

A regular meeting of the Town Board of the Town of Moreau was held on June 24, 2014 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Deputy Supervisor Vittengl opened the meeting at 7:00 p.m.

The Town Clerk called the roll.

Town Board Members Present

Todd Kusnierz	Councilman
Gina LeClair	Councilwoman
Bob Prendergast	Councilman
Robert J. Vittengl, Jr.	Councilman & Deputy Supervisor

Town Board Members Absent

Preston L. Jenkins, Jr. Supervisor

Also Present: Jeanne Fleury, Town Clerk; Karla Buettner, Attorney for the Town; Paul Joseph, Highway Superintendent; Jesse Fish, Water Superintendent; Jamie Graul, Assistant Water Superintendent; Amanda Metzger, Post Star Reporter; Reed Antis, Planning Board Member and Town Resident; Peter Lemery, Village Resident; and the following Town Residents: Gardner & Gay Congdon, Paula Lomasney, Peter Lemery, Jim Aiken and Terry Clark who arrived at 7:25 p.m.

Deputy Supervisor Vittengl welcomed everyone to the meeting.

Deputy Supervisor Vittengl led the Pledge of Allegiance.

APPROVAL OF MINUTES

The following minutes were presented to the Town Board in advance of the meeting for their review, comment, correction and approval:

May 27th Town Board Month-End Audit Meeting and June 10th Regular Town Board Meeting

MINUTES – MAY 27, 2014 – MONTH-END AUDIT MEETING

Approval tabled.

MINUTES – JUNE 10, 2014 – REGULAR TOWN BOARD MEETING

No comments or corrections.

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz to approve the minutes of June 10th as prepared.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Prendergast	Abstain
Deputy Supervisor Vittengl	Yes
Supervisor Jenkins	Absent

FUTURE MEETINGS AND WORKSHOPS SCHEDULED

The Month-End Audit Meeting of the Town Board was scheduled for June 26th at 6:30 p.m.

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15 MINUTE PUBLIC COMMENT PERIOD

Gardner Congdon stated that he was at the last Town Board Meeting and asked how the \$1,700.00 water hookup fee was arrived at and he was told that he could have the information the following Monday. The information that was given to him was the same information he already had and that was a list of the fees. What he wants is the engineering report that defines the methodology behind the fees that was referred to at a meeting in 2010. He was told that the schedule of fees he obtained was all there was. He said it has been three weeks and he is entitled to this information. He is going to have to pay \$12,000.00 and he wants an explanation first on how the fees were arrived at.

Councilman Kusnierz stated that he voted against the fees, because he asked at the meeting how the numbers were arrived at and wasn't given a satisfactory answer.

Gardner Congdon stated again that the minutes read that a report was prepared and that is what he wants.

Councilman Prendergast said if a report was given to the Board then it should be in Town Hall.

Gardner Congdon asked if he could have it and Councilman Prendergast said he didn't see why not.

Gardner Congdon said he wanted to analyze it to see if the fees were legal or not.

Councilwoman LeClair said she thought that Gardner Congdon was going to get the information from the Town Supervisor and she assumed he had received the information.

Gardner Congdon said he didn't and he has made five trips to Town Hall.

Councilwoman LeClair said she would call Tim Burley tomorrow and try to get the information for him.

Gardner Congdon stated that the minutes of a meeting in 2010 refers to the fact that Tim Burley gave the Town Board a report and that report should be on file in the Town Clerk's Office for public inspection.

Councilman Vittengl said the Board would do some research on this and get back to him.

Gardner Congdon asked the Town Board if they are familiar with the law regarding executive sessions and stated that minutes are supposed to be taken in executive session.

Attorney Buettner advised Gardner Congdon that minutes do not have to be taken in executive session unless action is taken in executive session and she referred him to Public Officer's Law Section 103.

Gardner Congdon said he would be back to every meeting and was going to scold the Town Board, because he doesn't think they are doing their job.

Reed Antis said that it has been almost 60 days since Robert Sheehan resigned, Library Trustee, who represented the Town of Moreau on the Library Board. He asked Councilman Kusnierz what the Town's action should be.

Councilman Kusnierz said the Town needs to receive notification of his resignation and Reed Antis said a letter was received. Councilman Kusnierz said it is up to the library as to whether they want us to hold a special election, which is costly, or make an appointment. He won't support a special election that is costly to the taxpayers.

