

A regular meeting of the Town Board of the Town of Moreau was held on September 11, 2018 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**

John Hogan	Councilman
Alan VanTassel	Councilman
Kyle Noonan	Councilman
Theodore T. Kusnierz, Jr.	Supervisor

**Town Board Members Absent**

Gina LeClair	Councilwoman
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**Also present:** Leeann McCabe, Town Clerk; Karla Buettner, Attorney for the Town; Paul Joseph, Highway Superintendent; Jesse Fish, Water Superintendent; Reed Antis, Planning Board member and Town Resident; Dave Barnett, GAR Associates; David Kramer, Town Resident

The Supervisor led the Pledge of Allegiance and after the conclusion offered a moment of silence for those victims of the 9/11 tragedy. For both those who lost their lives in the event and for those who continue to lose their lives in the aftermath.

**APPROVAL OF MINUTES**

The minutes from August 21, 2018 and August 28, 2018 (2 sets) were prepared and presented to the Town Board prior to the meeting for their review, comment, correction and approval.

**Resolution #2018-322**

A motion was made by Councilman VanTassel and seconded by Councilman Hogan to approve the minutes from August 21, 2018 as prepared.

Roll call vote resulted as follows:

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

**Resolution #2018-323**

A motion was made by Councilman VanTassel and seconded by Councilman Hogan to approve the minutes from August 28, 2018 (2 sets) as prepared.

Roll call vote resulted as follows:

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

**SET FUTURE MEETINGS AND WORKSHOPS**

The Supervisor gave some dates that the Saratoga County Prosperity Partnership (SCPP) would be available for some workshops. Councilman Hogan suggested that they move the October month-end

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meeting and regular meeting from October 23, 2018 to October 30, 2018. The Town Board was in agreement with his suggestion. Supervisor Kusnierz also suggested moving the time for the September month-end meeting from 6:00 p.m. to 5:30 p.m. to accommodate one of the workshops. The following workshops were scheduled:

September 25, 2018 – 6:00 p.m. – Workshop with the Saratoga County Prosperity Partnership

October 9, 2018 – 6:00 p.m. – Workshop with the Saratoga County Prosperity Partnership

October 30, 2018 – 6:00 p.m. – Workshop with the Saratoga County Prosperity Partnership

In addition to the SCPP workshops, a workshop to discuss Water Tap Fees was scheduled for September 19, 2018 at 5:30 p.m. and a workshop to discuss Mobile Home Park renewal permits was scheduled for September 19, 2018 at 6:00 p.m.

### **GAR ASSOCIATES, LLC**

The Supervisor reported that he had received a call from GAR Associates, LLC regarding a proposal for services that may be helpful to the Town. Dave Barnett, Vice President of GAR Associates was in attendance and gave a brief presentation. He stated that they had done the revaluation for the Town back in 2010. He stated that the proposal he had submitted was a maintenance agreement. He stated that typically, when they do a reval project, municipalities usually sign on for the maintenance agreement. He stated that it protects the assessments. The agreement would include: updating some of the work they did in 2010, updating the RPS database and statistical analysis. Their goal would be to update some of the information currently in the assessment office and prepare the Town for commercial development. He stated that the Town wants to make sure that they maintain their investment and that assessments are current, fair and equitable. Mr. Barnett stated that he felt their expertise would be helpful to the assessment office.

The Supervisor stated that the terms for assessor across New York State will expire on September 30, 2019. He stated that the Town Board needs to be aware of additional options available to the Town. He thanked Mr. Barnett and stated that they would be discussing the options at budget time.

Councilman VanTassel asked how their services would benefit the Town. Mr. Barnett stated the first step would be to update some of the components on the data base that exist currently. He stated that it would make the assessment office run more efficiently. He stated that there would be some potential cost savings in that regard. He suggested that with the October 2019 deadline looming, it would allow them to prepare for that.

