

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

The Deputy 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

**Town Board Members Absent**

Gardner Congdon	Supervisor
-----------------	------------

**Also present:** Leeann McCabe, Town Clerk; Malcolm O’Hara, Attorney for the Town; Jeffrey Cruz, Principal Account Clerk; Reed Antis, Planning Board member and Town Resident; John Hogan, Councilman Elect; Steve VanGuilder and Ron Quinn, Moreau Emergency Squad; Kelly Obermeyer, Moreau Community Center; Kim Cook, Executive Director of Open Door Mission; Town Residents: Bruce Flayer, Jim Greenwood, Terry Clark; Village Resident: Brigid Martin

The Deputy Supervisor led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

The minutes from December 12, 2017 (3 sets) 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 approving the minutes from December 12, 2017 (3 sets) as prepared.

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

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

**SET FUTURE MEETINGS AND WORKSHOPS**

The 2018 Organizational Meeting was scheduled for January 2, 2018 at 6:00 p.m.

**PUBLIC COMMENT PERIOD** — solely for matters relating to agenda items.

There were no comments.

**JIM GREENWOOD - ROAD DEDICATION**

There were no questions for Mr. Greenwood. Attorney O’Hara had a resolution prepared for the Town Clerk to read into the record. He also gave the Town Clerk documents for the Supervisor to sign. The Town Clerk read the Resolution as follows:

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

**TOWN BOARD**

**TOWN OF MOREAU**

**SUBJECT: RESOLUTION ACCEPTING DEED TO EDEN'S WAY FOR DEDICATION**

WHEREAS, James P. Greenwood has offered a deed to the Town of Moreau to dedicate Edens Way, more specifically identified in a survey completed by Darrah Land Surveying, PLLC, dated November 6, 2017, and

WHEREAS, the Highway Superintendent and the Engineer for the Town have recommended acceptance of Edens Way for dedication for highway purposes, and

WHEREAS, pursuant to Moreau Town Code §124-17, James P. Greenwood executed and delivered to the Attorney for the Town a Warranty Deed with Lien Covenant, dated December 11, 2017, conveying Edens Way to the Town; and

WHEREAS, pursuant to Moreau Town Code §124-17(1), James P. Greenwood also deposited with the Town security in an amount agreed upon by the Highway Superintendent and the Engineer for the Town as set forth in the Letter of Credit Estimate as well as an Affidavit affirming the installation of the top coat of Edens Way; and

WHEREAS, Edens Way has already been improved as a street or highway, in accordance with the standards and specifications for a town highway within the Town of Moreau, and in conformance with applicable regulations and requirements and provisions of state law pertinent thereto; and

WHEREAS, James P. Greenwood has complied with all submission of all of the required documents contained in Moreau Town Code §124-17, including the providing of a Title Insurance Policy naming the Town of Moreau as the insured party;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board, on behalf of Town, does hereby consent to the order of the Highway Superintendent laying out the said street and does hereby accept the deed of dedication on the said road, to be known as Edens Way; and it is further

RESOLVED, that the Supervisor is hereby authorized and directed to execute any and all necessary documents to effectuate the dedication, and it is further

RESOLVED, that the Town Clerk is directed to record the deed in the Saratoga County Clerk's Office.

A motion was made by Councilman VanTassel and seconded by Councilwoman LeClair approving the resolution as read into the record and authorizing the Supervisor to sign the necessary documents needed for the road dedication.

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

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

Councilman Van Tassel	Aye
Councilman Prendergast	Aye
Councilwoman LeClair	Aye
Councilman Kusnierz	Aye
Supervisor Congdon	Absent

### **HIGHWAY DEPARTMENT REQUESTS**

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the purchase of Rock Salt for the 2017 budget year, from Morton Salt, in the amount of \$12,000.00. This will be paid under Saratoga County Contract #17-PWS-10R and from account DB5142.490, with a balance of \$14,937.88 as of December 4, 2017.

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

### **RECREATION REQUESTS**

The Special Project Aide for the Town received only one proposal for Portable Toilets for the 2018 year.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast approving the rental of Portable Toilets from Stone Industries for the period from January – December 2018, at a rate of \$85.00/Regular Toilet/28 days and \$135.00/Handicap Toilet/28 days, plus extras for special events to be serviced on a weekly basis. This will be paid from account A7140.4.