Reed Antis asked Councilman Kusnierz if shouldn't he ask the Library Board to appoint someone and Councilman Kusnierz said that would be up to the Town Board.

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Reed Antis asked why he wouldn't bring it up as an agenda item at a Town Board Meeting and Councilman Kusnierz said the Town Board could do that and Reed Antis asked if he would do this as the Town Board liaison and Councilman Kusnierz replied no. He doesn't unilaterally run this Town. The whole Town Board is aware there is a vacancy. Reed Antis asked why he wouldn't bring it up. He said there may be items that qualify for the agenda based on needs of the Council. He asked Councilman Kusnierz if shouldn't he bring it up and discuss it. Councilman Kusnierz said he doesn't think he should suggest anything other than information that comes before a public meeting and if this Board wants to take action on it so be it.

Councilman Kusnierz then mentioned that he had brought up the resignation at a meeting under committee items on the agenda.

Reed Antis said the matter of an appointment should be an agenda item.

Deputy Supervisor Vittengl said if the Town Board agrees they will make it an agenda item.

HIGHWAY DEPARTMENT REQUESTS

The Highway Superintendent obtained the following quotes for the purchase of six (6) 30" rings and grates:

Chemung Supply Corp. P.O. Box 527 Elmira, NY 14902	\$2,070.00 + Freight
EJ USA Inc. P.O. Box 644873 Pittsburgh, PA 15264-4873	\$1,770.00 + Freight
Vellano Bros. Inc. 7 Hemlock Street Latham, NY 12110	No Quote

This purchase would be made out of account DB5110.450 that had a balance of \$4,000.00 as of 6/3/14.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the purchase of six (6) 30" rings and grates from EJ USA, Inc. at a cost not to exceed \$1,770.00 plus freight out of account DB5110.450.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Deputy Supervisor Vittengl	Yes
Supervisor Jenkins	Absent

The Highway Superintendent submitted a memo to the Town Board advising that due to core testing on Selfridge Road it was found that a 6% concrete mixture is needed rather than a 3% to 4% concrete mixture for the reclamation work on the road. The Town Board previously authorized the reclamation work at a cost of \$26,000, but since the concrete mixture has increased to 6% the cost has increased to \$29,997 a total increase of \$3,997 from the originally approved amount. The increased amount is still lower than the amount quoted by The Gorman Group of \$37,200.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast authorizing the additional amount of \$3,997.00 for the reclamation of Selfridge Road bringing the total cost up to \$29,997.00.

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Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilwoman LeClair	Yes
Councilman Prendergast	Yes
Deputy Supervisor Vittengl	Yes
Supervisor Jenkins	Absent

RECREATION DEPARTMENT REQUESTS

Deputy Supervisor Vittengl informed the Town Board that the XRT Club Car in the Recreation Department has engine trouble and it may need an overhaul or replacement. The Club Car is used in the winter also when they put tracks on it. He suggested that quotes be obtained to repair the Club Car. No objections were raised.

Deputy Supervisor Vittengl reported that a letter of resignation has been received from Amy Alfonso from the position of Part-Time Recreation Program Director. He said that Amy Alfonso has done a great job, but she has taken on a new job that requires more of her time than originally anticipated. She is willing to assist with the Field Hockey Program and the Kayaking Program. He said the Board will have to look for a replacement for Amy Alfonso.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to accept the resignation of Amy Alfonso from the position of Part-Time Recreation Program Director.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilman Kusnierz	Yes
Councilwoman LeClair	Yes
Deputy Supervisor Vittengl	Yes
Supervisor Jenkins	Absent

Councilwoman LeClair stated that Sandy Mahoney is working in place of Amy Alfonso so we are all set for now.

Deputy Supervisor Vittengl reported that the beach will be opened up and running for the summer season. The building down there will be addressed this fall.

Deputy Supervisor Vittengl reported on a request from Tim Johnston to increase the hourly pay rates of Chris Rich and Jim Davenport part-time employees in the Recreation Department from \$9.00 an hour to \$10.50 an hour. Tim Johnston said he could jockey around some budget numbers to keep within the budgeted amount if this increase was granted.

Councilman Kusnierz stated that increase in salaries and hourly rates are normally addressed at budget time and the tax rate is structured around the adopted budget and increasing a salary or hourly rate in the middle of a budget year opens a Pandora's Box. There are other individuals who may also warrant a pay increase and if an increase is given out it has to be done uniformly.