Councilman Hogan asked if GAR Associates would replace the current assessor position after October 2019. Mr. Barnett stated that this agreement is structured to update as a maintenance agreement. He stated that there are too many unknowns with regard to the current assessor. He stated that this proposal would be more of an update to information from 2010. Mr. Barnett stated that there are certain statutory requirements, where an assessor needs to be in place. He stated that Gar Associates can't become the assessor, they would be assisting the assessor.

Councilman Noonan asked if this would put the Town in a better position to defend assessments. Mr. Barnett stated that it would be the first part of their statistical analysis, which will pull out any inequities. Councilman Noonan asked, if the maintenance schedule were in effect, could the assessor position become part-time in 2019. Mr. Barnett stated that it would be a Town Board decision. He stated that in working with municipalities across New York State, they try to make the assessor's jobs easier.

### **HIGHWAY GARAGE ROOF**

The Supervisor stated that he had spoken with Don Rhodes and that he was about 90% complete putting together his recommendation. Mr. Rhodes indicated to the Supervisor that the Town may want to have him look at the HVAC system due to the problems they've been having with condensation, as well as problems with the boiler. The Supervisor also stated that the Town had reached out to an additional engineering firm, who will be willing to look at the new highway garage proposal, and review what may need to be done at the old highway garage. The proposal was in the amount of \$4,000.00. The Supervisor

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asked what the Board's pleasure was. Councilman VanTassel asked how long before they would have Don Rhodes' report. The Supervisor commented that it would be a few more weeks. It was agreed that the Supervisor would let the engineer know that the Board would like some more time before a decision is made and if the report from Don Rhodes is received before the next Town Board meeting, they might take action at that meeting.

The Supervisor commented that he had reached out to Senator Marchione back in May requesting assistance to repair the new Town highway garage roof. He stated that she has committed to assisting the Town with \$200,000.00, which is a SAM grant (State Aid for Municipalities funding program). He stated that it's a lengthy process for the approval and commented that it would be 16-22 months before a contract would be issued. He stated that he has submitted all of the paperwork to the Senator and hopefully it's winding its way through the approval process. The Supervisor wanted to thank Senator Marchione again publicly for her assistance to the Town of Moreau.

The Supervisor also reported receiving a proposal in the amount of \$141,000, from Michael Dawson, to do a layover of the new highway garage roof. He stated that there was a concern from the Highway Superintendent that with the snow load, it wouldn't slide off. He also understood that it wouldn't have a warranty. Paul Joseph stated that it would have a warranty but for only a certain length of time. The Supervisor stated that it would be taken into consideration but that they will need to review the recommendation of the engineer first.

Councilman VanTassel thanked the Supervisor for his efforts getting the grant. He asked if it was reimbursable. The Supervisor stated that it was, but the project can't be completed until under contract. He also stated that because it's reimbursable, they have to budget for it, pay for it first and then submit the receipt to the State.

#### **CODE ENFORCEMENT OFFICER**

The Supervisor stated, that at a previous meeting, the Board expressed interest in hiring a part-time code enforcement officer. He stated that the Principal Account Clerk had worked with the Zoning Administrator to come up with a job description. There was a brief discussion relating to the position. Councilman VanTassel stated that he would like to start seeing applicants.

#### **Resolution #2018-324**

A motion was made by Councilman VanTassel and seconded by Councilman Hogan directing the Supervisor to post a job posting in different areas, for the position of Part-Time Code Enforcement Officer, with a salary range of \$23 to \$25 per hour.

Councilman VanTassel stated that they would want to get this out on the web page, Facebook page, and in the newspaper.

Roll call vote resulted as follows:

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

The Supervisor asked the Town Clerk to post in the usual spots.

