

A regular meeting of the Town Board of the Town of the Town of Moreau was held on April 27, 2021 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

The meeting was conducted via Zoom in accordance with the Governor's Executive Order 202 and all extensions, which allow for municipalities to hold meetings remotely, providing that the public has the ability to view and/or listen to such proceedings.

The Supervisor called the meeting to order at 7:00 p.m.

The Town Clerk called the roll.

Town Board Members Present

John Hogan	Councilmember
Kyle Noonan	Councilmember
John Donohue, Jr.	Councilmember
Alan VanTassel	Councilmember [Attended via Zoom at 7:01 p.m.]
Theodore T. Kusnierz, Jr.	Supervisor

Town Board Members Absent

None

Also present: Leeann McCabe, Town Clerk; Jeffrey Cruz, Principal Account Clerk; Malcolm O'Hara, Attorney for the Town [attended via Zoom] and Karla Buettner, Attorney for the Town [arrived in person at approximately 8:15 p.m.]

The Supervisor led the Pledge of Allegiance

APPROVAL OF MINUTES

The minutes from March 30, 2021 (regular meeting) and April 13, 2021 were prepared and presented to the Town Board in advance of the meeting, for their review, comment, correction and approval.

Resolution #2021-154

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, to approve the minutes from March 30, 2021 (regular meeting) and April 13, 2021 as prepared.

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

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

The Supervisor stated that the minutes from the bid opening, which was held on April 23, 2021 will be filed.

SET FUTURE MEETINGS AND WORKSHOPS

Resolution #2021-155

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to move the month-end and regular Town Board meetings, which were scheduled for May 25, 2021, to May 27, 2021. Month-end meeting at 6:45 p.m. and the regular meeting at 7:00 p.m.

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

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

A workshop to discuss the Building Department Fee Schedule was scheduled for May 4, 2021 at 5:45 p.m.

A workshop to discuss the proposed Solar Law was scheduled for May 20, 2021 at 6:00 p.m.

COVID-19 UPDATE

The Supervisor reported the following statistics as of April 26, 2021:

In Saratoga County

14,657	Total Cases Confirmed
164	Deaths
288	Active
14,205	Recovered
15	Hospitalized

The 7-day Rolling Average Testing Positivity Rate is at 1.8%

In the Town of Moreau

683	Total Cases Confirmed
24	Active
647	Recovered
12	Deaths

In the Village of South Glens Falls

189	Total Cases Confirmed
7	Active
182	Recovered
0	Deaths

SOUTH HIGH MARATHON DANCE

The Supervisor asked the Town Clerk to read the following proclamation:

**PROCLAMATION
Declaring April 30, 2021
South High Marathon Dance Day**

WHEREAS, for the 44th consecutive year South Glens Falls High School will hold its student driven South High Marathon Dance (SHMD) to raise money for individuals, families and organizations in need of financial assistance in our community; and

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WHEREAS, the first South High Marathon Dance was held in 1978 with approximately 50 dancers that raised \$1,500 and in 2020, SHMD raised over \$800,000, totaling an amazing \$8.9 million over the last four decades; and

WHEREAS, our community, in the wake of an unprecedented pandemic, has come together once again with amazing generosity to keep the SHMD tradition alive; and

WHEREAS, this year, **Six Flags Great Escape Resort** has so graciously provided this amazing venue which will allow nearly 600 students to demonstrate how an innovative and caring group of individuals can take action to provide a meaningful impact on the lives of others; and

WHEREAS, over the last 43 years, the SHMD has provided financial assistance 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, this year's event will benefit the families of Todd Ash, Alyssa Bessey, Jerry Brauser, Arthur Coon, Tammy Corbett, Jakob French, Sophia Glans, Finn Herringshaw, Kelly Moore, Christina Perry, Cara Rumrill, Kaitlin Valla and Shane Walsh along with the Alzheimer's Association of Northeastern New York, American Red Cross of Northeastern New York, Angel Names Association, Big Brothers Big Sisters, Cancer Center Community Crusader, Jeanne Feline Corp., Moreau Community Center, Operation Adopt a Soldier, Rebuilding Together Saratoga County, Saratoga Center for the Family and the South Glens Falls Kindness Closet; 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 South High Marathon Dance a success; and

NOW, THEREFORE, BE IT RESOLVED that the Moreau Town Board hereby proclaims Friday, April 30th, 2021 as "**South High Marathon Dance Day**" as a tribute to the support and generosity of our community.