Councilwoman LeClair agreed with Councilman Kusnierz even though the employees are doing a great job.

WATER DEPARTMENT REQUESTS

Jesse Fish, Water Superintendent, asked if the hookup fee for water for a person who owns property on Sisson Road was going to be addressed.

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The Town Board had been made aware of this, but Supervisor Jenkins hadn't supplied them with any information to discuss it at this meeting.

Councilman Prendergast asked if the property owner was prepared to purchase the water and pay for it.

Jesse Fish stated that they came in and filled out an application today. He asked the Town Clerk if this was correct.

Jeanne Fleury, Town Clerk, replied yes and she thought they made a down payment. Her clerk processed the paperwork and she overheard the conversation and was pretty sure they made a down payment.

Councilman Kusnierz said he received a call from the Supervisor about this and he asked if he understood correctly that it would be a reduced hookup fee.

Jesse Fish replied that the fee would not be reduced, but it wouldn't be paid all at once up front.

Councilwoman LeClair asked if we need a policy in order to allow someone to make a down payment and pay the balance over a six month period of time.

Councilman Kusnierz stated that there have been other times when property owners have felt that they should get a reduced rate for a water hookup and in this case effectively it is a reduced rate by allowing them to pay over time. This option wasn't offered to other individuals. He said if the Town Board was willing they could modify the water district regulations to allow this. He understood from the conversation with the Supervisor that the people need the water now.

Jesse Fish said he wasn't comfortable hooking them up without them paying first unless the Town Board told him to do it. The owner of the property didn't want to hook up to the water line when it was installed and now the son who has taken possession of the property through an estate wants to hook up to the water line. There is a curb box in the yard. The property owner had Jack Hall install a new pump for the well at a cost of \$1,800.00 and that didn't solve the problem. It was the point that was bad. He called Jesse Fish and asked what the price would be to hook up and that was two weeks ago and he didn't hear anything from the gentleman until last Friday when he called and wanted Jesse to hook him up right then.

Councilman Kusnierz asked if he heard correctly that the property owner called Jesse two weeks ago.

Jesse Fish said two weeks ago the property owner only inquired about the cost for a hookup to the Town's water and at that time he told Jesse he was having trouble with his water and not that he was out of water.

Councilman Kusnierz said he received a call last Friday and was told the people were out of water and they needed to be hooked up right away. He asked Jesse if he was telling him now that the Town was made aware of this prior to last Friday.

Jesse Fish said it has been going on for two weeks, but the property owner hasn't been out of water for two weeks.

Councilman Prendergast said Councilwoman LeClair made a good point. We don't have a policy that covers this right now.

Councilman Kusnierz said the Town Board has to seriously put some thought into how to structure an amendment to our rules and regulations. He told Jesse Fish that as for making a decision on this tonight he wouldn't be comfortable doing that without reviewing the current rules and regulations.

Jesse Fish said if the contractor or property owner calls him, his answer to them should be that the Town doesn't have a policy right now on this and I am sorry we can't help you right now.

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Councilman Kusnierz said the policy is you pay and you get hooked up.

Jesse Fish said he should tell them that the Town doesn't have a policy that allows a payment plan, I am sorry but we can't help you at this time.

Councilman Kusnierz said "correct".

Jesse Fish said he was looking for direction from the Town Board. Supervisor Jenkins told him to hook them up.

Councilman Kusnierz said they have to be fair. There are other people who have had these issues and as a Board have not reduced it.

Jesse Fish noted that the gentleman from Reservoir Road who has been at several meetings asking for a reduced hookup fee finally agreed to pay the \$3,100.00 hookup fee and he was hooked up.

Councilman Kusnierz stated that he wasn't in agreement with the amount of the hookup fee when it was established and he still doesn't agree with it, but that is what the Town Board decided and they have to go with what the Board decided.

Deputy Supervisor Vittengl asked Attorney Buettner if the Town has the option to accept installments or does the Board have to adopt a policy.

Attorney Buettner replied that a policy has to be adopted. The Supervisor contacted her last week and asked if the Town can legally do that and the Town cannot legally do that. There has to be a policy and it has to be uniform throughout all the water districts. She is waiting for the Town Board to direct her to create a policy.

Deputy Supervisor Vittengl said they would have to have an internal discussion on this.

Councilwoman LeClair said she would be willing to entertain a conversation on this.

