

A regular meeting of the Town Board of the Town of Moreau was held on April 13, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Supervisor Jenkins called the meeting to order at 7:10 p.m.

The Town Clerk called the roll, which resulted in the following Town Board Members being present or absent:

Town Board Members Present

Tom Cumm	Councilman
Bob Prendergast	Councilman
Gina LeClair	Councilwoman
Todd Kusnierz	Councilman
Preston Jenkins	Supervisor

Town Board Members Absent

None

Also Present: Jeanne Fleury, Town Clerk; Paul Joseph, Highway Superintendent; Joe Patricke, Building Inspector/Code Enforcement Officer; Steve Gram, Recreation Director; Nancy Ryan, Transfer Station Clerk; John Svare, Attorney from Bartlett, Pontiff, Stewart & Rhodes and legal counsel for the Town of Moreau; Stephanie Gootz, Senior Account Executive representing Broadview Networks; John Otoupal representing South Glens Falls Youth Baseball; John Davidson from Queensbury, New York; Village of South Glens Falls Residents: Gerald Fitzgerald and Harry G. Gutheil, Jr.; Town of Moreau Residents: Richard Hughes, Carol Bromley, Gordon Hadsell, Huguette Delvaux; Hal Leonelli, Developer (arrived at 7:20 p.m.); Adele Kurtz, Town Resident (arrived at 7:35 p.m.); John Telisky, Town Resident (arrived at 7:40 p.m.); Elizabeth Lanfear, Town Resident and Member of the Recreation Commission (arrived at 8:00 p.m.)

Supervisor Jenkins led the Pledge of Allegiance.

Supervisor Jenkins asked everyone present to please silence their cell phones and refrain from using any recording devices. The audio of the meeting will be posted on the Town's website tomorrow.

Councilman Kusnierz noted that the restriction on recording devices is not allowed per the Open Meetings Law and it is also not part of the policy the Town Board adopted and that is posted on the door to the meeting room.

MINUTES

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

March 23rd and March 30th

MINUTES – MARCH 23, 2010 – REGULAR TOWN BOARD MEETING

Page 192 – 5th paragraph – 2nd line – add the word “of” in between the words “type” and “request”

Page 198 – 6th sentence – delete the words “they will” and add the words “will they”

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to approve the minutes of March 23rd with the corrections so noted.

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Roll call vote resulted as follows:

Councilman Cumm	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Jenkins	Abstain

MINUTES – MARCH 30, 2010 – MONTH-END AUDIT MEETING

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to approve the minutes of March 30th as prepared.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Cumm	Yes
Supervisor Jenkins	Yes

FUTURE MEETINGS/WORKSHOPS SCHEDULED

Supervisor Jenkins stated that previously the 2nd regular meeting of the Town Board in April was changed to April 29th rather than April 27th at 7:00 p.m. and he asked for a motion and second to change the 2nd regular meeting of the Town Board in April back to April 27th at 7:00 p.m.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to change the 2nd regular meeting of the Town Board in April back to April 27th at 7:00 p.m.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Cumm	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

The Month-End Audit Meeting was scheduled for April 28th at 4:30 p.m.

15 MINUTE PUBLIC COMMENT PERIOD

Carol Bromley who resides at 370 Fortsville Road asked what the status of the water project was.

Supervisor Jenkins replied that they were waiting on the Environmental Facilities Corp. (EFC) on what the numbers are going to be. He expected them by March 1st and has now been told they would hear something by the middle of April. He sent a letter last Friday to them trying to find out what is happening. He called the EFC office in Warrensburg and they are pushing to try and get things done. We can't start the project or go out to bid or form a district until we know how we are going to pay for it.

Councilman Kusnierz spoke with Tim Burley this week and one of the things we can do once we receive state approval is break out portions of the project and bid out portions separately rather than wait for the entire extension to be done; we could bring one section on-line at a time. He hoped the board would look at doing this.

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Supervisor Jenkins said they previously discussed this with Tim Burley and they would most likely go out to bid on the Fortsville section of the project separately.

Carol Bromley asked if they thought it would be done this year and Supervisor Jenkins replied that was the goal.

Councilman Kusnierz stated that there are stimulus funds available from the Federal Government through the Drinking Water State Revolving Fund (DWSRF) and we are just waiting to hear from them.

Supervisor Jenkins stated that we are waiting to hear how much is going to be debt forgiveness and interest free.

Richard Hughes who resides at 98 Harrison Avenue asked what the reason was for tying the water line from Bluebird Road across Sisson Road and into the Water District 1 line that is serviced by the Village of South Glens Falls water.

Supervisor Jenkins replied that there is a developer who is going to pay for this and the water rate would go down significantly from what we pay the Village of South Glens Falls for their water supply.

Mr. Hughes read from information he had with him that read that Tim Burley estimates the target service charge is approximately \$535.00 per year and USDA estimates \$650.00 or \$675.00.

Supervisor Jenkins replied it won't be that much.

Mr. Hughes asked how much it will be and Supervisor Jenkins replied it will be around \$250.00 to \$300.00 per year for two people and Mr. Hughes replied that is about \$150.00 more than he is paying now. Mr. Hughes stated he pays about \$72.50 every six months. Supervisor Jenkins replied it will be less than that then.

Mr. Hughes stated he paid on a bond to run the water down Harrison Avenue and now he has to pay on another one for something he already has. The water from South Glens Falls is fine and the rate is fine, he has no problem with that.

Supervisor Jenkins stated that it was decided a long time ago that the water line would be extended and at that point the water districts would all be using the same water source.

Mr. Hughes asked where the figures came from that are in the paperwork he has.

Supervisor Jenkins stated the numbers are just estimates and averages that the engineers come up with when they submit grants.

Mr. Hughes asked about the USDA. Their name was mentioned in the paperwork he had and Supervisor Jenkins replied that we aren't using the USDA for this project. At one time we thought we were going to get help from the USDA for the Fortsville Road project and that isn't going to be the case now, because we don't qualify for a grant through the USDA.

Harry Gutheil stated he was confused too, because Mr. Hughes is in Water District 1 and there isn't any bond involved in this extension. He stated that the information Mr. Hughes had more than likely pertained to the Water District 7 project and Supervisor Jenkins replied it probably was Water District 7 information.

[Hal Leonelli entered the meeting.]

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Harry Gutheil stated that the area Mr. Hughes lives in isn't going to be part of the Water District 7 project and Supervisor Jenkins said his area would be part of the Water District 7 project, but Water District 7 isn't going to do this water line extension in Water District 1.

Harry Gutheil stated that the Town applied to borrow the money for Water District 7, but Water District 7 was going to pay the costs not Water District 1 for the interconnection from DWSRF money and

Supervisor Jenkins said this was correct.

Hal Leonelli addressed Harry Gutheil and told Harry Gutheil that when he was supervisor he asked him several times for water from the Village of South Glens Falls and he was against it so he knows all about what is going on here. He said that Harry was asking questions when he had the inside information.

Harry Gutheil replied that he was trying to help clarify the information for Mr. Hughes who is under the impression that there is going to be debt in Water District 1 and to his knowledge there isn't.

Hal Leonelli stated that Mr. Hughes has come to every meeting for the past seven years.

Hal Leonelli stated that if he had his way as opposed to Harry Gutheil's way he would have apartments built there now, because the water was available from the Village of South Glens Falls. That was the way he would have preferred it and his project would have been built now. He hoped this clarified things for the new Board Members as to what transpired over the last seven years.

Harry Gutheil stated for the record that the developer agreed to make that inter-connection, because the Town was going to break away from the Village, because the Village was charging us double what we could pay for water from Queensbury and it was in the Town's best interest to make that inter-connection plus we would have a looped system to give us a better fire flow rate.

Hal Leonelli stated that the inter-connection could have been made at any time, even now, and we could have been using Village water for the last five years.

Supervisor Jenkins stated that he understood what Hal Leonelli was saying, but when the Town looks at infrastructure we try to do it for the betterment of the Town and that might have helped his development more, but we feel what we are doing is a big asset for our community. He is aware of what the previous Board tried to do and that was to look into the future of this community and what makes sense and that is one water system. It would eliminate a lot of issues.

Hale Leonelli stated he understood.

Supervisor Jenkins stated this concluded the first 15 minute public comment period. There would be another one near the end of the meeting.

WATER DISTRICT 1 EXTENSION 2 – RESOLUTION TO SCHEDULE PUBLIC HEARING

Supervisor Jenkins asked for a motion and second to schedule a public hearing on May 11th at 6:40 p.m. on Water District 1 Extension 2.