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

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

### **APPROVAL OF EMS CONTRACT**

A motion was made by Councilman VanTassel and seconded by Councilman Kusnierz approving the 2018 Moreau Emergency Squad Contract and authorizing the Supervisor to sign.

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

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

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

**APPROVAL OF SGF FIRE CONTRACT**

A motion was made by Councilman VanTassel and seconded by Councilman Prendergast approving the 2018 South Glens Falls Fire Company Contract and authorizing the Supervisor to sign.

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

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

**CFA APPLICATION TO CZUB PROPERTY – AWARDED \$300,000.00**

Councilman Kusnierz advised the public that the Czub Farm has been awarded, under a Consolidated Funding Grant Program from the State, an award in the amount of \$300,000.00, which allows them to move forward with the project they presented to the Town Board.

**HIRE DEPUTY TOWN CLERK – SET SALARY**

The Town Clerk had polled the Board to hire Jill Bennett as Deputy Town Clerk/Deputy Receiver of Taxes and to set her salary at the budgeted amount of \$28,112.00 for 2018. She would start effective January 3, 2018. She is requesting that the Board memorialize the vote. Councilman VanTassel asked if the background check and physical had been completed. The Town Clerk stated that she didn't know how far along the process had gone and suggested that they approve pending successful completion of the background check and physical. Councilman Kusnierz stated that this position is the sole appointment of the Town Clerk and that it wouldn't need ratification by the Town Board. He did state that they would need to approve the salary.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair, that the salary for Deputy Town Clerk/Deputy Receiver of Taxes, Jill Bennett, be established at \$28,112.00 for 2018, which has been budgeted for.

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

**OPEN T&A VOUCHER – MALCOLM**

Attorney O'Hara stated that he had spoken with the Special Project Aide regarding invoices that had been submitted from Bartlett, Pontiff, Stewart and Rhodes. They were placed into Trust and Agency and awaiting funds to pay. Attorney O'Hara explained that the charges were part of the Town's general charges and stated that they didn't need to be paid from Trust & Agency. There was a brief discussion relating to Trust & Agency and whether or not the Town is owed money from some of the contractors. Councilman VanTassel asked Attorney O'Hara if he would work with the Special Project Aide and give him some verbiage he can use to request money from contractors that still owe money. Councilman VanTassel stated, that way he understood it, some of the invoices should have been General Fund and not Trust & Agency to begin with. Reed Antis asked what a Trust & Agency bill was and it was explained by Attorney O'Hara. Attorney O'Hara commented that the agency would be willing to let the invoices go. Councilman Kusnierz stated that it makes it easy for him and suggested that the Town let them go.

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

### **OLD BUSINESS**

- Curb Cut

Councilman VanTassel stated that there is nothing new to discuss under old business.

### **SUPERVISOR'S ITEMS**

A motion was made by Councilwoman LeClair and seconded by Councilman VanTassel accepting the resignation from Peter Corlew, effective December 31, 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	Absent

Councilman Kusnierz stated that the Town was approached by a representative of the Moreau Community Center for the possible use of the old Town Hall building. He stated that he had a conversation with a representative in the audience, regarding Code Blue and the lack of their completed facilities in the City of Glens Falls. He stated that the Moreau Community Center had asked if the Town Board might want to be helpful on a temporary basis. He stated that he had asked representatives from Code Blue and the Moreau Community Center to be here this evening.

Kelly Obermeyer, from the Moreau Community Center, stated that the services of Code Blue encompass the whole community, not just the Town of Moreau. She stated that the Community Center knows of several people within the Town of Moreau who are homeless. She introduced Kim Cook, Executive Director of the Code Blue Shelter and explained that they don't have a working shelter at this present time. Ms. Obermeyer stated that the Community Center had approached the Board in the past regarding some services they might be able to provide from the old Town Hall building and thought it would be a good idea to ask the Town Board about the possibility of the building being used as a temporary shelter.

