

A regular meeting of the Town Board of the Town of Moreau was held on June 9, 2020 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

The Supervisor called the meeting to order at 7:02 p.m., which was streamed live via Zoom.

The Town Clerk called the roll.

**Town Board Members Present**

John Hogan	Councilmember
Kyle Noonan	Councilmember
Gina LeClair	Councilmember
John Donohue, Jr.	Councilmember
Theodore T. Kusnierz, Jr.	Supervisor

**Town Board Members Absent**

None

**Also present:** Leeann McCabe, Town Clerk; Paul Joseph, Highway Superintendent; Karla Buettner, Attorney for the Town

The Supervisor led the Pledge of Allegiance.

Following the pledge, the Supervisor stated that there were some individuals that had a hard time hearing some of the Councilmembers at one of the previous Town Board meetings. He suggested, that those in the back row speak directly into their microphones.

**APPROVAL OF MINUTES**

The minutes from May 12, 2020 and May 26, 2020 were presented to the Town Board in advance of the meeting for their review, comment, correction and approval.

**Resolution #2020-177**

A motion was made by Councilmember Noonan, seconded by Councilmember LeClair and carried, approving the minutes from May 12, 2020 and May 26, 2020 as prepared.

Asked if all in favor, the following responses were given:

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember LeClair	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

**SET FUTURE MEETINGS AND WORKSHOPS**

None scheduled.

**COVID-19 UPDATE**

The Supervisor gave a brief update on the COVID-19 pandemic. He stated, that as of today, Saratoga County has had 509 cases of COVID: 458 have recovered, 35 are still active, 4 are still hospitalized, and the death toll is at 17. He also stated that 15,433 individuals have been tested.

The Supervisor reported that there will be a Facebook live event held tomorrow morning, June 10, 2020, at 10:00 a.m. The event will be hosted by the Saratoga County Office of Emergency Services on their Facebook page to answer questions from the public on COVID-19 and will feature: Angela N. Wakefield, owner, Tribe Hair Lounge; Chris Martell, CEO, Druthers; Cameron, 4<sup>th</sup> grader, Shenendehowa CSD;

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Macy, 5<sup>th</sup> grader, Shenendehowa CSD; Mia, 10<sup>th</sup> grader, Burnt Hills – Ballston Lake School District; Thomas, Saratoga Springs City School District. The Supervisor stated that those interested in attending the event, could get the address from the Town’s website: [www.townofmoreau.org](http://www.townofmoreau.org).

The Supervisor stated that the Town of Moreau has completed a re-opening safety plan, which he has discussed with many of the Town’s employees. He stated that he would continue to meet with the remainder of the employees to discuss the contents of the plan. He stated that the plan is in his office should anyone from the public wish to view it. The Supervisor also stated, that today is the first day since Town Hall has been closed due to the pandemic, that they’ve been open to the public. He stated that the Town Hall is open for business, Monday – Friday, from 8 a.m. to 4 p.m. He stated that there are requirements to enter the building: Wearing a face mask at all times and maintaining social distancing. Plexiglass has been installed as barriers at all the windows, so there is no direct interaction between the staff and members of the public. Anyone visiting the Town Hall will be required to sign in (name, phone number, address, office being visited). Should there be a positive test, which is connected with Town Hall or somebody coming into Town Hall, contact tracers will need to be notified. Also, as part of the re-opening plan, employees will need to do a self-evaluation each day before coming to work. The Supervisor read through the required self-evaluation checklist. He stated, that if an employee answers “Yes” to any of the questions or has any of the symptoms listed, they are not permitted to come to work. They are required to notify their direct Supervisor as well as the Supervisor’s office and then notify their Primary Care Physician or the local Public Health Department. The Self-evaluation will need to be signed daily and turned in with bi-weekly payroll sheets.

The Supervisor stated, that even though the Town Hall is open to the public, Town Board, Zoning Board and Planning Board meetings will remain closed to the public. They will all utilize Zoom, so that the public can view the meetings.

