

A regular meeting of the Town Board of the Town of Moreau was held on March 13, 2018 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 Deputy Town Clerk called the roll.

Town Board Members Present

John Hogan	Councilman
Gina LeClair	Councilwoman
Kyle Noonan	Councilman
Theodore T. Kusnierz, Jr.	Supervisor

Town Board Members Absent

Alan VanTassel Councilman

Also present: Tammy Daley, Deputy Town Clerk; Karla Buettner, Attorney for the Town; Jesse Fish, Water Superintendent; Paul Joseph, Highway Superintendent; Sandy Mahoney, Recreation Director; Reed Antis, Planning Board Member and Town Resident; Vincent Sporrer, Town Resident. Ed Connell, Adirondack Trust.

The Supervisor led the Pledge of Allegiance.

Supervisor Kusnierz stated that earlier he had attended a benefit spaghetti dinner on behalf of the Town for Conner Mack, who was a Gansevoort Volunteer Fireman that was hurt fighting a mutual aid fire on Bluebird Road. He stated that he thanked him and his family for his selfless service not only to Gansevoort but to our community as well.

APPROVAL OF MINUTES

The minutes from February 27, 2018 (2 sets), March 1, 2018 and March 6, 2018 were prepared and presented to Town Board prior to the meeting for their review, comment, correction and approval.

Councilman Hogan stated that he was questioning if the moratorium placed on Palmerton Heights for the issuance of building permits was in January. Attorney Buettner stated it was in September of 2017.

A motion was made by Councilwoman LeClair and seconded by Councilman Noonan to approve the minutes from February 27, 2018 (2 sets), March 1, 2018 and March 6, 2018 with the above noted correction.

Roll call vote resulted as follows:

Councilman Hogan	Aye
Councilman VanTassel	Absent
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

SET FUTURE MEETINGS AND WORKSHOPS

A public hearing for Local Law 2 of 2018 (Amending Chapter 145 “Water”) was scheduled for March 27, 2018 at 6:15 p.m.

A public hearing for Local Law 1 of 2018 (Repealing and replacing Chapter 155 “Personnel Policies”) was scheduled for March 27, 2018 at 6:20 p.m.

A regular meeting of the Town Board of the Town of Moreau was held on March 13, 2018 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

A special meeting was scheduled for March 19, 2018 at 5:00 p.m. for the purpose of an executive session to conduct interviews for the positions of Recreation Laborers and Town Assessor.

HIGHWAY REQUEST

A motion was made by Councilwoman LeClair and seconded by Councilman Hogan to approve road striping for approximately 83 miles of roads for 2018. There is \$34,000 allocated in account # A3310.499 to cover this budgeted item.

Roll call vote resulted as follows:

Councilman Hogan	Aye
Councilman VanTassel	Absent
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

COURT REQUESTS

A motion was made by Councilwoman LeClair and seconded by Councilman Noonan to approve the purchase of four desks and a fire proof file cabinet. This purchase will be covered under the JCAP Grant.

Roll call vote resulted as follows:

Councilman Hogan	Aye
Councilman VanTassel	Absent
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

WATER DEPARTMENT REQUESTS

A motion was made by Councilwoman LeClair and seconded by Councilman Noonan to purchase 420 radio read water meters at \$177.00 each for total of \$74,340.00, and to be paid from account 8310.2, which has a balance of \$84,000.

Roll call vote resulted as follows:

Councilman Hogan	Aye
Councilman VanTassel	Absent
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

Supervisor Kusnierz stated that there was a workshop on water billings to discuss making changes to the billing cycles. It would require a resolution to do this. He also stated that there was a memo from Attorney Buettner and didn't know if everyone had a chance to go over it. The memo is on penalties for late water payments. As of now, in our code there is a 10% penalty on payments over thirty days. In water district 3 it states that there is a 10 % penalty on payments over thirty days, and after sixty days there is a 1.5% penalty per month. Another item that needed discussion was if they wanted to do a mandatory disconnection of water, if after sixty days, the customer's water bill is not paid. Supervisor Kusnierz feels the language for disconnecting water should state "may be" instead of "shall be" after sixty days. He also felt the 10% penalty after thirty days and 1.5 % after sixty days should be for all water districts. Attorney Buettner stated the Department of Health doesn't like anyone's water to be shut off. She stated that she also would like to change the law to "may be" instead of "shall be". She also stated the 1.5 % is after sixty days and compounded monthly. Councilman Hogan asked about the monthly water districts penalties and

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how that would be handled. Attorney Buettner stated the same penalties would apply to them too. It was decided to have Counsel change the wording so that all water districts will be the same as water district 3.

