

A regular meeting of the Town Board of the Town of Moreau was held on February 12, 2013 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 Town Clerk called the roll.

**Town Board Members Present**

Robert J. Vittengl, Jr.	Councilman
Bob Prendergast	Councilman
Gina LeClair	Councilwoman/Deputy Supervisor
Todd Kusnierz	Councilman [Arrived at 7:03 p.m.]
Preston Jenkins	Supervisor [In attendance for first two items on the agenda.]

**Town Board Members Absent**

None

**Also Present:** Jeanne Fleury, Town Clerk; Karla Buettner, Attorney for the Town; Paul Joseph, Highway Superintendent; Joe Patricke, Building Inspector/Code Enforcement Officer; Scott Varley, Representing Crestmoore Assisted Living/Memory Care Facility; Jamie Munks, Post Star Reporter; Eric Porteus and Tim Welch, Representing Friends of Grant's Cottage; Town Residents: Reed Antis (also Planning Board Member), Erin Trombley, Tom Cumm and Elizabeth Lanfear; Village Resident: Harry G. Gutheil, Jr.; and Amy Alfonso from Lake George

Supervisor Jenkins led the Pledge of Allegiance.

Supervisor Jenkins welcomed everyone to the meeting and asked everyone to turn off or silence all electronic devices.

**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:

January 3rd (2 Sets), January 8<sup>th</sup>, January 10<sup>th</sup> (2 Sets) and January 22<sup>nd</sup>

**MINUTES – JANUARY 3, 2013 – SPECIAL TOWN BOARD MEETING TO INTERVIEW CANDIDATES FOR A PART-TIME RECREATION PROGRAM DIRECTOR POSITION – 6:00 P.M.**

No comments or corrections.

**MINUTES – JANUARY 3, 2013 – ORGANIZATIONAL MEETING OF THE TOWN BOARD – 7:00 P.M.**

Correction: Page 12 – Title for Earl Ruff changed to “Assistant” Water/Sewer Department Superintendent” instead of “Water/Sewer Department Superintendent”.

**MINUTES – JANUARY 8, 2013 – REGULAR TOWN BOARD MEETING**

The following comments made by Councilwoman LeClair were added to page 34 at her request as follows:

**Councilwoman LeClair reported on information received about a grant that may be available through the New York State Recreation and Park Society. From the information obtained, it appears that they will write the grant and the grant has to do with helping to fight childhood**

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**obesity. They need to know the Number of Youths served by our agency that are pre-school anytime of the day and the number of Youths served age 6 to 14 in afternoon programs. It seems to be a grant that is a tie-in with the one we are working with the school district on. It is about getting kids outside and moving and helping them with healthy eating and helping to prevent childhood obesity. In the information that was received by the Town it reads that the Town should analyze the data. It doesn't matter if one of the Town's estimates is off a little as they will annualize it. They will draft the grant, proof the grant and submit it. There was nothing that indicated any cost to the Town.**

**Councilwoman LeClair stated that she would like to move forward with this grant. She said that she would copy the board on the information and she would see what else she could find out about the grant. It is something that we need to move quick on.**

**No objections were raised by the Town Board Members.**

**MINUTES – JANUARY 10, 2013 – PUBLIC HEARING – MOREAU EMERGENCY SQUAD CONTRACT**

No comments or corrections.

**MINUTES – JANUARY 10, 2013 – SPECIAL TOWN BOARD MEETING RE: MOREAU EMERGENCY SQUAD CONTRACT**

No comments or corrections.

**MINUTES – JANUARY 22, 2013 – REGULAR TOWN BOARD MEETING**

No comments or corrections.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to approve the minutes of January 3<sup>rd</sup> (both sets) and January 8<sup>th</sup> with corrections so noted.

Roll call vote resulted as follows:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to approve the minutes of January 22<sup>nd</sup> as prepared.

Roll call vote resulted as follows:

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

The minutes of January 10<sup>th</sup> (both sets) were received and filed.