Dated this 27th day of April, 2021
by Order of the Moreau Town Board

The Supervisor stated that he would be at the Dance at 9:00 a.m. Friday morning to present the proclamation. He asked that if any of the other Town Board members would like to accompany him, they should feel free to do so.

CDBG PROGRAM

The Supervisor stated that the Town has engaged the services of Laberge Group to make application for the Town. He stated that they now need to authorize the Town Supervisor to sign the proposal. He stated that this is for the Grant Administration and Delivery that was just approved. The Town Board didn't authorize the Supervisor to sign it.

Resolution #2021-156

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, authorizing the Supervisor to sign the proposal from Laberge Group for Grant Program Delivery & Administration of the CDBG program.

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

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

BUILDING DEPARTMENT

The Supervisor stated that the Department Head had submitted a request for a printer/scanner and deferred the topic to Councilmember Noonan, who had more information. Councilmember Noonan stated that the request had been received yesterday. The following quotes were received for an Epson T5470M 36” MFP with scanner:

National Direct 2215 Central Avenue Schenectady, NY 12304	\$5,492.00 (Base price \$4,997.00 plus \$495.00 set up)
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Blue Dog Supplies 20533 Biscayne Blvd., Ste 4-1136 Aventura, FL 33180	\$5,495.00
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Epson America 3131 Katella Avenue Los Alamitos, CA 90720	\$5,495.00
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The recommendation from the Building Inspector was to purchase through National Direct, which is a local company out of Schenectady. He indicated that the expense would be paid from account B3620.2. This was an unanticipated purchase and as of March 30, 2021 there was only \$2,000.00 in that account.

Councilmember Noonan stated that the purchase wasn’t budgeted for in 2021 but the printer they have is broken and it’s imperative that they get a new one as soon as possible. He started to make a motion to approve the purchase and the Supervisor stated, that before they can authorize the purchase, because there are insufficient funds in that account, it would require a transfer of funds. The Supervisor stated that the information should have been provided to the Board members accurately. It was provided to the Town Board today and it didn’t provide the details of how the money should be transferred.

Resolution #2021-157

A motion was made by Councilmember Noonan, seconded by Councilmember Donohue and carried, that \$3,492.00 be transferred from account B1990.4 Town Outside – Contingent Account and \$3,492.00 be transferred to account B3620.2 Town Outside – Building – Equipment To transfer funds for the purchase of a planner/plotter printer for the Building Department.

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

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

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Resolution #2021-158

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, authorizing the purchase of an Epson T5470M 36” MFP with scanner from National Direct, at a cost of \$5,492.00. The expense will be paid from account B3620.2.

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

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

TOWN CODE – CHAPTER 70 – FENCES

The Supervisor stated that he believed all the Town Board members have been contacted by a Town resident with a unique situation. He stated that he had personally spoken with Margaret Daigle twice in relation to the Town’s Code on fencing. He stated that she’s presented a very good case for why the fence request should be a little bit higher than what the Code provides for. He stated, that it was his understanding, that the Town Board has legislative authority to supersede the Code by resolution. Attorney O’Hara stated that he didn’t see that in the Town Law. He stated that it would have to go to the Zoning Board of Appeals. The Supervisor stated that they had a recommendation from the Zoning Administrator to bring this before the Town Board, and then asked Counsel, if this is in the Town Code, it would require a Local Law to change it, correct? Attorney O’Hara replied that he was correct. The Supervisor stated that the current Local Law is clearly outdated. One thing that stood out to him was section 70-6 Materials and Composition – He read the list of fencing materials that are prohibited and then commented that many of these materials would be used in an Ag District. His recommendation was to modify the Local Law to make it current with the needs of the Town and to probably provide an exemption for those listings, or to provide language that indicates they’re prohibited outside the Agricultural District. He stated that the Town has active farming practices and this Local Law would impede that. He stated, that for those agricultural properties used for agricultural purposes, under the Agricultural Districts Law, localities can’t institute restrictive ordinances that prohibit generally accepted agricultural practices. He stated that the Town is obviously not in line with the Ag District Law. He recommended that Counsel be asked to draft a proposed update to the Local Law on fences. The Supervisor stated that this request came about, when a resident asked to install a 6’ fence around her backyard, including the section along Linden Street. She was told that the privacy fence along Linden Street doesn’t fall within the Town Code and her building permit was declined. She was also informed that the Town Board had the ability to approve fencing that doesn’t fall within the fencing Code for the Town of Moreau. The Supervisor asked Attorney O’Hara if there was a resolution they could offer tonight for her request. Attorney O’Hara didn’t see that it was possible under the current Town Code. The Supervisor called Jim Martin, the Town’s Zoning Administrator, to ask him what action the Town Board can take, other than to modify the Local Law. Mr. Martin stated that the best fix would be to have the Town Board modify the Local Law. The Supervisor told Mr. Martin that the Board has looked at his first draft and explained that some of the fences that are being restricted are used in the Agricultural District. Mr. Martin asked the Supervisor if he wanted those types of fences to be put back into the Local Law. The Supervisor stated that there should at least be exemptions. Mr. Martin stated that he just wanted to get the Fence Code up to date, so whatever it takes is fine. The Town Board was in agreement to have Counsel draft a Local Law. Following that, there will need to be a public hearing and then the Town Board will need to decide whether or not to pass the Local Law. Councilmember Noonan asked about the time frame. The Supervisor stated that the draft should be ready for the next Town Board meeting and they can set a public hearing at that time.