Councilwoman LeClair stated she couldn't be present that night.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to adopt the following resolution:

WHEREAS, the Town Board of the Town of Moreau ("Town Board") is considering an application entitled Extension No. 2 of Water District No. 1 within the Town of Moreau for the purpose of

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providing municipal water to a 19.46± acre area owned by Harold Leonelli ("Owner"), which parcel is identified as SBL 37.19-1-25. The subject property is situated on the south side of Harrison Avenue and west of Sisson Road. At the request of the Town Board, the extension includes multiple other parcels not owned by Harold Leonelli, identified as SBL Nos. - see attached list; and

WHEREAS, the Owner has received site plan approval from the Town of Moreau Planning Board for a 144 unit apartment complex at SBL No. 37.19-1-25; and

WHEREAS, at the sole cost of the Owner, Garry R. Robinson, P.E. has prepared a Map, Plan and Report regarding Extension No. 2 of Water District No. 1 ("Map, Plan and Report"), outlining the description of proposed Extension No. 2 of Water District No. 1, the facilities within the water district, the estimated cost of the project and estimated user fees for water consumers within the proposed water district extension; and

WHEREAS, all costs of the district extension and all necessary water distribution and water line construction costs shall be borne by the Owner; and

WHEREAS, the Town Board has reviewed the Map, Plan and Report and has determined that it is appropriate to schedule a public hearing on the formation of Extension No. 2 of Water District No. 1; and

WHEREAS, the Town Board finds that it is in the best interest of the Town of Moreau and for those residents who reside or will be residing within the boundaries of proposed Extension No. 2 of Water District No. 1 to establish this extension of the water district;

NOW, THEREFORE, BE IT RESOLVED that:

1. The Supervisor is authorized to execute the Order and Notice of Public Hearing scheduling a public hearing on the formation of the proposed Extension No. 2 of Water District No. 1; and
2. A public hearing is scheduled for May 11, 2010 at 6:40 p.m.; and
3. The Town Clerk is authorized to publish the aforementioned Order and Notice of Public Hearing once in the Glens Falls Post-Star newspaper. Such publication shall occur not less than 10 days nor more than 20 days prior to the public hearing. The Town Clerk shall post a copy of this Order in the Town Hall.
4. The Town Board asserts lead agency status for this unlisted action under SEQRA. All involved/interested agencies shall be notified.

Water District 1, Extension 2
Multiple Parcels to be Included in District

37.-1-10.121	37.-1-18	37.19-1-4	37.19-2-27
37.-1-10.13	37.-1-19	37.19-1-5	37.19-2-29
37.-1-10.14	37.-1-31.2	37.19-1-6	37.19-2-30
37.-1-12	37.-1-34	37.19-1-7	50.-2-8
37.-1-13	37.-1-36.1	37.19-1-8	50.-2-9
37.-1-14	37.-1-36.2	37.19-1-24.11	50.-2-10
37.-1-15.3	37.3-1-1	37.19-1-24.12	50.-2-11
37.-1-15.12	37.3-1-4	37.19-2-16	50.-2-12
37.-1-15.212	37.3-1-6	37.19-2-24	50.-2-100.11

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37.-1-15.22
37.-1-17

37.3-1-7
37.3-1-17

37.19-2-25
37.19-2-26

DESCRIPTION OF THE AREA
OF THE PROPOSED EXTENSION #2
OF THE
TOWN OF MOREAU WATER DISTRICT #1

All those certain tracts, pieces or parcels of land situate in the Town of Moreau, County of Saratoga, and State of New York lying east of the Village of South Glens Falls, Town of Moreau common boundary line and being further bounded and described as follows:

Parcel No. 1

Beginning at the point of intersection of the south line of Van Buren Street and the eastern boundary line of the Village of South Glens Falls. Thence from said point of beginning in an easterly direction along the southerly boundary of Van Buren Street to a point, which is the northeast corner of tax map parcel 37.3-1-6. Thence from that point which is on the southerly line of Van Buren Street in a westerly direction along a line that is parallel to and four hundred feet north of the northerly line of Harrison Avenue to the Village of South Glens Falls easterly boundary line. Thence northerly along that Village/Town boundary line to the point of beginning.

Parcel No. 1 intending to include the following tax map parcel numbers:

Remaining parts of 37.3-1-1, 37.3-1-4, 37.3-1-17, 37-1-31.2, 37.3-1-7 and 37.3-1-6

Parcel No. 2

Beginning at a point on the easterly boundary line of the Village of South Glens Falls, said point being 400 feet south of the south line of Harrison Avenue where it crosses the common boundary of the Village of South Glens Falls and Town of Moreau. Thence from said point of beginning in an easterly direction along a line parallel to the southern boundary of Harrison Avenue and 400 feet south of the southerly boundary of Harrison Avenue to a point which is the northwest corner of tax map parcel 39.19-1-4. Thence in an easterly direction along the common division line between tax map parcel number 37.19-1-3 to the north and tax map parcel 37.19-1-4 to the south to a point on the westerly boundary of Sisson Road, said point being the southeast corner of tax map parcel number 37.19-1-4. Thence along the common division line of Sisson Road to the east and to the west tax map parcels 37.19-1-4, 37.19-1-5, 37.19-1-6, 37.19-1-7, 37.19-1-8, 37.19-1-24.11, 37.19-1-24.12, 37-1-13, 50-2-100.11, 50-2-9, 50-2-8 to a point on the western boundary of Sisson Road which is also the southeast corner of tax map parcel 50-2-8. Thence in a westerly direction along the common division line of tax map parcel 50-2-100.11 to the north and 50-2-2.1 to the south to the southwest corner of tax map parcel 50-2-100.11. Thence along the common division line of tax map parcel 50-2-100.11 to the east and tax map parcel 50-2-1.11 to the west in a northerly direction to a point being the northwest corner of tax map parcel 50-2-100.11 said point being on the common division line between tax map parcel 37-1-15.12 to the north and 50-2-100.11 to the south. Thence in a westerly direction along the common division line of tax map parcel 50-2-1.11 to the south and tax map parcels 37-1-15.12 and thence a portion of 37-1-14 to a point which is the northeast corner of tax map parcel 50-2-1.11. Thence in an easterly direction along the common division line between tax map parcel 37-1-14 to the north and tax map parcels 50-2-1.11 and 50-2-2.1 to the south to a point which is the southwest corner of tax map parcel 37-1-14. Thence in a northerly direction along the common division line between tax map parcel 37-1-14 to the east and tax map parcel 50-2-2.1 to the west to a point which is the northeast corner of tax map parcel 50-2-2.1. Thence along the common division line between the Town of Moreau and Village of South Glens Falls first in an easterly direction and then in a northerly direction to the point of beginning.

Parcel No. 2 intending to include the following tax map parcel numbers:

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All of 37.19-1-4, 37.19-1-5, 37.19-1-6, 37.19-1-7, 37.19-1-8, 37.19-1-24.1, 37.19-1-24.2, 37-1-13, 50-2-9, 50-2-8, 50-2-100.11, 37-1-15.212 and remaining parts of 37-1-14, 37-1-15.12, 37-1-15.22, 37-1-34, 37-1-15.3, 37-1-25, 37-1-19, 37-1-18, and 37-1-17

Parcel No. 3

Beginning at a point on the southerly line of Harrison Avenue said point being 400 feet easterly of the southeast corner of the intersection of Harrison Avenue and Sisson road. Thence from said point of beginning along the south line of Harrison Avenue in an easterly direction along the common division line of Harrison Avenue to the north and to the south tax map parcels 37.19-2-1, 37-1-25.2, 37-1-10.122, 37-1-10.121, 50-4-1.31, 37-1-10.13, 37-1-10.14 to a point where it intersects the western boundary of Water District #1. Thence in a southeasterly direction thru tax map parcel 37-1-10.14 and along the westerly boundary of Water District #1 to its intersection with the north line of Bluebird Road. Thence Westerly along the common division line of Bluebird Road to the North and tax map parcel 37-1-10.14 and 37-1-10.13 to the south to a point on Bluebird Road north line which point is the northeast corner of tax map parcel 50-4-1.31. Thence in a westerly direction along the common division line of tax map parcel 50-4-1.31 to the south and tax map parcels 37-1-10.121 and 37-1-25.2 to the north to a point which is in the southwest corner of tax map parcel 37-1-25.2. Thence in a northerly direction along the common division line of tax map parcel 37-1-25.2 to the east and tax map parcels 37.19-2-13, 37.19-2-12, 37.19-2-11, 37.19-2-10, 37.19-2-9, 37.19-2-8, 37.19-2-7, to the west to a point which is the northeast corner of tax map parcel 37.19-2-7. Thence in a westerly direction along the common division line between tax map parcel 37.19-2-7 to the south and tax map parcel 37-1-25.2 to the north to a point which is the northwest corner of tax map parcel 37.19-2-7. Thence in a northerly direction along the common division line of tax map parcel 37.19-2-6 to the west and 37-1-25.2 to the east to a point which is the south east corner of tax map parcel 37.19-2-1. Thence in a westerly direction along the common division line of tax map parcel 37.19-2-6 to the south and tax map parcel 37.19-2-1 to the north to its intersection with the eastern boundary of Water District #1. Thence in a northerly direction along said water district boundary line to the point of beginning.

Parcel No. 3 intending to include the following tax map parcel numbers:

All of 37-1-25.2, 37-1-10.122, 37-1-10.121 and 37-1-10.13 and remaining parts of 37.19-2-1 and 37-1-10.14

Parcel No. 4

Beginning at the point of intersection of the southerly line of Appletree Lane and the easterly line of Sisson Road said point being the northwest corner of tax map parcel 37.19-2-24. Thence in an easterly direction along the common division line between Appletree Lane to the North and tax map parcel 37.19-2-24 to the south to the northeast corner of tax map parcel 37.19-2-24. Thence southerly along the common division line between tax map parcel 37.19-2-23 to the east and tax map parcel 37.19-2-24 to the west to the southeast corner of tax map lot 37.19-2-24. Thence easterly along the common division line between 37.19-2-23 to the north and 37.19-2-25 to the south to a point, which is the northeast corner of 37.19-2-25. Thence southerly along the common division line between 37.19-2-25 and 37.19-2-26 to the west and 37.19-2-21 and 37.19-2-20 to the east to a point, which is the southeast corner of 37.19-2-26. Thence in a westerly direction along the common division line between tax map parcel 37.19-2-26 to the north and tax map parcel 37.19-2-28 to the south to a point which is the northeast corner of tax map parcel 37.19-2-27. Thence in a southerly direction along the common division line between tax map parcel 37.19-2-27 to the west and tax map parcel 37.19-2-28 to the east to a point on the north line of Peachtree lane and then again along the common division line between tax map parcel 37.19-2-16 to the west and 37.19-2-17 to the east to a point which is the southeast corner of tax map parcel 37.19-2-16. Thence in an easterly direction along the common division line between 37.19-2-17 to the north and 37.19-2-29 to the south to a point, which is the northeast corner of tax map parcel 37.19-2-29. Thence the following two courses along the common division line of 37.19-2-29 and 37.19-2-14 south and then east to a point in the cul-de-sac of Appletree Lane. Thence easterly along the common division line between Appletree Lane to the north and tax map parcel 37.19-2-29 to the south to a point which is the intersection of the common division line between tax map parcel 37.19-2-29 to the west and tax map parcel 37.19-2-13 to the east. Thence southerly along aforementioned common division line to a point,

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which is the southeast corner of tax map parcel 37.19-2-29. Thence westerly along the common division line between tax map parcel 37.19-2-29 and 37.19-2-30 to the north and tax map parcel 50-2-100.5 and 50-2-100.4 to the south and 37.19-2-30 to a point which is the northeast corner of tax map parcel 37-1-12.