Councilman Kusnierz entered the meeting.

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### **FUTURE MEETINGS/WORKSHOPS SCHEDULED**

None

### **15 MINUTE PUBLIC COMMENT PERIOD**

Reed Antis asked how the Recreation Department was doing now that we don't have a department head.

Supervisor Jenkins replied it has been rough, but it is functioning.

Reed Antis asked Supervisor Jenkins to elaborate.

Supervisor Jenkins replied that he hoped that under agenda item number 8 the Town Board will approve the job description from civil service for that position and he said that there will be a couple of interviews held in executive session at the end of the meeting.

Reed Antis asked if the position will be just for programs or management.

Supervisor Jenkins replied just programs.

Reed Antis asked who is going to be making the management decisions. Is it going to be the Town Board?

Supervisor Jenkins stated that we will have a superintendent of maintenance, which we don't have right now. We have a temporary assignment right now.

Reed Antis asked if Jeremy was going to be appointed the superintendent of maintenance.

Supervisor Jenkins replied yes. Temporarily he is, but they are a long way from making that decision.

Reed Antis asked if the superintendent of maintenance is going to make decisions on buildings and maintenance.

Supervisor Jenkins replied yes, for all buildings and for recreation and all Town lands.

Reed Antis asked if it included the Town Hall and Supervisor Jenkins replied yes.

Reed Antis said that was interesting.

Supervisor Jenkins asked if there were any other comments from the public.

There was no reply.

### **GRANT'S COTTAGE – FUNDING REQUEST – TIM WELCH & ERIC PORTEUS PRESENTATION**

Tim Welch and Eric Porteus were present to ask the Town Board for funding in the amount of \$5,000.00 to assist in completing renovations to an old garage on the property where Grant's Cottage is on Mt. McGregor. The building will be utilized as a museum and interpretive center to tell the story of Ulysses S. Grant, the 18<sup>th</sup> President of the United States and famous war General. Ulysses S. Grant visited Mt. McGregor and stayed in Grant's Cottage the final 16 weeks of his life. Ulysses S. Grant wrote his memoirs during his stay on Mt. McGregor. Sunday morning, February 17<sup>th</sup>, CBS will air a significant tribute to Grant's Cottage and it will be viewed by 5 million people. The property is owned by NYS Parks & Recreation, but the three part-time employees who work on the site are paid from the \$5.00 admission fee that adults pay to visit the site (there is no charge for children). There are also volunteers who contribute their time. Eric Porteus and Tim Welch showed a short slide show of the property.

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Councilman Kusnierz stated that he has supported Grant's Cottage in the past and he is willing to do so again. He said there are stories relating to later chapters in Ulysses S. Grant's life that are not well known by a lot of people and it will be nice to relate these stories to the public and get the message out there. He supports the funding request.

Supervisor Jenkins stated that he attended a fundraiser dinner a couple of years ago where there were Ulysses S. Grant and Mark Twain impersonators and they did a phenomenal job and it felt like he was back in that era. He has been a member of Friends of Grant's Cottage for three years now and he supports the funding request.

Supervisor Jenkins stated that there is just less than \$5,000.00 that can be re-appropriated from the 2012 Town Budget for this and if the Town Board is willing to make a resolution to support the funding request then he would prepare a budget amendment /transfer of funds form for the Month-End Audit Meeting.

Councilman Kusnierz made the motion authorizing the utilization of taxpayer's money in the amount of \$5,000.00 to fund Grant's Cottage which is located in the Town of Moreau.

Councilman Vittengl seconded the motion.

Councilman Prendergast asked if the resolution should state what account the money is coming from.

Supervisor Jenkins stated that the money would come from account A7550.4 – Celebrations – Contractual that has a balance of \$9,550.00.

