

A regular meeting of the Town Board of the Town of Moreau was held on September 29, 2020 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.

Town Board Members Present

John Hogan	Councilmember
Kyle Noonan	Councilmember
Alan VanTassel	Councilmember [virtual through Zoom meeting]
John Donohue, Jr.	Councilmember
Theodore T. Kusnierz, Jr.	Supervisor

Town Board Members Absent

None

Also present: Leeann McCabe, Town Clerk; Jeffrey Cruz, Principal Account Clerk; Karla Buettner, Attorney for the Town.

The Supervisor led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes from September 8, 2020 were prepared and presented to the Town Board prior to the meeting for their review, comment, correction and approval.

Resolution #2020-252

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to approve the minutes from September 8, 2020 as prepared.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

SET FUTURE MEETINGS AND WORKSHOPS

The Supervisor stated that his tentative budget would be released tomorrow. The following dates and times were scheduled for budget workshops:

October 6, 2020 @ 5:30pm
October 8, 2020 @ 5:30pm
October 15, 2020 @ 5:30pm

A workshop to discuss the proposed Solar Law was scheduled for October 29, 2020 @ 5:30pm

COVID-19 UPDATE

The Supervisor reported that the Governor had added a travel advisory for the State of Colorado, but that Arizona and Virginia have been removed from the travel advisory list. Statewide, there are twenty hot spot zip codes with a 5% positivity rate, and State-wide there is a positivity rate of 1.1%. The Supervisor reported that there were two deaths reported State-wide yesterday. State Police and the State Liquor Authority Task Force have visited over 1,100 establishments. They observed three establishments that were not in compliance. The Supervisor commented that New York businesses have been doing a good job

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in adhering to Department of Health requirements. He stated that New York has an additional 1,189 Coronavirus cases, which now brings the total cases to 457,649.

The Supervisor reported, that in Saratoga County, there have been 1,065 confirmed cases to date. The number of new cases has jumped to 9 and deaths remain steady at 17. There are now 983 recovered cases, 65 active and 4 that are hospitalized. The seven-day average, rolling positivity rate is at .89%. As of today's date, there have been 99,582 individuals tested in Saratoga County. The Supervisor reported, that in the Town of Moreau there have been 51 confirmed cases, 1 death, 7 active cases and 43 recovered. He reported, that in the Village of South Glens Falls, there have been 15 confirmed cases, 4 active cases, 11 recovered and 0 deaths.

MOREAU COMMUNITY CENTER

The Supervisor reported that the Moreau Community Center has again requested the use of the old Town Hall building located at 61 Hudson Street, for their holiday program this year. They requested to use the building from November 19, 2020 through December 23, 2020. They stated that they would pay for the cost of utilities as they have in the past.

Resolution #2020-253

A motion was made by Councilmember Donohue, seconded by Councilmember Hogan and carried, authorizing the Moreau Community Center to use the old Town Hall building, located at 61 Hudson Street, for their holiday program. The dates for use will be November 19, 2020 through December 23, 2020.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

WATER DEPARTMENT

The Supervisor reported that he had received correspondence from the Town of Queensbury, in relation to the actual cost for the production of water in 2019. The correspondence read, that the actual cost for the production of water was \$1.02 per thousand gallons: \$0.97 per thousand gallons, plus \$0.05 per thousand gallons for transmission cost. The 2019 budgeted rate was \$1.15 per thousand gallons. The Supervisor stated that this resulted in a credit of \$0.13 per thousand for the year 2019, which means that the Town will receive a \$25,288.77 credit toward the Town's Fall water bill.

