

A regular meeting of the Town Board of the Town of Moreau was held on January 8, 2019 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

The Supervisor called the meeting to order at 7:01 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; Reed Antis, Planning Board Member and Town Resident; Town Residents: Ann Purdue and Tom Masso.

The Supervisor led the Pledge of Allegiance.

APPROVAL OF MINUTES

The following minutes were presented to the Town Board in advance of the meeting for their review, comment, correction and approval.

December 27, 2018 – Public Hearing – Moreau Emergency Squad
December 27, 2018 – Public Hearing – South Glens Falls Fire Co.
December 27, 2018 – Month-End Meeting
December 27, 2018 – Regular Town Board Meeting
January 3, 2019 – Organizational Meeting

Resolution #2019-59

A motion was made by Councilman VanTassel, seconded by Councilwoman LeClair and carried, to approve the minutes from December 27, 2018 (4 sets) as prepared.

Roll call vote resulted as follows:

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

Resolution #2019-60

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, to approve the minutes from January 3, 2019 as prepared.

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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SET FUTURE MEETINGS AND WORKSHOPS

No meetings were scheduled, however, the Supervisor asked that the Recreation Committee get together and review the Pow Wow procedures. He stated that there have been issues in previous years and his goal is to get a handle on how the event takes place to minimize issues. He asked the Committee members to bring to the Board any outstanding issues or resolutions they come up with.

HEALTH INSURANCE BUY-OUT

The Supervisor stated that the Town offers a Health Insurance Buy-out to those who don't take advantage of the Town's Health Insurance. He stated that it had come to his attention that there were inconsistencies as to how they apply the Buy-out and what the costs are that are associated with it. The Supervisor stated that the person who is responsible for making the payments is asking for clarification. He stated that the current buy-out is \$1,300.00 for those who don't take medical insurance with the Town. He stated that the Town also offers other benefits in addition to medical. He stated that there was an assumption at one time, that if you took the Buy-out, in order to get it in its entirety, you couldn't take the vision or dental insurance. He stated that he was looking for direction from the Board as to how they would like the policy clarified.

Councilman VanTassel stated that there is a lack of a policy. He stated that he believed the incentive for Town employees to take the Buy-out was to not take the health insurance. He stated that the dental and vision are an add-on. It was his position to support, that if the employee doesn't take the health insurance, the maximum would be applied. He stated that there wouldn't be a Buy-out in pieces. He stated that if an employee takes the Buy-out but wants dental or vision, they can pro-rate that amount out of the \$1,300.00, so there's no additional expense to the Town. He stated that it would be in the best interest of the Town and the tax payers. The Supervisor commented that he wanted to be consistent across the board. Councilman Noonan agreed that if an employee chooses not to take the medical insurance, they would receive the Buy-out and if they choose to have dental or vision, they would reduce the Buy-out amount proportionately or have it deducted from their wages.

Resolution #2019-61

A motion was made by Councilman VanTassel, seconded by Councilwoman LeClair and carried, that the Town of Moreau implement a consistent policy across all Town employees, that allows employees who do not take the Health Insurance Plan, be entitled to a Buy-out and if any employee who has elected to take the Buy-out chooses, at any point in time, to take the Vision or Dental, it will proportionately reduce the Buy-out.

Roll call vote resulted as follows:

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

TRAINING REIMBURSEMENT POLICY

Supervisor Kusnierz stated, that at the Organizational Meeting, there was a resolution that specified a requirement for training and what the obligations were for an employee, if they decided to seek employment within a certain time period, after the Town has provided financial backing for the training. He stated that for it to be in effect, the Town needs to adopt a Training Reimbursement Policy.

Attorney Buettner stated that the policy will be for non-union members and that it would be attached to this set of minutes.

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PLANNING BOARD

The Supervisor reported that he has received two requests from members of the Planning Board seeking re-appointment. He stated that he can't re-appoint them at this time and had Attorney Buettner recite the State Law. She referred to Town Law, section 271, each Planning Board member shall complete a minimum of 4 hours of training each year. If they do not complete the training, they are not eligible for re-appointment. She stated that the language is identical for the Zoning Board of Appeals members as well. Supervisor Kusnierz stated that he would remind those who wish to continue to serve, that training is required. He stated that the Board can take action on the re-appointments if they follow through on the requirement. The Supervisor did have a request from a resident wishing to serve as an alternate on the Planning Board.

Resolution #2019-62

A motion was made by Councilwoman LeClair, seconded by Councilman VanTassel and carried, to appoint Meredith Mathias as an alternate member to the Planning Board.

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 it will be helpful to have alternate members on the Boards because it had come to his attention that there are some members that aren't in the Town of Moreau for extended periods of time. He stated that it doesn't serve the community if there isn't a quorum to take action on those Boards.