Roll call vote resulted as follows:

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

### **CRESTMORE ASSISTED LIVING/MEMORY CARE FACILITY**

Scott Varley was present on behalf of the Pike Company to determine how the Town Board feels about amending the Town's PUD Legislation to accommodate an assisted living/memory care facility on a lot behind the Home of the Good Shepherd off Bluebird Road.

Scott Varley stated that this is the first time a company with resources has shown interest in this type of facility in the Town of Moreau. The company that is interested in building a facility that would be called "Crestmoore Assisted Living/Memory Care Facility" is the Pike Companies out of Albany, New York. Pike Companies is a construction company. They would be working with a group of medical professionals out of NYC on this project. These medical professionals are working on assisted care facilities throughout New York State. They are also working on a similar project in the Town of Halfmoon.

The proposed facility would be on parcel #3 off Bluebird Road in the PUD that was approved by the Town Board previously. The Town Board is being approached, because the facility as proposed would have more doors (units) than was approved in the PUD. There were 93 units (doors) that were approved in the PUD and there are 133 doors (units) proposed for this facility. Scott Varley stated that with the original PUD concept there was no way of knowing who the end users of the other lots would be. He said that with the Town of Halfmoon Project there is going to be 62 parking spots. He explained that the proposed facility will house the aged population that can no longer be left alone in their private homes to take care of themselves. There will be medical monitoring provided at the facility. The facility will employ 103 full-time people and some part-time people. The organization that will own and run this facility will be for profit and this facility will be on the tax rolls of the Town and School District, unlike the Home of the Good Shepherd which is owned and operated by a church and not-for-profit and they are not on the tax rolls.

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Councilwoman LeClair asked what the pay scale will be and Scott Varley said he would have to find out.

Councilman Prendergast asked Joe Patricke if this would require a variance process.

Joe Patricke replied that he thought Attorney Buettner would be better suited to answer that question.

Attorney Buettner replied that it would require an amendment to the Town's PUD legislation. The Town's PUD legislation is very particular on how it is worded and outlines allowed uses on the property. For example: Lot #3 specifically allows a 1 to 3 story, 94 unit subsidized senior living apartments with a height maximum of 38 feet. She understands that this project may call for a four story building that would exceed the 38 feet.

Scott Varley replied that the word he received today from the developer was that it will be a three story building with approximately 105,000 square feet.

Attorney Buettner advised that the same process is being followed in the Town of Halfmoon as their PUD legislation doesn't allow it either.

Councilwoman LeClair stated that she likes the facility and the fact that it will be on the tax rolls and the number of people they will employ. She stated that there may be a lot of seniors in Moreau that may want subsidized housing and she doesn't want to close out the seniors who may not be able to afford this type of facility. She would like to discuss this further with the Town Board.

Councilman Kusnierz asked if there is a narrative or description of the project and Scott Varley said he only had what he just read to the Town Board, but then said he would leave that information so it could be copied for the board.

Councilman Kusnierz said that if he was doing the math correctly the density is 133 units vs. the 94 units that were approved previously.

Scott Varley said this was correct.

Supervisor Jenkins stated that the actual number of people residing in the subsidized housing would be two people per unit vs. this type of facility that wouldn't. He said the actual people density could be less.

Scott Varley replied this was correct. Only 5% would be two people per unit.

Councilman Kusnierz stated that it would be a 40% increase in the number of doors (units). He asked if there is corresponding increase in the revenue generated.

Scott Varley said he assumed there would be.

Attorney Buettner stated that the law spells out that one bedroom units will be 600 square feet and the two bedroom units will be 750 square feet. The minimum ratio of one to two bedrooms is 70/30.

Councilman Kusnierz asked Scott Varley if they were asking for an amendment to the PUD Law to change the ratio.

Scott Varley stated that the developer said the apartments would be about 700 square feet. He reminded the board that the PUD was conceived without knowing who the end users would be. They are asking if they can increase the number of doors (units) from 94 to 133 and yet at this point in time keep all the other projected numbers the same. He said that logically if they increased it on lot 3 then they would have to reduce it from one of the other parcels. It then defeats the attractiveness of the community itself when trying to attract other users. If they reduce the number of market rate apartments that have already been approved for 100 down to 60 or 70 that becomes less attractive to a project developer who might want to build on the property.