The Supervisor stated that he has had conversations with Lance Hillman, from Hillman Brothers, in relation to the building that used to be the Town Court facility on Route 9. The Supervisor stated that he has two buildings, which include the old Court building, with the same tax I.D. map number (77.-4-2). Mr. Hillman told the Supervisor that he's in the process of knocking down the building and expects to have it down by December. The Supervisor stated that the water line has been removed and Mr. Hillman is asking that the minimum use charge be waived. The Supervisor explained to Mr. Hillman that there isn't a policy on this but that he would bring the matter before the Town Board. The Supervisor stated that he had spoken with the Town engineer, who's working on a more global policy, for all water districts. The Supervisor stated that his recommendation was to charge a minimum of half an EDU. The Supervisor stated that everyone in the water district has to contribute to the debt service for operation and maintenance. The Supervisor stated that Mr. Hillman is working well with the Town and that he's allowed a pump station to be placed on his property. The Supervisor recommended, for this particular case, until a Town-wide policy is adopted, that Mr. Hillman not be charged the minimum. The Supervisor stated that Mr. Hillman is of the belief that he can't take advantage of the water service. The engineer believes that the property derives a benefit due to the value of having the water access. Councilmember Hogan asked, if

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they were going to look at a global policy in the near future, why they couldn't wait on this decision. The Supervisor stated that Mr. Hillman has a bill in the amount of \$60.00 right now. The Town Board members were in agreement to waive the charges. The Supervisor stated that the value of Mr. Hillman allowing the pump station is greater than \$60.00.

Resolution #2020-254

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, authorizing the Town Clerk, moving forward, to waive the minimum charge, which the Town has established in Water District 6 for residential use, for the building that was utilized as the Town Court building (1390 Route 9), effective with the August 25, 2020 billing. This waiver will remain in effect until a new building is placed on this parcel or a new Town policy is in effect.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

HIGHWAY DEPARTMENT

The Supervisor stated that he had received an email from the Highway Superintendent, Paul Joseph, that National Grid has postponed the installation of the new gas line until next Wednesday, because their equipment is broken down.

The Highway Superintendent requested the purchase of Winter Sand from the 2020 budget year. He provided the following quotes:

Kingsbury Highway Department 1246 Dix Avenue Hudson Falls, NY 12839	\$5.00/Ton
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Cranesville Aggregate 85 Saratoga Road Gansevoort, NY 12831	\$9.50/Ton
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BJ Farms 276 General Fellows Road Greenwich, NY 12834	\$7.50/Ton
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The Highway Superintendent's recommendation was to purchase from the Kingsbury Highway Department.

Resolution #2020-255

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, authorizing the purchase of Winter Sand from the 2020 budget year, from the Kingsbury Highway Department, at a cost of \$5.00/Ton. The expense will be paid from account DB5142.491.

Councilmember Noonan asked if they were still considering another bowl at the Recreation Park and if the sand from that could be used. The Supervisor stated that he had conversations with the Highway Superintendent in the past, and the problem with using this sand would be the particulate size. He stated, that the sand they removed from the first bowl, was used to cap the landfill.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

The Supervisor stated that he had a constituent from the Pruyn Crest area reach out to his office. This person had a question about the bike lane signage that was painted on Feeder Dam Road. The Supervisor stated that he spoke with the Highway Superintendent about this. The other request from this person, was that the Town install crosswalks at the intersection of Feeder Dam Road and Merritt Road. The Supervisor stated that there are a lot of students that cross at that location and felt it was a good idea. Councilmember Noonan also thought it was a good idea but suggested that they have more conversation with the Highway Superintendent, because of all the new housing going in around the Feeder Dam area. Councilmember Noonan asked what would warrant a stop sign at that location. The Supervisor stated that you can't use a stop sign as a deterrent for speed. Councilmember Hogan stated that accidents are what drive the requirement for stop signs.

Resolution #2020-256

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, authorizing the Highway Department to install a crosswalk at the intersection of Feeder Dam and Merritt Roads.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Councilmember Hogan stated that he didn't believe there was a crosswalk at the intersection of Feeder Dam and Tanglewood either. Councilmember Noonan stated that there's a crossing guard at that location. He also stated that the School has requested crosswalks for Tanglewood Drive, behind the football field. The Supervisor asked the Highway Committee members to work with Paul Joseph on this matter.