TOWNWIDE TRAILS

The Supervisor stated that the Town had engaged the services of the LA Group to implement a grant awarded by the Hudson River Valley Greenway. The grant was in the amount of \$7,500.00, with a

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\$7,500.00 match. The Town Board had resolved to use the Town-Wide Capital Reserve Fund for this expenditure, which requires a Town Board resolution that includes a 30-day permissive referendum. Without approving this, the Town can't pay the firm that's providing the service.

The Supervisor asked the Town Clerk to read the following resolution aloud:

**RESOLUTION
TOWN BOARD
TOWN OF MOREAU**

SUBJECT: TOWN-WIDE RECREATIONAL CAPITAL RESERVE FUND EXPENDITURE

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 One Hundred Ninety-Eight Thousand Seven Hundred Eighty-Seven and 79/100 (\$198,787.79) and

WHEREAS, the Town Board of the Town of Moreau has engaged the LA Group to implement grant #2018-S-09, awarded by the Hudson River Valley Greenway, with such grant being in the amount of \$7,500 with a \$7,500 match, and

WHEREAS, the purpose of the grant was to develop a conceptual master plan for a loop trail hike-bike system linking the Hudson River waterfront to Moreau State Park and public resources throughout the community, and

WHEREAS, the engagement of the LA Group to implement the grant for the development of a conceptual master plan as set forth above is a purpose for which the Town-Wide Recreational Capital Reserve Fund was established; and

WHEREAS, the Town Board desires to fund the engagement of the LA Group to implement the grant for the development of a conceptual master plan as set forth above out of the Town-Wide Recreational Capital Reserve Fund; and

WHEREAS, the Town Board having deliberated upon this matter;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the expenditure of funds, not to exceed Fifteen Thousand and NO/100 Dollars (\$15,000.00), from the Town-Wide Recreational Capital Reserve Fund, a capital reserve fund, for the payment to the LA Group to implement the grant for the development of a conceptual master plan as set forth above, and it is further

RESOLVED, that the Supervisor and/or Deputy Supervisor is authorized to execute any documents necessary to effectuate the purchase identified above; and it is 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 #2021-159

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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The Supervisor stated that the Town Board had previously engaged the services of The LA Group for a trails concept plan in an amount not to exceed \$15,000.00 on December 10, 2019. As part of this month's audit, there was a request for payment on \$3,570.00 of that.