D.A. COLLINS MINING PERMIT RENEWAL

D.A. Collins submitted a mining permit renewal application to the Town along with a copy of their valid NYS DEC Mining Permit, certificate of liability insurance and a check in the amount of \$100.00.

The Building Inspector/Code Enforcement Officer, Joe Patricke, submitted a memo to the Town Board indicating that he inspected the D.A. Collins mine located on the corner of Route 9 and South Road and there appears to be no activity at the site now or in the past couple of years. The mine is currently inactive. He has not received any complaints concerning this mine over the life of the last permit. It is his recommendation that the renewal mining permit be approved.

Councilwoman LeClair asked if it was a requirement for them to re-register if there has been no activity.

Councilman Prendergast said he didn't recall, but he did recall that the Town Board went through this issue extensively a few years ago. He also recalled that new mining projects can't be started, but existing mining projects are allowed to continue. He doesn't know if they have to be active or not. According to the Building Department they recommend the approval so he feels that answers the question.

Deputy Supervisor Vittengl read from the NYS DEC Mining Permit and it reads that if they are going to discontinue the mining operation they have to submit a termination notice 60 days in advance of the termination. This one is just an extension of an ongoing permit and it has been approved by the Building Department.

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Councilman Kusnierz said he was confused. He thought this was a big issue a few years ago and as part of an agreement between the property owners down there and the Town, the Town Board supported a PUD down there.

Councilman Prendergast said that is a different location. This one is right at the corner of Route 9 and South Road. The other one was off Old Saratoga Road.

Councilman Kusnierz asked if they have an existing NYS DEC Mining Permit and was a copy provided.

Councilwoman LeClair replied yes it was included with the paperwork.

Councilman Kusnierz said the reality is that under NYS DEC Law municipalities don't have authority to require a mining permit. So if they are asking for permission that is nice of them, because the authority rests with the State.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the renewal and issuance of a mining permit to D.A. Collins for their mining that will expire along with their NYS DEC Permit which will be 5/14/19.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Deputy Supervisor Vittengl	Yes
Supervisor Jenkins	Absent

MOREAU COMMUNITY CENTER BINGO LICENSE RENEWAL

The Moreau Community Center submitted a bingo license for renewal.

The Town Board answered questions 1 through 9 on the Findings and Determination form to the affirmative and answered question 10 to the negative.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the renewal and issuance of a bingo license for the Moreau Community Center covering the period of 7/1/14 through 12/31/14.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Deputy Supervisor Vittengl	Yes
Supervisor Jenkins	Absent

PERMIT APPLICATION FOR SALE OF EXISTING LICENSED MOBILE HOME PARK – BLUEBIRD TERRACE

This agenda item was tabled. Further information is required by the Building Department.

ARTRAN SERVICING OF COMPACTOR – AUTHORIZE ADDITIONAL \$250.00 FOR OIL

The Town Board previously authorized Artran to service the compactor at a cost of \$1,125.00 per their quote. They subsequently found out that we have an extra heavy duty compactor with a 7" cylinder that

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requires 25 gallons of hydraulic fluid and a bigger filter so they have to increase their quote \$250.00 to cover the cost of the hydraulic fluid and filter.

Councilman Kusnierz asked if we could add the hydraulic fluid ourselves.

Councilwoman LeClair said she checked with Paul Joseph, Highway Superintendent, and it would cost us \$200.00 for the fluid plus the labor. There would only be a \$50.00 savings in the cost of the fluid and with the labor added in it would probably end up costing us as much as the additional quote from Artran or more.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing an additional amount of \$250.00 for Artran to service the compactor at the Transfer Station.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Prendergast	Yes
Councilman Kusnierz	Yes
Deputy Supervisor Vittengl	Yes
Supervisor Jenkins	Absent

CHANGE ORDER – CLARK ROAD CULVERT FEMA REPAIR PROJECT

Deputy Supervisor Vittengl stated that the change order for the Clark Road Culvert FEMA Repair Project has just been received and he didn't think that the Town Board Members had time to review it and that they were not ready to act on this yet so this item was tabled.

15 MINUTE PUBLIC COMMENT PERIOD

Paula Lomasney a resident of Fedor Road asked if the Town would consider holding a hazardous waste day collection.

Councilwoman LeClair advised her that the Town of Wilton generally applies for a grant every two years through the State to hold a hazardous waste day collection and the Town usually participates.

Paula Lomasney said she would propose that the Town of Moreau should apply for a grant on their own and hold a hazardous waste day collection once a month or twice a year.