Thence southerly along the common division line between tax map parcel 37-1-12 to the west of 50-2-100.4, 50-2-102 to the east to a point which is the southeast corner of tax map parcel 37-1-12. Thence westerly along the common division line of the aforementioned parcels to point, which is the northeast corner of tax map parcel 50-2-10. Thence in a southerly direction along the common division line between tax map parcel 50-2-102 to the east and tax map parcel 50-2-10, 50-2-11 and 50-2-12 to the west to a point which is the southeast corner of tax map parcel 50-2-12. Thence in a westerly direction along the common division line between tax map parcel 50-2-12 to the north and tax map parcel 50-2-2.1 to the south to a point on the east line of Sisson Road, said point being the southwest corner of tax map parcel 50-2-12. Thence in a northerly direction along the east line of Sisson Road to the point of beginning.

Parcel No. 4 intended to include the following tax map parcel numbers:

All of 37-1-10.122, 37-1-25.2, 37-1-10.121, 37-1-10.13, 37.19-2-24, 37.19-2-25, 37.19-2-26, 37.19-2-27, 37.19-2-16, 37.19-2-29, 37.19-2-30, 37-1-12, 50-2-10, 50-2-11, 50-2-12 and remaining parts of 37-1-10.14 and 37.19-2-1

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Cummm	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

John Otoupal asked to be heard regarding the new snack bar in the Moreau Rec. Park. He represents South Glens Falls Youth Baseball. He reported that he will be submitting two sets of plans to the Recreation Commission at their meeting on May 3rd. He doesn't know the Town's position officially with the new snack bar. He suggested that the South Glens Falls Youth Baseball Organization and the Town of Moreau Recreation Commission meet with Steve Gram and at least two Town Board Members to discuss this and name a project manager. South Glens Falls Youth Baseball needs clarification on what role they will play in this project.

Supervisor Jenkins stated the plan to get together was a good idea, because there appears to be a lack of communication. We have two Town Board representatives on the Recreation Commission.

Councilman Kusnierz stated that he was at the last Recreation Commission Meeting when this was discussed and it was his idea for them to submit two plans. One being the bare minimum of what they actually need and another plan of what they would be more comfortable with.

LOCAL LAW NO. 2 OF 2010

Supervisor Jenkins asked if the Town Board Members were prepared to move forward on Local Law No. 2 of 2010 or put it on the agenda for the next meeting.

Councilwoman LeClair asked for it to be put on the agenda for the next meeting if possible.

Supervisor Jenkins said it is a law that can be changed. We have been through three public hearings and he didn't know how many workshops.

Councilman Kusnierz stated he was comfortable with the way it was written now.

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Supervisor Jenkins said he was prepared to move on it himself.

Adele Kurtz stated that Section 113-6 references 1972 guidelines for erosion and sediment control in urban areas and she asked the Board Members if they wanted to replace the language so it refers to newer guidelines.

Joe Patricke reviewed the section with Supervisor Jenkins and Supervisor Jenkins asked if they could change the section so it referenced the new guidelines and Joe Patricke replied yes.

Councilman Prendergast referred to concerns raised during the Public Hearing and he read the following from the draft law "However, no mining operation may be expanded, extended or enlarged beyond the limits or parameters of mining operations allowed by the permit for existing operations and the New York State Department of Environmental Conservation (NYSDEC) mining permit for the facility."

Councilman Prendergast asked if someone was operating an existing mine right now and they had additional property that was not being mined right now could they use it for mining later on.

Joe Patricke said no, not the way the proposed law is worded.

Supervisor Jenkins stated that Councilman Kusnierz mentioned earlier about a 50% expansion.

Joe Patricke stated he agreed with Attorney O'Connor he never saw that in the State Law. The only reference he ever saw about 50% expansions was in the Town Zoning Law whereby non-conforming uses are allowed a one-time 50% expansion.

Supervisor Jenkins asked how that would coincide with this.

Joe Patricke replied that if zoning was changed so this wasn't allowed and if it was non-conforming then in our law they would qualify for a one-time 50% expansion if it is in an M1 Zone. He added that once you put it in the law that it is prohibited they couldn't do it anyway.

Attorney O'Connor was of the legal opinion and thought the Town's legal counsel would agree that it would not be a permitted use even if you left the 50% expansion in. It would have to be a 50% expansion in a zone that allows it and this proposed law reads that it isn't allowed in any zone.

Attorney O'Connor asked why the Town was applying this to an M1 Zone. There is very limited land area in the M1 Zone. He disagrees with the draft law for a lot of different reasons in other areas outside the M1 Zone also, but that isn't his "dog in the fight". There is a big distinction between the M1 Zone and other zoning areas in the Town. He stated that the language in the proposed law is very poorly written.

Councilman Prendergast thought they were headed in the direction where they didn't want to allow any existing mining operations to expand, but we didn't mind allowing existing operations to continue. He wasn't 100% convinced now that this is what the proposed law covers.

Supervisor Jenkins agreed that clarification was needed. He suggested they put it on hold and put it on the agenda for the next meeting.

Councilman Kusnierz stated the impetus behind the proposed local law was that how many times was this room filled with residents who were not happy with the quality of life they were enduring as the result of an existing operation. He thought this proposed local law struck a balance between the needs of an existing business and the needs of the community and that is how we got to the point we are at tonight. We weren't going to outlaw them completely, but allow existing operations to continue, but we didn't want a gravel mining operation starting up in the agricultural district or another district in the Town. However, he didn't have a problem if other members of the Board wanted to get answers to questions they have.

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Supervisor Jenkins said this topic would be tabled for now.

Attorney O'Connor asked Supervisor Jenkins if he wanted to schedule a workshop to discuss it.

Councilman Kusnierz suggested that Attorney O'Connor put any comments he may have in writing and give them to the Supervisor who in turn can copy the Town Board. He said he didn't need to meet on it personally. However, he stated that the Supervisor could meet with Attorney O'Connor if he wanted to.

Attorney Svare suggested that the Board entertain a motion to keep the Public Hearing open if it was agreeable to all parties present.

Supervisor Jenkins stated that they already closed the Public Hearing and he assumed that if changes are made to the proposed law that another Public Hearing would be scheduled.

Councilman Kusnierz asked Attorney Svare if they needed a motion to table the proposed local law and Attorney Svare replied yes.

Councilman Kusnierz made a motion to table the proposed local law.

Councilwoman LeClair seconded the motion.

The Town Clerk asked for clarification on what they were doing.

Supervisor Jenkins said they already closed the Public Hearing so nothing further needed to be done.

The motion and second was not voted on.

BROADVIEW NETWORK

Stephanie Gook representing Broadview Network submitted a proposal to the Town Board to provide telephone service to the Town of Moreau that would save the Town a purported \$117.03 per month. It would require a three year contract. The only change would be in the billings. Everything else would stay the same and the Town would continue on with Verizon. Ms. Gook gave the Board Members some information on Broadview.

The Town Board Members asked questions and Ms. Gook answered them.

Ms. Gook was asked to leave a copy of the contract with Supervisor Jenkins so it could be reviewed. She also will get references for the Board Members and find out if she can get a two year contract for the Town vs. a three year contract. She stated that Broadview is not able to provide a month-to-month contract due to their rates being so low. She will also find out what the customer complaint ratio is.

HIGHWAY DEPARTMENT REQUESTS

The highway superintendent submitted a request to replace the main lift cylinder in truck #17. He obtained one quote from Arrowhead Equipment in the amount of \$2,800.00. This is a dealer only item. It would be paid out of DB5130.405 that had a balance of \$65,005.12 as of 3/1/10.

Councilman Kusnierz asked Paul Joseph what was wrong with it.

Paul Joseph replied that it has been leaking hydraulic fluid for over a year now.

Councilman Kusnierz asked why it couldn't be repacked and Paul Joseph replied, because the ram is pitted.

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A motion was made by Councilman Prendergast and seconded by Councilman Cumm to authorize the replacement of the main lift cylinder in truck #17 by Arrowhead Equipment at a cost not to exceed \$2,800.00.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Cumm	Yes
Supervisor Jenkins	Yes

The highway superintendent requested permission to purchase two Kenwood portable radios from Adirondack Two-Way Radio under state contract #PT62491 in the amount of \$638.00 out of account DB5130.2 that had a balance of \$5,721.00 as of 4/1/10.

Councilman Prendergast asked Paul Joseph if he was replacing radios or adding them and Paul replied adding them.