A motion was made by Councilwoman LeClair and seconded by Councilman Noonan authorizing the below resolution, which was read aloud by the Deputy Town Clerk:

**TOWN BOARD
TOWN OF MOREAU**

RESOLUTION: Setting Water Billing Due Dates for All Districts

WHEREAS, there are six (6) water districts located within the Town of Moreau (“Water Districts”), all of which have Rules and Regulations set forth in the Code of the Town of Moreau at Chapter 145; and

WHEREAS, pursuant to Sections 145-20, 145-47, 145-121, 145-220, 145-320 and 145-420, the Town Board has the authority to set the minimum charges, schedule of rates and billing period for the Water Districts by resolution; and

WHEREAS, the Town Board, in conjunction with the Town Clerk and the Water Superintendent, have reviewed the Water Districts’ billing practices and procedures, and feel it necessary and in the best interest of the users and the Town to set forth a consistent billing period for the Water Districts; and

WHEREAS, there are certain users that are currently billed monthly for water services (“Monthly Billing Users”), and the Town Board desires at this time to maintain a monthly billing for those users; and

WHEREAS, the Town Board desires to set the billing period for all other users in the Water Districts to be semi-annual,

NOW, THEREFORE, BE IT

RESOLVED, that the billing period for all current Monthly Billing Users will continue to be monthly until and unless changed by resolution of the Town Board; and be it further

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RESOLVED, that the billing period for all users other than currently Monthly Billing Users shall be semi-annual, with bills to be sent in March and September, and be it further

RESOLVED, that the Town Clerk is hereby authorized to make any and all changes to the current billing system to effectuate this resolution, and be it further

RESOLVED, that this Resolution shall go into effect immediately.

Roll call vote resulted as follows:

Councilman Hogan	Aye
Councilman VanTassel	Absent
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

RECREATION

A motion was made by Councilman Noonan and seconded by Councilwoman LeClair to hire Randal Hoffman as the Working Supervisor of Buildings and Grounds. This would include all Town properties, buildings and grounds. This will become effective on Monday, March 19, 2018 at the rate of \$18.00 per hour. This is subject to successful completion of a background check and pre-employment physical to be done within the next two weeks.

Roll call vote resulted as follows:

Councilman Hogan	Aye
Councilman VanTassel	Absent
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

A motion was made by Councilwoman LeClair and seconded by Councilman Hogan to promote Bruce Siergiey to the position of Foreman at the Recreation Park, this job title would include buildings and grounds on all Town properties. This will become effective Monday March 19, 2018 at a pay rate of \$15.77 per hour.

Roll call vote resulted as follows:

Councilman Hogan	Aye
Councilman VanTassel	Absent
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

SUBSTITUTE CROSSING GUARD

A regular meeting of the Town Board of the Town of Moreau was held on March 13, 2018 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

A motion was made by Councilwoman LeClair and seconded by Councilman Noonan to hire Patrick Collins as a substitute crossing guard at the rate of \$12.00 hour pending a pre-employment physical and background check.

Roll call vote resulted as follows:

Councilman Hogan	Aye
Councilman VanTassel	Absent
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

SARATOGA COUNTY MAGISTRATE & COURT CLERK ASSOCIATION REQUESTS

A motion was made by Councilman Hogan and seconded by Councilwoman LeClair authorizing the below resolution which was read aloud by the Deputy Town Clerk:

**TOWN OF MOREAU
TOWN BOARD**

Supervisor Kusnierz states we received a notice from the Saratoga County Magistrates and Court Clerks Association asking we adopt two Resolutions in support of a centralized arraignment area. Supervisor Kusnierz also states that this would give the Saratoga County Sheriff an area where he can hold detainees overnight without calling upon a Judge in the middle of the night for arraignments.