#### **RECREATION DEPARTMENT REQUESTS**

The Supervisor commented, that at the last Board meeting, action was tabled for the purchase of Flag Football T-shirts. He stated that there was a possibility of getting a lower price than the quotes that were provided. Three quotes were provided as follows:

A regular meeting of the Town Board of the Town of Moreau was held on September 11, 2018 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Arca Ink	\$12.00 each - s-xl
Bluebird Road	\$14.00 each - 2x & up
Moreau, NY 12828	Coaches without numbers \$7.00 s-xl \$9.00 2x & up

Northeast Promotions	\$19.95 each - with numbers and logos s-xl
Saratoga Road	1 screen print @ \$31.25
South Glens Falls, NY 12803	

Hallwear	\$10.00 each - youth small-adult xl
Lawrence Street	\$12.00 each – 2xl
Glens Falls, NY 12801	\$13.00 each – 3xl

The Recreation Program Director recommended purchase through Hallwear. A fourth quote was received after the initial three as follows:

Northwind Graphics	\$7.00 each
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The fourth quote was substantially lower and therefore, the Board was polled to consider the fourth quote.

**Resolution #2018-325**

A motion was made by Councilman VanTassel and seconded by Councilman Noonan to memorialize a vote authorizing the purchase of Flag-Football T-Shirts from Northwind Graphics, at a cost not to exceed \$700.00. The purchase will be made from account A7310.4.

Roll call vote resulted as follows:

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

A Request was made from the Recreation Department for a Line Striper, with quotes received as follows:

Tital Powerliner 550 Athletic Field Marker Line Striper. Can be purchased at Sherwin Williams	\$1,200.00
Newstripe Ecoliner II Athletic Field Marking Line Striper	\$1,492.65
Graco Fieldlazer S90 Battery Powered High-Pressure Field Marker Line Striper	\$1,273.30

The recommendation was to purchase the Newstripe Ecoliner II.

There was a brief discussion regarding the prices. The Newstripe was the highest price. It was determined that this unit had specifications above the others. It was also noted that one of the units was battery powered and not gas.

**Resolution #2018-326**

A motion was made by Councilman VanTassel and seconded by Councilman Noonan authorizing the purchase of a Newstripe Ecoliner II Athletic Field Marking Line Striper at a cost of \$1,492.65.

Roll call vote resulted as follows:

A regular meeting of the Town Board of the Town of Moreau was held on September 11, 2018 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

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

There was a recommendation from the Buildings and Grounds Maintenance Supervisor that some trees be removed around the Basketball and Volleyball courts at the Rec Park. The following quotes were received for the removal of 28 trees:

Adirondack Tree Surgeons	\$9,945.00
Richard Sears Tree Removal	\$8,600.00
Tree Masters	No Response
Tree Care by Stan Hunt	No Response

Councilman Hogan didn't feel that they needed to take all 28 trees. The Supervisor asked that the Recreation Committee look at the trees and come back to the Board with a recommendation. Councilman Hogan asked Paul Joseph if his department has the ability to remove the trees. Mr. Joseph stated that they do take down trees that are on Town property. The Highway Superintendent stated that he would see what he can do. He also commented that the Town is still under contract with Stan Hunt.

The Supervisor tabled the request for tree removal.

#### **WATER DEPARTMENT REQUESTS**

The Water Superintendent provided the following quotes for Class D training water school:

W2O Operator Training Cortland, NY	\$550.00 per person
SUNY Morrisville Morrisville State College	\$325.00 per person
Western NY Water School Buffalo, NY	\$375.00 per person

#### **Resolution #2018-327**

A motion was made by Councilman Noonan and seconded by Councilman Hogan authorizing Kristian Mechanick and Alan Dubois to attend a Class D training Water School at SUNY Morrisville, at a cost of \$325.00 per person. The expense will be paid from all 8310.4 accounts.

Roll call vote resulted as follows:

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

The Water Superintendent provided the following quotes for hotel stay, while attending the Class D water school:

A regular meeting of the Town Board of the Town of Moreau was held on September 11, 2018 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Lincklaen House                      \$140.00 per person/per night  
79 Albany St.  
Cazenovia, NY

Colgate Inn                              \$170.00 per person/per night  
1-5 Payne St.  
Hamilton, NY

Brewster Inn                            \$437.60 per person  
6 Ledyard St.  
Cazenovia, NY

**Resolution #2018-328**

A motion was made by Councilman VanTassel and seconded by Councilman Hogan authorizing a hotel stay at the Lincklaen House for Kristian Mechanick and Alan Dubois, while attending Class D Water School, at a cost of \$140.00 per person, per night. And also to include all customary expenses in relation to the training school. The expense is to be paid from all 8310.4 accounts.