ZONING BOARD OF APPEALS

The Supervisor stated again that he was going to table this request for re-appointment until he's received verification of compliance of State Law.

ETHICS ADVISORY COUNCIL

The Supervisor stated that he had received a request for re-appointment from Sonya Fowler for her position as an Ethics Advisory Council member.

Resolution #2019-63

A motion was made by Councilwoman LeClair, seconded by Councilman VanTassel and carried, to re-appoint Sonya Fowler to the position of Ethics Advisory Council Member, for another 4 year term.

Roll call vote resulted as follows:

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

BUILDING DEPARTMENT

The Building Inspector had submitted a request to attend an educational conference to be held in Lake Placid from March 4, 2019 – March 7, 2019. The Supervisor stated that they didn't have complete information on the conference and tabled the agenda item until they have all the necessary documentation. He stated that it could be taken up at the next Town Board meeting.

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RECREATION DEPARTMENT

The Town was provided with two quotes for spring & summer dumpster rentals at the Beach and at the Town's Recreation Park as follows:

Ace Carting	Recreation Park \$346.40	
	Beach \$ 55.00	Total: \$401.00 per month
Casella Waste	Recreation park \$400.00	
	Beach \$ 90.00	Total: \$490.00 per month
Waste Management	No Response	

The recommendation was to go with the lowest quoted price.

Resolution #2019-64

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, authorizing the monthly rental of Dumpsters for the 2019 year from Ace Carting in the amount of \$401.00 per month. Invoices will be paid from Account A7140.4 for the Recreation Park and Account A7310.4 for the Beach.

Roll call vote resulted as follows:

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

ELECTRIC VEHICLE CHARGING

The Supervisor stated that the Town has an opportunity to apply for a grant for an EV Charger for electric vehicles. He stated that NYSERDA has a program where they will provide a grant for \$8,000.00, which allows for an \$8,426.60 charging station. The net cost to the Town would be \$426.60 if the grant was received. It was explained to the Supervisor, that once the unit is installed, the Town could derive revenue from the unit. The Supervisor thought the Town should apply for the grant and asked if the Board wanted him to proceed. Councilman Noonan agreed that the Town should apply for the grant. Councilman VanTassel agreed as well but asked that the Town get clarity on the Annual Network Service charges.

COURT

The Supervisor reported receiving a request for mileage reimbursement from Jennifer Miller. She will be attending a Saratoga County Magistrates Court Clerk meeting on January 29, 2019.

Resolution #2019-65

A motion was made by Councilman VanTassel, seconded by Councilwoman LeClair and carried, authorizing mileage reimbursement to Jennifer Miller for her attendance at the Saratoga County Magistrates Court Clerk meeting on January 29, 2019.

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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PRIVILEGE OF THE FLOOR

Reed Antis addressed the Board. His first comment was that there will be a Recreation Committee meeting regarding the Pow Wow and asked if the Pow Wow people can attend.

Mr. Antis referred to a newspaper article relating to questions that were asked by the Comptroller and asked if the questions and answers can be obtained by FOIL.

Mr. Antis commented that the word “conversation” was listed in the Organizational Minutes and asked if they would be having conversation.

Mr. Antis commented on the time for public meetings and asked if the Supervisor remembered when he worked in Albany that he didn’t like to start meetings before 7:00 p.m. and would ask the Board to push back meetings to fit his schedule. Mr. Antis suggested adherence to the 7:00 p.m. schedule.

Mr. Antis asked if the Village of South Glens Falls will be concerned with Lehigh Cements emissions and asked, since Lehigh borders the Town, if our Board will have any say.

Mr. Antis stated that he was glad the Town is moving forward with the 61 Hudson Street property.

Mr. Antis asked if anything is scheduled for the Beach building this year or will they keep everything the same.

He asked if there would be dialogue at this time.

Supervisor Kusnierz stated that he has never asked for a time to be changed from 7:00 p.m. Mr. Antis clarified his comment and stated that he didn’t want the meetings earlier than 7:00 p.m. and referenced the last public hearings that were scheduled for 6:00 p.m. and 6:15 p.m. The Supervisor stated that he would take his request under advisement but commented that there were four meetings to be held that night, and under the circumstances, that’s the way things fell.

SUPERVISOR’S ITEMS

The Supervisor stated that he wanted to make the public aware that the Saratoga County Office for the Aging coordinates with volunteers to provide tax preparation services for low to moderate income individuals. He stated that this is by appointment only and commented that he has a listing of all the communities in and outside Saratoga County that offer the service. He stated that the Moreau Community Center provides the service on Wednesdays. They can be reached at 518-792-6001 to make an appointment.

