

A regular meeting of the Town Board of the Town of Moreau was held on December 27, 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; Malcolm O'Hara, Attorney for the Town; Members of the Moreau Emergency Squad, Steve VanGuilder and Ron Quinn

**APPROVAL OF MINUTES**

The minutes from December 10, 2018 and December 11, 2018 were prepared and presented to the Town Board in advance of the meeting for their review, comment, correction and approval.

The Supervisor stated that the minutes from the December 10<sup>th</sup> bid opening would be filed as prepared.

**Resolution #2018-463**

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, to approve the minutes of December 11, 2018 as prepared.

Roll call vote resulted as follows:

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

**SET FUTURE MEETINGS AND WORKSHOPS**

The Supervisor stated that the hours of the Transfer Station would be changing but not until they have the staff to accommodate the increase in hours. He stated that Ted Monsour had met with most of the applicants for the positions available. He stated that once they decide on the hires, they can address the hours. Councilwoman LeClair stated that the Transfer Station Committee was ready to start conducting interviews and asked the Town Board to let her know if they have individuals they would like interviewed. The Supervisor asked, if the Town Board has individuals they would like interviewed, to please give the name(s) to his secretary.

**MOREAU EMERGENCY SQUAD, INC. 2019 CONTRACT**

**Resolution #2018-464**

A motion was made by Councilman VanTassel, seconded by Councilman Hogan and carried, authorizing the Supervisor to sign the Moreau Emergency Squad contract in the amount of \$245,635.00, with an additional \$10,000.00 earmarked should the expansion of the ambulance facilities occur in 2019.

Roll call vote resulted as follows:

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

**SOUTH GLENS FALLS FIRE COMPANY, INC 2019 CONTRACT**

**Resolution #2018-465**

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, authorizing the Supervisor to sign the South Glens Falls Fire Company, Inc. contract in the amount of \$535,402.00, with up to an additional \$10,000.00 to help offset the cost of State mandated cancer health insurance, which takes effect January 1, 2019.

Roll call vote resulted as follows:

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

Councilman VanTassel stated that there should be discussion regarding the payment method to the Fire Company. He suggested that they be paid in the same manner as the Moreau Emergency Squad. He stated that he wasn't opposed to the Town making interest on their own money but also stated that a new payment schedule shouldn't happen this year. He suggested having a conversation before next year's contract. Supervisor Kusnierz stated that he had a conversation with the Fire Co. president and explained the payment schedule the Town has with the Emergency Squad, which is 3 times per year. He stated that it is fiscally smart for the Town to schedule payments and that he would relay the information to the Fire Co. so they can prepare accordingly for the 2020 contract.

**DOG CONTROL OFFICER**

The Supervisor stated that his office had received notification from the Town's Dog Control Officer that he was intending to resign from his position at the end of the pay period. He's asked Mr. Baker for a formal letter of resignation and will get information to the Town Board once it's received. He stated that there will be a formal posting on the Town's website. He also commented that he's had a conversation with another municipality regarding the service. He commented that the Town needs to have options to choose from.

**HIGHWAY DEPARTMENT**

**Resolution #2018-466**

A motion was made by Councilman VanTassel, seconded by Councilwoman LeClair and carried, authorizing the purchase of Gasoline in the amount of \$800.00, from the 2018 budget year, from Global Montello Group. The purchase will be made under State Contract #PC68456 and will be paid from account DB5142.460.

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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

The Supervisor reported that he has signed the CSEA contract for the years 2019, 2020 & 2021. He stated that he's waiting on the labor relations specialist to sign it and then it will be deemed executed. He stated, that with the assumption that it will be signed, since the union President has already signed it, he'll need authorization to enter into a contract for uniform services. The Supervisor stated, for the public's interest, that the Town had provided in past contracts, a \$300.00/year clothing allowance. As a result of negotiations for the 2019-2021 contract, and at a request from the Highway Garage for uniforms, the Town Board agreed to the request. The Town will be paying \$272.00 annually instead of \$300.00 annually. He stated that the union gets what they're asking for and the Town saves money.

**Resolution #2018-467**

A motion was made by Councilwoman LeClair, seconded by Councilman VanTassel and carried, authorizing the Supervisor to enter into an annual contract with UniFirst in the amount of \$55.55 weekly, with a \$2.05 DEFE charge.

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 for record keeping purposes, the agreement is for a weekly service for eleven wearers of eleven shirts, eleven pants and 2 jackets for a total of \$55.55 per week.