Councilman Prendergast asked who doesn't have one that should and Paul Joseph replied that ~~one~~ **a cell phone** was lost in a work site for a while and has since been found so now they leave them in the trucks. They use ~~them~~ **our radios** when they are working on the roads. **[Amended 4/27/10 jf]**

Councilman Kusnierz asked why they needed 16 channel radios and Paul Joseph replied so they will match their whole system they have now.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair authorizing the purchase of two Kenwood portable radios for the highway department from Adirondack Two Way Radio at a cost not to exceed \$638.00 under state contract #PT62491.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Cumm	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

The highway superintendent requested permission to purchase a ten ton lift jack out of account DB5130.431 that had a balance of \$1,085.13 as of 3/1/10. He obtained the following quotes:

Wallace Supply	\$ 972.95
Weller's Auto Parts	\$1,249.00
Fastenal	\$1,162.09

The recommendation was to purchase the jack from Wallace Supply.

Councilman Kusnierz asked Paul Joseph if this was something he really needed and Paul Joseph said the 25 year old one they have now no longer works and can't be fixed.

Councilman Kusnierz noted that this purchase would deplete the small tools account except for \$112.00 and we are barely three quarters of the way through the year.

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Councilman Kusnierz said the quote from Weller's was for a professional model and he asked how it compares with the quotes from the other two.

Paul Joseph replied that they are both made by the same company just a different subsidiary. All the specifications are the same on all three.

A motion was made by Councilman Cumm and seconded by Councilman Prendergast to authorize the purchase of a ten ton lift jack for the highway department from Wallace Supply at a cost not to exceed \$972.95.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Cumm	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

A request was received from the highway superintendent to purchase a service contract on three standby generators. One generator is in the highway department and the other two are in the water department.

The following quotes were received:

Cummins Northeast, Inc.	\$1,119.81
Kinsley Power Systems	\$1,464.00
Power Professionals	No Quote

The money for the service contract was allocated in the following accounts:

Highway Department - A5132.407
Water District 2 – II8310.4
Sewer District 1 – GI8110.4

Paul Joseph stated that a transfer of funds would be needed into A5132.407 to approve this service contract and Paul was told that the transfer has to be made before the purchase can be made.

Paul Joseph stated that Power Professionals did not quote, because they said it was out of their league.

Brief discussion followed.

This request will be brought up at the next meeting after a transfer of funds is authorized and made.

HIGHWAY DEPARTMENT – FOUR TEN HOUR WORK DAYS

Councilman Kusnierz asked why this was on the agenda. The four ten hour work days was approved at the last meeting by a vote of four to zero.

Supervisor Jenkins said he would consider a resolution authorizing two additional weeks up front of four ten hour work days for the highway department, because they are starting brush pick up two weeks earlier this year.

Councilman Cumm stated that the vote at the last meeting was two to two.

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Councilman Kusnierz explained that he made a motion for four ten hour work days for the same time period as previous years shortly after Councilman Cumm's motion was defeated due to lack of support and Councilman Cumm voted yes for his motion.

Councilman Cumm told Councilman Kusnierz that at that meeting he said he would bring it back up at this meeting, because Supervisor Jenkins wasn't present to vote.

Councilman Kusnierz said it passed so it doesn't matter. He asked Councilman Cumm if they needed all members present to vote.

Councilman Cumm said on this issue, because it came down to a vote of two to two.

Councilman Kusnierz said no, it was four to zero. Councilman Cumm said on his motion yes.

Councilman Kusnierz stated that they have four ten hour days then.

Councilman Cumm replied not the two weeks they wanted on the front and two weeks on the back.

Supervisor Jenkins stated he wouldn't support the two weeks at the end, but he would consider the two weeks on the front end, because clean up is starting early this year.

Councilman Kusnierz recalled that they questioned legal counsel at the last meeting if this was going to be deemed to be an established practice, because we negotiate everything for highway through the contract and everyone who was here heard his comments on that.

Councilman Cumm recalled that legal counsel said we can stipulate by saying this is going to be a one shot deal and that it would be reviewed on a yearly basis.

Councilman Kusnierz said this puts the Town on a weaker position from a legal standpoint for grievances.

Councilman Prendergast said again this isn't the first year for brush pick up and it is starting early, because of the weather conditions. There is a bigger picture here and it does include a represented work force and we are only talking two weeks. He is against it. What we established over the years has worked well. If there were people here or residents outside who were complaining that something wasn't getting done he would be more apt to listen. He doesn't see a reason for it.

Councilman Kusnierz asked Paul Joseph what would happen if there was a snowstorm on a Friday.

Paul Joseph replied he would call men in.

Councilman Kusnierz replied they would be paid overtime and Paul Joseph acknowledged this was correct and Councilman Kusnierz said it is a pretty expensive overtime bill.

Paul Joseph stated that the Town of Halfmoon does it year-round and Councilman Kusnierz stated that he doesn't represent the Town of Halfmoon.

Councilman Prendergast stated he dealt with unions for 23 years and the unions do have a place in the workplace, but if they can't take a big bite of the apple they take small ones until they get the apple. What he is hearing is the voice of people who want it. That isn't who he really represents. He realized they were taxpayers too, but they are also Town employees. If he heard from the residents that they weren't pleased with the service, they weren't getting the service or it doesn't meet their standards he would change it tonight and he would have changed it last month. He isn't hearing it from them. What we have done so far has worked and they were pleased with it for all these years so he was against it last month and he isn't for it this month.

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Councilman Kusnierz stated that his opinion on this is if the workforce wants it that badly they can bring it up at contract time and they could discuss it then.

Councilman Cumm made a motion to extend the four ten hour day work week two weeks on the front-end to the 19th of April with no extension on the back-end in October and they would revisit the October extension at the time to see if they need additional time to pave if they have any money left in their budget.

Councilwoman LeClair seconded the motion.

Councilman Kusnierz asked Paul Joseph how much the paving budget was and Paul Joseph stated he didn't have that figure with him.

Councilman Kusnierz asked Paul Joseph if he would agree that it was drastically cut to balance the budget down there so the Town wouldn't face a tax increase and Paul Joseph replied yes.

Councilman Kusnierz asked when they expected to start paving and Paul Joseph replied it depends on Gorman Bros.

Councilman Kusnierz asked him to narrow it down to a month and then asked Paul if they would start this month and Paul replied no. Councilman Kusnierz asked if it would be next month and Paul replied if Gorman Bros. had one road done then yes he would pave next month.

Councilman Kusnierz stated the whole genesis of the four ten hour work days was almost exclusively to accommodate the paving schedule and since we have limited funds for paving this year he didn't see a need to change what we already established by resolution at the last meeting.

Councilman Kusnierz asked Paul Joseph if he knew what the average snowfall was in April in New York and Paul replied 14 inches.

Councilman Kusnierz stated that means there is a potential for a storm and it is a huge unnecessary overtime cost to our taxpayers if the men have to come in on one or two Fridays and he can't with good conscience subject our taxpayers to that so he would be voting no on the motion.

Roll call vote resulted as follows:

Councilman Cumm	Yes
Councilman Prendergast	No
Councilwoman LeClair	Yes
Councilman Kusnierz	No
Supervisor Jenkins	No *

*Supervisor Jenkins stated that he would have voted yes on this motion, but he voted no based on the negotiations we are going into and some concerns over possible overtime.

RECREATION DEPARTMENT REQUESTS

Steve Gram presented to the Board Members a proposed renewal to the agreement with DeCrescente for beverage machines in the Rec. Park. Steve Gram stated that the renewal is the same as last year's agreement except for new prices on the beverages.

Supervisor Jenkins asked for a motion authorizing him to sign the agreement pending approval by legal counsel for the Town.

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Councilman Kusnierz read in the proposed renewal agreement that the Town would receive 100% of the proceeds and asked if that means all the revenue minus the expense of the product is the Town's to keep and Steve Gram replied yes.

Councilman Kusnierz asked how much revenue we are looking at and Steve Gram said about \$300.00 to \$400.00 a year.

Councilman Kusnierz asked how much time it takes to stock the machines and Steve Gram replied they do it once a week and it takes about one hour.

Councilwoman LeClair asked if he put Red Bull in the machines last year and Steve Gram replied no. She stated she wasn't in favor of stocking Red Bull in the machines or any other high energy drinks.

Councilman Kusnierz stated it wasn't logical to him to have a Rec. employee who gets paid \$10.00 to \$12.00 per hour spend their time stocking the machines for \$300.00 in revenue. He asked why we have to stock the machines.

Steve Gram replied we don't, but we wouldn't get 100% of the proceeds then.

Councilwoman LeClair asked how much we used to get with the previous vendor and Steve Gram replied probably less than \$100.00.

Councilman Kusnierz stated the Town would derive a greater benefit if the vendor stocked their machines based on the numbers given here tonight. He would rather have the Town employees do what they were hired to do rather than stock machines.

Supervisor Jenkins asked if DeCrescente would do the stocking and Steve Gram said he would call them tomorrow and ask.

Councilman Kusnierz said he didn't mind approving it tonight subject to that change.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair authorizing the Supervisor to sign the agreement with DeCrescente Distributing to provide product for the beverage machines in the Rec. Park provided they will be responsible for stocking the machines and subject to legal counsel's review and approval.

Councilman Cumm asked if there are other vendors we can get to stock the machines if DeCrescente won't and Steve Gram replied Coca Cola.

Councilman Kusnierz asked Steve if he contacted Coca Cola for a quote and Steve Gram replied yes.

Councilman Kusnierz asked what the quote was and Steve Gram replied their prices were more.