Councilwoman LeClair said she would check with the Town of Wilton to see if they plan on holding one. She added that the last time we participated we didn't have a lot of people who took advantage of it.

Paula Lomasney stated that it was probably because nobody knew about. If you go on the NYS DEC website there is a list of hazardous waste disposal sites and Town of Wilton has not been on this list. If another one is held there has to be more advertising and if one is held on a regular basis then more and more people will become aware of it and take advantage of it.

Councilman Kusnierz suggested that if one is held then non-residents could be allowed to participate, but they would pay a fee.

Reed Antis asked for an update on the highway garage roof.

Attorney Buettner stated that we will have to go after the bonding company.

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Reed Antis mentioned how the Village of South Glens Falls picked up two or three truckloads of brush in the Village and brought it down to the Transfer Station. He said if a resident of Moreau brought in that much they would be charged and the Village DPW doesn't have to pay.

Councilman Prendergast advised Reed Antis that the Town doesn't charge residents for brush.

Reed Antis mentioned how Roy Pixley mows once a week the three larger cemeteries in Moreau that are under the care of the Town and the other smaller ones are not being mowed and the Town Board approved mowing of these cemeteries. He said the Olsen Cemetery on West River Road at the intersection with Clark Road needs mowing.

The Board Members said they would take care of it.

Terry Clark stated that after the last meeting he had an altercation with the Water Superintendent. He said he thought they had established the fact that the Town is responsible for the water line to the water meter in the house. He asked if he was right or wrong. The audible answer was "yes".

Terry Clark said he got upset with Jesse Fish, because four times now he has told him that the Town is responsible to the curb stop. He got tired of hearing that, because he had 7 inches of water in his basement. He said that Jesse Fish did go out of his way to turn his water off and back on when his basement was flooded. He has never said anything bad about Jesse Fish. He asked if it is necessary for Jesse Fish as a public works person to threaten him.

Councilman Prendergast said that nobody should threaten anybody. He also said that he believes that people should present their case in an orderly and acceptable manner.

Terry Clark asked if hasn't he done that. He told Councilman Prendergast he would be upset too if he had water in his cellar. He said he isn't the only one who is upset with the job done.

Councilman Prendergast asked Terry Clark what he was asking the Town Board for tonight.

Terry Clark said that Jesse Fish needs to take an anger management course and he owes him an apology. He said Jesse Fish isn't allowed back on his property and if he does step foot on his property he will be arrested. He wants another contact number besides Jesse's in case he has an emergency.

Councilman Prendergast said he doesn't have another emergency number for him.

Jesse Fish said it was brought to his attention last week that the water lines into the houses are the responsibility of the Town. He agreed with Mr. Clark that the Town is responsible for the water lines into the homes that are hooked up to Water District 1 for the next thirty years per the agreements that were signed. He said originally he told Terry Clark that it was not the Town's responsibility. The reason he said this was because in every other water district in the Town the Town is responsible to the curb stop. After talking to Mr. Burley he found out that Terry Clark was right and the Town is responsible in Water District 1 to the meter. That is why when his basement flooded he told Terry Clark to take pictures and agreed with Terry Clark that it was workmanship related and that it should be taken care of. He is sorry that he got upset with Terry Clark like he did. Terry Clark is asking for answers that he can't give him and for that he does apologize for getting hot headed. He has no animosity against Terry Clark in any way, shape or form. If asked back onto his property or into his house by Terry Clark then he would go and professionally take care of anything he has to. He has the same rights as everybody else in this Town and he didn't deserve for him to get as upset as he did. There were certain things that led up to this that are neither here nor there and it is over and over with and we need to move forward and take care of things that need to be taken care of.

Councilman Kusnierz asked Terry Clark if he would be willing to let Jesse Fish back onto his property.

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Terry Clark said he yes. He said he was just really upset. He said that Jesse Fish did go above and beyond for him. He said he was upset with the contractor and he wasn't getting any answers. Not only does he have to fight with the insurance company, but he has to fight with the Town Board. He asked the Board Members if they would be upset if they had 7 inches of water in the basement. Councilman Prendergast said yes he would be. Terry Clark said what would have happened if he hadn't been home for a weekend. The water would have been flowing out the basement or the house could have caught on fire when the water reached the electrical box.

Jesse Fish said the water was up to his knees when he was in the basement.

