adjourn the executive session and return to the regular meeting at 9:50 p.m., with no action taken in executive session.

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

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

A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast to close the meeting for the evening at 9:50 p.m.

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

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

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