Councilman Kusnierz said he meant was it more of a benefit to the Town and Steve Gram replied that it was more of a benefit to the Town with DeCrescente and that is why the Town went with them last year. The agreement with DeCrescente is still in effect until June. Their prices have increased that is the only change.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Cumm	Yes
Supervisor Jenkins	Yes

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RECREATION DEPARTMENT REQUESTS

The following request was received from the recreation director to re-hire seasonal, part-time people for the Recreation Department:

<u>Employee's Name</u>	<u>2009Rate/2010 Rate</u>	<u>Title of Position</u>	<u>Pre-Employment Physical Needed</u>
Ryan Kobor	\$9.60 hr/\$9.90 hr.	Seasonal Laborer	No
Chris Leege	\$9.30 hr/\$9.60 hr.	Seasonal Laborer	No
Andre Thibodeau	\$8.55 hr/\$8.85 hr.	Seasonal Laborer	No
Zack Howe	\$8.55 hr/\$8.85 hr.	Seasonal Laborer	No
Faryl Hewitt	\$8.55 hr/\$9.05 hr	Head Lifeguard	No
Kevin Donahue	\$8.50 hr/\$8.80 hr	Lifeguard	No
Rebecca Auffredou	\$8.50 hr/\$8.80 hr.	Lifeguard	No

Councilman Kusnierz asked when the ad was run for these positions and the answer was about two weeks ago. He asked if all of the above applied and the answer was yes. He asked if there were any other applicants who were interviewed from the ad and Steve Gram replied not yet. He asked how many more openings there were and Steve Gram replied he needed two more lifeguards and possibly one seasonal Rec. laborer. One current individual may be leaving. He asked if they all lived in Town and the answer was all but one. He said his concern is we are an equal opportunity employer and when we run an ad he would like to think everybody in our community has an equal opportunity to apply for all the jobs down there so if we are automatically resubmitting names of people who have reapplied from last year then it is unfair to other individuals in the Town and he asked Steve Gram if he agreed. Steve Gram replied that if their work history has been good then past practice is that we rehire them. He further stated if there is an opening we advertise and take applications and Personnel Committee looks them over and makes a recommendation. Councilman Kusnierz asked the Personnel Committee if they recommended these people. Councilman Cumm said the first time he saw the list was at the last meeting. Councilman Prendergast said he was aware of the list. Councilman Kusnierz said they are all good people, but if you look at the last names on the list and then he said that almost 1/2 of the list is related to individuals that who work for this Town and he doesn't want to be perceived that he is only hiring individuals because they are related to people who work for our community. Everybody should have an equal opportunity to apply for job vacancies we have in our community. He asked if the Personnel Committee wanted to look at the list.

Councilman Cumm replied no. He stated that every time the Personnel Committee (himself and Councilman Prendergast) has met Councilman Kusnierz has said he wouldn't take their recommendation.

Councilman Kusnierz asked Councilman Cumm to reiterate what he supposedly said and Councilman Cumm stated that one employee they brought forward Councilman Kusnierz said he wouldn't take their recommendation on.

Councilman Kusnierz said that was false. He said he would take the recommendation of the Personnel Committee and he never said he wouldn't.

Councilman Cumm asked him if he wanted him to pull the minutes and Councilman Kusnierz said yes.

Supervisor Jenkins said he would turn the list over to the Personnel Committee and asked them review the current resumes.

Councilman Kusnierz suggested the Personnel Committee look closely at an individual who has volunteered in the park, is very active in the community, grew up in the community and who applied for this position and that they consider his background and activities down there as well and take that into consideration when they put the list together for recommendations for hiring this summer.

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The recreation director submitted a request to purchase 20 tons of Red Diamond slate dust from Hadeka Stone Corp. in the amount of \$720.00 out of account A7140.4 that has a balance of \$76,387.12. Per Steve Gram this is the only place he can purchase this material from.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the purchase of 20 tons of Red Diamond slate dust from Hadeka Stone Corp. at a cost not to exceed \$720.00.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Cumm	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

A request was received from the recreation director to purchase fertilizer. The following quotes were received:

John Deere Landscapes	\$865.00
Agrium Advanced Technologies	\$770.00
Turf Links	\$843.00

This purchase would be paid out of account A7140.4.

Councilman Kusnierz asked Steve Gram why he didn't request the same product among vendors. He said the products are not the same amongst the vendor's quotes. He said if they weren't comparing the same ratio then they couldn't compare the price

Steve Gram replied that he relied on Jeremy Tripp the expert to look it over and most were comparable. He agreed they were off a little, but that is the only product they sell and they can't all match the exact quotient to make it apples to apples.

Councilman Kusnierz said they aren't even close and it impacts the price significantly. He would understand if they couldn't get a comparable product from another vendor, but he knows they can.

Councilman Kusnierz asked Steve Gram if Jeremy did a lime test and Steve Gram replied yes. He asked if they are where they need to be with lime. If you don't have the lime and the proper ph and proper zone for grass then you can't access the fertilizer so he asked where they are with the lime. Steve Gram said Jeremy did the test and this was his recommendation and he went on his recommendation.

Councilman Kusnierz asked Steve Gram if he knew if Jeremy did the test and what the results were. He told Steve he is the recreation director and he doesn't have the results? Steve Gram replied he didn't know the exact numbers.

Councilman Kusnierz asked for this request to be tabled. He wants to know what the ph is on the fields. If you over apply it has a negative impact. He offered his help to Jeremy and said he would be glad to work with him on it. He needs to do an accurate lime test and fertilizer test, because this stuff is a petroleum by-product and is expensive.

Councilman Cumm asked who did it last year and Steve Gram replied Toadflax. Councilman Cumm asked Steve Gram to get the Board copies of their data and what fertilizer was applied to the fields last year and in preceding years.

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Councilman Kusnierz suggested that Steve Gram contact CaroVail (Carolina-Eastern Vail) in Salem for a quote.

Harry Gutheil added that Cornell Co-Operative Extension will help also.

A request was received from the recreation director to rent one handicapped accessible and two regular port-a-johns for the Rec. Park. He obtained the following quotes:

Stone Industries, LLC	\$1,470.00
IBS Septic & Drain Service	\$1,225.00

The rental fee would be paid out of account A7140.4 that has a balance of \$75,889.12.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the rental of port-a-johns from IBS Septic & Drain Service at a cost not to exceed \$1,225.00.

Councilman Kusnierz asked why they wouldn't split up the quotes. They are both the same price on the regular portable toilets and the handicapped one is where they are difference is. He asked why they wouldn't go with the vendor from Saratoga County for the regular portable toilets and go with IBS for the handicapped portable toilet.

Steve Gram said it is like with the garbage removal, do we want two different vendors in the park supplying the same service. It is easier to go with one vendor when the price is actually cheaper with one vendor.

Councilman Kusnierz said he has no problem generating revenue in Saratoga County.

Roll call vote resulted as follows:

Councilman Kusnierz	No
Councilman Cumm	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

WATER DEPARTMENT REQUEST

Jesse Fish, Water Superintendent requested permission to attend a training class in Saratoga hosted by the AWWA along with Earl Ruff his assistant on April 21st. If they register before April 14th there is no charge. After April 14th the cost is \$25.00.

A motion was made by Councilman Prendergast and seconded by Councilman Cumm authorizing Jesse Fish and Earl Ruff to attend a training class on April 21st hosted by the AWWA in Saratoga.

Roll call vote resulted as follows:

Councilman Cumm	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

Jesse Fish received a request from a local pool company to purchase metered water from a fire hydrant at the industrial park.

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Jesse Fish stated he wasn't in favor of this. They want to pay \$15 to \$18 to fill their tanker with water and charge a person \$300 to fill their pool with it. The reason they want to come to us is because right now Reservoir Road is closed and he can't get to the Fort Edward water plant so he has to drive to Queensbury.

He isn't comfortable selling water like that to anyone or selling it out of a hydrant for anyone. If we do it for one person we will have to do it for all.

There wasn't any support from the Board Members to allow this.

Jesse Fish reported on a memo from the Town Clerk's Office regarding the municipal water rate. Moreau Elementary School and the school administration building are charged the municipal water rate in Water District 4 for water used. However, in Water District 2 there isn't any municipal rate established and the Tanglewood Elementary School and the high school are being charged a higher rate (residential rate).

A motion was made by Councilman Prendergast and seconded by Councilman Cumm to establish a municipal rate of \$2.35 per 1,000 in Water District 2.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Cumm	Yes
Supervisor Jenkins	Yes

Jesse Fish stated that in the memo there was also the question about Toadflax and if they should be charged a commercial rate vs. residential rate and Jesse stated that is a mute question, because Toadflax decided not to hook up to the Town water system.

The third item in the memo was in regards to the court building that is owned by Hillman Bros. on Route 9 and whether or not they can be charged the municipal rate.

Councilman Kusnierz stated that the municipality doesn't own the property and Supervisor Jenkins added that Water District 6 has debt.

No action was taken on the request regarding the municipal water rate for the court building.

Councilman Cumm stated that the Board needs to decide what type of water meters we are going to install in the Shermerhorn Development. They expect to be installing water meters by the end of May. Jesse is getting quotes. He asked if the Board Members wanted to hold a workshop to discuss it.

Councilman Kusnierz asked if they were looking to install remote reader water meters and Councilman Prendergast replied that is one of the options.

Supervisor Jenkins asked Jesse Fish how much longer he needed to finish getting quotes and Jesse replied a couple of days.

Harry Gutheil stated there is a resolution on the books regarding standardized meters and he thought they were Badger Meters and Councilman Kusnierz added that it is currently in the Town Code.

Supervisor Jenkins stated they would get clarification on that and go from there.

Councilman Kusnierz asked Paul Joseph if he spoke with the Moreau Emergency Squad regarding their memo in which they indicated their pavement was broken by the Town when plowing their parking lot in the winter.