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

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

WATER DEPARTMENT

The Supervisor stated that he had a couple items to discuss. The first item, brought to the Town Board's attention from the Town Clerk, was a billing error for two of the Town's water accounts. It caused one account to be overcharged and one account to be undercharged. The Town Clerk is looking for direction from the Town Board. She stated that the issue has been corrected and the Water Superintendent has verified the meters in question. The overbill was \$858.00 and the underbill was \$163.14. The Supervisor stated, that in order to adjust the billing, would require Town Board action on how they would like to handle it. Councilmember Noonan stated that the Town Clerk had reached out to the Board members. He stated that he would support a refund to the overcharged resident and no charge back for the under charged resident. Councilmember Hogan agreed that the overcharged resident be refunded. The Supervisor asked if the property owner was still the same. The Town Clerk didn't have an answer to the question. The Supervisor stated, if the property owners have changed, it might change the way in which they handle it. He stated that if it is the same owner, he suggested giving them a credit against their future bills. There was discussion that the matter should be looked into by the Water Committee. The Town Clerk stated that she hasn't notified either of the residents that there was an error. She stated, that once the one homeowner finds out they were overcharged, they may want their money back. The Supervisor referred the matter to the water committee. Councilmember Noonan stated that he and Councilmember VanTassel would look into it.

The second topic for discussion under Water Department was a recommendation from the Town Engineer to the Water Superintendent in relation to a forcemain system as part of the Sewer District 1 Extension 5 project, specifically the requirements. There were three technical requirements recommended for the Water Superintendent's input and for the Town Board's input. The following recommendations were made:

1. The Station must be equipped with SCADA controls that prevent the pump station from operating whenever the Extension 5 station or the Moreau Industrial Park (MIP) station is operating. The system shall use the MIP signal as control.
2. The station must be capable of retaining the peak hour flow for one hour due to the estimated operation time of the Extension 5 and MIP stations.
3. The pump station design must consider the remaining pump stations utilizing the forcemain and the effect upon the flow rates of the other pumps, if the proposed station is to exceed a flow rate of 200 gpm.

The Supervisor stated that the engineer went on to say, that he strongly recommends the Town require the Leonelli Apartment project Developer to prepare an engineering report and pump station design plans, that comply with the above requirements, for the Town's review and approval.

The Supervisor stated, that one of the reasons for these requirements, is that when the commercial corridor comes on-line, and pumping constant flow to the forcemain, we don't want situations to occur where the downstream entities are pumping against our system. This will allow pump stations to

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communicate with each other so that doesn't happen. Councilmember Noonan asked what the next step is to inform the Leonelli project. The Supervisor stated that the Board would direct the Water Superintendent to inform the Leonelli project. The Supervisor asked Counsel if a resolution was needed or if they could just direct the Water Superintendent. Attorney O'Hara stated that they could direct the Water Superintendent.

The Supervisor reported that the Town was notified by NYMIR, who is the Municipal General Liability insurer for the Town of Moreau, that they have conducted an investigation regarding insurance coverage on behalf of the Town for an incident involving claimant, Verizon, for the date of loss March 31, 2021. This was due to a directional drilling that had taken place under the guidance of R&J Kerr Inc. They entered into an agreement with the Town of Moreau to complete a dig under the roadway located at 400 Reynolds Road. After review of the facts surrounding the incident, they have determined that R&J Kerr Inc. carried liability and other appropriate insurance during the project and are responsible for insuring the project.

The last topic for discussion was water tapping fees. He stated that the Water Committee had been working with the Water Superintendent and looking at the fees and the issue of potentially modifying them to accommodate capacity buy-in and to reflect some of the greater costs that they're seeing. He stated that there was a recommendation from the Water Committee. Councilmember VanTassel stated that the Water Superintendent had brought the Water Committee in on some ongoing discussions regarding his concerns of the ongoing increase in costs of parts and materials. He stated that the current fees don't cover the Town's costs, therefore they need to look at the water connection costs. The second item that needed to be addressed is the current application. There is a situation that occurs, the way the application is written, that leaves a gap. If the Town does work on a water connection and it crosses state or county roads, there's a lot more work that could be done and there's a lack of knowledge the Town has, until a site survey or a site location has been completed. The recommendation of the Water Committee, after working with the Water Superintendent, is to add an additional item to our current application. It would become Item #17, which reads: Where work will be completed that involves state or county roads, a site location will be required before fees are assessed. Councilmember VanTassel stated that this would take care of the gap and the Town having to spend more money because of things they didn't know about. The second item that was discussed were the tapping fees, when meters are included. Councilmember VanTassel recited the proposed changes as follows:

SIZE	FEE WITH METER	METER ONLY
3/4" Short	\$1,400.00 \$1,550.00	\$375.00
3/4" Long	\$2,275.00 \$2,450.00	\$375.00
3/4" Open Cut Long	\$3,275.00 \$3,450.00	\$375.00
1" Short	\$1,450.00 \$2,000.00	\$575.00
1" Long	\$2,600.00 \$2,650.00	\$575.00
1" Open Cut Long	\$3,600.00 \$3,650.00	\$575.00
1 1/2" Short	\$1,750.00 \$2,750.00	\$805.00
1 1/2" Long	\$3,950.00 \$3,950.00	\$805.00
1 1/2" Open Cut Long	\$4,950.00 \$4,950.00	\$805.00
2" Short	\$2,850.00 \$3,500.00	\$1,050.00
2" Long	\$4,450.00 \$4,700.00	\$1,050.00
2" Open Cut Long	\$5,450.00 \$5,700.00	\$1,050.00

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Councilmember VanTassel stated, that for those who need a meter only, there is no recommendation to have any additional increases to developers. He stated that there's a good cost structure already in place and the Town isn't impacted negatively. Under water connections it was recommended that they add some additional verbiage for non-standard installations that get presented to the Town through the application process. For someone who's looking for something out of the standard, they wanted to add verbiage to cover that. He stated that it's mostly in the 1" and 3/4" and the variable that the Water Superintendent is running up against in more and more situations, where the usage plan for the property is much greater than the 3/4" can deliver in volume. The Water Superintendent is asking to add verbiage, which will allow the Town to establish water connection fees on a "to be determined" basis, after the completed site location and an application process has been completed. Councilmember VanTassel stated that there's no recommendation to change the current buy-in capacity fees.

The Supervisor stated that the last time the fees were modified was in September of 2018. He stated that he thought the actual cost of meters was closer to \$400.00. He noticed that the Town was \$25.00 lower than other municipalities for the cost of a 3/4" or 1" meter. He asked if it was correct, that there was no recommendation from the Water Superintendent to modify the cost of the meters. Councilmember VanTassel stated that the Water Superintendent made no recommendation for a modification to the cost of meters. He did say that there was discussion and evaluation and that the Town's cost structure of the meters leaves the Town in a spot. The Water Committee isn't opposed to a modification but there wasn't a financial reason to increase those based on our current cost structure. Councilmember VanTassel also stated that there's ongoing project in motion on the potential water district consolidation. These modifications are proposed to take care of immediate needs and further discovery could happen as they move through the consolidation process.

Resolution #2021-160

A motion was made by Councilmember Hogan, seconded by Councilmember Donohue and carried, to adopt the recommendations of the Water Committee.

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

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

PAYROLL – RFP

The Supervisor stated that they've discussed outsourcing payroll for a number of years. During budget time, they committed themselves to look at this in 2021. They have draft language for an RFP for payroll services for the Town of Moreau. He stated that some of the Board members had provided input as to changes they'd like to see. He also stated that the RFP had been reviewed by the Town attorney.

Jeffrey Cruz stated that the draft before them included the input from Board members and has been approved by Counsel.

Resolution #2021-161

A motion was made by Councilmember VanTassel, seconded by Councilmember Hogan and carried, authorizing an RFP for payroll processing services.

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

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

HIGHWAY DEPARTMENT

The Highway Superintendent put in a request to set aside \$220,350.00 for the purchase of Black Top/Nova Chip to be used on 2021 Town road projects. There are funds allocated for this purchase in account DB5112.493.4, with a balance of \$220,350.00 as of April 1, 2021. Availability and cost will determine the supplier, covered under the Saratoga County Asphalt Concrete Contract #21-PWAC-3R.

Resolution #2021-162

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, authorizing the Highway Superintendent to set aside \$220,350.00 for the purchase of Black Top/Nova Chip to be used on 2021 Town road projects.

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

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

The Highway Superintendent requested to set aside \$8,000.00 for the purchase of Crushed Stone to be used on various 2021 Town road projects. There are funds allocated for this purchase in account DB5110.493, with a balance of \$12,643.94 as of April 1, 2021. Availability and cost will determine the supplier, covered under the Saratoga County Crushed Stone Contract #20-PWCSGGS-50R.

Resolution #2021-163

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, authorizing the Highway Superintendent to set aside \$8,000.00 for the purchase of Crushed Stone to be used on various 2021 Town road projects.

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

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

The Supervisor stated that he has had some correspondence with the Highway Superintendent regarding the Tractor/Mower bids. As soon as they get some more information as to when the equipment can be supplied, it will be brought before the Town Board.