RESOLUTION in Support of a Centralized Arraignment Area for Saratoga County.

RESOLVED, That the Moreau Town Board hereby supports the Saratoga County Magistrates and Court Clerk Association’s requests in obtaining space in the new public safety building that could be used for arraigning defendants in a centralized location.

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to each member of the Saratoga County Board of Supervisors, the Saratoga County Administrator, the Saratoga County Sheriff and the Saratoga County Attorney.

Roll call vote resulted as follows:

Councilman Hogan	Aye
Councilman VanTassel	Absent
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

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RESOLUTION in Support of the Saratoga County Sherriff's Request to Hold Defendants at the County Jail.

RESOLVED, That the Moreau Town Board hereby supports the Saratoga County Magistrates and Court Clerk Association's requests that Section 500-c of the New York State Correction Law be amended to allow the Saratoga County Sheriff to hold defendants at the County Jail for purposes of an immediate arraignment.

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to Governor Andrew M. Cuomo, Senators James Tedisco and Kathy Marchione and Assembly Members John T. McDonald, III, Dan Stec, Mary Beth Walsh and Carrie Woerner.

Roll call voted as follows:

Councilman Hogan	Aye
Councilman VanTassel	Absent
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

LABERGE MS4 STORMWATER PROPOSAL

Supervisor Kusnierz stated that they received a proposal from the Laberge to help with our annual MS4 inspection report and the quote is up to \$9,000. It was decided to do this in house to save a significant amount of money.

RECREATION FIELD/COURT USE

Sandy Mahoney stated that she would like to find a way to utilize the gyms at the schools for basketball. She said last year they lost four weekends that they couldn't play because the schools had other tournaments or practices going on. They also couldn't ever get a full size gym. Councilwoman LeClair, Councilman Hogan, and Sandy Mahoney are going to set up a meeting with Nick McPartland, Athletic Director of the School and see if they can address the issues to come up with a solution to the problems.

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Supervisor Kusnierz stated that if they could not resolve it, he would meet with the Principal or the Superintendent with a recommendation from the Recreation Committee.

SARATOGA COUNTY FAIR SIGN REQUEST

Supervisor Kusnierz stated that they had received a request from the Saratoga County Fair Grounds to place signs around the Town to advertise for the Fair. They would install and remove these signs with the help of the County Fair staff. He also stated the signs would be placed around June 25th and removed July 30th. Councilman Noonan asked if they would follow the sign ordinance. Supervisor Kusnierz stated they were looking for Board approval. After that they can contact the Building Department and make sure the signs are acceptable. The Town Board was in agreement to allow the signs.

VENTILATION SYSTEM

A motion was made by Councilwoman LeClair and seconded by Councilman Hogan to hire Northeastern Air Quality Inc. in amount of \$1,000.00 to test the air balance system. If they need to make any adjustments the cost would not exceed \$4,000.00. The total cost would not exceed \$5,000.00.

Roll call vote resulted as follows:

Councilman Hogan	Aye
Councilman VanTassel	Absent
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

BOARD OF ASSESSMENT REVIEW

A motion was made by Councilwoman LeClair and seconded by Councilman Noonan to place a help wanted ad in the Chronicle newspaper for Board of Assessment Review Members, Assessor, Recreation Laborer’s and Lifeguards. The amount would not exceed \$150.00.

Roll call vote resulted as follows:

Councilman Hogan	Aye
Councilman VanTassel	Absent
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

PAVILION RENTAL FEES/ALCOHOL POLICY

Supervisor Kusnierz stated that the Clerk’s Office had someone come in wanting to rent a pavilion at the Recreation Park. This person pays taxes in the Town of Moreau, but is not a resident of the Town of Moreau. They were asking if they should pay the fee of a non-resident. It was agreed to change the wording on the pavilion rental sheet to “there will be no fee if the applicant is a resident or a non-resident tax payer in the Town of Moreau”.

