

A regular meeting of the Town Board of the Town of Moreau was held on April 26, 2011 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

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

The Deputy Town Clerk called the roll.

Town Board Members Present

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

Town Board Members Absent

None

Also Present: Barbara Porter, Deputy Town Clerk; Stephen Gram, Recreation Director; Paul Joseph, Highway Superintendent; Peggy Jenkins, Assessor; Joe Patricke, Building Inspector; Jesse Fish, Water Superintendent; Jeffrey McCabe, Town Justice; Timothy Alden, Town Justice; Martin Auffredou, Attorney for the Town; Attorney Michael O'Connor, representing VaVa Voom, Inc.; Scott Varley, Va Va Voom, Inc.; Charles Weeden, Sr., Capital Tractor, Greenwich, NY; Steven M. VanGuilder, President/CEO Moreau Emergency Squad, Inc.; Anna Bertrand and Lauren Rowland, Reality Check; Joe Bianchine, ABO Engineers, Schenectady, NY; the following town residents: Reed Antis, Joshua Jacobs, Nick Smith, Jeff and T.J. Nicholson, Adele Kurtz, Ty Hall, Elizabeth Lanfear, the following village residents: Timothy Chagnon, Danielle Bourdeau, and Richard Williams.

Supervisor Jenkins led the Pledge of Allegiance.

Supervisor Jenkins welcomed everyone to the meeting and asked everyone to turn off or put on vibrate all electronic communication devices.

MINUTES

The following minutes were prepared and distributed in advance of the meeting for the Board's review, comment, correction and approval.

MINUTES-MARCH 22, 2011—REGULAR TOWN BOARD MEETING

No comments or corrections

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to approve the minutes of March 22nd as prepared.

Roll call vote resulted as follows:

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

A regular meeting of the Town Board of the Town of Moreau was held on April 26, 2011 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

MINUTES- MARCH 30, 2011—MONTH-END AUDIT MEETING

No comments or corrections.

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

Roll call resulted as follows:

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

MINUTES-APRIL 5, 2011—SPECIAL MEETING RE: CULVERT ON HATCHERY ROAD

No comments or corrections.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast to approve the minutes of April 5th as prepared.

Roll call resulted as follows:

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

MINUTES—APRIL 12, 2011—REGULAR TOWN BOARD MEETING

Corrections --page 176--Under Future Meetings/Workshops scheduled --second sentence should read "audit meeting at 3:30 or 4:00 p.m."

Page 176 - Third paragraph should read --Supervisor Jenkins was unable to attend that meeting, but said three Board members that were at that meeting were not happy and they wanted to go back to the 3:30 or 4:00 meeting.

Page 180—First Paragraph—Councilman Kusnierz said "I am a little confused and I would like some clarification, because in your opening paragraph in the memo that reads it does not appear that the Town of Moreau is required to pay over-time compensation to the town assessor, the building inspector/code enforcement officer, the recreation director, the highway superintendent, and the water superintendent. Councilman Kusnierz started to ask Attorney Auffredou if he was not saying that there was a possibility...when he was asked by Attorney Auffredou to please stop, he never said that."

Page 180 - 10th paragraph—Attorney Auffredou said he agreed with Councilman Kusnierz's assessment and his memo speaks to that. What he said was, and Councilman Kusnierz took it completely out of context, whether or not the department heads were policy makers. The memo speaks to itself.

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Page 188—Paragraph 2—line 2 should read square feet and then said it was “58” feet by 152 feet.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to approve the minutes of April 12th as corrected.

Roll call resulted as follows:

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

SET FUTURE MEETINGS AND WORKSHOPS

Councilman Kusnierz asked again to have the month-end audit meeting rescheduled as he cannot make a day time meeting. He has checked with eight different municipalities and they all have their meetings in the evening. He wonders why the Town of Moreau feels they have to hold this meeting in the afternoon when one of the Board Members is unable to attend. Councilman Kusnierz asked if the audit meeting could be held before the last regular Town Board meeting of the month. He felt it would benefit everyone.

Supervisor Jenkins asked Councilman Kusnierz if he was talking about the meeting scheduled for April 28, 2011. Councilman Kusnierz said yes.

Councilman Cumm said he would like to have the audit meeting before the last regular meeting of the month.

Councilman Kusnierz stated that any day would be alright, but it would have to be in the evening.

It was decided that the month-end audit meeting would be held before the last Regular Town Board meeting unless it falls too early in the month.

The month-end audit meeting for May will be held on May 24, 2011 at 6:30 p.m. before the last regular Town Board meeting.

15 MINUTE PUBLIC COMMENT PERIOD

Reed Antis asked the Board to set up a policy for the cemeteries that we are taking care of. Griswold Cemetery is still being used. He asked if we should be charging a fee for burials. We have not plotted it.