PLANNING/ZONING BOARD OF APPEALS TRAINING

The Supervisor stated that there's a proposed resolution from the Saratoga County Planning Department, which will allow the Town's Planning Board members and Zoning Board of Appeals members to seek out

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qualified training as established by various entities and state agencies. If the Town adopts this resolution, when the availability comes up for either on-line or in-person training, they'll be all set.

The Supervisor asked the Town Clerk to read the following resolution aloud:

TOWN OF MOREAU

RESOLUTION FOR ACCEPTABLE TRAINING FOR PLANNING BOARD AND ZONING BOARD OF APPEALS MEMBERS

WHEREAS, Town Law Sections 267 and 271 provide that effective January 1, 2007, all Planning Board and Zoning Board of Appeals members in New York State, as well as alternate members of those boards, must complete a minimum of four hours of training each year; and

WHEREAS, the above sections of state law provide that a Planning Board or Zoning Board of Appeals member shall not be eligible for reappointment to such board if they have not completed the training required by law; and

WHEREAS, the above sections of state law provide that the legislative body of the town specifies which activities qualify as training to satisfy the state requirements;

NOW, THEREFORE, be it

RESOLVED, that the following list of agencies, commissions, associations, universities, and other organizations are approved to provide training to meet the state requirements when the training they provide pertains to municipal planning, zoning, community design, environmental issues, economic development, and local government functions and practices:

- 1) the NYS Department of State; Department of Agriculture and Markets; Office of the State Comptroller; Department of Health; Department of Transportation; Department of Environmental Conservation; Office of Parks, Recreation, and Historic Preservation; Hudson River Valley Greenway;
- 2) the New York State Association of Towns, the New York Conference of Mayors, the New York State Association of Counties, the New York Planning Federation, the American Planning Association, the Upstate New York Chapter of the American Planning Association and its sections, and the Metro New York Chapter of the American Planning Association and its sections;
- 3) the Capital District Regional Planning Commission, Central New York Regional Planning and Development Board, Herkimer-Oneida Counties Comprehensive Planning Program, Lake Champlain-Lake George Regional Planning Board, Long Island Regional Planning Board, Southern Tier Central Regional Planning and Development Board, Southern Tier East Regional Planning Development Board, Southern Tier West Regional Planning and Development Board, Genesee-Finger Lakes Regional Planning Council, Hudson Valley Regional Council, NYS Tug Hill Commission, and Adirondack Park Agency;
- 4) the Saratoga County Planning Federation, Saratoga County Planning Department(s); and Saratoga County Soil and Water Conservation districts;
- 5) the Albany Law School Governmental Law Center and Institute for Legal Studies, Pace Law School, Cornell University and its cooperative extension;

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6) on-line planning and zoning training programs offered by the New York Municipal Insurance Reciprocal, Pace University and Land Use Law Center, and the Lincoln Institute of Land Use Policy; and be it further

RESOLVED, that other training activities may be approved on a case-by-case basis by the Town Board upon the request of a Planning Board or Zoning Board of Appeals member; and be it further

RESOLVED, that any new member appointed to fill the last six (6) months of a term shall not be required to have attended training to be reappointed to a first full term, but must thereafter comply with the municipal training policy as provided elsewhere herein; and be it further

RESOLVED, that training received by a Planning Board member or Zoning Board of Appeals member in excess of four hours in any one year may be carried over by the member into succeeding years; and be it further

RESOLVED, that the Town Clerk (or Building Department Clerk) shall create and maintain a system of tracking the training individual members complete annually, which information shall be presented to the appointing authority prior to considering a member for reappointment.

The Supervisor stated that the Planning and Zoning conference provides most of the necessary training annually, which is required by state law for various Board members. He stated, that with COVID, that's not happening and so they're breaking with their 17-year tradition. He stated that they'll need to fill in a number for the third resolve from the bottom, for the number of months that a new member will not be required to have attended training. The Town Board agreed upon six (6) months.

Resolution #2021-164

A motion was made by Councilmember Hogan, seconded by Councilmember Donohue and carried, to adopt the foregoing resolution as read into the record by the Town Clerk, and with the above noted addition.

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

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

SUPERVISOR ITEMS

The Supervisor stated that he had just received notification as of 7:20 p.m. that the 7-day Rolling Average Testing Positivity Rate is at 1.8% for Saratoga County.