Kim Cook stated that they are running a warming shelter at 47 Lawrence Street at the present time but without a sprinkler system, people can't sleep there. She stated that they have 7 people right now but that the average is between 11 and 12. They're looking for assistance until they can get the water and sewer working at their new location at 226 Warren Street in Glens Falls, which they're looking to have completed by the end of January.

Councilman Kusnierz asked Ms. Cook if they were looking to use the old Town Hall building for 3-4 weeks. She replied that it would be hopeful.

Councilman VanTassel stated that he didn't believe that the 61 Hudson Street property had a sprinkler system. Ms. Obermeyer stated that there are different stipulations in different communities and asked if the Fire Marshall in Moreau can be approached to see if their stipulations are different, that might allow a shelter without an active sprinkler system.

Attorney O'Hara asked who the entity was, that the Town would be entering into an agreement with. Ms. Obermeyer stated that it would be with the Open Door Mission. Attorney O'Hara stated that the Town could do a warming facility easily. They would need a contract with the Open Door Mission, which he would draw up. The Open Door Mission would need to hold harmless the Town of Moreau and provide a certificate of liability insurance naming the Town as an additional insured. He also stated that if they agreed to staff the facility and abide by the State regulations, he will put something together, provided that the Town Board is in agreement.

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

Councilman VanTassel asked if he was talking about a warming shelter and Attorney O'Hara replied yes, not a full shelter. Councilman VanTassel stated that they already have a warming facility and they were asking for a shelter. Attorney O'Hara stated that he believed, if there is a sprinkler system in place, they can have cots but it would still be considered a warming facility, not a shelter. Councilman VanTassel suggested that they first determine if there is a sprinkler system in place and if there is, they can revisit the shelter discussion.

Councilwoman LeClair stated that she had spoken with Dave Meager (Town's Insurance Agent) and he suggested the Attorney draw up the contract, which will hold harmless the Town of Moreau and to provide liability insurance naming the Town as additional insured.

Ms. Cook stated that they would feed people at the site, utilizing a microwave. She also stated that they would have to transport people to the facility. She was asked if people would stay there during the day and Ms. Cook replied that they would go back to the Mission during the day.

Councilwoman LeClair stated that the ramp might not be wise to use until some of the boards are replaced.

Councilman Kusnierz asked if they would be bringing people in from outside the Town. Ms. Clark stated that was correct but they only have on average 13-14 people and never more than 20.

Councilman VanTassel stated that the Town will confirm if there is a sprinkler system first thing in the morning. Ms. Obermeyer asked if there aren't sprinklers, could the Town speak with the Fire Marshall to see if its ok. Councilman Kusnierz stated that the requirements are the same across the State.

Councilman VanTassel stated that someone would give her a call tomorrow.

### **PUBLIC COMMENT PERIOD**

Reed Antis asked if anyone has spoken with the Fire Company about having meaningful dialogue. Councilman VanTassel stated that there has been some traction and that Councilman Kusnierz has had some dialogue with them to try and schedule some meetings. He stated that they're anxious to talk.

Mr. Antis asked what the Town's plans were following the resignation of Peter Corlew and if they were looking for a Recreation Department Head. Councilman VanTassel stated that there is no comment at this time and told Mr. Antis that this is a public comment period.

Mr. Antis stated that the Town just settled with SCA Tissue on an Article 7. He understands that there is also an Article 7 with Erie Boulevard. He asked if there were any other Article 7's. Councilman VanTassel stated that he believed that was the only one but wouldn't discuss legal matters. Mr. Antis asked Councilman Prendergast why he had voted against the proposal with SCA Tissue. Councilman Prendergast stated that at the time, he felt it was important that the Town receive the report from the assessors they hired. He stated that he was aware of the information that the Board was given verbally and he didn't expect, that what they would receive in writing, would contradict that but he wanted to see it in writing.

Mr. Antis asked if the skating and sledding are available at the Park and if the skating rink was in good shape. Councilwoman LeClair stated that the skating and sledding is available but that the rink will need more water.

There was a brief exchange between Councilman VanTassel and Mr. Antis regarding the purpose of Town Board meetings. Councilman VanTassel stated that they will let the new Supervisor set the rules for how he wants the meetings to run.