Supervisor Jenkins stated that we could put this on the next agenda.

Because the cemetery has been abandoned, the Town is in charge of upkeep. Anyone can be buried there and it costs nothing, yet the Town is paying to maintain it.

The Town Clerk's Office is where the burial permits are issued and where the fees should be collected.

LAUREN A. ROWLAND-TOBACCO-FREE BUILDING ENTRANCEWAYS RESOLUTION

A regular meeting of the Town Board of the Town of Moreau was held on April 26, 2011 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Lauren Rowland of Reality Check of Saratoga, Warren and Washington Counties presented a policy that she would like the Board to sign regarding tobacco-free building entranceways for all of our buildings. They would provide signage and help with anything that is needed.

The Deputy Town Clerk read the resolution.

A motion was made by Councilman Cumm and seconded by Councilman Prendergast to adopt the following resolution authorizing the Supervisor to sign the resolution creating a policy of tobacco-free building entranceways for the Town of Moreau.

WHEREAS, The Town of Moreau owns and operates four town buildings, with the opportunity for growth in the future; and

WHEREAS, the American Lung Association in New York State has issued a Memorandum in support of tobacco free parks, playgrounds and beaches, with the purpose of promoting public health and well-being through the passage of legislation which restricts the locations in which individuals subject others to the deadly effects of secondhand smoke, and

WHEREAS, it has been determined that tobacco is a known asthma trigger and that children are particularly susceptible to the dangers associated with tobacco smoke even if out of door, and

WHEREAS, The Town of Moreau, believes that tobacco use, including cigarette use, in the proximity of children, animals and adults is detrimental to their health and can be offensive to those entering town buildings, and

WHEREAS, New York State Public Health Law 1399-r reaffirms the right of a property owner, including the government of any political subdivision of the State, to designate its entire property or any part thereof as a non-smoking area, and

WHEREAS, the visitors, staff, and community residents indicated its support for a ban of tobacco-products in outdoor areas,

WHEREAS, cigarettes and chew products, once consumed in public spaces are often discarded on the ground requiring additional maintenance expenses, diminish the beauty of the aforementioned facility and pose a risk to children, animals and other wildlife due to ingestion, and

WHEREAS, to be consistent with town resolutions, and federal, and state law, it is the intent of the Town of Moreau to establish tobacco-free entranceways. This further develops the concept of a family friendly community focused on a healthy lifestyle.

NOW, THEREFORE, the Town of Moreau hereby designates all town building entranceways smoke-free and tobacco-free.

SECTION 1: TOBACCO USE PROHIBITED OUTSIDE THE ENTRANCES TO THE ALL TOWN BUILDINGS

The Town of Moreau is hereby designated as having tobacco-free entranceways. No person shall use any form of tobacco at the entrances to Town Buildings.

SECTION 2: NOTIFICATION

Appropriate signs shall be posted on the properties. The staff and community will be notified of this policy.

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SECTION 4: COMPLIANCE

All individuals are expected to comply with this policy.

SECTION 5: ENFORCEMENT

Staff will make periodic observations of entranceways and parks to ensure enforcement.

SECTION 6: EFFECTIVE DATE

This policy statement is effective immediately upon the purchase and posting of signs and other notification.

Roll call resulted as follows:

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

DANIELLE BOURDEAU- SOUTH GLENS FALLS GIRL'S SOFTBALL—SPRINKLER PROJECT

Danielle Bourdeau is the secretary for the South Glens Falls Girl's Softball Association and she contacted six vendors and has gotten quotes to put irrigation on the fields at the Quads. The Softball Association has earmarked \$3,500.00 for this project. Brian Mattison was picked to install the irrigation. It was decided that sod needed to be placed 10' out from the dug-outs so that the heads were not in the dirt.

Councilman Cumm asked if we are not paying for this do we have to go with the lowest bidder.

Attorney Auffredou suggested that we should have a contract with Brian Mattison as he is doing the work on the Town's property even though the Softball Association is paying for this project.

We will need a copy of Brian Mattison's insurance naming the Town of Moreau as an additional insured.

Steve Gram stated that we are paying for the sod. The sod will cost \$1,320.00 and if approved will come out of A7140.4 and there is \$49,619.06 as of 4/21/2011.

Councilwoman LeClair asked if we were watering the fields by hand and the answer was yes.

Councilman Kusnierz stated that there was only one quote and we require three.

Steve said that there is only one sod place locally.

Councilman Kusnierz stated that he still wanted to see three quotes as this is policy.

Danielle has people coming on Sunday to help with the sod so she is looking to get this done as soon as possible.

The sod is needed so that the heads can be set.

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Steve will contact two other sources for their prices for sod. He will contact Councilwoman LeClair who will in turn contact the Board Members with the information.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair authorizing the preparation of a contract between the Town of Moreau and Brian Mattison regarding installation of an irrigation system at the Quads in our Recreation Park which will be paid for by the Softball Association.