The Supervisor reported receiving a letter from the Highway Superintendent relating to random pools of consortium for DOT testing. The Glens Falls Hospital does our random drug testing as well as pre-employment physicals and the letter indicated that the Center for Occupational Health will be closing on January 18, 2019. The Supervisor stated that his office is looking into other options for future testing.

**RECREATION DEPARTMENT**

Sandy Mahoney submitted a request to hire High School student referees for the remaining 7 weeks of the Basketball program for Third, Fourth, Fifth and Sixth grade games.

**Resolution #2018-468**

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, to hire Basketball Referees - Zoe Lanfear, Sydney Hart, Jacob Aday, Albert Vasak IV and Cameron Woodard at a rate of \$12.00 per hour per referee and not to exceed \$672.00.

Roll call vote resulted as follows:

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

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**TOWN HALL GENERATOR CONTRACT**

The Supervisor stated that he needs approval to sign the maintenance agreement.

**Resolution #2018-469**

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, authorizing the Supervisor to sign the annual maintenance agreement with Milton Cat in the amount of \$836.00 for the 2019 year.

Councilman Hogan asked that he be notified when the inspection is scheduled so he can watch and see how the system operates. The Supervisor stated that he would have his office give him a call when the inspection is scheduled.

Roll call vote resulted as follows:

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

**PRIVELEGE OF THE FLOOR**

No one from the public wished to be heard.

**SUPERVISOR'S ITEMS**

The Supervisor was happy to report an excess in sales tax revenue. He stated that he will need direction where to put the additional \$211,019.00 in sales tax. He stated that they can put the money into any fund but suggested the general fund because it would give the Town flexibility enabling the Board to utilize it for any fund that might need it down the road.

**Resolution #2018-470**

A motion was made by Councilman VanTassel, seconded by Councilwoman LeClair and carried, to put the additional sales tax of \$211,019.00 into the General Fund.

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 as part of the Town's organizational meeting last year, a requirement was made for the appointees to the Planning and Zoning boards to receive continuing education. He was disappointed to report that only two members of both boards have received the training. He stated that he's made both Boards aware that there will be a training session on February 6, 2019 at the Saratoga County Planning Conference. He hoped that the members would take advantage of the session. He stated that Town Board members are welcome to attend as well and commented that the registration fee is \$60.00 per person.

The Supervisor reported that the State of New York Environmental Facilities Corporation has released the final Intended Use Plane (IUP). He was pleased to report that the Town scored a "61", which puts the Town in good standing. He stated that this lets the Town officially apply for a hardship loan. He stated

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that the process is moving forward and believed that the hardship determination should be determined in March. He stated that the Town is doing everything possible to keep the sewer project moving forward.

The Supervisor reported that his office expended funds for a new Honor and Remember flag, which is to be flown at the Town Hall complex. The flag honors all those that have served.

The Supervisor stated that he had reached out to NYS DOT with two requests. The first being a request from a member of the public stating that there is no intersection sign at Route 32 and Reservoir Roads. This was confirmed by DOT as well as by the Supervisor. The Supervisor has also requested that DOT move the firehouse sign at the Town Hall entrance to the other side of the driveway, so that people coming down Route 197 don't turn into the Town Hall parking lot by mistake.

The Supervisor reported that the Town has received, from the Saratoga County Open Space Grant, a check in the amount of \$15,804.41 for the land acquisition.

### **COMMITTEE REPORTS**

The Supervisor stated that the Water Committee had met today and asked for a report. Councilman Noonan stated that the Water Committee (Councilman VanTassel and himself) along with the Water Superintendent (Jesse Fish) and the Town Clerk (Leeann McCabe) met this morning and had a discussion relating to water connection fees. He stated that the verbiage wasn't clear enough as to what people are paying for. He stated that they agreed on a new schedule, whereby connection fees include the cost of a meter and those who are only paying the capacity and expansion fee would have to purchase a meter separately.

#### **Resolution #2018-471**

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried that, It shall be the policy of the Town of Moreau that a water connection fee shall include the cost of a water meter with the exception:

Instances where payment is made for a capacity and expansion fee that does not include payment of a connection fee.

