

A regular meeting of the Town Board of the Town of Moreau was held on September 25, 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
Gina LeClair	Councilwoman
Kyle Noonan	Councilman
Theodore T. Kusnierz, Jr.	Supervisor

**Town Board Members Absent**

None

**Also present:** Leeann McCabe, Town Clerk; Karla Buettner, Attorney for the Town; Jesse Fish, Water Superintendent; Paul Joseph, Highway Superintendent; Reed Antis, Planning Board Member and Town resident; Steve Conklin, Skip Barber Racing; Jim Plante, Repeat Business Systems; Town Residents: Bruce Flayer, Virginia Livsey, Jim Hooper and Tim Harper

The Supervisor led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

The minutes from September 11, 2018 (2 sets) were prepared and presented to the Town Board in advance of the meeting, for their review, comment, correction and approval.

**Resolution #2018-343**

A motion was made by Councilman VanTassel and seconded by Councilman Hogan to approve the minutes from the workshop on September 11, 2018 as prepared.

Roll call vote resulted as follows:

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

**Resolution #2018-344**

A motion was made by Councilman VanTassel and seconded by Councilman Noonan to approve the minutes from the regular meeting on September 11, 2018 as prepared.

Roll call vote resulted as follows:

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

**SET FUTURE MEETINGS AND WORKSHOPS**

Two budget workshops were scheduled for October 3, 2018 at 7:30 p.m. and October 4, 2018 at 7:00 p.m.

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### **SKIP BARBER RACING**

Steve Conklin presented before the Town Board. He stated that he had been before the Town Board previously regarding a proposed use of the old T-Bird South property. He stated that everything was tabled due to a National Grid project. He was approached by the landowner again and asked if he was still interested in the property. He stated that he thought the property is a perfect fit for the Town. He explained the purpose of the track he would put in, which would be for private membership. They would let out the track free to local emergency services for EVOC training and would also offer free “Drive to Thrive” classes to all South Glens Falls students. The present clubhouse is proposed to be a training center and the restaurant would serve as a conference center. The Supervisor stated that the current zoning doesn’t allow for this use and that the Town Board would have to approve a PUD (Planned Unit Development). He asked Mr. Conklin if there was another facility similar to this one that they could take a look at. Mr. Conklin replied “no”, that this would be a hybrid. Mr. Conklin provided a large sketch board of his proposed design for the facility. He commented that it would run 4 days per week and that the average group size would be 40-45 people. He stated that they would only be open until 4:00 p.m. and commented that the noise levels would be less than the tractors that worked the golf course. He stated that they would be able to offer the free services as a result of those who pay membership fees. Jim Hooper, who owns property across the street from the proposed track, stated that he would like to see this happen. The presentation concluded.

### **REPEAT BUSINESS SYSTEMS – JIM PLANTE**

Jim Plante presented to the Town Board and explained what his company does. He stated that they provide Document Management Solutions, Manage IT Solutions, Office Equipment & Technology, Cloud Services, and Technology Consulting. Councilman VanTassel stated that he knew Mr. Plante and considered him to be a credible person. He asked Mr. Plante how his business would help the Town of Moreau and how he would determine cost savings. Mr. Plante stated that he would capture the volume from devices after doing a walk through. He would come up with a true cost per page for each work station. The Supervisor asked that the Economic Development and Technology Committee meet with Mr. Plante so he can provide a proposal. Councilman VanTassel stated that he would get together with him.

### **TRANSFER STATION REQUESTS**

The Supervisor of the Transfer Station had put in a request to purchase 10 signs. Councilwoman LeClair stated that she had intended to take a picture of the signs at the Transfer Station but it was raining. She was going to take pictures and email them to the Town Board. The Supervisor asked that the Transfer Station Committee give a recommendation before a purchase is made. The purchase request was tabled.

Two quotes were received and provided to the Town Board for the power washing of the compactor building. The Supervisor asked that the Transfer Station Committee give their recommendation on this as well. The request for power washing was tabled.

### **TOWN PARKING ORDINANCE**

The Supervisor stated that he has continued to receive complaints over the lack of enforcement of the no-parking signs in the Tanglewood Drive area. He stated that the Sheriff has been responsive to the Town and has provided enforcement but the problems continue. He stated that many years ago, the Town budgeted for a part-time police officer and that they still have the ability to hire one, but statutorily they have to have the funding in place. He stated that Counsel is working on an amendment to the Local Law to determine which roads they will have no parking on. Attorney Buettner stated that she had sent the information over earlier in the week and that there are a few more roads to be added. She stated that there will need to be a public hearing and suggested that it could be scheduled this evening. Supervisor Kusnierz stated that he would rather wait and schedule the public hearing once the local law is complete and in their hands.