The Supervisor reported that in his role as Supervisor, he’s been named to chair the Legislative and Research Committee at the County. He stated that this afternoon he was also named Vice-Chair of the Economic Development Committee. He stated that this will be helpful to the Town of Moreau. Councilwoman LeClair congratulated him on his achievement.

COMMITTEE REPORTS

Councilwoman LeClair stated that she had interviewed several people for the Transfer Station positions. She stated that she would like to have a conversation in executive session. Councilman Hogan stated that there were a few people that were asked if they might be interested in a position at the Recreation Park.

Councilman VanTassel asked Counsel for additional clarity regarding Sexual Harassment Training. He stated that there is wording for new hires, that states they must have the training as soon as possible. Attorney Buettner stated that her understanding was that NYMIR might be putting something together. She suggested to Councilman VanTassel that he check with them for the training. He asked if they should not wait until September. Attorney Buettner stated that they shouldn’t wait and should have the training completed within 30 days. Councilman VanTassel stated that this would become part of the new hire process. Attorney Buettner agreed. She reminded the Board that the training will be yearly.

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A motion was made by Councilman VanTassel, seconded by Councilwoman LeClair and carried, to adjourn to executive session at 7:32 p.m. to have discussion relating to perspective employees for several positions of the Town and to discuss potential contract language for use of the Town landfill.

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 Hogan, seconded by Councilwoman LeClair and carried, to adjourn the executive session at 8:00 p.m. with no action taken and return to the regular session.

Roll call vote resulted as follows:

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

Resolution #2019-66

A motion was made by Councilwoman LeClair, seconded by Councilman Hogan and carried, to hire Kimberly Wood as a Part-time Transfer Station Clerk at a rate of \$12.00 per hour subject to successful completion of a pre-employment physical and background check.

Roll call vote resulted as follows:

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

Resolution #2019-67

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, authorizing the Supervisor to put out RFP's for the Five Year Master Plan.

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 Councilman Noonan and carried, to close the meeting for the evening at 8:01 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

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TOWN OF MOREAU TRAINING REIMBURSEMENT POLICY

Background

For some entry level positions, newly hired employees must complete training or some form of education in order to be better equipped to meet the qualifications necessary for the job and successfully perform the employee's job duties. The Town incurs significant expenses for this training in order for employees to best serve the Town's citizens.

As it would be inequitable for the Town to incur expenses for training and have the employee immediately leave employment with the Town of Moreau and use this training elsewhere, the Town is adopting the following policy:

A. Training and Education Reimbursement Requirement

When the Town of Moreau incurs expenses for the training and/or education of an employee for the purpose of allowing that employee to perform their job duties, the employee will be required to enter into a reimbursement agreement for training costs.

B. Reimbursement of "Training Costs"

An employee will be required to reimburse the Town of Moreau for any "training costs" of an employee for the employee to meet the qualifications to perform the employee's job duties if the employee does not meet specific requirements.

1. If the employee withdraws or terminates training on their own volition, prior to the conclusion of training, the employee must reimburse the full amount of "training costs."
2. If the employee does not remain employed by the Town of Moreau for two (2) years after the completion of the training and/or education because the employee voluntarily separates (i.e., resigns or retires) or is discharged for cause from employment, the employee shall reimburse the Town of Moreau for "training costs" on a pro rata basis. The pro rata reimbursement shall be calculated according to the schedule shown below:

NUMBER OF MONTHS OF SERVICE FROM THE COMPLETION DATE OF TRAINING:	REIMBURSEMENT
MONTHS 1-6	100%
MONTHS 7-12	75%
MONTHS 13-18	50%
MONTHS 19-24	25%

C. Advanced Notice of Separation

If an employee voluntarily separates from the Town before completing the period of service agreed, they are required to give the Town written notice of at least ten working days during which time a determination concerning reimbursement will be made. If they fail to give this advance notice, they will be required to pay the full amount of their "training costs."

D. Training Costs Defined

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“Training costs” shall mean all fees, such as tuition and related fees, travel costs, and other special expenses, paid in connection with the employee’s training, including those costs paid to or on behalf of the Employee for said training.

E. Method for Obtaining Reimbursement

The normal method of obtaining reimbursement shall be withholding the amount from the employee’s final paycheck(s). Should a final check(s) be insufficient to cover the amount of the reimbursement, the employee shall pay the balance of the reimbursement within thirty (30) days of their last day worked for the Town.

If any amount of “training costs” remain unpaid after thirty (30) days of their last day worked for the Town, the Town may utilize any and all lawful collection methods for repayment “training costs,” including but not limited to:

- garnishment of wages; or
- such other methods as are approved by law.