

A regular meeting of the Town Board of the Town of Moreau was held on February 26, 2019 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; Kathleen Moore, Post Star Reporter; Reed Antis, Planning Board Member and Town Resident; Town Residents: Jack Hills, Vince Sporrer; Stephanie Lyons, Town of Wilton; Ethan Lyons & Collin Regner, Troop 402 Wilton

Ethan Lyons and Collin Regner led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes from January 30, 2019 (2 sets) were prepared and presented to the Town Board prior to the meeting for their review, comment, correction and approval.

Resolution #2019-128

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, approving the minutes from January 30, 2019 (2 sets) as prepared.

Roll call vote resulted as follows:

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

SET FUTURE MEETINGS AND WORKSHOPS

None scheduled. However, the Supervisor asked the Recreation Committee members to meet with the Recreation Program Director to go over some Recreation issues. Councilman VanTassel stated that they would meet with her before the next Town Board meeting. Councilman Noonan stated that he would like to meet with her as well and so that it doesn’t become a scheduled meeting, he’ll meet with her separately.

HURRICAN BASEBALL

Jack Hills was present and spoke briefly to the Town Board, thanking them for their assistance with the back-stop project. He stated that it was well needed and is now much safer. He stated how his organization has grown to 14 teams this year. He explained how the organization provides maintenance for the Legion field as well as providing reimbursement for chalk that’s used to line the fields. He also commented that the organization is a 501C3 charitable not-for-profit. They plan to re-do the Legion concession stand this year with help from the American Legion and with the approval of the Town Board. There was a quick discussion as to how many games are played on the Legion field. Mr. Hills stated that his organization is interested in speaking with the Recreation Committee regarding the way they pay to

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use the fields. He thought it might be better to have a contract like Girls Softball and SGF Youth Baseball. A meeting with the Recreation Committee was scheduled for February 28, 2019 at 6:00 p.m.

HIGHWAY DEPARTMENT

Resolution #2019-129

A motion was made by Councilman VanTassel, seconded by Councilwoman LeClair and carried, approving the Highway Superintendent to place a bulk order of air, oil and fuel filters with Weller's auto Parts in the amount of \$2,300.00. The filters will be used on all trucks and equipment in the Highway Department. The expense will be paid from account DB5130.492, which has a current balance of \$34,559.87.

Roll call vote resulted as follows:

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

Resolution #2019-130

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, memorializing a polling of the Town Board to approve the Highway Superintendent to purchase Rock Salt from Morton Salt in the amount of \$40,000.00. The purchase will be made under County Contract #18-PWS-10R and will be paid from account DB5142.490, which has a balance of \$88,078.21 as of February 7, 2019.

Roll call vote resulted as follows:

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

The following quotes were received for the purchase of a DPF Exhaust Replacement for the 2012 Ford F-550:

Warren Ford 3711 Main Street Warrensburg, NY 12885	\$3,311.88
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Nemer Ford 323 Quaker Road Queensbury, NY 12804	\$3,804.39
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Autosaver Ford 11125 State Route 22 Comstock, NY 12821	\$4,229.01
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The recommendation from the Highway Superintendent was to purchase from Warren Ford.

Resolution #2019-131

A motion was made by Councilwoman LeClair, seconded by Councilman VanTassel and carried, memorializing a polling of the Town Board to purchase a DPF Exhaust Replacement for the 2012 Ford F-

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550 from Warren Ford, in the amount of \$3,311.88. The expense will be paid from account DB5130.492, which has a balance of \$34,559.87 as of February 7, 2019.

Roll call vote resulted as follows:

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

RECREATION DEPARTMENT

The Town Board was presented with the following three quotes for the purchase of tires (LT245/75R17) for the Recreation Department's F-250 pick-up truck:

Adirondack Tire	No Reply
Warren Tire	\$697.80 installed (State Contract)
Moore's Tires	\$460.00 Does not include mounting, balancing or disposal
Nemer Ford	\$1,068.50 installed

The recommendation of the Buildings and Grounds working supervisor, was to purchase from Warren Tire.

Resolution #2019-132

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, approving the purchase of tires for the Recreation Department's F-250 Pick-up Truck (LT245/75R17), from Warren Tire, at a State Contract price of \$697.80. Price includes installation.

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 the Recreation Program Director had some questions for the Town Board and commented that most of them can be cleared up after the Recreation Committee meets with her. He asked that they discuss the Pow Wow with her because there were a few problems last year that they need to discuss how to handle.