Roll call resulted as follows:

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

Councilwoman LeClair will contact two other sources for sod and poll the Board with these prices.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to tentatively purchase sod from Saratoga Sod not to exceed \$1,320.00 contingent upon prices from two other sources.

Roll call resulted as follows:

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

VA VA VOOM PLANNED UNIT DEVELOPMENT (P.U.D.)

Attorney Michael O'Connor was at the meeting representing the developer of the VaVa Voom P.U.D. which is a senior citizen project on Sisson Road. There are two buildings to be constructed in the future to be used for retail and office space. This project has been before the Town Board and it was referred to the Planning Board for review as to whether they qualify for a P.U.D. designation. At their last meeting they did adopt that resolution. He was here to have the Board set a date for a public hearing, which the Town is required to do under our P.U. D regulations.

Attorney Auffredou explained that the Board has received a report and recommendations from the Planning Board. Within 45 days of receipt of these reports you must schedule a public hearing. This is going to be done by local law. This is an amendment to our zoning law, a legislative action. You have to agree to do the P.U.D in order to get to the point to have the local law. You schedule the local law when you have this legislative action in front of you and you do not have it yet. Attorney Auffredou and Joe Patricke will be working on this legislation. The Town Board will have to decide how the legislation should look particularly as it pertains to density . A public hearing can be scheduled, but there is a possibility that it will not take place, if between now and 10 days prior to the public hearing, you haven't agreed to go forward with that legislation. There should be some discussion regarding density and the Board needs to give Attorney Auffredou and Joe Patricke some direction.

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Supervisor Jenkins stated he does not have a problem with the frontage of the project, but he has some questions regarding density in phase 2. He feels he needs direction from Attorney Auffredou and Joe Patricke. He has had some calls from neighbors regarding density.

Attorney Auffredou asked if the Board would like he and Joe Patricke to draft something with recommendations and the Board can modify, agree or disagree, but you would have legislation in front of you?

Councilman Kusnierz asked what the density change was going to be.

Attorney O'Connor stated that the report from the Planning Board was a lot by lot comparison as to the existing density and requested density. The project is 26.1 acres and out of that 15.9 acres would count for actual density. They subtracted from that the roads, public facilities, wetlands and common space. The common space is 3.92 acres, wetlands are 1 acre, and roads are 5.2 acres. Lot 1 is the enhanced senior assisted living facility with 64 beds. This building is more like a nursing facility or medical facility, it is not separate apartments. There will be common meeting areas and common eating areas. This is a 40,000 square foot building. Land needed is 160,000 square feet. The deficiency is 1.28 acres as they offer 2.39 acres for this lot. We have a contract for this lot which is designated as phase 1. They did not get a grant until December 2010 and per the terms of the grant they have to be in the ground sometime in July. Phase II is a 100 unit apartment building that would require 470,000 square feet of land. We propose 5.48 acres which is 238,560 square feet. According to the density requirements for a typical project, not for a P.U.D., you have a right to vary the density in a P.U.D. if there is reason for doing so. We would be required to have 10.79 acres for this building and we offer 5.48 acres. This is about 50% of the requirement for that building. Lot 3 would be two 50 unit apartments. Some would be subsidized for seniors (occupant being 55 or older in the apartment) and we suggest that you use the same terminology that you used in your zoning ordinance when you gave a bonus for density in R-2 except instead of saying owning, say occupying or leasing.

Councilman Kusnierz asked how they would enforce the 55 age limit.

Attorney O'Connor stated that there is a Federal Rent Rule.

Councilman Kusnierz asked if wasn't this age discrimination.

Attorney O'Connor stated that it was permitted with seniors.

Lot 4 is a commercial building, office, retail and is 40,000 square feet. They would be required to have 1.84 acres and they have 1.31 acres so the deficiency would be .53 acres.

The proposed size of Lot 5 is 1.37 acres and they are required to have 1.84 and the deficiency would be .47 acres. These would be offices or retail. The Planning Board's recommended uses would be multiple family dwellings for seniors, professional office space, retail space including personal services, community center, and membership clubhouse for seniors residing on the property.

Building 6 would be a community center and the developer has offered to make that available for a community center. If this is not wanted they would put in 50 apartments. The density would be hard to determine if this was not used as a community center. Lot 6 is 11.4 acres. If there were 50 apartments they would need 5.74 acres with a surplus of 5.66 acres.

Attorney O'Connor stated there had been some comments from Mr. Nicholson who lives next door to this project. He and his neighbors have a problem with this project so close their homes.

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Councilman Kusnierz asked what comments Mr. Nicholson had.

