

A regular meeting of the Town Board of the Town of Moreau was held on August 13, 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; Karla Buettner, Attorney for the Town; Paul Joseph, Highway Superintendent; Dave Jones, Building & Grounds Working Supervisor; Matt Schuett & Laura Conway, Jaeger & Flynn; Post Star Reporter; Reed Antis, Planning Board member and Town Resident; Town Residents and/or Business Owners: Dominic Tom, David Rogge, Rich Morris; Others: Peter Ghostlaw

The Supervisor led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes from July 30, 2019 (2 sets) and August 5, 2019 were prepared and presented to the Town Board prior to the meeting for their review, comment, correction and approval.

A motion was made by Councilman VanTassel and seconded by Councilwoman LeClair to approve the minutes from July 30th, however, after realizing that Councilman VanTassel wasn't present for the Month-end meeting, he withdrew his motion.

Resolution #2019-305

A motion was made by Councilman Noonan, seconded by Councilwoman LeClair and carried, to approve the minutes from the July 30, 2019 month-end meeting as prepared.

Roll call vote resulted as follows:

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

Resolution #2019-306

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, to approve the minutes from the July 30, 2019 regular meeting and the August 5, 2019 special meeting as prepared.

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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

SET FUTURE MEETINGS AND WORKSHOPS

Resolution #2019-307

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, to schedule a Town Board workshop to discuss the Universal Playground plans, for August 19, 2019 at 5:00 p.m.

Roll call vote resulted as follows:

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

JAEGER & FLYNN

Laura Conway and Matt Schuett were present from Jaeger & Flynn to give a brief presentation. Ms. Conway started the presentation by stating that there is a 95% enrollment tied to the high deductible plan and the projected increase will only be 1.07%, with no changes. She stated that there were four individuals who had chosen the MVP MEO National Plan and that has an expected 6.73% increase, with no bearing to the Town. She recommended that the Town move forward with the current structure. The Supervisor commented that the Town wouldn't be making that determination this evening. He stated that this was an informational meeting only. The Supervisor also stated that the Town has been given the opportunity to participate in the Employee Navigation Program. Ms. Conway explained that it would be an online benefit system through the employer's human resources. She listed the many benefits of the program. She stated that the fee would be \$750.00 per year. Employees would be required at open enrollment to log into the system, at which point in time they can review their benefits. They will have access to their historical and new information. In addition, they would be updating their current contact information (addresses, phones numbers, and emergency contacts). Ms. Conway stated that there would also be State and Federal notices attached to the site. She stated that they can place the Town's Employee Handbook or policies directly on the site. They monitor the program and can tell when an employee goes into the site and what they did. She stated that if the Town ever has to go through a Department of Labor audit, a report can be run to show when the employees read notifications. Mr. Schuett stated that this program would cut down greatly on the use of paper. He also stated that if the Town were interested in a demonstration, he'd be happy to set something up. Supervisor Kusnierz asked if mandatory notifications like Sexual Harassment Policies could be placed on the site. Ms. Conway stated that there are additional modules that they can place on the site. They're built into the system but would need to be turned on. She stated that the program would date stamp when an employee goes into the module and receives the training. The Supervisor asked that the insurance committee meet with Jaeger & Flynn and then provide a recommendation to the Board. Councilwoman LeClair stated that the Sexual Harassment training needs to be done by October. She asked, if they sign the application by the end of August, could they add in the module for this year, so the employees can take the class. The Supervisor asked that the insurance committee meet with them and then they can have discussion at the next Town Board meeting.

RECREATION LEADER

A regular meeting of the Town Board of the Town of Moreau was held on August 13, 2019 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Resolution #2019-308

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, that Peter Olesheski be provisionally hired as a full-time Recreation Leader and be compensated at a salary of \$44,000.00 annually, effective August 26, 2019, subject to successful completion of a background check and pre-employment physical. Upon completion of the six month provisional period and the approval of the Town Board, Mr. Olesheski shall be a permanent full-time Recreation Leader at a salary of \$46,000.00 annually.