Terry Clark commented that he didn't believe they wouldn't have the right to question things. He mentioned his water line and stated that they aren't taking care of the tax payers. Councilman VanTassel

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

stated that he was offered to have someone inspect his water line and he refused it. There was a brief exchange.

Mr. Clark asked when the fire hydrants would be plowed out. Councilman VanTassel stated that they're working on it.

### **COMMITTEE REPORTS**

Councilwoman LeClair gave the dates for the Association of Towns training class to be held in Albany starting January 10<sup>th</sup> and to run for 3 days. She stated that the class should be offered to Jeffrey Cruz, John Hogan and Kyle Noonan. The cost of the class is \$200.00 per person for the 3 days, which includes breakfast and \$150.00 if no breakfast.

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz authorizing \$200.00 per person (includes breakfast) or \$150.00 per person (does not include breakfast), for the 2 new Town Board Members and Jeffrey Cruz to attend the Association of Towns Training Class for Newly Elected Officials, to be held in Albany from January 10-12, 2018.

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

Councilwoman LeClair reported that the Town didn't receive the Nolan Road River Grant. She stated that the Town can re-apply next year. She also stated that there are people who have offered to help with the clearing and suggested that they start a citizens group in the spring.

Councilwoman LeClair also reported that the Pump House has been taken down. Councilman VanTassel thanked her for driving the process.

Councilwoman LeClair stated that there will need to be approval to place an ad for the vacant position and thought they could do this after executive session, once they decide what to do with the position. Councilman VanTassel stated that they have good solid coverage right now, so they don't need to rush to fill it.

Councilwoman LeClair stated that the \$20.00 Garden Fee, with a \$10.00 refund if the beds were cleared, didn't seem to make much of a difference and she's requested that the Town go back to \$10.00 per bed for next year. She didn't want the \$10.00 refund to be a deterrent from people wanting to use a bed.

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz authorizing a fee of \$10.00 per Garden Bed for the 2018 season, with no refunds.

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

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

Councilman VanTassel stated that this was Councilman Prendergast's last meeting and mentioned that there was a nice turnout for the swearing in ceremony, which also honored him for his service. Councilman Prendergast stated that it was very much appreciated. Councilman VanTassel stated that he

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

hadn't worked with him for very long but hopes to take lessons from what he's learned from him. He thanked him for his 28 years of service.

Councilman Prendergast commented that they have spent so much time together, it's like leaving a family. He stated that he believes the new Town Board will do a lot of good. He wished the Town Board good luck, he'll miss everyone but has no regrets.

Councilman Kusnierz stated that 28 years is a long time to serve the community. He stated that it takes a lot of dedication, sacrifice, commitment and time away from your family. He stated that anyone who has ever served, knows the impact this has on your family. He stated that for someone to stick in this position and show their commitment to the community says a lot about the character of the individual. He stated that Councilman Prendergast is that person and that it's been a pleasure working with him for 16 years. He commented that he would love to serve another 16 with him. He stated that they don't agree on things all of the time but are passionate in their beliefs and that's what makes it work. He thanked Councilman Prendergast on behalf of the community and all he's done for them. He stated that he was on the Town Board with his mother and she appreciated all the work he did with her. It was a very dark time in the Town and he took the helm and shepherded them through it. He wished him nothing but the best with all of his future endeavors. Councilman Prendergast commented that everyone on the Board, at that time, was very helpful.

Councilwoman LeClair thanked Councilman Prendergast for the last 10 years that she served with him. She stated that his integrity set the bar. She stated that he was always interested and did the research, right to the end. She thanked him for his service.

A motion was made by Councilman Kusnierz and seconded by Councilman VanTassel to enter into Councilman Prendergast's last executive session at 7:59 p.m. to discuss a previous Town of Moreau contractor and potential litigation with that contract. Councilman Elect John Hogan was invited in the executive session.

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

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

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

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz to adjourn the executive session and resume the regular meeting at 8:15 p.m. with no action taken in executive session.

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

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

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to adjourn the meeting for the evening at 8:15 p.m.



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

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

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

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).