Mr. Nicholson thought the retail building should be in the front as it would close down at 5:00 p.m. He is afraid that ambulances will be running in and out disturbing his lifestyle.

Attorney O'Connor stated that this would not be the case according to the House of the Good Shepherd. Attorney O'Connor said that they are looking for a broad brush approval of the project for a senior citizen housing zone with some mix of retail and offices and they would work out with the Town Planning Board the layout and size of the lots.

Councilman Kusnierz stated that if Attorney O'Connor is asking for broad brush approval, he is not ready to do so.

Attorney O'Connor stated he is asking to move the time clock along.

Councilman Kusnierz stated that we have our zoning the way we have it throughout the Town for a particular reason. Our commercial corridor on Route 9 has not even been developed. He does not think that a mini commercial area is a good fit for that particular area.

Attorney O'Connor stated that the offices included in this P.U.D. are predominately for the people who will be living there. This is not a high traffic area.

Councilman Kusnierz stated that he feels the Town would have to have a very pressing need for this type of facility and he does not see it.

Attorney Auffredou stated that the purpose of the public hearing is to have input from the public on the proposed local law. Assuming we have a local law prepared and we hold a public hearing and at the end of the public hearing, that local law may or may not change the zoning. The Town Board's job is completed and the applicant is sent back to the Planning Board.

Supervisor Jenkins stated he thought there should be a workshop.

Councilman Cumm asked if the Home of the Good Shepherd is a stand- alone project. They do not need anything else to move forward once the P.U. D. is approved.

Attorney O'Connor stated it was a stand-alone project, but the P.U. D. has to be approved beforehand.

Councilman Cumm asked if they wanted approval for this P.U.D. to be 3 times the density that is normally allowed.

Attorney O'Connor stated that this may be true if all of the buildings are approved.

Councilwoman LeClair asked how far the buildings are from Mr. Nicholson's home. The plans show that there is 50 feet from the driveway to his home.

Mr. Nicholson asked why these buildings have to be so close to him.

A workshop was scheduled for May 17, 2011 at 7:00 p.m.

Councilwoman LeClair asked that the neighbors be notified of the workshop.

A copy of the map that the Planning Board had and a report will be given to each Board Member tomorrow for their review.

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Supervisor Jenkins stated that senior housing is something that is needed in our community, but we have to make good decisions.

Councilman Cumm stated that we need the water usage from the Home of the Good Shepherd facility, how to address height of a three story building, a letter from National Grid saying it is

okay to build parking lots over their lines, address the three entrances on Bluebird road and the use of that cutout section on the right side of the map, and why they included that.

Councilwoman LeClair asked about the drainage and runoff.

Attorney O'Connor stated that Garry Robinson thought the site would be able to accommodate the project regarding drainage. They can live with the building height. A letter will be written from National Grid.

In order to bring this senior citizen project to our community they have to have sewer.

The community center has no interest in being located within this project.

COURT REQUEST-TELEPHONE SERVICE

Judge McCabe came to talk about the problems they are having at the Court with their phones. They have a great deal of static on the line so that it makes it hard to hear when talking to someone. They have contacted Cornerstone but nothing has been resolved. Verizon owns the lines, but Cornerstone uses them. Verizon says it is not their problem and Cornerstone says it is not their problem. Judge McCabe would like permission for the court to change to Time Warner as their provider. It would be \$104.00 a month and there would be a \$75.00 one time charge. The only problem is that when cable is down so are the phones. They do have an analog phone in the sheriff's office and most everyone has a cell phone in case of emergencies.

Councilman Kusnierz asked if this would affect our internet charge from Time Warner.

Judge McCabe did not know the answer to that question. He said we will get more bang for the buck if we switch to Time Warner and we will have a line that works efficiently.

Judge Alden said that there is a hum on the line. This has been going on for at least a year.

Judge McCabe had a tape of the sound that is on line two. It is very loud and makes it very difficult to hear. Judge McCabe said it is embarrassing.

Judge McCabe gave all of the information to Councilwoman LeClair to check into. He said they can come back in a couple of weeks to see what has been decided.

Judge Alden stated that a woman came in to the Court and she was very happy with the court clerks and how she was treated. She tried to give 3 nesting dolls to the clerk, but the clerk said they could not accept gifts. The woman left them on the counter and said to give them away to people. Judge Alden asked what they should do with them.

Supervisor Jenkins suggested they give them to a nursery school or the Community Center.

HIGHWAY DEPARTMENT REQUESTS

Paul Joseph requested a cash advance of \$500.00 for travel, meals and lodging to attend the Association of Towns Highway Training School.

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A motion was made by Councilman Prendergast and seconded by Councilman Cumm to issue Paul Joseph a \$500.00 cash advance to cover travel, meals and lodging to attend the Association of Towns Highway Training School from June 7th to June 9th and for these expenses to be a proper town charge. Allocated funds for these expenses are in account #5010.401.