The Supervisor stated that the Town Court, following the guidelines from the Office of Court Administration, won’t be open until mid-August.

## **HIGHWAY DEPARTMENT**

### **Resolution #2020-178**

A motion was made by Councilmember LeClair, seconded by Councilmember Noonan and carried, authorizing an open purchase order for crushed stone, in the amount of \$6,000.00. Availability and cost will determine the supplier from County Contract #19-PWCSGS-50R. The expense will be paid from account DB5110.493.

Asked if all in favor, the following responses were given:

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember LeClair	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

The Supervisor had reported at a previous Town Board meeting, regarding the Highway Garage roof replacement, that there wasn’t enough ventilation to control condensation. They needed to redesign the airflow by adding 5 additional ceiling heaters. The heaters are fired by natural gas and the existing gas line service isn’t appropriately sized to run the additional heaters. They had looked at the possibility of having heaters run at different times but it defeated the purpose of having them in the first place. The solution is to have a larger gas-line service. The Town has received a quote from National Grid to replace the existing gas service with 2” plastic service in a customer dug trench (WR 29155019). The total estimated charges from National Grid are \$7,442.96 and are valid for 90 days. The Supervisor recommended that they approve the expense up to \$7,500.00.

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**Resolution #2020-179**

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, authorizing the expenditure of an amount not to exceed \$7,500.00, for the replacement of the existing gas service line into the new Highway Garage, with a 2” plastic service, in a customer dug trench, per quote #WR 29155019 from National Grid.

Asked if all in favor, the following responses were given:

Councilmember Hogan           Aye  
 Councilmember Noonan        Aye  
 Councilmember LeClair        Aye  
 Councilmember Donohue       Aye  
 Supervisor Kusnierz           Aye

The Supervisor reported that the roof replacement was estimated to take approximately 6 weeks. They’re on week #2 and are working at a good pace.

The Supervisor stated that the State announced CHIPS funding this evening. However, in the announcement, due to the current economic conditions, there will be language that indicates the allocations may be reduced by as much as 20%. He stated that he would see what the numbers are and report back to the Town Board.

**STANDARD WORKDAY – COUNCILMEMBER LECLAIR**

**Resolution #2020-180**

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried,

RESOLVING, that the Town of Moreau will report the following Days per Month to the New York State and Local Employees’ Retirement system, based on the Record of Activities maintained and submitted by those officials to the Clerk of the body:

TITLE	NAME	STANDARD WORKDAY	TERM	DAYS/MONTH BASED ON RECORD OF ACTIVITIES
Councilmember	Gina LeClair	6 Hrs.	1/1/2020-12/31/2023	3.56 Days per month

Asked if all in favor, the following responses were given:

Councilmember Hogan           Aye  
 Councilmember Noonan        Aye  
 Councilmember LeClair        Abstain  
 Councilmember Donohue       Aye  
 Supervisor Kusnierz           Aye

**LETTER OF CREDIT – JD MICHAELS HOLDINGS, LLC**

The Supervisor reported that he had received a request from JD Michaels Holdings, LLC requesting to amend their Letter of Credit #19-13, dated June 21, 2019, from \$184,609.00 to \$141,659.00. All other terms regarding the Letter of Credit will remain unchanged. Attorney Buettner stated that the reason it’s being reduced is because some of the work has been completed. The Supervisor recommended that they agree to the request.

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**Resolution #2020-181**

A motion was made by Councilmember Noonan, seconded by Councilmember LeClair and carried, authorizing an amendment to Letter of Credit #19-13, for JD Michaels Holdings, LLC from Adirondack Trust Company, from \$184,609.00 to \$141,659.00. All other conditions of this Letter of Credit will remain the same. This resolution also authorizes the Supervisor to sign the acceptance of the amendment as indicated.