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Paul Joseph replied he has not, but that they claim we cracked the pavement when plowing. The one spot he could see was the very edge in the back. The entrance in the State's right-Of-way is broken. Supervisor Jenkins stated that section more than likely was done by the State plows. Paul Joseph said anything could have caused it.

Councilman Kusnierz asked Paul if it is part of the contract with the squad that we will plow and Paul replied no. The highway department was asked to plow their lot and they have been plowing it.

Councilman Kusnierz stated that we should ask them if they don't want us to plow.

Councilman Cumm stated that was his feeling and Supervisor Jenkins stated that some of them have been thinking that.

Councilman Cumm stated this is the second complaint from them. The other complaint was over the way that Mike Montgomery was plowing their lot. He stated that maybe we should tell them to hire someone to plow.

Paul Joseph added that the apron could have been dug up when the water line went in.

Councilman Prendergast said that what he was hearing was that we aren't responsible. He asked Paul Joseph to inform them of the comments here tonight regarding this issue.

Councilwoman LeClair said she was okay with what Councilman Prendergast said.

Paul Joseph stated that cement trucks were in and out of the squad's property when a pad was installed for their generator so the crack out back could have been from that.

Jesse Fish asked the Board Members if they were going to set a workshop and Supervisor Jenkins replied no he would have to get back to him on this.

Jesse Fish reported that Rural Water Works did a leak test in Water District 1 and 2 and found no leaks.

Councilman Prendergast asked if they were still losing water.

Jesse Fish replied that Rich from Rural Water Works said that if our percentage went up 3% we could be losing that through the meters since we have some meters that aren't working properly and they need to be replaced. The meters slow down. The water travels through them, but they aren't registering.

GAR ASSOCIATES AND HISTORICAL SOCIETY VOUCHERS

Supervisor Jenkins stated that there are two vouchers that he would like authorization to pay pre-audit that were brought up at the last audit meeting and the Board decided to wait until this meeting one was from the Historical Society.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the payment of the voucher from the Historical Society.

Councilman Kusnierz asked if the Historical Society was going to provide the Board with a report on how they spend the money.

Supervisor Jenkins said they could. We budgeted \$10,500.00 plus \$2,500.00 for major repairs.

Councilman Kusnierz stated that some Board Members have been very vocal about accountability and he didn't know if they wanted it to extend to this sort of arrangement.

Councilwoman LeClair thought they gave the Board a list of the repairs.

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Councilman Prendergast said it would be good if they could provide the Board with a report on what repairs are done.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Cumm	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

Supervisor Jenkins stated the other voucher is from GAR Associates. At the last audit meeting the Board had before them for payment an e-mailed copy of the voucher and the Board wanted to wait until an original voucher was received with an original signature and we now have that.

A motion was made by Councilman Prendergast and seconded by Councilman Cumm authorizing the payment of the voucher from GAR Associates pre-audit.

Roll call vote resulted as follows:

Councilman Kusnierz	No
Councilman Cumm	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

CAPITAL RESERVE FUNDS

Supervisor Jenkins copied the Board on a resolution that he wanted the Board Members to consider. He didn't expect them to act on it at this meeting. He also copied the Board Members on a memo from Attorney Auffredou as to what we can and can't do. At our next meeting he will ask the Board Members to establish a Moreau Municipal Government Office Complex Reserve Fund that will in the amount of \$2.6 million and a Highway Garage Capital Reserve Fund that will be in the amount of \$1.4 million.

Councilman Kusnierz stated he received a copy of the memo from Attorney Auffredou dated April 1st and he hasn't had time to go through it in detail. However, he noticed that counsel "artfully avoided" referencing General Municipal Law Section 6E. This section is important to him because at the last meeting when they talked about some suggestions he had on how to use the money from the Landfill Betterment Fund there was a comment made by the Supervisor as follows: "Councilman Kusnierz made a comment about the tax stabilization fund and he said there is no way they could transfer money from any reserve fund into a tax stabilization fund." This is not entirely correct he said and he referred to the Local Government Management Guide, Page 12, that comes from the State Comptroller's Office and he asked that the Supervisor to have Attorney Auffredou take a closer look at this. He said the first paragraph in GML Section 6E reads that you can use "dedicated funds to finance certain unanticipated revenue losses or unanticipated expenditures chargeable to the eligible portions of the annual budget and to lessen or prevent projected increases in excess of 2 ½% of the amount of the Real Property Tax Levy needed to finance the eligible portion of the annual budget." He stated that this means that there is a mechanism to set aside funds.

Supervisor Jenkins stated he agreed, but 6E reads that you can't transfer funds from other capital reserves to that. He will have Attorney Auffredou verify this.

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REQUEST FOR PROPOSALS - INSURANCE

Supervisor Jenkins stated that two complete proposals to provide insurance coverage to the Town were received. One was from Adirondack Trust in the amount of \$55,757.00 and the other quote was from TD Bank Insurance in the amount of \$68,019.98. There is a difference of \$12,262.98. Three members of the Town Board met with the two agencies. He is comfortable with the low bidder. They are qualified and did a good presentation.

Councilman Kusnierz stated that both proposals and individuals who presented them were very well done. One is located right in this community and has been our insurance carrier for several years and obviously that weighs into our decision, but if you look at the comparison between the two proposals there are differences. One is the blanket coverage. Adirondack Trust will insure us for \$7.8 million and TD Bank Insurance \$7.1 million. There are also other differences between the two proposals as follows:

Property Blanket Coverage: Adirondack Trust will include all locations and TD Bank Insurance excludes the Highway Garage and its contents.

Flood and Earthquake Limit: Adirondack Trust \$7.8 million vs. TD Bank Insurance at \$1 million

The coverage for the money is so much better with Adirondack Trust so he would recommend going with them for the Town's insurance this time around.

Councilman Prendergast agreed and said there was one area that we should improve on and that was the umbrella coverage. Adirondack Trust proposed \$5 million when TD Bank Insurance proposed \$10 million in coverage and when Adirondack Trust was asked if they felt \$5 million was adequate their answer was no that we should have \$10 million and the additional coverage would cost \$5,000.00 in premiums.

Supervisor Jenkins corrected Councilman Prendergast by saying that TD Bank Insurance proposed \$5 million also and recommended \$10 million in coverage.

Councilman Prendergast thought they should change the coverage from \$5 million to \$10 million. When they asked him about Terrorist Coverage he said no.

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz to accept the proposal from Adirondack Trust to provide insurance coverage to the Town and to raise the limit on the umbrella coverage from \$5 million to \$10 million for an additional cost of \$5,000.00 making the total premium \$60,757.00.

Roll call vote resulted as follows:

Councilman Cumm	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

SOUTH GLENS FALLS CENTRAL SCHOOL DISTRICT REQUEST TO USE VOTING MACHINES

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz authorizing the use of eight voting machines by the South Glens Falls Central School District on May 18, 2010 to conduct voting on their budget.

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Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Cumm	Yes
Supervisor Jenkins	Yes

MOREAU EMERGENCY SQUAD CONTRACT

Supervisor Jenkins advised that when the Town Board had their joint meeting with the Moreau Emergency Squad the Town Board agreed to authorize a contract with the squad for January and February, but no formal resolution was adopted authorizing him to sign the contract for January and February so he needs authority to do so even though the contracts have already been let out.

A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast authorizing the Supervisor to sign a contract with the Moreau Emergency Squad for the months of January and February 2010.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Cumm	No
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

Supervisor Jenkins stated we currently don't have a contract for April and we haven't received any information based on what we have been talking about in general. We received some information, but it is not what we are looking for. Our attorney has FOILED information and he hoped for an answer sometime next week. There isn't any contract so we have to decide what we are going to do for April, but they are still providing a service. We have to look at the public safety aspect along with trying to get this resolved.

Councilman Prendergast said he was available April 22nd to meet as a Board. We are going month to month and we have to decide if we are going to continue with their service or look elsewhere.

Supervisor Jenkins thought they should look at a combination. He didn't understand why they have a problem with what we are asking for. It isn't anything we don't ask each and every one of us on the Board and our employees to provide. He asked the Board Members if they wanted to approve a contract for April.

Councilman Kusnierz said that since it is April 13th already and the squad has provided a service he didn't have a problem offering a motion to authorize the Supervisor to sign a contract with the Moreau Emergency Squad for another 30 day extension for the month of April. We can also meet amongst ourselves or with the leadership down there later in the month. He offered this motion.

Councilwoman LeClair seconded the motion. She doesn't want to continue going month to month.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Cumm	No
Councilman Prendergast	Yes

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Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

Councilwoman LeClair asked if the Board wanted to meet on April 22nd.

Supervisor Jenkins asked the Board if they wanted to invite the squad to the meeting.

Councilman Prendergast stated he will talk to anybody, but he wanted to set some deadlines and send a message that we are going to look for other opportunities. Anytime anybody accepts taxpayer dollars you have to expect that if you are asked for information you will come forth with it. He doesn't care what it is. If you don't there are other options. This was his opinion.

Supervisor Jenkins asked the Board if they wanted to meet on April 22nd at 7:00 p.m. It will be a workshop, but open to the public.

Councilman Kusnierz asked if it was going to be with the squad and Supervisor Jenkins said he would invite them and hopefully they will come.

SARATOGA COUNTY SOIL & WATER CONSERVATION DISTRICT PROPOSAL

Councilman Kusnierz stated he was contacted by the Saratoga County Soil & Water Conservation an arm of the US Farm Service Agency. The Killian Dairy Farm has applied for a matching grant to help them deal with non-point source pollution along the north branch of the Snook Kill stream a trout stream in our community. He had Terry provide the Town Board with copies of a proposed resolution and he would like to ask for support from the Town Board for this project. It would help them in their ranking to get these monies that go a long way in protecting clean water in our community and the environment in general. He stated that nearly 50% of the Town's land area generates real property tax revenue from agricultural operations and this resolution would demonstrate the Town's support for an agricultural business in our community and show a commitment that we as a Town have to protect our environment at no cost to the Town. He read the resolution.