Roll call resulted as follows:

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

BIDS FOR 4 X 4 TRACTOR WITH BOOM MOWER

Supervisor Jenkins stated we have received three bids for a tractor with boom mower. He asked Paul to discuss how important some of the specs were that he had listed as there was a big discrepancy in price.

Bids Received:

Trius
268 Towpath Road
Fort Edward, NY 12828
\$89,847.00---4 yr lease--\$24,356.25 annually

The Hudson River Tractor Co.
1917 State Route 29
Clifton Park, NY
\$99,019.56---4 yr lease--\$24,754.89 annually

Capital Tractor, Inc.
1135 State route 29
Greenwich, NY
\$88,933.14---4 year lease--\$22,233.03

Paul talked with the State and County and a couple of highway departments to get an idea of where to go out to bid. One tractor that was on state contract was dropped by Milton Cat which was a Challenger and this left only one on state contract. He made up a check list and talked with different businesses. We need something with longevity. Standards were a little steep, and two companies met them. One problem is bolts breaking off in the bell housing or the bell housing itself breaking. A full frame was also suggested so that the unit can be attached to the frame instead of the bell housing. We need a larger hydraulic reservoir so that the fluid does not heat up as fast. The joy stick controls need to be user friendly. We need a rotating cutting head so that the tractor has maneuverability. Paul is recommending the one from Hudson River Tractor Co. because of the mower.

Councilman Kusnierz stated that at the Meeting of March 22nd Paul submitted bid specifications for a 4x4 tractor with boom mower to go out to bid. Councilman Kusnierz asked a number of questions because he was very concerned about how tightly these bid specifications were written. Councilman Kusnierz had asked how he arrived at the bid specifications and Paul stated they were drafted around the tractor we now have. He asked Paul about the specifications for the minimum of 24 x 24 power quad with 6 ranges and 4 power shiftable gears with each range and

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which manufacturers could meet these specs. Councilman Kusnierz stated that Paul indicated Ford, John Deere and Case and that he hadn't found one that wouldn't meet the specs.

Paul stated he should not have put the power quad in the specs.

Councilman Kusnierz stated that some of the specifications jump out because they are proprietary. Only one manufacturer offers that bid specification. That is John Deere. Tractor chassis to be full frame design, proprietary to John Deere; transmission 24/24 power quad proprietary to John Deere; minimum 43.6 gallon fuel tank proprietary to John Deere. What concerns Councilman Kusnierz is that the bid specifications were written around one manufacturer. That borders on collusion.

Paul stated that he did not write them around one manufacturer. Paul stated that he possibly used the wrong wording.

Councilman Kusnierz stated that these bid specifications were written too tightly. He is troubled that only one manufacturer could bid on these specs.

Charles Weeden of Capital Tractor, Inc. of Greenwich, NY stated that he sent his bid in letter form as there were discrepancies in the bid specifications on specific John Deere tractors. We have a 24 speed transmission, but it is not a power quad. \$ 79,932.31 was the purchase price and \$22,233.03 for a lease price with a dollar buyout.

Supervisor Jenkins asked Attorney Auffredou how do we determine as a Board if the bid specifications are met. Do we go with the one that meets the specifications even though they are the highest bidder?

Attorney Auffredou stated it is very difficult for a Board to determine if bid specifications are met unless the Board has some expertise in that area. The Town should rely on their Department Heads to determine if the specifications were met or refer them to someone else who would know. If they are too high or do not meet the specifications, the bids should be rejected and it should be rebid.

Councilman Prendergast stated that if we put out specifications again, we would get three different bids, not any of them would be exactly alike.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to accept the bid from Capital Tractor in the amount of \$88,933.14 (a four year lease of \$22,233.03 annually).

There is a 1 year warranty on the mower and two thousand hours on the tractor.

Mr. Smith asked if there was a possibility of an extended warranty.

Councilman Kusnierz stated that it was not in the bid package.

Roll call resulted as follows:

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

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RECREATION DEPARTMENT REQUESTS

There were three quotes obtained for playground equipment for the beach:

Miracle Recreation Company
26 Justine Ct.
Rensselaer, NY 12144
\$9,993.16 (installed)

Universal Play System Inc.
1 Madison Avenue
Larchmont, NY 10538
\$10,656.00 (installed)

R.E. Woodson Inc.
3520 Dewey Avenue
Rochester, NY 14616
\$12,028.00 (not installed)

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to transfer \$11,000.00 from HP7180.4 - contractual into HP7180.2 - equipment.

Roll call resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to purchase playground equipment for the beach(installed) from Miracle Recreation Equipment out of account HP7180.2 in the amount of \$9,993.16.

Roll call resulted as follows:

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

A very large tree needs to be removed from Griswold Cemetery.