Asked if all in favor, the following responses were given:

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember LeClair	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

**SUPERVISOR'S ITEMS**

The Supervisor stated that he had conversations with representatives from NYS DOT last week. He's also had a conversation with a member of the design team for the construction of the new bridge that will go over I87. The conversation pertained to the possibility of having a universal or multi-use passageway on the bridge. He didn't know if it would be a shoulder or a dedicated pathway. He stated that there would be costs associated with it. He stated that he had told the designer that the Town was interested in a multi-use area on the side of the bridge, especially since the Town is already in the process of developing its own trail system. The Supervisor stated, that as part of the update to the Town's Zoning law, we will be looking to have language that will require anyone building on the commercial corridor, to either have a sidewalk or have a dedicated multi-use area for people to walk in front of businesses.

The Supervisor stated that the Town Clerk had received information from Board of Elections regarding the upcoming Presidential Primary. The Town Clerk advised that the polling places for the Primary will remain as is. She stated that it would have been too difficult to mail out cards to all the voters in the Town of Moreau, letting them know they had to vote in a different polling location.

The Supervisor received notification from the Saratoga County Soil & Water Conservation District regarding their Tire Recycling program. He stated that this year's collection is scheduled for June 23, 2020, from 4:00 p.m. to 5:30 p.m. behind the Malta Town Court. The program is available to Saratoga County residents only. Registration and proof of residency is required. Registration forms are available at the Town Hall. They can be emailed or mailed. No phone registrations will be allowed.

The Supervisor received an informational brochure from Ice Chip International, LLC. They have a technology that will reduce ice on the roadways by impregnating sawdust with a brine. He stated that he would make sure the Highway Superintendent gets a copy of the brochure.

The Supervisor received a letter from the NYS Canal Corporation regarding the Earthen Embankment Integrity Program. The Supervisor read a portion of the letter, which in conclusion stated that their report will be available for review by the public at [www.canals.ny.gov/Earthen\\_Embankment/](http://www.canals.ny.gov/Earthen_Embankment/). The Town of Moreau is encouraged to provide comments by July 3, 2020. The Supervisor stated that he would put the information on the Town's website.

The Supervisor commented that the Town of Moreau is featured in this month's issue of Town Topics. The article pertained to Economic Development vs. Infrastructure Development.

The Supervisor stated that he had reached out to the Transfer Station/Landfill regarding some issues that were brought to his attention. He stated that Councilmember Hogan had looked into the issue as well. Councilmember Hogan stated that he had spoken with Ted Monsour regarding the brush and lawn debris that's being brought into the Transfer Station. He explained that Mr. Monsour believes, that commercial

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entities are using the Transfer Station as a drop off, and not just from Town of Moreau residents. He believes they're being paid to pick up brush and they're taking it to our Transfer Station. Councilmember Hogan stated that the Town has to pay someone yearly to come in and chip the brush. He also stated that they're running out of space at the Transfer Station. Given the problems that they face, the idea is to accept pick-up size loads from Town residents at no cost and if more than a pickup load, there should be a fee. He suggested that there might be a fee of \$30.00 for a dump truck. He stated that if you come in with a pickup truck and a trailer, we could charge for the trailer. He suggested \$25.00 to \$30.00 for a trailer. Councilmember Hogan stated that we want to do this for our community but don't want other areas taking advantage of us. He stated that the debris isn't coming from just the Town of Moreau and Village of South Glens Falls, it's coming from across the river.

Councilmember LeClair agreed with Councilmember Hogan's suggestion.

The Supervisor stated that there is another issue that needs to be considered. He stated that there are property owners in the mobile home parks. The park owners assist the owners of the mobile homes by picking up fallen debris. He asked how the Town might handle that situation, as a change in the fee might result in a greater cost to them.

Councilmember Hogan stated that if they came in with a truck that's marked (he gave an example of Lamplighter), he wouldn't have a problem not charging them like they would a commercial dump truck. He wouldn't feel the same about a commercial hauler that's getting paid to maintain someone's property.