A motion was made by Councilman Cumm and seconded by Councilman Prendergast to adopt the following resolution:

RESOLVED, the Town of Moreau supports the Saratoga County Soil & Water Conservation District's proposal for the north branch of the Snook Kill project to install conservation measures on the Killian Dairy Farm and their fields in the watershed, for the improvement and protection of the water quality of the north branch and its tributaries.

Roll call vote resulted as follows:

Councilman Cumm	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

15 MINUTE PUBLIC COMMENT PERIOD

Elizabeth Lanfear asked if one person can hold more than one position on a committee. Example: On the Recreation Commission can one person hold the positions of treasurer/secretary or president/vice-president.

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Supervisor Jenkins replied that he would have to read the by-laws and Elizabeth replied that there isn't anything in the by-laws about this. Supervisor Jenkins said if the by-laws don't address this then he would say it might be possible.

Elizabeth Lanfear asked if an alternate can be on a committee. She then asked if the alternate on the Recreation Commission can be on one of the standing committees.

Councilman Kusnierz stated that an alternate has no authority to vote.

Attorney Svare advised that an alternate has no authority to act as a voting member, but they can attend the committee meeting.

Elizabeth Lanfear asked how many people attended informal hearings on the reval.

Councilman Kusnierz replied that the assessor was going to put that information together for the Board, but he hasn't received it yet.

Elizabeth Lanfear stated that the Town paid \$467,000.00 for a reval and in talking with people from GAR they said they didn't measure land only the houses. She stated that they didn't get most of her wetlands and the preliminary assessment she got as opposed to what it should be there is a \$70,000.00 assessment difference in just her property. She called DEC and Saratoga County Real Property and got copies of maps that were accessible and she wondered why GAR didn't have that information.

Supervisor Jenkins replied that he was sure the information was available she just didn't get it. GAR did around 5,500 properties and there are some problems, but overall they did a very good job.

Elizabeth Lanfear asked why they "didn't do land". She then said she didn't expect them to walk and measure 57 acres. She understood what Peggy said about they "don't do taxes they do assessments", but taxes are based upon the assessments. She stated that \$70,000.00 is a lot of money as far as a discrepancy.

Supervisor Jenkins said there were some problems and that was the reason for the reviews and there are people receiving changes every day. He explained how he hoped to meet sometime this week with GAR regarding one large property owner that he isn't happy with the assessed value on vs. what it was previously. He wants to know how they came up with the assessment.

Elizabeth Lanfear stated that she lives in an R5 zone and the first five acres is considered primary and regardless of what type of structure is on the first five acres or if there isn't any structure on it at all it is assessed at \$65,000.00. She wants to know who came up with the \$65,000.00. Her first five acres is dry and her mother's first five acres has two or three acres of wetlands on it and there is a lot more involved in building something on her mother's primary lot vs. her own and yet they are assessed the same.

Councilman Kusnierz said he asked the same question and GAR replied to him that it is an arbitrary figure that is established with a house on it, because in our community apparently the average selling price for a five acre lot is \$60,000.00.

Harry Gutheil spoke next and stated that in regards to the reserve fund that the Town Board is considering establishing; this community at this time is not thinking about spending this kind of money on new buildings and he opposes that. He is quite fond of the building we have.

Harry Gutheil stated that his main reason for attending the meeting was to talk about the reval. He stated that he has done quite a bit of research and talked with the Supervisor and looked at the contract with GAR. He is concerned about the huge shift. He received paperwork from GAR on the shifts, but upon further review what the shifts show is even worse. When he reviewed the on-line assessments re: Spier

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Falls Dam (Erie Blvd. Hydropower) it showed \$120 million and the tax bill they paid taxes on shows about \$140 million. If the \$25 million that the Town gave up in the settlement wasn't figured into the percentages of the shift then the shift is even worse.

When he came to a previous meeting he thought we were up against the clock and was told we weren't. Now the notices still aren't back from the informal review process and the tax roll has to be certified by May 1st and that doesn't give the property owners much time or the Board to deal with it between the time the tentative have all been reviewed by GAR and any changes made and the Board to say what did we get here. The Town spent almost ½ million dollars.

He is still trying to find out what happened on the highly complex properties. Were they revalued or not? Can anybody here answer that?

Supervisor Jenkins said he was going to be meeting with the cement company over their issue, because he didn't understand the major change in value on that one and he compares that to the sand pits. The major sand pit is almost 65% of the value of the cement company and they have 120 years production left.

Harry Gutheil said it seemed to him that even before the impact notices came out the Board would have been informed of the impacts and the shifts and look at the highs and lows and that would have given them an indication if they even wanted the impact notices to go out.

He foiled stuff from Peggy and had to wait the maximum number of days for a response only to find out that she couldn't copy them and he would have to wait until the following week. He came back and looked at the information and took some notes and thought he would be able to get a copy anytime. He discussed it with somebody and they questioned what he was telling them so he said he could show them in black and white. So he came back into the assessor's office and asked for the book and made a list of 15 pages that he wanted copies of and was told he could get them a week from that Friday.

Councilman Kusnierz stated that was not the intention of this Board.

Harry Gutheil stated that at that point he decided this wasn't right (he thanked Councilwoman LeClair for getting involved) and he called the Committee on Access to Records in Albany and spoke to the vice-chair and was told this wasn't reasonable to have to wait that amount of time. He said the Town Clerk's Office even offered to make the copies.

He asked what role the Town Board played in monitoring or overseeing this reval if any. Has GAR met with the Town Board and discussed any of this stuff?

Supervisor Jenkins stated that GAR wasn't allowed to release any of the information to anybody except the assessor until after they sent the first notices out. We held the joint meeting with GAR and they had information they couldn't release to us until the day the notices were mailed out.

Harry Gutheil asked if the highly complex properties were revalued.

Supervisor Jenkins replied that they were all revalued, but he hasn't seen the numbers. That is why he was asking to see them. There is also SCA that he is going to be looking at, because that one doesn't make sense.

Harry Gutheil stated that in the contract they were going to review the Town's data and determine a reasonable degree of reasonableness (he didn't recall the exact term) at a cost not to exceed \$15,000.00 and if they felt necessary they would submit to the Board an estimate to value them.

He asked if the complex properties actually revalued and were they done under what they call USPAP Standards.

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He then asked if anybody could tell him if they were revalued under USPAP Standards, the appraisal society standards.

Supervisor Jenkins replied that Peggy could tell him, but she is not here tonight.

Harry Gutheil said he suggested they find out, because the contract with GAR reads that they will be done by USPAP Standards and we are getting close to the end of the \$400,000.00 plus so it isn't like we are holding a lot back in reserves.

Councilman Cumm asked what USPAP Standards are.

Harry Gutheil replied that it is a professional society of appraisers and is usually recognized by the courts as a standard of appraisal. Generally they will use all the approaches to value and then reconcile between the approaches and come up with a value and tell you why they used whichever methodology that they put their most emphasis on.

Harry Gutheil stated for discussion purposes tonight, if you look at the cement company (the quarry, one parcel is about 370 acres) and it had an equalized full market value of close to \$4.9 million and now has a tentative value of around \$917,000,000. There are huge shifts. Route 9 is a commercial corridor between the bridge and Stewart's and the last traffic count he saw was about 27,000 vehicles per day that pass through that area. It is a controlled intersection and the parcel he was referring to isn't a big lot and it is less than \$25,000.00. He has a 60 foot wide strip of land that is valued at \$105,000.00. He is really concerned about the highly complex properties. He has read the minutes from project meetings. He knows that ORPS has been involved. His personal experience has been with the hydros and we proved ORPS values wrong in court and he hopes this isn't any type of by-product of ORPS numbers, but he read where we didn't request any advisors so he is wondering how we got to the values. He has been on-line and looked at other paper mills and seen them sell for \$5 million to \$7 million and even \$90 million. Now tonight he understood that this information may be proprietary, but if you were going to buy a mine you would want to know what the ore is and what the useful remaining years of it are and you would probably put some sort of value on the ore. He doesn't know how this stuff was done and he is concerned about it. He said quite honestly, it is going back on every single residential property owner. The impact notices, he read in the minutes, where they were going to have accurate impact notices. In the village it didn't show the impact on the village tax. He calculated it out, if the numbers stay the same, it is an extra \$800.00 on top of his bills. It won't hit this year, but it will next year. It didn't show the library tax impact. The library rate is creeping right up toward the Town rate. If you live outside the village you have the fire district impact. This is a huge undertaking for the Town and it is going to affect a lot of people and with the economy in this community. He doesn't agree with how they structured some of the neighborhoods. It is usually done by computer models and the model is supposed to fit every situation, but they don't. You do the best you can and that is what mass evaluations are and then it comes down to quality control and testing the models. There is a house around the corner from him valued at \$159,900 and it has been on the market a while. It was listed at \$129,900 and now it is at \$124,900. There are people sitting back with wishful thinking that this is what their house is worth. He has looked at some of the numbers in the village and frankly, some of them are quite scary. It appears that the model may have been weighted very heavily on square footage and if they don't go into the houses then they don't know. He has invited them into a couple of his properties and he hasn't had a phone call back. He stated that this Board has a responsibility since they let the contract.

He hasn't been able to get the answers, because he understands it is a complex formula on the apportionment of the school. How is it going to affect school aid?

He stated it will definitely have an effect on sales tax distribution and some just between the Town and Village. We have three Towns in our school district so it will have an effect on the apportionment.