The next item discussed was Pine Knolls Alliance Church. They had used the Recreation Park last year for their summer camp and there was a stipulation that they could not use signs promoting the Church. It was decided to have the same rule apply this year.

Supervisor Kusnierz stated he had spent a lot of time with a NYMIR Representative and toured all the Town’s Properties. He stated the Town will be getting a report on it. One issues that came up was at the Recreation Park. The Town does not have a sign anywhere that states the rules of the playground and it is

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required for coverage. This minimizes the exposure to risk. Councilman Noonan asked about the Sand Bar Beach and if one would be placed there also. It was replied that a sign would be needed there as well. The Recreation Department will order the signs.

There was some discussion on alcohol use in the pavilions at the Recreation Park. The Town is going to work with Counsel and have some additional language added to the Recreation pavilion rental forms, relating alcohol use in specified areas.

PALMERTON HEIGHTS C.O.'S

Attorney Buettner stated that they have been in contact with Adirondack Trust and had scheduled a meeting with them. Supervisor Kusnierz stated they were looking for what the additional cost would be to keep servicing those roads over and above the \$200,000.00.

PRIVILEGE OF THE FLOOR

None

SUPERVISOR'S ITEMS

A motion was made by Councilwoman LeClair and seconded by Councilman Hogan to enter into a contract with the Loberge Group to prepare the Highway Garage bid specs for the repairs at the Highway Garage, not to exceed \$24,500.00.

Roll call vote resulted as follows:

Councilman Hogan	Aye
Councilman VanTassel	Absent
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

Jesse Fish has asked about making the part time water laborer position into a full time position. Supervisor Kusnierz stated Jeff Cruz had put together some numbers on how much it would cost to make the position full time. He asked the Board to review the numbers and maybe take action at the next Board Meeting.

Councilman Hogan stated he reached out to the Village of South Glens Falls to see if they wanted to purchase the old folding machine. He explained to Mayor Gutheil that it does need repairs. Paul Joseph stated he could put it on the auction site called Auctions International.

Supervisor Kusnierz stated that each Town in Saratoga County annually honors a deceased Veteran. The Town of Moreau will be honored in the month of November. He asked the Board Members and residents, if they want to honor a deceased Veteran, to contact the Town Hall. He also asked for this information to be added to the website for the public to see it.

Supervisor Kusnierz stated Jeffrey Cruz is the process of preparing the Annual Update Document.

The Highway Superintendent has reached out to Board to have a new logo design for the Town of Moreau trucks. Supervisor Kusnierz asked if anyone on the Board wants to be involved in it. There was some discussion in the last Administration to involve the School. Councilman Noonan stated that it is a personal decision not to involve the School. He doesn't think the School has the time or a graphic design degree to do this. He stated that he could make a few phone calls and get some prices.

The next item discussed was the Fire Suppression System litigation. The claim was filed and they are moving forward.

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Supervisor Kusnierz stated in the Town's code book, when we do road dedications, the Town pays for it and we don't hold anything in Trust and Agency for it. He would like to see that modified in the code book and to have it in Trust and Agency like we do in other departments. The Board was in agreement to have Counsel draft a change for that.

COMMITTEE REPORTS

Councilman Hogan stated that they still have some issues to work out at the Recreation Department pertaining to field use and the fees, especially for baseball and softball. He stated that they will need to set up some type of meeting soon.

Councilwoman LeClair stated she talked to Jim Martin and they are going to go over what grants are available. She stated that they will discuss this at the playground meeting next week.

A motion was made by Councilman Hogan and seconded by Councilwoman LeClair to close the Town Board Meeting for the evening at 8:20 p.m.

Roll call vote resulted as follows:

Councilman Hogan	Aye
Councilman VanTassel	Absent
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

Meeting adjourned.

Respectfully submitted,

Tammy Daley
Deputy 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: www.townofmoreau.org

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