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Councilman Vittengl recapped that this is a 100,000 square feet facility that will employ 100+ people and that will generate school taxes and it is a needed use. The choice is subsidized or unsubsidized. Scott Varley stated that if it is subsidized housing then it won't be on the tax roll and if it is a not-for-profit.

Scott Varley reminded the Town Board that there is still another lot behind the Home of the Good Shepherd that could house another building. He agreed the Town could use subsidized housing and maybe they could change the legislation for that lot so subsidized housing is the requirement for that lot.

Supervisor Jenkins asked what the estimated construction cost of this facility will be and Scott Varley said he would have to find out.

Supervisor Jenkins asked Attorney Buettner if the Town Board was at a point where they should schedule a public hearing.

Attorney Buettner replied no, not yet. She stated that the developer would have to give the Town Board all the information required by the PUD legislation. Then the Town Board would make a recommendation to the Planning Board and the Planning Board would review and send a recommendation back to the Town Board and then the Town Board could hold a public hearing.

Scott Varley stated that he was really here tonight to find out how the Town Board feels about the number of doors (units).

Councilman Kusnierz asked what kind of people would come in and take advantage of it.

Scott Varley replied that he assumed people would come from Warren, Washington and Saratoga Counties.

Councilman Kusnierz asked if there are studies on this.

Scott Varley replied not for the Town of Moreau.

Councilman Kusnierz stated that if there hasn't been any study to find out what the need is in Moreau then we don't know if there is a need for this or not in Moreau. He asked Scott Varley if he thinks that most of the people will come from outside the Town of Moreau.

Scott Varley replied that he presumes a fair amount would be, because of the cost. He stated that the new residents coming into Town are living in new construction that is much more substantial than the average value of housing around here. Probably over time more Town folk will be living in a facility like this.

Councilman Vittengl told Councilman Kusnierz that the Landings in Queensbury have a waiting list of people waiting to get in, so there is a huge demand for this type of facility.

Joe Patricke suggested to Scott Varley that he review the Town's PUD legislation as it will tell him what has to be supplied to the Town Board.

Councilman Kusnierz asked what the targeted cost per unit is and Scott Varley stated he would have to find out.

This topic will be on the agenda for the first meeting in March if all the information is before the Town Board for review before that time.

[Supervisor Jenkins had to leave the meeting and he turned the meeting over to Councilwoman LeClair who is also Deputy Supervisor.]

### **HIGHWAY DEPARTMENT REQUESTS**

The highway superintendent requested authorization to purchase vacuum seals for the Johnston Sweeper out of account DB5130.492 that had a balance of \$38,332.54 as of 2/6/13. The following quotes were obtained:

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Cyncon Equipment	\$1,308.32 plus freight
Joe Johnson Equipment	\$1,023.96 plus freight (after market parts)
Local Equipment	Can not supply

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the purchase of vacuum seals for the Johnston Sweeper from Joe Johnson Equipment at a cost not to exceed \$1,023.96 plus freight.

Roll call vote resulted as follows:

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

Paul Joseph, Highway Superintendent, reported that the rock salt he was getting from American Rock Salt was wet and very heavy with a lot of chunks in it. His staff is spending a lot of time breaking it up and because of the heaviness of it they aren't getting as much per ton as they could be. He was told that it is three year old rock salt. He stated that for 49 cents per ton more he can get the rock salt from International Rock Salt. This is the company that Saratoga County buys their rock salt from. He asked if he could amend the purchase order and change it to International Rock Salt for the remainder of the winter season.

Councilman Kusnierz asked what the cost would be based on the 2012 usage.