These aren't new questions. He brought them to the Board about three weeks ago and he hasn't seen or heard any dialogue about the reval and hasn't seen anything in the minutes.

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Supervisor Jenkins replied that he is meeting with David this week to primarily go over the values for the Cement Company and SCA. He wants to find out how they approached that value, because there is a very valuable commodity in the ground and he doesn't see how it could go down that much, because they have a lot more property left that they can use. As far as, SCA he doesn't know what they did there and he wants to find out.

Harry Gutheil stated that it was at \$30 million and it is at \$21.5 million now. We can't wait until the last day to figure out what happened. There was a paper mill that sold across the river. He doesn't know how good the sale was. He has already been over to the assessor's office to try and extrapolate the numbers, because there was hydro and land in that one. It is hard to find out the separate values for different things. At first he thought the \$8.5 million was the co-gen, but he was told that is already off since they already dismantled that, but since then they put up the new building too. We have spent all of our money on the residential stuff and the heavy lifting is out there in the hydros and highly complex properties and that is why the state offers advisory panels even though he rarely agrees with their numbers.

Supervisor Jenkins thanked Harry Gutheil for his comments.

Councilman Kusnierz said he would like to ask that our Town assessor provide answers to questions posed by Mr. Gutheil here and he would like a copy of the answers and he didn't know if the rest of the Board Members would like a copy as well. He asked the Town Clerk to provide Peggy with a draft copy Mr. Gutheil's comments and questions so she could start working on it.

Harry Gutheil asked the Board if they would consider a homestead and non-homestead exemption.

Councilman Kusnierz replied he would like to.

Councilwoman LeClair said she would like to know more about it.

Supervisor Jenkins said he didn't see any reason why they shouldn't look into it.

Harry Gutheil said for those who don't know there is a provision in the law, like a safety valve, to protect the residential people, because they know there are these huge shifts sometimes in revals and a lot of Towns may say they aren't going to do a reval and penalize our people who live here. So they enacted a law that provides for that to happen. It is kind of like a safety valve.

He stated that some of the numbers aren't that far off and some are on target. Some numbers will be high and some will be low. Hopefully you end up with a good product when you get done. Peggy told him the notices will be mailed out next week. There isn't much time before the first of the month and you will only see the ones that had an informal review, you won't see the whole roll, the big picture. He hoped the Board would get to see it somehow in a report.

Adele Kurtz asked that information on Grievance Day (Date, time and process) be posted on the assessor's web page.

Adele Kurtz asked if any interest has been shown in the vacancy on the Board of Assessment Review and the answer was no.

Gerald Fitzgerald stated that the full market value on all the major companies has been decreased \$38,353,190.00 for the Town and Village a decrease of 13.4%. In the Village alone there are 27 businesses and companies and their full market value has been decreased \$12,650,000.00 or minus 23.4%. This is a lousy picture he stated. Every single business of any major importance has been decreased by millions. Every single residential and small business has been increased by up to a total of 30%. On Fourth Street alone the full market value was at one million plus and has been upgraded to over two million and fifteen different properties have been increased from .008% to 85.8%. Something is radically wrong and the Town Board doesn't even have the figures.

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Supervisor Jenkins stated that one of things that are reflected in those statistics is that we started with a 31.8% equalization rate. If you take a property assessed at \$50,000.00 vs. one assessed at \$200,000.00 they will get beat up with a low equalization. There is some good news and that is that South Glens Falls Hydro is going on the tax rolls and that will increase the roll \$27 million over what it is now.

Gerald Fitzgerald stated that the report card on accomplishments on the reval for the Town Board is an F. He said the Board had one unexpected achievement and that is that they made it very clear that ORPS is a very expensive joke. He stated that the assessors track all real property transactions through the year and send the information to the state offices and the state using the information and a very complicated formula arrives at an ULOA (Uniform Level of Assessment) that ten years ago was called the equalization rate. The process is done every year and the ULOA will most likely change each year. The assessors use the ULOA to assess all new buildings and it is also used to calculate the full market value of each parcel on the tax roll. Each parcel has a tax statement showing the assessment and the full market value and the full market value on the statement is a joke and means nothing and it is a waste of time and money. The procedure used in the ULOA to calculate full market value in theory says that if all property assessments changed to the full market value then the tax roll would be at 100%. One would think that the care given to the collection of data and the complex formulas for calculating the ULOA the year to year full market value on a tax bill would not be off by any more than 10% to 12% that is the joke. Separating the full market values on residential properties and small businesses are the figures that he just gave the Board. All of the increases and decreases complete the picture. Look who benefits from the reval. Number one the developers and builders of large new homes. The difference between a new home and a 100 year home is reduced from four times to two times. It is easier to sell the new, harder to sell the old. Number two are the big businesses with huge increases in their full market values and number three is the Town Board with a huge increase in dollars of assessed valuation. Who gets hurt the most? The property taxpayer who will not do what they could do to prevent it, because they will stay home and accept the punch line of the joke "you are stuck with it". He cited the following from the ORPS website "The NYS Property Tax System as it stands is inefficient, irreparably inequitable and confusing to taxpayers thereby creating the potential for fiscal irresponsibility." He stated that the Town Board confirmed that statement when it voted for and completed a reval.

Gerald Fitzgerald thanked the Town Board for their time.

Supervisor Jenkins said this concluded the public comment period it has been 40 minutes and it was supposed to be 15 minutes.

Elizabeth Lanfear asked to speak and Supervisor Jenkins said she had a few minutes.

Elizabeth Lanfear said she submitted a FOIL request and it was denied. She submitted an appeal and what had been denied a computer disk and a letter was produced within a week's time. She wanted to know where they came from.

Supervisor Jenkins replied that Councilwoman LeClair had the letter and it was left on the table after a meeting and the Town Clerk found it and put it in Councilwoman LeClair's mailbox. He stated there was only one original. He further stated that it was addressed to him and the recreation director and he never got a copy. There was only an original and never any copies.

Elizabeth Lanfear asked about the computer disk.

Supervisor Jenkins thought that Steve Gram had personally had it copied.

Elizabeth Lanfear said that when a computer disk is made from surveillance the date and time is on it. She FOILED the same thing on the 22nd of February and her copy from the school was dated Feb. 25th so when they got the FOIL request they probably made a copy of it before making a determination and the copy she got from the Town, the incident and the time she was looking for was February 6th and the date on the copy from the Town was dated February 8th, which means a Town representative or employee got a

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copy of the computer disk two days after the event before she even was aware that a computer disk had existed. She wanted to clarify that the Town, if employees are referred to as the Town as a whole, had the copy of the computer disk sometime within the vicinity of February 8th.

Supervisor Jenkins replied that Steve Gram had it.

Elizabeth Lanfear said as an employee of the Town he had a copy of it.

Supervisor Jenkins replied yes.

Elizabeth Lanfear asked Supervisor Jenkins if he knew when the computer disk came into the possession of the Town.

Supervisor Jenkins replied, the day she requested it they finally managed to get a copy from Steve Gram.

Elizabeth Lanfear asked when Steve Gram got a copy of it.

Steve Gram replied that Ed Potter made him a copy.

Councilman Kusnierz asked what the date was.

Steve Gram replied he wasn't sure.

Supervisor Jenkins asked if it was within a day or two of the incident and Steve Gram replied yes.

Elizabeth Lanfear said it would have to have been since it was dated February 8th.

Councilman Kusnierz referred to Gerald Fitzgerald's comment about ORPS and how it is a joke and stated that several legislators have introduced legislation to eliminate ORPS and put the responsibility of the office with the NYS Department of Taxation.

COMMITTEE REPORTS

Councilman Kusnierz reported on a meeting of the Town of Moreau Recreation Commission that was held last Monday. They discussed a proposed structure for little league and they will be working on putting together plans for a minimal structure they can live with and another set of plans for what they really want if money is available.

They also discussed allowing a farmer's market in the Rec. Park to allow access to locally grown fresh items. They want to know how the Town Board would feel about this.

Councilwoman LeClair stated that according to Attorney Auffredou that as long as the Town doesn't sponsor it we would be okay. It is her intention to contact Mrs. Gifford.

Elizabeth Lanfear stated she already spoke with Mrs. Gifford and she said that there is one in Gansevoort and Glens Falls and also one in Saratoga. Elizabeth said she thinks we would be beating our heads against the wall to try and do it on a Saturday, because they are very established and successful farmer's markets so it wouldn't necessarily work on a Saturday so Mrs. Gifford suggested a different day.

Councilman Kusnierz was of the opinion that we don't have to establish a specific day. Rather, just set aside an area in the park for people to set up and anybody in the community who grows fruits and vegetables could sell there.

Councilman Cumm stated there is the issue of insurance.

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Councilwoman LeClair already put in an inquiry to Peter Beames of TD Bank Insurance, but hasn't heard back yet.

Councilman Cumm reported on a memo dated January 29, 2010 from Paul Joseph, Highway Superintendent, regarding the culvert on Hatchery Road about ¼ mile from Fortsville Road. It has stopped running. At one point there was nine feet of water in it.

Brief informal discussion followed on this amongst the Board Members and general discussion.

SUPERVISOR'S ITEMS

None

The recreation department truck needs rear-end work at a cost of \$1,100.00. Steve Gram called the Board members and asked for verbal approval to get the truck fixed. He wanted formal approval.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair authorizing the recreation department truck to be repaired by Cardinale's at a cost not to exceed \$1,100.00.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Cumm	Yes
Supervisor Jenkins	Yes

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz to adjourn the meeting at 9:45 p.m.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Cumm	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury
Town Clerk

A regular meeting of the Town Board of the Town of Moreau was held on April 13, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.