The following quotes were received:

Richard Sears Tree Experts, Inc
P.O. Box 133
Glens Falls, NY 12801
\$1,600.00 (w/stump removal)

Adirondack Tree Surgeons, Inc.
353 Gurnspring Road
Gansevoort, NY 12831
\$1,400.00 (w/stump removal)

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Eric Perry enterprises, LLC
36 Hudson Drive
South Glens Falls, NY 12803
\$1,000.00 (No stump removal)

The lowest quote was from Eric Perry enterprises, LLC in the amount of \$1,000.00 but he would not remove the stump.

The next lowest quote was from Adirondack Tree Surgeons, Inc at \$1,400.00 with stump removal.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to transfer \$1,400.00 from contingency ~~A1930.4~~ **A1990.4** to A8810.4. The balance in contingency will be \$41,200.00. **[Amended 5/24/11 jf]**

Roll call resulted as follows:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast to hire Adirondack Tree Surgeons, Inc for \$1,400.00 to remove a tree and stump from Griswold Cemetery.

Roll call resulted as follows:

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

REQUEST FROM THERESA FELTON—CHI RUNNING WORKSHOP—USE OF RECREATION PARK FOR WORKSHOP

There was discussion regarding Theresa Felton using our Recreation Park for her chi running workshop.

It was decided that this was not something the Board felt should be held in our Park.

WATER DEPARTMENT REQUESTS

NONE

WATER METER AND WATER USAGE AT 19 JACOBIE ROAD

Jesse stated that he received a phone call from Ty Hall asking how much it would cost to purchase a water meter and to get water hooked up to 19 Jacobie Road. He told them it would cost \$1,700.00 to get hooked up. A \$1,400.00 hook-up fee would be waived because the tap is already there.

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Ty Hall said he has been on a well. They put in the water line, but never called or came back to hook the water up in 2006. Ty said that he would install the meter, but he doesn't feel that he should have to pay the \$1,700.00 to hook up.

Supervisor Jenkins stated that our records indicate that a meter was installed. One of the reasons we do this is that for the past five years other people in that water district have been paying towards the capital cost of installation which includes the lines.

Councilman Kusnierz stated that the water line goes into the house, but there is no meter.

Councilman Kusnierz reiterated by saying his water line goes up to his house and there is no meter.

Ty stated that he never got a phone call to come into his house to complete the hook-up.

It was agreed that Ty would pay \$525.00 (5 years at \$105.00 per year). Jesse will supply the meter so that Ty can hook it up.

STANDARD WORK DAY REPORTING RESOLUTION

Supervisor Jenkins stated that we have to file this with the State Retirement System for Dan Styczynski. The standard work day is 6 hours and he worked an average of 3.3 days per month.

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

RESOLVED, that the Town of Moreau hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Appointed Officials					
Dog Control Officer	Daniel Styczynski	6	1/1/11-12/31/11	N	3.30

Roll call vote resulted as follows:

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

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CLARIFICATION EMPLOYEE RATES OF PAY IN DIFFERENT JOBS

Councilman Prendergast said they have been through this and what was passed on to everybody he didn't think needed clarification. It is just saying the same thing that was approved two or three meetings ago. Fran wanted to make sure that wing and flag people understood. What we voted on meetings ago is as follows:

Any permanent full or part-time employee working as flag/wing person during his/her standard workday will receive his/her current rate of pay. Hours worked as flag/wing positions outside his/her standard workday will be paid at the job rate set for flag/wing person. Any resulting overtime will be paid at time and a half at the job rate set for the position of flag/wing person.

Councilman Prendergast said that if you are on your regular hours or shift and you get called out to act as wing person or flag person then you would get paid your current rate of pay. That mirrors what we said meetings ago.

Councilman Prendergast went on to say that if a person is called in to act as flag or wing person outside of a person's standard work day will be paid at the job rate of flag or wing person. It will not be at the regular shift rate of pay. Overtime will be paid at time and a half at the job rate set for the position of flag or wing person.

Supervisor Jenkins stated that this is what the board approved previously and Councilman Prendergast said he realizes that, but for some reason our bookkeeper wants it clarified.

Supervisor Jenkins stated that one of the problems we ran into and it still hasn't been clarified and that is, what is a standard work day for a part-time person. It really refers to one person, Maureen, at the highway department. Her standard workday is 9:00 to 1:00 or 9:30 to 1:30 or 10:00 to 2:00.

Paul Joseph stated that when Maureen comes into work she immediately goes out on a run in the truck. Then she comes back in and starts her clerical duties. Then she will go back out on a run in the truck. Then when she comes back she finishes her day doing clerical work.

Supervisor Jenkins stated that is where the confusion lies.

Councilman Cumm said that Maureen has the option of not going out on a run in the truck.