### **HIGHWAY DEPARTMENT REQUESTS**

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**Resolution #2018-345**

A motion was made by Councilwoman LeClair and seconded by Councilman Noonan authorizing Maureen Leerkes and Matthew Dreimiller to attend the 14<sup>th</sup> Annual North Country Stormwater Tradeshow & Conference, which will be held on October 18, 2018 at the Hiland Country Club in Queensbury from 8am to 4pm.

Roll call vote resulted as follows:

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

**Resolution #2018-346**

A motion was made by Councilman VanTassel and seconded by Councilman Hogan authorizing a blanket purchase order in the amount of \$15,000.00 for Diesel Fuel to be purchased from Sprague Operating Resources, a NYS contract supplier for Saratoga County. The purchase will be made from account DB5142.460.

Roll call vote resulted as follows:

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

The Supervisor stated that he had met with the owner of the Sara Glen Motel. The owner is looking for assistance from the Town regarding the sand that blows from the Highway sand pile over to his property. The Supervisor stated that one option was to move the pile and had spoken with the Highway Superintendent. He was told that the pile couldn't be moved because of the location of the new Highway Garage. The Supervisor stated that another option would be to cover the pile. The Supervisor stated that the problem exists from June – October and asked the Highway Superintendent if possibly he could keep from restocking the pile until after October. The Highway Superintendent stated that after spring comes, he tries to knock the pile down and he doesn't bring in more until October. He also stated that he was looking into a cover. The Supervisor asked if a screen on the fence would help. The Highway Superintendent stated that he would look into that as well. The Supervisor will speak to the owner of the Sara Glen and let him know they had a conversation.

**WATER DEPARTMENT – WATER TAP FEES**

The Supervisor reported that there had been a workshop with regard to water tap fees. The Water Superintendent provided a new fee schedule to the Town Board of costs he felt were necessary to cover the Town's costs. The costs were broken down between the fee with a meter and the fee for a meter only. The Supervisor stated that the current rate is \$1,400.00 across the board, which doesn't cover the Town's costs. The Supervisor agreed with the rate schedule and suggested that they adopt the recommended rates read aloud as follows:

<b>SIZE</b>	<b>FEE WITH METER</b>	<b>METER ONLY</b>
3/4" Short	\$1,400.00	\$375.00

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3/4" Long	\$2,275.00	\$375.00
3/4" Open Cut Long	\$3,275.00	\$375.00
1" Short	\$1,450.00	\$575.00
1" Long	\$2,600.00	\$575.00
1" Open Cut Long	\$3,600.00	\$575.00
1 1/2" Short	\$1,750.00	\$805.00
1 1/2" Long	\$3,950.00	\$805.00
1 1/2" Open Cut Long	\$4,950.00	\$805.00
2" Short	\$2,850.00	\$1,050.00
2" Long	\$4,450.00	\$1,050.00
2" Open cut Long	\$5,450.00	\$1,050.00

**Resolution #2018-347**

A motion was made by Councilman VanTassel and seconded by Councilman Hogan to adopt the foregoing tapping fees as presented by the Water Superintendent and as read aloud by the Supervisor.

Roll call vote resulted as follows:

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

The Water Superintendent had requested a change to the Town's procurement policy.

**Resolution #2018-348**

A motion was made by Councilman VanTassel and seconded by Councilman Hogan to change the Town's procurement policy from \$500 to \$1,000 for the Water Department.

Roll call vote resulted as follows:

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

**GREATER GLENS FALLS TRANSIT TRANSPORTATION AGREEMENT**

The Supervisor stated that he had received the transportation agreement for the Greater Glens Falls Transit. He stated that it was for a two year period starting January 1, 2019, with annual payments of \$4,877.00. There was a question as to Article III - #6, which set forth the fees through December 2019. Councilman VanTassel was concerned that it didn't reflect fees for the two year term to expire December 31, 2020. Attorney Buettner stated that along with a resolution authorizing the Supervisor to sign the

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agreement, they can authorize him to change the wording of the document to reflect the two year term in #6.

**Resolution #2018-349**

A motion was made by Councilman VanTassel and seconded by Councilwoman LeClair authorizing the Supervisor to sign the Greater Glens Falls Transit Transportation agreement and also allowing the Supervisor the authority to make revisions to item #6 in Article III to reflect a 2 year term and not a 1 year term.