RESIGNATION

The Supervisor reported that Chris Abrams has resigned from his position on the Board of Assessment Review. He thanked him for his service and commented that his term was to expire September 30, 2020. The Supervisor thanked him on behalf of the residents of the Town of Moreau for serving in that capacity. He wished him well in all his future endeavors.

RECREATION DEPARTMENT

The Supervisor gave an update on the universal playground. He stated that they're looking to wrap up the playground in a timely fashion. He stated that there is still some grading that needs to be done, where the equipment exists. They need to get the spray pad installed, which requires concrete work, as well as the ramp to the playground equipment. This would also include the installation of the water lines for the spray area. The Supervisor stated that he had asked the Recreation Leader to report on this, so that they're all on the same page. The Supervisor reported that High Peaks had come in on September 19th to remove approximately twenty-five trees. He stated that the brush was removed and mulched. He stated, that due to a scheduling problem with Parkitects, they were unable to have the equipment inspected. It was relayed to the Supervisor that this could be done in the Spring, once the project is complete. He stated that the inspection at that time will be adequate for the certification. The installation of the utilities to the

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splash pad has been delayed for a few weeks. The Supervisor stated that he has a meeting with Jesse Fish (Water Superintendent) and Pete Olesheski (Recreation Leader) tomorrow to coordinate the water tap and the running of the water lines, so the Town can remain on target for completion before the frost sets in. The Supervisor stated that he had reached out to BOCES a few weeks ago and they hoped to have the students back next week for on-site instruction, and they should be staying on-site for an extra month. The Supervisor stated that he will be meeting with Randy Weeks to go over the removal of stumps at the Park and the final grading. He stated that they also talked about getting topsoil over to the site. The Supervisor reported that they also have crews that will be working down along the river. It was reported to the Supervisor that the heavy equipment from BOCES is already being brought into the Park. The students should be on-site October 5th and they should be able to work within the Town's timeline through the end of the year.

The Supervisor stated that Parkitects has a proposal for the Town to move forward on the splash pad and the walkway installation. The Supervisor asked if the Town Clerk had the resolution, which if adopted, would allow the Town to engage the services of Parkitects to do the splash pad, the concrete slab, the mechanical and plumbing, the walkway, the ramp and the side walls, for a total cost of \$61,520.00. The Supervisor asked the Town Clerk to read the resolution aloud:

TOWN BOARD RESOLUTION TOWN OF MOREAU

WHEREAS, by resolution dated December 13, 2011, the Town Board of the Town of Moreau duly established a capital reserve fund designated as the Town-Wide Recreational Capital Reserve Fund for the purpose of funding the acquisition and development of lands within the Town of Moreau for recreational use, including capital improvements on lands presently owned, in fee or otherwise, leased or hereinafter acquired in fee or otherwise or leased by the Town; and

WHEREAS, the Town-Wide Recreational Capital Reserve Fund has a present balance of approximately Two Hundred Ninety-Nine Thousand Seven Hundred Sixty-Six and 65/100 Dollars (\$299,766.65); and

WHEREAS, the Town Board of the Town of Moreau has determined it in the best interests of the Town to purchase equipment for use at the Universally Accessible Playground and Spray Park to be located within the Harry Betar Recreational Park within the Town of Moreau;

So be it RESOLVED, that the Town Board hereby authorizes the expenditure of funds, not to exceed Sixty-One Thousand Five Hundred Twenty and NO/100 Dollars (\$61,520.00) from the Town-Wide Recreational Capital Reserve Fund, a capital reserve fund, for the purchase and installation of spray park equipment to be located within the Harry Betar Recreational Park within the Town of Moreau; and

So be it FURTHER RESOLVED, that the Supervisor and/or Deputy Supervisor is authorized to execute any documents necessary to effectuate the purchase identified above.

So be it FURTHER RESOLVED, that this resolution is made pursuant to General Municipal Law Section 6-c and is subject to a permissive referendum, as permitted by law.