The Supervisor thanked the Highway Department for doing an incredible job in wrapping up the completion of the universal playground. They've brought stone to the driveway and the parking lot and have rolled it. They're anticipating that it will be paved next week.

The Supervisor stated that he's been in contact with BOCES. The equipment has been relocated back for the season and the lease agreements have been signed. He stated that he was looking for direction from the Town Board. He told BOCES that the next priority is to get the trail paved down by the Hudson River. The Supervisor stated that BOCES has leased a larger excavator this year, which can easily move stumps that have been pulled out from various projects at the Park. BOCES is willing to load them if the Town wants to haul them somewhere else, either on-site or off-site. If so, it would require the use of Town Highway trucks for probably two half days. The Supervisor was told it would be about 10 loads. He asked

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the Town Board members if they wanted to relocate the stumps in the Park or somewhere else. Councilmember Hogan stated that he wasn't sure what areas would be best or even available and preferred to wait until after he's spoken with the Highway Superintendent. The Supervisor asked Councilmember Hogan to get the information to him and he would circulate it to the other Board members to make sure they're okay with the plan. He stated that they can then give BOCES direction on it.

The Supervisor stated that there's an interest in providing volunteers to the Town to assist in clean up. He stated that the information came from Steve Noftle, owner of All Pro Cleaning Service and active with Pines Knolls Alliance Church. They're looking for opportunities to help clean up the Town on May 16, 2021. They're looking for ideas. They've reached out to Moreau Rec., the Community Center, the Salvation Army, Open Doors, South Glens Falls School District, Friends of Moreau Trail System and others looking for recommendations. They have over 100 volunteers and have already agreed to help clean up the Sand Bar Beach to get it ready for the season. Councilmember Noonan stated that Zac Perry-LaPoint, from Moreau Community Center, had started a clean-up day last Spring and wanted to do the project again this year. He wondered if maybe this is something where they can partner together. Councilmember Noonan stated that Mr. LaPoint has already made a lot of contacts in the Town. He also stated that the Town had provided the trucks last year. Councilmember Noonan suggested that the Town get these two groups together to see if they can come up with a plan. Councilmember Hogan stated that he had spoken with the Recreation Leader regarding clean-up at the beach, with some possible construction. He also talked about some work at the Park as well. The Supervisor asked the Board members to email him with suggestions and he'll pass them on to Mr. Noftle.

The Supervisor reported that he'd been working with the Town of Wilton and the Executive Director of Grant Cottage about promoting the Cottage. He stated that Grant Cottage is in the Town of Moreau. He stated that they're willing to donate signs, which are like a ribbon, that would be placed on the "Welcome to the Town of Moreau" signs, that say "Home of Grant Cottage". The Supervisor told them that he thought it was a fantastic idea and would bring it up with the Town Board. They would be provided with a minor contract of fourteen thousand dollars to construct a small pavilion that would contain a replica of the train station that was there when Grant stayed on Mt. McGregor. He stated that the purpose would be two fold, one; to show the piece of history that will be true to scale and two; it will be a covered area where school children and other visitors can go and have lunch and hear about Grant Cottage, with some protection from the weather. The Supervisor stated that he attended a ceremony last week, where the Cottage was severed from the grid. The Commissioner of New York State Parks and Recreation Historic Preservation invited the Supervisor from the Town of Wilton, the County Administrator and Supervisor Kusnierz. Grant Cottage was awarded a \$400,000 grant to establish innocuous solar arrays on the top of a piece of ledge. He stated that this will now provide for all the electricity to the Cottage. He stated that it wasn't uncommon for the Cottage to lose electricity, so this will help. Councilmember Hogan asked if they had parking up there. The Supervisor stated that there's limited parking around the Cottage. He stated that the Cottage is within the confines of the Prison property and it's not always open. He stated that they had great attendance last year even though COVID had hit. They anticipate that they'll have greater attendance this year. The Supervisor stated that parking is a serious issue and that he's had conversations with various entities over the past four years, who have expressed interest in purchasing the Prison. None of those have come to fruition, however, when he's been invited to the meetings, they had all committed to provide property to expand the parking, if the deals had gone through. He stated that he would continue to advocate for that.