Terry Clark said they could see from the pictures how bad the workmanship is. He said every house that is hooked up to the water line should be checked. He knows it would take a lot of time and money. He thinks that every time the water was turned on and off in his house the fitting that was not installed properly kept moving until it came apart.

Jesse Fish stated that the saddle that held the slide in place was held in place in such an angle that it didn't push the line back against the wall where it belonged and the two weren't connected properly. After it was connected properly the saddle was a good 1/2 inch off the floor or more and they had to sit on the pipe and hold it in place. He said Terry Clark re-affixed it to the floor himself. After they put it all back together they hooked it back up and made sure everything was alright.

Terry Clark said he knows it is hard to get a reputable contractor, but in the future the Town Board needs to check references. He said if it was their house they would be upset too. His house is his biggest investment and anybody would be upset if this happened.

Councilman Prendergast agreed and said he wished he could talk with him more about it tonight and the insurance companies would settle so they could discuss it more.

COMMITTEE REPORTS

Councilwoman LeClair said she met with Sandy Mahoney and the staff at the beach yesterday and the beach is going to open on Monday. They need to purchase some new ropes.

Sandy Mahoney wants to offer an Arts & Crafts Program at the Rec. Park in July and her niece is willing to volunteer to head the program free of charge. Councilwoman LeClair asked if the volunteer would have to have a pre-employment physical. Attorney Buettner replied no, but she would have to pass a sex offender background check.

Councilwoman LeClair reported that each year Saratoga County gives the Town about \$2,000 for Youth Week and Sandy is working on some events for youths in August. She mentioned it to Bob Bogdan and he is interested in working with her on this.

Councilwoman LeClair said she spoke with John Arnold and Gloria Bolesh has notes from the Farmland Protection Committee Meeting, but she hasn't been able to catch up with Gloria Bolesh. She said maybe they could set a meeting at the next Town Board Meeting.

Councilwoman LeClair went to Ray Supply to get some information on video streaming, but they didn't give her much information. She said they need to get quotes from somebody.

Reed Antis said it should cost less than \$1,000 to set it up. There would have to be a policy and figure out who is going to use the equipment.

Councilman Kusnierz said there are several ways to set it up. He said they should look into combining this with the audio system.

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Reed Antis said the video could be put on you tube. An external hard drive could be used to store the videos. He will try to get some information together for the July meeting and he will ask the Supervisor to put it on the agenda.

Councilman Kusnierz said we aren't the first Town to do this and said the Supervisor should be able to reach out to other Town Supervisors to find out how they do it.

Councilwoman LeClair stated that Attorney Buettner is working on the easements for the riverfront park project.

Councilman Prendergast reported that the Cemetery Committee is going to make a call tomorrow and arrange to have the other cemeteries mowed.

Councilman Prendergast reported that the comments he has received about the state softball tournament that was held in the Rec. Park were all favorable. He said people have said that the rec. employees did an outstanding job. It rained heavily the day before and the work they did to get the fields ready for the tournament was unbelievable. Everyone has said that we should recognize the employees in the Rec. Department for the phenomenal job they did.

Deputy Supervisor Vittengl said the employees were pumping water from the fields at 4:30 a.m. and the night before the games. The out-of-townners were amazed at our facility.

Councilman Prendergast said it went very well. He said it was good for the Town.

Councilman Kusnierz stated that Commissioner Ball who is the newly affirmed Commissioner of the State's Agriculture & Markets Department has announced that communities that have a Farmland Protection Plan in place can take advantage of funding from the Environmental Protection Fund and landowners in those communities who provide the required maps, the State will provide 87.5% of the cost.

SUPERVISOR'S ITEMS

None

A motion was made by Councilman Prendergast and Councilwoman LeClair to adjourn to executive session at 8:12 p.m. to discuss proposed or pending litigation with respect to a water project.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilman Kusnierz	Yes
Councilwoman LeClair	Yes
Deputy Supervisor Vittengl	Yes
Supervisor Jenkins	Absent

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

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to adjourn the executive session and re-open the regular meeting at 8:24 p.m.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Deputy Supervisor Vittengl	Yes

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Supervisor Jenkins Absent

No action was taken in or as the result of the executive session.

A motion was made by Deputy Supervisor Vittengl and seconded by Councilman Prendergast to adjourn the regular meeting at 8:25 p.m.

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Deputy Supervisor Vittengl	Yes
Supervisor Jenkins	Absent

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury
Town Clerk