Roll call vote resulted as follows:

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

**HIGHWAY GARAGE ROOF**

The Supervisor stated that there had been discussion regarding a proposal from Barton & Loguidice to conduct a condition assessment of the Old and New Highway Garage facilities. The proposal was in the amount of \$4,000.00. He stated that the Town Board had wanted more time to review the proposal.

Councilman VanTassel made a motion to authorize the assessment by Barton & Loguidice. There was no second to the motion and therefore, Councilman VanTassel withdrew his motion.

Attorney Buettner stated that the Town has a contract with Laberge Group to prepare the bid documents and who have already done an analysis for the repair of the two roofs. Councilman VanTassel stated that they were looking for another engineering opinion because of the costs presented in the first assessment. He asked if that would be a problem. She reiterated that the Town already has a contract with Laberge Group. There was a brief discussion relating to the costs presented.

**Resolution #2018-350**

A motion was made by Councilman VanTassel and seconded by Councilwoman LeClair authorizing the Supervisor to enter into an agreement with Barton & Loguidice to conduct a Conditions Assessment for the insulation and ventilation system at the “Old” and “New” Highway Garage Facilities in the amount of \$4,000.00. The expense will be paid from account A5132.472.

Roll call vote resulted as follows:

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

Supervisor Kusnierz stated that he had received a call from Senator Marchione’s office stating that she will earmark \$200,000.00 for the repair of the Highway Garage roof. He stated that they’ve already applied for the grant and that it’s working its way through the approval process.

**PRIVILEGE OF THE FLOOR**

Tim Harper of 40 Reynolds Road addressed the Town Board. He stated that he has lived at that residence for 4 ½ years. He stated that he would like to have the road fixed. He stated that approximately 3 or 4 years ago, only half of the road was done. He asked, if there was any spare blacktop from the current

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paving projects, maybe they could lay some down. He stated that he and Mr. Hooper would take care of the drainage and culvert.

Jim Hooper addressed the Town Board and stated that the road issue had been going on for quite a while now. He asked that they work together and get something done.

Reed Antis stated that Crandall Library has no one from the Town of Moreau running for the vacant Trustee seat. He asked that the Board reach out to people in their network to do a write in campaign. He thought that the Town Clerk could put something on the Town's website.

Mr. Antis asked, with regard to the proposed sport track, what kind of sales tax revenue the Town would receive. Or, would it just be property tax revenue.

Mr. Antis would like to see a street map for the local law of the streets.

Mr. Antis asked about the water fees.

Mr. Antis stated that there was work done by Attorney Buettner regarding the abandonment of the road near Mr. Hooper's property in the past.

Mr. Antis asked the Supervisor if he might be able to do a blog and let people know what he's doing at the County level. The Supervisor stated that he provides updates if he thinks something is significant.

Mr. Hooper spoke again regarding the abandoned road. He stated that if there was a resolution to the issue, he wasn't aware of it. He stated that he was willing to take over ownership of the road to save the tax payers money and thought it would be easier that way. He stated that he's only asking to pave the road one time and either turn it over to him or leave it as is. He stated that either way, it needs to be paved.

### **SUPERVISOR'S ITEMS**

The Supervisor reported having a meeting with a representative of the American Legion who is looking to re-establish the post in the Town of Moreau. He stated that they're looking for a building and that there was an informal conversation regarding the possibility of working out an agreement to use the old Sheriff's substation. The Supervisor also stated, that one of the things they're looking for, which he has addressed in his budget to be released this week, is getting flags for all the veterans' graves and having them in place. He thought it would be around \$750.00 and has earmarked \$800.00 in the cemetery account.

The Supervisor stated that he had received a complaint from a woman who asked that the Town building be more handicapped accessible. The Supervisor stated that the Town building is handicap accessible but that she was looking for a ramp for an egress on the other side of the building along with electronic doors or a buzzer to have someone come out and open the door. He wanted to make the Town Board aware and if they are so inclined, they can discuss at budget time.

The Supervisor stated that Councilmember Hogan and himself were invited to a Fire Company demonstration with a private vendor, at the Town's Industrial Park, regarding software and equipment that would be able to measure fire flows at the hydrants. This would result in the hydrants being tagged with one of five colors, which would indicate what type of flow you would have. He stated that there was an interest from the Fire Company but that there would be a cost associated with it. He suggested to the Fire Company that they work with the vendor and get a cost for the service.