The Supervisor stated that they had agreed to advertise for a Transfer Station Manager, but before it can go to the paper they'll need to agree on a salary, along with hours and such. He thought that everyone had a list of the qualifications per Civil Service. He stated that they'll need to move forward on this for many reasons, which he would be happy to share them in executive session.

The Supervisor wanted to make Town employees aware, as well as the public, that there's a scam impacting surrounding municipalities as well as Saratoga County. He stated that personal information has been hacked somewhere along the line. He's getting notices in his department of active employees that have filed for unemployment insurance who still gainfully employed by the Town or the County. He

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wanted to make everyone was aware of the scam. He stated that the Town is disputing each one they receive from New York State Department of Labor and notifying them that these are false claims.

The Supervisor stated that he was interviewed by various media outlets regarding Global Foundries' announcement yesterday, to relocate their corporate headquarters from Silicon Valley to Malta. He stated that it will have huge beneficial repercussions for the surrounding areas, and in Saratoga County in particular. It's anticipated to be a \$15,000,000,000 investment with approximately 3,000 jobs coming in, which are probably all six figure jobs. He stated that this will be fantastic for the Town of Malta and surrounding communities. It will be a draw for people to come to Saratoga County. He stated that Senator Schumer, making his announcement, indicated that this is a priority for him. He has bipartisan support putting together a fifty billion-dollar package, which will assist in the transition from California to New York.

The Supervisor reported that the local sales tax reported from the State Comptroller's office for Saratoga County is up 26.4% from March of last year. The year to date sales tax that the Town is being awarded is \$571,701.11, which is an increase of \$61,749.00 over last year. This relates to just over a 12% increase from last year. He stated that things are starting to turn around, which is good news.

COMMITTEE REPORTS

Councilmember Noonan stated that they had a Code Enforcement application and they've been trying to reach out to the individual to see if he's still interested. He hasn't responded. He stated that he will continue to try and reach this individual so they can move this position along.

Councilmember Hogan stated that one of the Transfer Station employees is currently hospitalized. He stated that they're looking for more manpower down there, and that they should not only be looking for the manager position but also someone to work outside.

Councilmember Hogan stated that BOCES is working on taking trees down at the Park. He stated that they're also milling the trees to use for the butterfly exhibit. He stated that they'll be helping to grade around the universal playground as well, but they have to wait until some of the students are more acclimated to the heavy equipment before they're sent over to do the work. Councilmember Hogan also commented that they're still waiting on the engine for the paint sprayer.

Councilmember Hogan stated that the tractor used to mow the cemeteries isn't operating properly. It's stalling out and they can't keep it running. Buildings and Grounds has tried to get it up and running but haven't figured it out. He stated that he requested it to be sent to Falls Farm and Garden for evaluation. He stated that it might be 4-6 weeks because they're backed up but believed there was a back-up at the Park that can be used for now.

Councilmember Hogan stated that he had met with Upstate Insurance Agency today. They should have some comparisons for the Town Board by tomorrow.

Resolution #2021-165

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to adjourn to Executive Session at 8:35 p.m. to discuss the work performance of an unnamed employee or employees; contract negotiations for the purchase of land; and to receive an update on the tax certiorari case with Erie Boulevard.

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

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

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

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to return from Executive Session at 9:26 p.m. with no action taken in Executive Session.

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

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

The Supervisor asked Councilmember Hogan to give an update on the fire protection system.

Councilmember Hogan stated that a couple months back, the fire alarm system started to not function properly. The recommendation was to change out the control board. He stated that they had received three different RFP's:

Foresight Electronic Monitoring Sys, Inc. 25 Connecticut Avenue Queensbury, NY 12804	\$5,795.52
New York Fire & Security 4 Glens Falls Technical Park Glens Falls, NY 12801	\$10,500.00
Mahoney Notify-Plus Inc. P.O. Box 767 Glens Falls, NY 12801	\$8,555.00 \$28.50 Monthly Monitoring Fee

The recommendation from the Buildings and Grounds Supervisor was to go with Foresight. Councilmember Hogan stated that they currently maintain and monitor the system and are familiar with it.

Resolution #2021-166

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, authorizing Foresight Electronic Monitoring Sys., Inc. for the repair of the fire alarm system, in an amount not to exceed \$5,795.52.

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

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

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, to close the meeting for the evening at 9:31 p.m.

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

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

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
Town Clerk