Paul Joseph stated that he expects to get three more deliveries at the most, which is close to 600 tons and the additional cost would be ~~\$249.00~~ **\$294.00**. He said it all depends on the weather. The cost per ton from **[Amended 2/21/13 jf]**

American Rock Salt is \$55.69 and the cost per ton from International Rock Salt is \$56.18. He added that right now they are paying for all the water weight.

A motion was made by Councilman Vittengl and seconded by Deputy Supervisor LeClair authorizing the purchase order for rock salt to be amended by changing the vendor from American Rock Salt to International Rock Salt and for the cost per ton to be amended from \$55.69 per ton to \$56.18 per ton, but for the amount not to exceed \$70,000.00 to remain the same.

Roll call vote resulted as follows:

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

### **RECREATION DEPARTMENT REQUESTS**

None

Elizabeth Lanfear spoke up and said she apologized if this was already covered in the first 15 minute comment period, for which she wasn't present, but she wanted to know when the wrestling shirts were going to be available. She said the team pictures were being taken tonight and nobody seems to be in charge since the board got rid of the Rec. Director. She stated that at a meeting in November, Supervisor Jenkins said that the position would be filled in November.

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Deputy Supervisor LeClair replied that the position wasn't changed until the end of December so the position couldn't have been filled in November.

Elizabeth Lanfear then said that at the meeting she was at in November Supervisor Jenkins said that they were going to interview and have it filled in December for the end of the year so that when Steve was gone it would be filled. She further stated we have a rec. program and people who have signed up and paid and pictures being taken today and parents were asking where the shirts are. She asked who is in charge.

Councilman Vittengl stated that Ron King is getting the sizes for them.

Elizabeth Lanfear said the shirt sizes are in the Town Clerk's Office.

Councilman Vittengl stated that Ron King is running the program. Councilman Vittengl said he spoke with Ron King. There are approximately 50 kids signed up and Ron King is getting the sizes and he will decide on a color. There is money in the budget and it will be taken care of once it is brought up to the board for discussion.

Elizabeth Lanfear said the program has been going for a month now and she wondered who is running the rec. department.

Councilman Vittengl replied that they are working on it.

Elizabeth Lanfear replied nobody then.

Councilman Vittengl stated that liaisons from the Town Board Recreation Committee are working with the people until they get somebody in place.

Elizabeth Lanfear asked who is dealing with the programs. Parents are asking questions. Where do they go?

Deputy Supervisor LeClair stated that the board was going to be interviewing candidates tonight and hopefully in two weeks we will have a person in that position.

Elizabeth Lanfear asked again, where do people go? She said parents have questions and concerns where do they go?

Deputy Supervisor LeClair replied that they can contact Councilman Vittengl or Councilman Kusnierz who are the liaisons to rec. They can contact Terry at Town Hall if they are not able to get a hold of Councilman Vittengl or Councilman Kusnierz and she will direct them to them.

Elizabeth Lanfear said that they have no idea then when the shirts will be available, they are in the works, but the board can't give her a time frame as to when the shirts will be available.

Councilman Vittengl said it will be discussed tonight and Ron King will get us the sizes.

Councilman Kusnierz stated that the shirts are not a new issue. It is an issue that comes before the board every year. The board has made some changes in how we are going to run our rec. facility. Those changes will include, as Councilwoman LeClair indicated, that we are interviewing people and we hope to have somebody in place in a timely fashion that will be able to move forward with the needs of the community at the rec. park shortly.

Elizabeth Lanfear asked him if he understands why people are getting frustrated. They signed up and the signup sheets came to Town Hall and the Town Clerk's Office has the signup sheets with the shirt sizes on them. All the information is right here in this building.

Councilman Kusnierz replied that they deal with frustrated parents and have been for some time down there for a number of years and that is nothing new. We are moving forward to hopefully address the situation, but this is government and government works at a particular place.



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Elizabeth Lanfear said they are still people.

Councilman Kusnierz replied that they are in the people serving business, but they have protocols, regulations and laws that they have to follow and civil service requirements that they have to meet and it is this board's intention to follow those requirements so we do everything properly to fill the position.