Supervisor Jenkins said it is a problem trying to track her different duties.

Councilman Prendergast said that Maureen must have a range of standard hours.

Pau Joseph replied her standard hours are 9:30 to 2:00.

Councilman Prendergast said that Maureen doesn't have to go out in the truck during those hours. If she chooses to do so then she will get paid her regular pay.

Councilman Prendergast said that Maureen's rate of pay as clerk is more than the rate of pay she gets when she goes out in the truck, so she probably won't go out in the truck anymore.

Supervisor Jenkins said he would clarify this with the account clerk and payroll clerk and Maureen will have to spell it out on her time card.

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JUSTICE COURT AUDIT RESOLUTION

This audit was done internally by Fran Thibodeau, Principal Account Clerk.

Councilman Prendergast wanted to thank Fran for volunteering to take on this extra duty as it saves the Town approximately \$3,000.00.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast acknowledging that the required examination of the 2010 Town of Moreau Justice Court's records was completed.

Roll call resulted as follows:

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

HUD GRANT

This particular block grant from Shelter Planning and Development would cost the Town \$6,000.00 to apply. The Village has run a similar program and been successful. The Village charges a \$300.00 building permit fee. The maximum grant is \$400,000.00 with \$25,000.00 permitted per house. If we have 20 houses apply, we could recover our application fee. We have some areas of the Town that could use help to upgrade their homes. There is a criteria that if you sell your house within a certain time frame, some of the grant money would have to be repaid. If there is an interest, we would have to hold a public hearing.

Councilman Cumm was very skeptical, but after reading their packet, there were several communities that have received a lot of money.

A question was asked if the \$6,000.00 was an application fee or was it for the grant writers.

The \$6,000.00 is for the grant writers.

A question was asked if wouldn't it be advantageous to have our own grant writer.

Councilman Kusnierz stated that we did utilize the services of a grant writer a few years ago, but we were coming up dry towards the end and the board at the time didn't want to incur the expense of a grant writer any longer, so it wasn't included in the budget.

Supervisor Jenkins stated that there are certain grants that were ongoing and worked. The Town applied for one a couple of years ago and not too long ago the Town considered applying for a "Safe Schools" grant. The Town had an engineer lined up to write the grant, but the engineer advised the Town that it would be a waste of time, because the Town wouldn't get any money. He assumed that some of the block grant funding has been cut somewhat so it may be a little more competitive than last year, but if we don't apply we won't get anything and there are some properties that could use some improvement. He thought it would be worth looking into. He said most of the time the Town is working on water, sewer, businesses along Route 9. Supervisor Jenkins stated that he was also skeptical that we would be throwing money away. After further investigation, He feels that it is a good program and he would vote yes.

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Joe Patricke stated that he is part of the group that administers it in the Village and they received 1.6 million dollars and he felt this was a good program. The Village has helped several people with new heating systems, windows, doors, etc.

Councilman Prendergast asked who would write the grant.

Supervisor Jenkins stated that this company would write the grant.

This HUD Grant will be put on the next agenda.

15 MINUTE PUBLIC COMMENT PERIOD

Elizabeth Lanfear asked if wouldn't it be feasible to have all of the Town sign on with Time Warner for phones? She is asking because she would like to see Time Warner come down Gansevoort Road so that she could get roadrunner.

Supervisor Jenkins stated that Councilwoman LeClair had all of the information and a contact person. We had talked with Time Warner a year and a half ago and we would have saved money, but they had language in their contract that we would not agree to and they would not alter the contract.

Elizabeth asked where the town stood regarding the signing of a contract to do the work on the Hatchery Road culvert.

Supervisor Jenkins stated that the contractor is waiting to hear from us. Both landowners have the contracts, agreements and easements, but we have not received them back signed yet. The Superintendent of Schools called and said they have started servicing the route with buses on Monday. During the vacation they have called families and made arrangements. He personally toured the road and determined that the road was safe. He was more concerned that children were walking on that road than having the buses run on it.

Elizabeth asked if Mr. Kingsley was going to honor the price he had previously given to install the culvert.

Supervisor Jenkins stated that Mr. Kingsley would honor the same price and we would not have to be rebid.

Adele Kurtz asked what members of the Town Board sit on the Building Committee.

Supervisor Jenkins stated that Councilman Prendergast and Councilman Cumm were on the Building Committee.

Adele asked how many times the Building Committee had met since November after the referendum had passed.

Councilman Prendergast stated that they had met on water, but not on the Highway garage.

Adele stated that at the last meeting it was stated that the Building Committee had met twice when developing the plans for the highway garage and it was indicated that they had met to discuss and review the building plans for the Town Highway.

Councilman Prendergast stated the whole Board had met with the engineer, but it was not just the Building Committee.