Roll call vote resulted as follows:

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

ASSISTANT BUILDING INSPECTOR AND CODE ENFORCEMENT OFFICER

Resolution #2019-309

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, that Peter Ghostlaw be hired as a part-time Assistant Building Inspector and Code Enforcement Officer. Mr. Ghostlaw shall work up to 19 hours per week as needed and be compensated at a rate of \$20.25 per hour. This is to be effective immediately, subject to successful completion of a background check and pre-employment physical within a two week period.

Roll call vote resulted as follows:

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

CLERK'S OFFICE

The Town Clerk submitted a request to purchase shelving for the records room. The following quotes were received:

ACME Business Systems PO Box 3132 Schenectady, NY 12303	\$3,474.89 delivered and installed (State Contract PC68289)
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Innerspace Systems, Inc. 162 Prospect Hill Brewster, NY 10509	\$4,250.00 delivered and installed
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ASR Systems Group, Inc. 100 Commerce Blvd PO Box 728 Liverpool, NY 13088	\$3,200.00 delivered and installed (last year's quote)
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The Town Clerk recommended ACME Business Systems at the State Contract price, as they had provided and installed all of the current shelving in the records room. The Town Clerk only had \$3,200.00 budgeted for shelving and asked that \$274.89 be transferred from account A6989.4 to cover the expense.

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Resolution #2019-310

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, that \$274.89 be transferred from A6989.4 Records Management – Contractual, and that \$274.89 be transferred to A6989.2 Records Management – Equipment.

Roll call vote resulted as follows:

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

Resolution #2019-311

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, to purchase five (5) sections of shelving under State contract PC68289 from ACME Business Systems at a cost of \$3,474.89, delivered and installed.

Roll call vote resulted as follows:

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

MOU WITH THE CITY OF GLENS FALLS – SEWER

The Supervisor asked for authorization to sign the agreement, which sets forth the construction, conveyance and operation of a Flow Meter Station located on VanBuren Street in the Town of Moreau, New York, which station will service wastewater flows from the Town of Moreau to be treated at the City of Glens Falls Wastewater Treatment Plant. The obligations of the City will be to construct the Flow Meter Station to service the Town. The obligations from the Town of Moreau will include obtaining an easement from Lehigh Cement Company, LLC, which we have already done. Upon conveyance of the Flow Meter Station from the City to the Town, the Town will be responsible, including all costs and expenses incurred in connection therewith, for the future operation, maintenance and replacement of the Flow Meter and any and all components and infrastructure at the Flow Meter Station. The Town shall also be responsible for the annual calibration of the Flow Meter, which shall be done by an independent third party. The Town shall also provide all data collected by the Flow Meter Station on a monthly basis and at such other and further times as reasonably requested by the City. The Town shall continue to be responsible for all costs and expenses set forth in the Facility Agreement between the City and the Town.

Resolution #2019-312

A motion was made by Councilman VanTassel, seconded by Councilwoman LeClair and carried, authorizing the Supervisor to enter into an agreement with a Memorandum of Understanding, between the City of Glens Falls and the Town of Moreau.

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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MUNICIPAL COMPLEX LANDSCAPING

The Supervisor stated that there was money earmarked in the 2019 budget for tree planting around the Town Hall complex. He thanked Councilwoman LeClair for working on the subject and asked her to provide an update to the Board. Councilwoman LeClair stated that she had spoken with Meads Nursery and because they'll be closing, the Town will need to see what they have when they're ready to purchase. She also needs to speak with Rich Morris from Toadflax and she needs to speak with Garden Time. The Supervisor stated that at budget time, the Town Board allocated \$5,000.00 for this purpose. Councilwoman LeClair stated that she would like authorization to expend the funds once she has all the prices. The Supervisor asked that this agenda item be tabled until after Councilwoman LeClair has prices that she can bring before the Town Board.