SOUTH HIGH MARATHON DANCE

The following proclamation was read aloud by the Town Clerk:

WHEREAS, for the 42nd consecutive year the South Glens Falls High School is hosting the annual South High Marathon Dance (SHMD) to raise funds to benefit local charities, organizations and individuals in the community and tri-county area; and

WHEREAS, the first South High Marathon Dance was held in 1978 with about 50 dancers participating and has grown to an astounding 800 plus dance participants which is more than 80% of the students in the South Glens Falls Central School District; and

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WHEREAS, the students will dance for an amazing 28 hours over a two day period; and

WHEREAS, the first marathon dance raised \$1,500 and this amount has increased to **\$831,191.00**, the amount raised in 2018, for a grand total over the years of over \$7.3 million; and

WHEREAS, the SHMD has donated money to individuals in need of handicapped-accessible vans, organ transplants, and motorized wheelchairs and helped send terminally ill community members on vacations with their families, helped pay medical expenses, purchased gifts for needy children at Christmastime and helped purchase major medical equipment for a local hospital; and

WHEREAS, over the last 41 years the funds raised by the marathon dance have been distributed to over 490 beneficiaries within the Village of South Glens Falls, the Town of Moreau, and surrounding communities; and

WHEREAS, the recipients chosen to benefit from the proceeds raised by this year's dance include: Shannon Beckwith, Debbie Bujanowski, Richard Cook, David Cooper Sr., Gregory and Mary Cross, Francis Decrescenzo, Mason Devine, Stephan Dodge, Bobbi Fitzgerald, Teagan Klingenberg, Ashlynn Marra, John Miner, Dillin Nelson Jr., James Newell, Brayden Passino, Gabrielle Potter, Codey Pulver, Star Regimbald, Robert Rizzo, Nathan Salazar, Alex Sherman, Kaitlyn Tracy, Tony Trapasso, Lou Vinciguerra, Christopher Whalen, Heather Whitney, James Woodell, Karen Wrobel, Alzheimer's Association, Angel Names Association, Bridging People and Places, Buddy Blankets and Bears, Glens Falls Area Youth Center, Moreau Community Center, Open Door Mission, Rebuilding Together Saratoga, Strength in Numbers, Stride Adaptive Sports, Upstate NY Autism Alliance; and

WHEREAS, the dance marathon has become a tradition which brings our entire community together in an emotional, exciting and gratifying experience that will stay with those involved for the rest of their lives; and

WHEREAS, the Moreau Town Board extends their sincere gratitude to all those involved and especially to the students who devote their time and effort to making the Marathon Dance a success; and

NOW, THEREFORE, BE IT RESOLVED that the Moreau Town Board hereby proclaims March 1st and 2nd, 2019 "South High Marathon Dance Weekend" as a tribute to the support and generosity of our community.

Resolution #2019-133

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, adopting the foregoing resolution as read into the record.

Roll call vote resulted as follows:

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

PRE-EMPLOYMENT PHYSICALS

The Supervisor commented that the entity the Town had used in the past, to perform pre-employment physicals, is not performing the service any longer. The Principal Account Clerk reviewed several options for the handling of pre-employment and DOT physicals and provided the following recommendations:

To use Saratoga Hospital Facility in Malta for DOT Physicals (\$90.00) and Drug Screens (\$39.00) and \$100.00 for annual DOT pool/consortium fee.

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To use Standard Medical in Queensbury for Pre-employment Physicals and Job Placement Assessment exams (\$100.00).

Resolution #2019-134

A motion was made by Councilman VanTassel, seconded by Councilman Hogan and carried to accept Saratoga Hospital facility in Malta for DOT Physicals and Drug Screens and, to accept Standard Medical in Queensbury for Pre-employment Physicals and Job Placement Assessment exams.

Roll call vote resulted as follows:

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

TRANSFER STATION

The Supervisor stated that the Board needs to look at the Transfer Station fee schedule. He stated that the Town of Moreau is one of five regional recycling centers in the County. The County has, in the past, paid those municipalities to run the recycling centers on their behalf. The Town has been receiving \$35,000 annually. The County put the recycling out to bid for a three year contract, which originally cost the County about \$150,000 annually. They had only one bidder respond with an amount of approximately \$350,000. The County believes that it's not cost effective to do that and as a result, the municipalities that are involved with the recycling will not be getting their annual check of \$35,000. He stated that the Town will have to adjust their rates accordingly to make up for the loss. He also stated, that with the increase in hours, they'll have to look at the costs to run the facility. The Supervisor stated that there has also been discussion regarding having enough revenue to start a capital reserve fund, which we don't have for maintenance and structures.