Roll call vote resulted as follows:

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

Councilman VanTassel stated that there was a resolution passed earlier this year, which aligned the billing schedules for all water districts, to make it more efficient for the Clerk's office. He commented that it has worked well. In the same resolution, after discussion, it was agreed that an additional finance fee of 1.5% would be added after 60 days past due. He stated that the 10% late fee after 30 days doesn't present a problem with the billing software, however, the 1.5% thereafter does. He explained that the bill can't reflect the total amount due after each 30 days the payment is late and so a statement is made on the bill to call the Clerk's office for a total amount due. Many people don't call and therefore notices have to be sent back out to the users explaining that there is still penalty due on their account. Councilman VanTassel stated that the Clerk's office has asked the Town Board to reconsider the additional 1.5% penalty that was established. The Town Clerk stated that the 1.5% additional penalty was added by local law and thought that Counsel would agree that to change it back would require a new local law. Attorney O'Hara agreed. Councilman Noonan stated that the 1.5% was created to hopefully change the behavior of the users and it didn't seem to help. Councilman VanTassel stated that the reason it was brought up tonight was so that there could be discussion. Supervisor Kusnierz stated that the Board has discussed consolidation of the water districts and suggested that he could have Special Counsel look at our local law as part of consolidation discussion.

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The Supervisor asked the Town Clerk to give an update on the records management grant she will be applying for. The Town Clerk explained that she is in the process of filing an application for a grant to digitize the microfilmed records. She's found that the Town's server doesn't have the necessary storage space to accommodate the increase in data that will occur when the job has been completed. She stated that the current IT vendor was in and stated that he would be providing information as to how they can increase the storage space. The Supervisor asked if the Technology Committee could help with the situation. Councilman VanTassel stated that he's been working with the Supervisor's office to send out RFP's for IT services. The Town Clerk asked Councilman VanTassel if he would work with her so she can add figures to her grant application. She stated that the application would be due by around the third week in January. Councilman VanTassel stated that the operating life on the server will be ending in 2020 and will no longer be supported. He stated that this will require the Town to upgrade the server. He also stated that he would help the Town Clerk when he gets some information.

The Supervisor stated that the Town has requested RFP's for professional services for Special Counsel, Counsel, Engineering, and will be requesting for IT Services as well. He stated that he would be putting together information for the Board to review and if they have any recommendations or suggestions to please let him know.

Councilwoman LeClair stated that she would be sitting down with Ted Monsour to go over the numbers at the Transfer Station, either before or after they conduct interviews. The Supervisor suggested that Jeff Cruz touch base with Ted as well.

Councilwoman LeClair stated that she had met with a representative from Leland Paper. They're looking at ways to help the Town with paper products.

Councilwoman LeClair asked if BOCES should be helping with Nolan Road or with the Playground project, this coming spring. The Town Board was in favor of the work being done at the Recreation Park. Supervisor Kusnierz suggested that she reach out to the LA Group and get their recommended foot print, after they've been down to look at the area, and circulate the information to the Board to make sure they're ok with it. If they're ok with it, BOCES can move forward at the Park.

Councilwoman LeClair stated that she would like to get a price from the Assessor as to what she thinks the Old Town Hall should sell for. They would then need to decide what they want to do with it. She stated that the eaves are in very bad shape.

The Supervisor stated that he's finalizing a draft for the town-wide report from Town Hall. He just received a draft of the survey. He hopes to get them out once the Board has a chance to look at it. The mailing will go out to approximately 4,600 households.

The Supervisor received an email from Katie Petronis from the Open Space Institute regarding the "Smith Farm" property. She was happy to announce the closing of the acquisition of the 900 acre Hudson Riverfront parcel which was owned by Finch Pruyun. There was discussion of the possibility of running the Moreau bike path through this parcel.

The Supervisor stated that he had received a request from Sandy Mahoney to advertise for certified lifeguards. She had commented to him that 3/4 of the staff from last year aren't returning. He stated that we should use the usual protocol for hiring employees. Councilwoman LeClair suggested that we put out a notice at the places that training takes place. She stated that she will look into it. She also suggested adding it to the Supervisor's newsletter when it goes out.

The Supervisor reported that there is a link on the Town's website where people can add their email address to a notification list. He reported that the link went to nowhere and stated that it's something they need to work on for 2019.

Councilman VanTassel asked if they wanted to put out an RFP for the Town's website. The Supervisor was in agreement and stated it should be more interactive, more user friendly and more informative.

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Councilwoman LeClair wanted to let the Board know that Mannix Marketing didn't do the Town's website. The Town had a company that had worked on the site but didn't complete it due to a family crisis. Mannix finished the project that was almost done.

A motion was made by Councilman Hogan, seconded by Councilwoman LeClair and carried, to adjourn to executive session at 8:00 p.m. for the purpose of discussion of an unnamed persons work performance as well as to receive an update on certain litigation.

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 Councilman VanTassel, seconded by Councilwoman LeClair and carried, to adjourn the executive session and resume the regular session at 9:53 p.m. There was 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

A motion was made by Councilman Hogan, seconded by Councilwoman LeClair and carried, to close the meeting for the evening at 9:54 p.m.

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