PRIVILEGE OF THE FLOOR

Rich Morris was present to have a discussion relating to the building next to his nursery, owned by Mr. Colletti. He stated that he's been making headway on making that structure safer for the time being until future projects happen. He understood that the building inspector has been anxious and explained the reasons for not getting the project done. He hoped that he would be able to put more time into the building now that things have quieted down. Mr. Morris also commented that his company is in partnership with New York State to have a research project for hemp. He stated that it will be grown in his greenhouses and that he has a permit on file with the State. He's also notified the State Police, the Sheriff's Department and SGF Village Police. He stated that if anyone has any questions, they can reach out to him. He stated that the buildings in question should be secure by the end of the month. The Supervisor commented that the property does look better than it has but made note that the property is owned by someone else and that the Town has issued a final letter to Mr. Colletti, giving him until August 26, 2019 before the Town moves forward with proceedings. Mr. Morris commented that he had the letter and that he would give Mr. Colletti a call.

Dominick Tom of Cedar Lane addressed the Board and stated that his comments were drawn up before he knew that Mr. Morris would be in attendance. He spoke regarding the conditions of the building located from 1592-1596 Route 9. Mr. Tom stated that he had obtained information from the Building Department through a Freedom of Information request. He stated that he had emailed the Town Board and commented that the owners of the property live in New Jersey. A letter was served to the Colletti's on April 1st giving them 30 days to remedy the problem. He stated that it's now August 13th and nothing has been done. He stated that Mr. Morris sent a letter to the Town dated April 18, 2019 in which he stated that he would be assisting the owner with repairs. Mr. Tom stated that a newspaper article commented that Mr. Morris planned to purchase the property. He stated, that since then, nothing has been done. He stated that Mr. Morris is not the owner of the property and that the owner is in the 30 day violation. He stated that this case should have already been referred to the Town's civil court, a hearing should have been held and fines should have been issued. He made comment that the violation of the law was permitted because of Mr. Morris, who doesn't even own the property. He stated that Mr. Morris doesn't have any kind of agreement that gives him the authority or responsibility over the property. The Supervisor stated that he wouldn't tolerate him taking on a resident. He stated that if he wanted to make comments regarding enforcement or about the issue, he could do that. Mr. Tom agreed to the direction and started to make comment again before the Supervisor stopped him and told him his time was up.

Reed Antis addressed the Town Board and asked that the Supervisor brief the public on how often the Rec Committee has met and what the progress is and how well the meetings have been attended by the eleven members of the Committee. Mr. Antis also stated that there was a gunshot incident and it was reported that it took the Sheriff's department 40 minutes to respond. He asked if the Supervisor would be speaking with the Sheriff.

The Supervisor stated that the 5 year Master Plan Committee has met at least a half a dozen times if not more. They have provided him with a draft report, which he is in the process of reviewing. Once he's finished reviewing the document, it will go before the Town Board for recommendations. Hopefully within the next two Board meetings.

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The Supervisor stated that he talks to the Sheriff on a regular basis with regard to having a base in the Town of Moreau. He stated, that unfortunately, they have a brand new facility in the Town of Northumberland, which is just outside the Town of Moreau and that the Sheriff doesn't have an interest in Moreau at this time. The Supervisor didn't speak to the Sheriff about the 40 minute response time, however, he did speak with him when the Sheriff's department was leaving the Town of Moreau substation and was told that it wouldn't affect services in the community. He was told that the deputies are out on the road and not sitting behind desks.

SUPERVISOR'S ITEMS

The Supervisor stated that he had spoken with Senator Jordan, regarding the status of a grant that was initially put in for with Senator Marchione, in the amount of \$200,000.00. He stated that the final sign-off rests with the State Finance Committee. The Supervisor stated that we're waiting on approval from them and hopes to hear something by spring of 2020. He stated that the money will be utilized for the repair of the highway garage roof.

The Supervisor met with a consultant representing Energy Now, LLC. He stated that he would ask to set a meeting with the Town Board if they are interested in learning how the Town can save money on natural gas.

The Supervisor reported that Erie Boulevard has filed again with the Town of Moreau regarding their assessment on their 4 hydro facilities. He stated that he has received correspondence that the South Glens Falls CSD has filed for intervenor status.

The Supervisor reported that he has received correspondence from NYS Dept. of Taxation and Finance certifying that the final equalization rate for Moreau will be 100%.