The following fee schedule recommendation was made by the Supervisor:

HOUSEHOLD GARBAGE

TOWN OF MOREAU RESIDENT FEES

\$1.00	\$1.50	13 gallon bag
\$1.50	\$2.00	15-32 gallon bag
\$3.00	\$3.50	33-45 gallon bag
\$4.00	\$4.50	46-55 gallon bag
\$6.00	\$6.50	56-90 gallon bag
\$15.00	\$20.00	Pick-up truck 1 cu. yd. bed per layer
\$30.00	\$40.00	Pick-up truck 2 cu. yd. bed per layer

NON-RESIDENT FEES

\$1.50	\$2.00	13 gallon bag
\$2.50	\$3.00	14-32 gallon bag
\$4.00	\$4.50	33-45 gallon bag
\$6.00	\$6.50	46-55 gallon bag
\$8.00	\$8.50	56-90 gallon bag

BRUSH FEES ELIMINATED BY TOWN BOARD SEPT. 14, 2010 – No commercial haulers and no lot clearing. Only fallen tree limbs and brush from storm damage accepted. Check with Transfer Station on size restrictions.

The Board enacted a fee for Non-residents on December 27, 2016 as follows:

~~\$1.00~~\$3.00 per Bag, ~~\$10.00~~\$15.00 per truck load – ADDED VERBAGE: to water level and \$50.00 for a stake body truck.

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<u>RESIDENT FEES</u>		(NON KITCHEN GARBAGE)	<u>NON-RESIDENT FEES</u>	
\$17.00	\$20.00	Per Cubic Yard	\$20.00	\$25.00
\$12.75	\$15.00	¾ Cubic Yard	\$15.00	\$18.00
\$8.50	\$10.00	½ Cubic Yard	\$11.00	\$13.00
\$4.25	\$ 5.00	¼ Cubic Yard	\$ 7.00	\$ 9.00
TIRES: If Tires are on Rims - \$1.00 Extra Fee				
\$2.00	\$ 6.00	Tire up to 15"	\$5.00	\$6.00 Tire up to 15"
\$3.00	\$ 8.00	Tire 16" and over	\$7.00	\$8.00 Tire 16" and over
LARGE SINGLE ITEMS:				
\$ 8.00	\$15.00	Large Chair	\$10.00	\$20.00
\$ 8.00	\$15.00	Large Sofa	\$10.00	\$20.00
\$16.00	\$20.00	Sofa Bed/Hide-A-Bed	\$20.00	\$25.00
\$ 8.00	\$12.00	Mattress	\$10.00	\$15.00
\$ 8.00	\$12.00	Box Spring	\$10.00	\$15.00
\$ 4.00	\$10.00	6 x 9 Rug	\$ 6.00	\$15.00
\$ 7.00	\$15.00	9 x 12 Rug	\$ 9.00	\$20.00
\$12.00	\$20.00	12 x 15 Rug	\$14.00	\$25.00
\$15.00	\$25.00	over 12 x 15 Rug	\$17.00	\$30.00

Councilman VanTassel suggested that there be some education with regard to the cubic yards so that it's clear what the employees should be charging. Councilman VanTassel asked where the bags come from and the Supervisor replied that they are purchased at local stores. He also stated, that at one time, they had looked into a program that would have customers purchase special bags as a means of paying for what would be disposed of. He stated that his goal would be to do away with cash all together. He thought there were ways to have better accountability of the cash they take in and the cash that gets deposited. He mentioned: stickers, bags, debit cards are all suggestions in lieu of cash.

Resolution #2019-135

A motion was made by Councilman VanTassel, seconded by Councilwoman LeClair and carried, to adopt the foregoing rates for the Town of Moreau Transfer Station and for the new rates to be effective April 1, 2019.

Roll call vote resulted as follows:

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

TRUST AND AGENCY VOUCHERS

The Supervisor commented that there are \$12,000 in outstanding charges in the Trust and Agency accounts, with no funds to pay them. He stated that there needs to be a policy or provision adopted, which states that a developer can't do business in the Town if there are outstanding charges. Counsel was authorized by the Town Board to draft a Trust and Agency policy.

PRIVILEGE OF THE FLOOR

Reed Antis addressed the Town Board. He stated that there was a voucher from Lewis & Greer in the amount of \$6,000.00 and he wondered what they did for the Town for that amount of money.

Mr. Antis asked for an update on the fire suppression system, that's still beeping.