Roll call vote resulted as follows:

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

The Water Superintendent provided the following quotes for the purchase of materials necessary to complete 3 taps on Gansevoort Road for Sean McKenna.

Core & Main                      \$1,561.05  
Watervliet, NY

EJP                                      \$1,547.19  
Clifton Park, NY

Ferguson Waterworks    \$1,923.30  
Clifton Park, NY

The Water Superintendent's recommendation was to purchase from EJP.

**Resolution #2018-329**

A motion was made by Councilman Noonan and seconded by Councilman VanTassel authorizing the purchase of materials needed to complete 3 taps on Gansevoort Road for Sean McKenna, from EJP, in the amount of \$1,547.19. The expense will be paid from account 8310.4.

Roll call vote resulted as follows:

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

A regular meeting of the Town Board of the Town of Moreau was held on September 11, 2018 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

### **MIKE NOLAN 5K RACE**

The Town has received correspondence from Jody Sheldon of the South Glens Falls CSD, requesting approval for the Mike Nolan 5K race to be held on Sunday, November 4, 2018. She provided Town Board members with a map of the race route, which is the same as last year, and commented that the start time will be between 9 a.m. and 10 a.m.

### **Resolution #2018-330**

A motion was made by Councilman VanTassel and seconded by Councilman Noonan authorizing the Mike Nolan 5K Race to be held on November 4, 2018, with a start time between 9:00 a.m. and 10:00 a.m.

Roll call vote resulted as follows:

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

### **ASSESSOR REQUEST**

The Town Board received a request from the Town Assessor to attend the New York State Assessor's Annual Conference to be held at the Double Tree Hilton in Binghamton, NY from September 30, 2018 through October 3, 2018 and that any expenses incurred, not reimbursed by New York State, be a proper Town charge. There was a brief discussion relating to the figures the Assessor submitted.

### **Resolution #2018-331**

A motion was made by Councilman VanTassel and seconded by Councilman Hogan authorizing Peggy Jenkins to attend the New York State Assessor's Annual Conference to be held at the Double Tree Hilton in Binghamton from September 30, 2018 – October 3, 2018, with the total expense not to exceed \$1,000.00, and any expenses incurred which are not reimbursed by the State, to be reimbursed if within the Town policy.

Roll call vote resulted as follows:

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

### **PRIVILEGE OF THE FLOOR**

Reed Antis addressed the Town Board. He commented that GAR had done the Town's last reval, to which Essity was a major problem. He stated that the Town had to reduce their assessment. He gave the opinion that the Town shouldn't re-hire them.

Mr. Antis asked if this would be Mrs. Jenkins' last year with the Town and if so, he questioned whether she would need her credit hours.

Mr. Antis stated that there are many times that the Town pays for an employee's education and then they leave within a certain amount of time. He asked that there be a policy giving a time limit that the employee wouldn't have to reimburse the Town for training. He gave an example of 24-36 months. If they stay for that length of time, they wouldn't have to reimburse.

### **SUPERVISOR'S ITEMS**

A regular meeting of the Town Board of the Town of Moreau was held on September 11, 2018 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

The Supervisor stated that he had met with a member of the public, David Kramer, who requested approval of the Town Board to launch his hot air balloon, from time to time, from Moreau Rec. He stated that he has liability insurance and commented that lift offs would depend on temperatures. Councilman Noonan thought it was a good idea but questioned how Mr. Kramer would get into the Park at early hours. Councilman Hogan questioned the Town's insurance policies and gave the example that the Town doesn't allow bounce houses. He wondered if this would be an issue and thought there should be some clarification. Supervisor Kusnierz stated that they can reach out to the Town's insurance carrier but didn't believe it would be an issue. Attorney Buettner stated that she would email Dave Meager. The Town Board approved the use of the Park for Mr. Kramer to launch his hot air balloon, subject to the green light from the Town's insurance carrier.