The Supervisor stated that he had received correspondence from Saratoga County Department of Public Works. They're doing repairs on West River Road (County Route 29), and from Mott Road to Clark Road only local traffic will be permitted from August 19, 2019 to August 30, 2019, while a culvert is being replaced.

The Supervisor stated, that as a member of the Adirondack Regional Transportation Council, in his role as Supervisor, at a previous meeting there was discussion about extending the route of the Town's public transit down to the new Hudson Headwaters. He received notice that they will be asking for the change from the Board and will be voting on it. He stated that the turnaround will now be at Fawn Road.

The Supervisor stated that there are survey stakes out in front of the Town Hall and headed east. He stated that NYS DOT has been surveying for the past three weeks. His request was to help the drainage issue in Gregory Manor, which has been ongoing for many years. The State's current plan is to do ditching down to a culvert that goes under Route 197, which runs north to south, west of the intersection of Route 32 and to continue the ditching out to private property on the back side. He stated that they have the legal authority to do so under State law. They believe that this will be the easiest and cheapest way to lower the water in the ditches.

The Supervisor reported that Emily Jones' last day with the Town was last week. He thanked her for the incredible job she did in assisting in the Supervisor's office and for the time she worked for the Town this summer.

The Supervisor stated that he had a meeting last week with the Superintendent of the South Glens Falls Schools and with the School's Business Manager. There were some issues brought up regarding traffic patterns and the school buses. They're looking for assistance from the Town. They've asked the Town to paint a crosswalk across Tanglewood Drive from the track to Tanglewood. As part of the Capital Project, they relocated the shot put and discus to Tanglewood School and there will be a lot of student crossing. They've also requested sidewalks to be installed including some other requests, which include a turning lane on Nolan Road. The Highway Superintendent told the Supervisor that there was a pole in the way,

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with underground optics at that location. The Supervisor stated that he's called and left a message at the School and is waiting to hear back from them.

The Supervisor stated that the Town has been briefed from time to time by Rachel Czub McDermott regarding the brewery project on Old West Road. He stated that the Board members should have received a copy of a proposal from her engineer. He stated that he met with her last week and indicated some of the concerns the Board had regarding the use of prime farmland for housing. He stated that he had pointed out to her that the Town of Moreau has 8,000 acres in the Agricultural District of which 4,000 is tillable. He stated that it would be a concern if we were using 5% of prime land for housing. She understood the concerns that were presented to her and plans to re-work the project and bring it back to the Board. When the Supervisor has the information, he'll provide it to the Board.

The Supervisor received a request from a company, who would like to install a solar array on the Town's closed landfill. He stated that there is a moratorium in place but that he would meet with the individual and report back to the Board, what the benefits would be to the Town.

COMMITTEE REPORTS

Councilman VanTassel stated that the Town's IT provider was asked to do an assessment of all the assets the Town had at all locations, so the Town would have a better view of what they need to do going forward. He stated that he would be meeting with them on August 21, 2019 to review their plans. He also stated that there are two groups who are preparing cost analysis of the Town's phone and internet services. He stated that the Town needs connectivity at some locations if we want employees to connect remotely with time cards.

Paul Joseph stated that Nolan Road will be closed for paving tomorrow. He also stated that he had spoken with the State regarding a turn lane on Nolan Road and was told that it would be highly unlikely to do because they would have to take property from a landowner. The Supervisor stated that he would relay that information to the School.

Councilman VanTassel asked the Supervisor if he would reach out to the Transfer Station about getting quotes for the brush piles.

Councilwoman LeClair asked what protections are in place with solar after fifteen years. The Supervisor stated that the Town needs to look at this before they adopt anything on free standing solar arrays. There needs to be some financial agreement such as an escrow account, which can be accessed should the company pull up stakes, so the property owner isn't stuck with solar arrays.

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, to adjourn to executive session at 8:00 p.m. to discuss a former Town 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, seconded by Councilman VanTassel and carried, to close the executive session at 8:25 p.m. with no action taken in executive session and to resume the regular session.

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

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, to close the regular meeting for the evening at 8:25 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