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Mr. Antis asked about code enforcement. He stated that he goes by the Hudson Headwaters construction site and commented that they have no silt fences. He stated that they started in October when the ground wasn't frozen. He stated that it seems to be a code violation.

Mr. Antis stated that the Saratoga County Zoning and Planning Conference had 100% attendance from his fellow members.

Mr. Antis commented on the Pow Wow.

Mr. Antis commented that there were supporting documents that were missing from the packet on the website.

Mr. Antis asked if there was a maintenance program for the Town's generator and also asked if anyone has been trained to know how it operates.

The Supervisor responded to Mr. Antis by stating that Lewis and Greer are special counsel for the tax certiorari cases regarding the Town's hydro facilities. He stated that we have a combined assessment of \$150,000,000 and that they are the attorneys that defend those assessments and that they do periodic work, which resulted in those charges.

The Supervisor stated, regarding the fire suppression system, it continues to beep because there is no pressurized system in the attic. He stated that there is protection on the ground level and in the basement. He stated that it hasn't been repaired because the quotes didn't include prevailing wages and it's illegal for the Town to engage services of anyone who doesn't pay prevailing wages on municipal works projects. The Supervisor stated that they need to circle back. He has been in contact with a firm but hasn't been able to coordinate a date and time for them to visit the Town Hall. He stated that it's on the to-do list.

The Supervisor stated that the Town does provide for code enforcement. He stated, that as far as silt fences not be properly in place, they're required under the SWPP permitting process. He stated that the developer is required to keep a log on site of the inspections and commented that he would look into it.

The Supervisor answered his question relating to supporting documents. He stated that the transfer station fees are already a public document and on the Town's website, so it was available to the public before the meeting. The changes were the Supervisor's recommendation, handwritten on a copy he had.

The Supervisor stated that there is a maintenance agreement in place for the generator. Mr. Antis stated that someone should be shown what to do in case the generator fails.

Mr. Antis asked if there was a court date yet for the Erie Blvd. certiorari case. The Supervisor replied that it's in litigation.

SUPERVISOR'S ITEMS

The Supervisor received a request from Chris Wade, a resident on Redmond Road, requesting a speed limit reduction from 45mph to 30 or 35mph. The Supervisor explained to the Board, that a request had been made and was denied by DOT back in 2008. He stated that if the Town Board is inclined, they can take action on this tonight and seek a reduction, or if they want to, they can re-visit the topic at the next regular Town Board meeting.

Resolution #2019-136

A motion was made by Councilman Noonan, seconded by Councilwoman LeClair and carried, to request from New York State DOT, a speed limit reduction for Redmond Road from the existing 45 mph to 30 mph.

Roll call vote resulted as follows:

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

The Supervisor reported receiving a notification from Charter Communications, locally known as Spectrum, that as of March 18, 2019, they will be launching Cheddar HP on SPP Tier 1/Silver.

The Supervisor reported that the County Board of Supervisors, by Resolution #75, has named him to the Board of Directors of the Saratoga County Prosperity Partnership.

The Supervisor reported that the Town was audited for its MS4 system. DEC sat down with Maureen Leerkes, Matt Dreimiller and Jim Martin. The Supervisor read the letter from DEC, which reported that the staff has made significant progress with the Town's Stormwater Management Program. He stated that it's good news that the Town is meeting the standards of DEC. The Supervisor did report that the Town is being asked to continue work on public outreach.

The Supervisor received a letter from Saratoga County Social Services. They've asked him to advise residents that the HEAP Program for 2018-2019 commenced on November 13th for regular benefits. It was reported that the program for applications will close on March 15, 2019.

The Supervisor reported that there has been an issue with leaves/mulch leaving the Transfer Station. He stated that he's had multiple conversations with the staff, advising them that only non-composted material should be leaving the Transfer Station. He also stated that Councilman Hogan has reached out to the person providing the service and advised him that he shouldn't be taking composted material. Councilman Hogan stated that he hadn't spoken with the gentleman yet but has left him a message and is waiting to hear back from him. The Supervisor stated that it was the intent of the Town Board, when they engaged his services, to retain ownership of composted material.

COMMITTEE REPORTS

Councilman VanTassel stated that there is an open position on the Zoning Board. The Supervisor commented that he has a meeting scheduled with the person who has applied for the position and hopes that they will make an appointment at the next regular Town Board meeting.

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, to adjourn to executive session at 8:10 p.m. to discuss the tax certiorari case with Erie Boulevard.

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, seconded by Councilman Noonan and carried, to return from executive session at 8:36 p.m. with no action taken and to resume the regular session.

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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

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, to close the meeting for the evening at 8:36 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