Councilmember Donohue agreed with Councilmember Hogan. He stated that they need to keep commercial hauling out. He stated that the Transfer Station wasn't set up to accept brush from commercial haulers. Councilmember Donohue felt that a car with a small utility trailer should be allowed at no charge, as they wouldn't have the space in their vehicle to bring brush. He suggested that small pickups and cars not be charged, and larger dump trucks and trailers be charged. Either that or turn them away.

Councilmember Noonan stated that he knew of someone who does a spring pick up for Town of Moreau residents who don't have the means to haul the brush themselves. He stated that it might not be an extremely large amount, but he does use a trailer or a small dump truck and is hauling for residents in the Town of Moreau. He asked if those folks would now have to pay. Councilmember Hogan asked if this person takes money from the residents to take the debris from their yard. Councilmember Noonan stated that he doesn't take money for a dumping charge but rather for the labor to get the debris on the truck and to haul it.

The Supervisor stated, that any vehicle utilizing the brush area should have a Transfer Station sticker. If they don't, they shouldn't be allowed to use it. He then stated that it should be publicized.

The Supervisor suggested that the Transfer Station/Landfill Committee members discuss and put together a framework of how to address the different scenarios. They can address it at the next regular Town Board meeting. He also asked members of the Committee to reach out to Dave Rogge to get his take on it.

Councilmember Noonan stated that his father has called the Transfer Station before, to notify them that someone would be bringing some of his brush, and Ted was okay with that. He suggested that it might just take a little extra effort on the part of the homeowner.

The Supervisor stated that the Town Clerk had received an email from an entity who is buying out Monolith Solar, who has a solar array on Town of Moreau property. The name of the company is SunLight General Capital and they're based out of New York City. The Supervisor read the email aloud. The new company would require both the Town of Moreau and Monolith to sign the Estoppel and Consent agreement. The Supervisor stated that Counsel had a copy of the documents to review and commented that they can't stop the sale. He stated that they didn't need to act on this tonight. He suggested that they table any action until Counsel and the Town Board have had time to review. He stated that they can take this up at the next regular Town Board meeting.

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**COMMITTEE REPORTS**

The Supervisor stated that Councilmember LeClair has been diligently working on the possibility of a newsletter, which was discussed at budget time.

Councilmember LeClair stated that she had sent the Board members an email this afternoon, which explained her conversation she had with Mailings Made Easy. Councilmember LeClair stated that the biggest cost for a newsletter would be the printing and assembling. She stated that the estimated price for a two-page, two-sided newsletter would be \$0.60. There was also discussion of getting something set up on the Town’s website, so that we could email the newsletters. She also stated that she had spoken with the Recreation Leader with the possibility of using his email contact information. Councilmember LeClair stated that the Town of Malta has a newsletter that they produce, and that they offered to assist the Town if they need help with the setup. Once the newsletter is drafted, she can present it to Mailings Made Easy for an accurate quote.

The Supervisor stated that he was in receipt of a Draft Solar Law, which Counsel has drafted for the Town. He stated that he would get a copy to the Town Board within the next few days for their input. He asked that the Town Board members get their thoughts back to him and he will pass them along to Counsel. He commented that he would like to get this wrapped up.

Attorney Buettner stated that she’ll have a Draft of the Multi-Family Dwelling Law soon and will get it off to the Supervisor.

The Supervisor stated that he has had two conversations with the Village Mayor. The Mayor stated that he hasn’t had an opportunity to discuss the draft Intermunicipal Agreement with the Trustees, but they have a meeting next week. The Supervisor stated that he would keep the Town Board members updated.

Councilmember Noonan stated that he had a message via Zoom Chat. The representative from Lamplighter Acres wanted to make it clear that Lamplighter delivers brush for 371 tax paying residents.

Councilmember Noonan also received a message from Michael Fingar, US Light Energy, who had asked about the status of the Solar Moratorium, just before the subject was discussed.

A motion was made by Councilmember LeClair, seconded by Councilmember Noonan and carried, to close the meeting for the evening at 7:56 p.m.

Asked if all in favor, the following responses were given:

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember LeClair	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Meeting adjourned.

Respectfully submitted,

Leeann McCabe  
Town Clerk