Resolution #2020-257

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to adopt the foregoing resolution as read into the record by the Town Clerk.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

The Supervisor commented that the hours at the Recreation Park will be changing soon. He stated that the Town Code reads the hours to be 9:00 a.m. to Dusk, however, it was modified by resolution to read 8:00 a.m. to 8:00 p.m. He stated with the sunset and the time change coming, he doesn't want the Town employees at the Park after dark.

Resolution #2020-258

A motion was made by Councilmember Hogan, seconded by Councilmember VanTassel and carried, to amend the Park hours, effective September 30, 2020, from 8:00 a.m. to Dusk.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

SUPERVISOR'S ITEMS

The Supervisor received a phone call from Ms. Molinowski, who complimented how pleasant and helpful Linda Hart was, who works at the Town's Transfer Station.

The Supervisor reported that the Town sweeper was involved in a motor vehicle accident this afternoon. It involved the sweeper plus two motor vehicles, which took place on the Old Saratoga Road side of Route 9. He stated that a vehicle had stopped for the slow-moving sweeper on Route 9, and the vehicle behind it hit that vehicle into the sweeper. He reported that one of the vehicles was totaled and one of the occupants was transported to Glens Falls Hospital for observation. He stated that he received a report later in the day that everyone was okay.

The Supervisor received notification of the location for Saratoga County's Drug Take Back for unused or expired medications for safe disposal. The Drug Take Back will be held at the Moreau Emergency Squad building on Saturday, October 24, 2020, from 10:00 a.m. to 2:00 p.m. Other locations include: Wilton Town Hall; Clifton Park/Halfmoon EMS; Saratoga Hospital and Saratoga Police Station on Maple Avenue.

The Supervisor received a Notice of Claim, relating to damage done on Verizon property. He stated that the Water Department was digging in an area off 18 Maplewood Parkway to place a water service. The lines were marked but still apparently damaged. He stated that the matter has been referred to the Town's insurance carrier.

The Supervisor was provided with a memo from Counsel regarding Labor Laws for Public Employees. Employers are required to have certain policies in place as of April 1st. The plan needs to be presented to the Union Representative by February 14, 2021 and then filed by April 1, 2021. He stated that when a public health emergency involving communicable diseases is declared, it requires certain action on the part of the Municipal Clerk. Attorney Buettner stated that they have to put together a Pandemic Plan.

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The Supervisor thanked Jeffrey Cruz and Lisa Sperry for helping put together the tentative budget. He stated that it's very time consuming. He stated, that going forward into the budget workshops, they've seen a decrease in sales tax. In May a reduction of 30%, in June a reduction of nearly 40%, and in July there was a 10% bump up, but thought it was due to the way the quarterly reporting was done. The Supervisor stated that there was another 12% decrease in August, and September is down 11%. He stated that this isn't good news and it will be challenging. He stated that the Town relies heavily on sales tax to put the budget together. The Supervisor stated that he reduced spending in this budget by almost 18% and commented that there are serious shortfalls within the court revenues. The Supervisor stated, that with the budget he's releasing tomorrow, the tax rate will remain flat. He stated that there will be a \$0.01/\$1,000 increase over last year. He stated that he's dramatically reduced the use of fund balance. He stated that it's a conservative budget and an appropriate one, which the Board members will see tomorrow.

COMMITTEE REPORTS

Councilmember Noonan commented, as liaison to the South Glens Falls CSD, that they're continuing to move forward with the Fort Edward School District and South Glens Falls CSD merger study. They're looking for six community members to be part of a committee. He suggested that anyone who has interest should call the Superintendent's office.

Councilmember Noonan stated, as a member of the Personnel Committee, he wanted to remind everyone, that the harassment training needs to be done.

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, to adjourn to executive session at 7:50 p.m. to discuss the work performance of an unnamed person or persons employed by the Town, and to discuss the acquisition of real property.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

The Town Clerk did not sit in on the executive session.

The Town Board came out of executive session at 8:10 p.m. noting that no action was taken in executive session.

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to close the meeting for the evening at 8:10 p.m.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

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Meeting adjourned.

Respectfully submitted,

Leeann McCabe

Town Clerk