The Supervisor reported receiving news from the Hudson River Greenway and stated that the Town will receive funding for Moreau's Townwide Trail Concept Plan. He stated that the LA Group had put the plan together and commented that the trail system will link to the trail system with the Empire State Trails, the Route 9 Bridge and the Fenimore Bridge (connecting to the local Feeder Canal Trail), the Champlain Trail and the Empire State Trail. He stated that it would also go to the southern parts of the Town, namely Moreau State Park. The Supervisor stated that he wasn't told how much the Town will be awarded but that it would be announced at a joint meeting tomorrow morning at 10:00 a.m.

The Supervisor brought to the Town Board's attention that there have been 2 occurrences of no-shows for pre-employment physicals. He thought there should be a policy in place, that if an employee is hired by the Town and they fail to properly notify their evaluator or the Town that they can't keep their appointment, they should be liable through their employment to pay for the cost that's billed to the Town. Attorney Buettner stated that she would look into it and see if the Town can do this. The Supervisor tabled the matter for Counsel to review.

The Supervisor reported receiving notification from Charter Communications, effective on or about October 1, 2018, Newsmax TV HD will launch on Spectrum Silver/Digi Tier 1 channel 222. He also received notification that the English Premier League Soccer channel discontinued Spectrum's right to carry its channels located on SPP Tier 2/Spectrum Gold/Standard TV channels 420-424, and effective on or after August 24, 2018, the channel will no longer be available.

The Supervisor stated that he had received notification from DEC that the Town's Transfer Station has again been registered as a solid waste management facility, with a new registration number. He stated that the registration period is from September 6, 2018 through September 5, 2023. The Supervisor commended Ted Monsour for his help completing the information.

### **COMMITTEE REPORTS**

Councilman Hogan stated that he had read Jesse Fish's report and stated that DOH had inspected the system and gave the Town 100%. Mr. Fish stated that the Department of Health took one of the Water Department employees, who has been with the Town for a year, and gave him a certificate of approval as a Class B Operator. They also did an inspection while they were here and found everything to be in order.

The Supervisor thanked Sheriff Zurlo, who at his request for the opener football game, graciously had a member of his road patrol there to enforce the no-parking signs on Tanglewood Drive. He stated that it goes a long way in providing public safety. He believed it was Deputy Mark Stewart that was present and commented that he didn't have a chance to thank him personally but wanted to do so on the record. He stated, that hopefully, they're beginning to mitigate the issue of No-Parking on Tanglewood. He stated that it will, if it hasn't already, cause greater headaches for those who live on the side streets. He's received several requests for No-Parking signs on those roads. He asked the Highway Superintendent if he could help with the signs. The Supervisor stated that they will need to provide Counsel with a list of roads for No-Parking. The Highway Superintendent stated that he would take care of that.

Councilman VanTassel gave an update on the ongoing Sexual Harassment Training. He stated that the Town has to have a policy in place by October 19, 2018, with training in place by January 1, 2019 and the completion of the training within 30 days.

A regular meeting of the Town Board of the Town of Moreau was held on September 11, 2018 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Paul Joseph stated that he received an email regarding Mr. Havens. Attorney Buettner stated that the Town was under the impression that Mr. Havens would be providing the Town with a contract. Mr. Havens indicated that he didn't have one. Attorney Buettner stated that as long as he signs a hold harmless agreement, there should be no issue. She stated that he's doing the work for free. The Supervisor asked the Highway Superintendent to work with Counsel to prepare a hold harmless agreement.

A motion was made by Councilman VanTassel and seconded by Councilman Hogan to adjourn to executive session at 8:10 p.m. to discuss CSEA Contract negotiations and also to discuss the performance of an unnamed Town employee.

Roll call vote resulted as follows:

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

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

A motion was made by Councilman Hogan and seconded by Councilman VanTassel to return from executive session and resume the regular meeting at 9:03 p.m., with no action taken in executive session.

Roll call vote resulted as follows:

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

A motion was made by Councilman Hogan and seconded by Councilman Noonan to close the meeting for the evening at 9:03 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Leeann McCabe  
Town Clerk