The Supervisor stated that there is no provision in the Town's contract with their legal firm to provide services for dog cases. Attorney Buettner stated that the contract was changed a few years ago. She stated that they do handle dangerous dog cases. The Supervisor stated that there was an instance where the dog control officer was looking for assistance because the other side was going to have an attorney present. He stated that the case has been adjourned but asked the Board if they are looking for Counsel to provide a quote for those types of services. Attorney Buettner stated that they come in, basically as an ADA, for

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dangerous dog cases. She stated that they don't represent the Town with running at large cases. She stated that they had done one a few years ago because of extenuating circumstances. She stated that running at large cases could be handled by the Dog Control Officer. She stated that she needed to know if the Town wanted her to show up for the case. The Supervisor asked Counsel if she would provide the Town with a proposal for the service. Ms. Buettner stated that the rates would be the same as their hourly rates. Attorney Buettner stated that the policy doesn't allow for them to handle cases other than dangerous dogs. Councilman VanTassel stated that he was ok to keep the policy the same and only ask Counsel to assist under certain circumstances. The Supervisor asked the Board if they were ok with him authorizing Counsel to provide services in certain circumstances and the Board agreed that it was ok.

The Supervisor stated that he had a letter from St. Andrew's Lutheran Church dated September 13, 2018 addressed to Sandy Mahoney. He read the letter aloud. The letter stated that as a result of a fundraising campaign, they were able to donate \$200.00 for the playground expansion project.

The Supervisor reported receiving an Emergency Response Plan from Hexion, Inc., who is a tax payer in the Town's Industrial Park.

The Supervisor reported receiving notification from the Saratoga County Water Authority that they made an extra \$1,000,000 this year in sales. As a result of that, they are giving it back to the County. The Supervisor stated that he was sure it will be put to good use.

The Supervisor reported having a meeting with Stephanie Gootz from Prime Link regarding a presentation for telecommunication services. He referred the proposal on to the Technology and Economic Development Committee.

### **COMMITTEE REPORTS**

Councilwoman LeClair stated that she is still working on pricing with Leland Paper Co. for all paper products. She also stated that she's been playing phone tag with National Grid regarding easements along the river.

Councilman Hogan stated that he had taken a tour of Rice Cemetery. He stated that there is some clean up that should happen there. He stated that he would speak to Dave Jones about it and hopes to get it done this week. He referred to brush that needs to be removed. He stated that up to now, the brush has just been piled up. Councilman Hogan also commented that the Mayor is happy that Roy is back mowing.

Councilman VanTassel stated, with regard to sexual harassment training, the State hasn't released their determination on the definition of what interactive training is and whether the training will be annual or based on hire dates. He stated that it would be hard to schedule training until they know what the plan is but that he will keep an eye on that. He also stated that the Town needs to deploy a policy. He stated that the Town's insurance company provided a template for a policy for Counsel to review. Attorney Buettner stated that they're waiting on the State's ruling to put a policy in place. She also commented that they will provide the training. Councilman VanTassel stated that there are some web based training programs available if the State ok's it.

The Supervisor stated that he and Councilmember VanTassel had met again with the negotiating team of the CSEA and will be providing an update in executive session.

Councilman Noonan stated that he had been approached by a fireman regarding them hosting the Firemen's Convention in 2020. They asked him if they could do a boot drive. He told them he would ask the Board. Supervisor Kusnierz stated that State Law prohibits coin drops on State roads. Councilman Noonan asked about Town and County roads. The Supervisor asked Counsel to review the Town Code on the subject.

Councilman VanTassel stated that there was discussion at the last meeting to change the month-end and regular meeting for October 23, 2018 to October 30, 2018.

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**Resolution #2018-351**

A motion was made by Councilman VanTassel and seconded by Councilman Hogan to move the month-end and regular Town Board meeting scheduled for October 23, 2018 to October 30, 2018.

Roll call vote resulted as follows:

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

A motion was made by Councilman VanTassel and seconded by Councilman Hogan to adjourn to executive session at 8:40 p.m. to discuss CSEA contract negotiations and to discuss the work performance of an unnamed employee.

Roll call vote resulted as follows:

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

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

A motion was made by Councilwoman LeClair and seconded by Councilman Noonan to close the executive session and resume the regular meeting at 9:37 p.m., with no action taken in executive session.

Roll call vote resulted as follows:

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

**Resolution #2018-352**

A motion was made by Councilman Noonan and seconded by Councilwoman LeClair to create the position of Part-time Code Enforcement Officer.

Roll call vote resulted as follows:

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

A motion was made by Councilman VanTassel and seconded by Councilwoman LeClair to close the meeting for the evening at 9:40 p.m.

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Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Leeann McCabe  
Town Clerk