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Supervisor Jenkins stated that there is a Building and Grounds meeting tomorrow night with the engineer and Joe regarding the highway project to go back through the plans.

Supervisor Jenkins received an e-mail from the group that is doing the review work. They have been talking with all department heads regarding their requests for the new municipal complex. They gave us an update and they will be presenting information to the building company within the next ten days and they will schedule a meeting with Bob and Tom to do a preliminary review. They will also provide information to Supervisor Jenkins and the rest of the Board. The Board will look at everything individually and as a group to see what the estimated cost might be at this point.

Adele asked if there was a workshop with the Town Board Members and the engineer or was that the executive session with interviews for an engineer.

Supervisor Jenkins stated that he thought it was the executive session with interviews. The engineer, an architect and project manager met with every department in the Town to review their current working conditions, what issues they have and what the future needs might be. A group visited Greenfield Center, Town of Ballston, and Town of Half Moon to look at their sites. They ranged from the very small to the Taj Mahal in Half Moon that cost 7 million dollars. They got some ideas as to how the Town Halls were set up. Supervisor Jenkins stated that he is very happy how the project manager is handling the interviews with the department heads. He hopes that the plans that we are going to receive in the next few days will be just as informative.

Adele asked Councilman Prendergast if he went to the Town of Greenfield.

Councilman Prendergast stated no.

Adele stated that since November there have been no workshops. There has only been an executive session to hire an engineer. We are five months into the year and there has been a plan put forward that they are putting out specs on and in order to keep the Town and community informed a workshop might have been helpful. The salt shed was not even considered and now it may have to be moved or built around and if there had been more input this would not have happened.

Supervisor Jenkins stated that there is not anything that will affect the bid except the size. The purpose was to get the pricing of steel. It is all going to boil down to cost. We have a budget of 1.4 million dollars.

The bids will be opened next Friday.

A question was asked regarding the proposed capital reserve fund for bringing sewage below Feeder Dam Road.

Supervisor Jenkins stated we submitted a grant request last August, and we will re-submit the same plan this August. Our chances are minimal of receiving any money. All of the money goes to the New York City Water Shed. We are in the Hudson River flood Control District and we do not get any points that are needed to receive funding.

A question was asked if we put in sewer ourselves, wouldn't it bring in businesses.

Supervisor Jenkins stated that it probably would, but we need a lot of people on board to pay the bill. To put in sewer from exit 17 to Fort Edward road would cost approximately 4 million dollars. Grant money does not exist.

A low interest loans was another suggestion.

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COMMITTEE REPORTS

Elizabeth Lanfear reported that the Recreation Commission has decided to allow 7th and 8th graders to be included in our soccer program because of the cuts made from the school budget. The school has cut the “B” team in the soccer program and we want to pick up the slack. They may also include basketball and volleyball.

SUPERVISOR’S ITEMS

Councilman Kusnierz had asked which fund we had borrowed from for the Water 6 project.

We borrowed approximately \$270,000 to \$300,000 from the general fund. The monies were repaid.

Supervisor Jenkins stated that there is a link on our website regarding the Water District I Extension II project, which will hopefully be put out to bid next month. There is quite a bit of information available.

There is a Zoning Board of Appeals training at the Washington County Municipal Center. We have one member that might be interested in attending. The cost is \$20.00.

A motion was made by Councilman Prendergast and seconded by Councilman Cumm to allow members of the Zoning Board of Appeals to attend a training session at the Washington County Municipal Center and for the \$20.00 registration fee to be a proper town charge.

Roll call resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilman Cumm to allow members of the Planning Board to attend a training session at the Washington County Municipal Center and for the \$20.00 registration fee to be a proper town charge.

Roll call resulted as follows:

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

Councilman Cumm asked where we stood with Mannix Marketing and our e-mail address situation.

Councilwoman LeClair stated that we had about 200 hits.

The cost to use the e-mail addresses on our website is minimal.

A motion was made by Councilwoman LeClair and seconded by Councilman Cumm to go into executive session at 10:15 p.m. to discuss the CSEA Contract.

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Roll call resulted as follows:

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

The deputy town clerk did not sit in on the executive session.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to close the executive session and reopen the regular meeting at 10:18 p.m.

Roll call resulted as follows:

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

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to approve the collective bargaining agreement with CSEA for the two year term of 2011 and 2012, based upon the understanding that the agreement has been approved by the highway unit, and authorizing the Supervisor to execute the agreement on behalf of the Town Board provided the agreement includes the minor amendments requested by the attorney for the Town.

Roll call resulted as follows:

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

A motion was made by Councilman Cumm and seconded by Councilman LeClair to adjourn the meeting at 10:20 p.m.

Roll call resulted as follows:

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

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Meeting adjourned.

Respectfully submitted,

Barbara J. Porter
Deputy Town Clerk