Elizabeth Lanfear said she was just going on the information that she sat here in person and heard the board say in November and that was that interviews would be held and someone would be in place by the end of December.

Deputy Supervisor LeClair replied that was their hope. It didn't work and they are doing their best to make sure that they can get this taken care of as soon as possible. She told Elizabeth Lanfear that this was all that they could share with her tonight.

### **WATER DEPARTMENT REQUESTS**

None

### **PART-TIME RECREATION POSITION – DISCUSS AND POSSIBLY CREATE POSITION**

Deputy Supervisor LeClair stated that each board member has been given a job description for the Recreation Activities Planner part-time position that has been sent down to the county. Per the county it is a non-competitive position. She asked if anybody had any questions.

Councilman Prendergast asked if the county approved this and Deputy Supervisor LeClair replied yes.

Councilman Vittengl asked if it is was going to be 19 hours or less per week and Deputy Supervisor LeClair replied yes.

Councilman Vittengl asked if this person would oversee the workers and Deputy Supervisor LeClair replied no, this is the recreation position. She then read the following job description:

Percent of Work Time	
68	Develop, maintain, organize, implement, promote and supervise recreational activities for children and adults. Implementation of training and support for volunteer and paid program instructors and coaches.
15	Work cooperatively with community organizations to coordinate services and activities in a way that allows us to offer diverse programs at an affordable cost without duplication of services.
10	Maintain a record of activities, prepare monthly reports for the Board, organize teams, order necessary supplies according to Town procurement policy.
2	Prepare and present annual budgetary expenses to Board for recreational activity expenses. Completes forms for State & County funding.
5	Establish and maintain open and inviting communication with children and adults of our community to encourage ongoing public input and participation regarding recreation.

Deputy Supervisor LeClair read the following minimum qualifications for this position as follows:

Education:      High School      4 Years  
                         College              2 Years, with specialization in management with 2 years experience in a position requiring comparable skills.  
                         Other                  or 3-5 Years, with specialization in a position requiring similar skills

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Experience: Experience with working in a supervisory role with adults and children, leadership skills, good public speaking experience, ability to develop materials for community outreach, good organizational and planning abilities are important.

Essential knowledges, skills and abilities: Ability to develop and produce necessary material to inform the community of recreational opportunities. Openness to new ideas, good communication skill, ability to complete tasks in a timely manner, organized, friendly and outgoing attitude.

No specific licenses or certifications are required.

There are currently no people to be supervised, but when programs are implemented, this position will supervise personnel hired to lead the programs. Deputy Supervisor LeClair added to this that if a wrestling coach is hired then they would oversee that position.

Deputy Supervisor LeClair asked if there are any comments.

Councilman Kusnierz said he knows that they have narrowed the candidates down to a candidate and he wondered if the Personnel Committee verified if the person they are considering meets the minimum requirements.

Deputy Supervisor LeClair replied the county did.

Councilman Kusnierz asked if they are all set with that and Deputy Supervisor LeClair replied yes.

Deputy Supervisor LeClair asked if the board members were interested in creating the position tonight.

Councilman Prendergast and Councilman Vittengl replied yes.

Deputy Supervisor LeClair asked for a motion and a second to do so.

Councilman Kusnierz made the motion that the Town of Moreau create the position of Part-Time Recreation Director, which is non-competitive.

The Town Clerk said the title isn't Recreation Director.

Deputy Supervisor LeClair stated that it is Recreation Activities Planner Part-Time that is the title from the county.

Attorney Buettner stated that it is Recreation Director, Part-Time, non-competitive. She said the other title is just a duties statement. The motion made by Councilman Kusnierz is correct.

Councilman Kusnierz asked if the board was going to establish a pay rate before the motion was finalized.

Councilman Prendergast said they had one in the budget.

Councilman Kusnierz said it was a pay range.

Attorney Buettner stated that they could create the position and then establish the pay rate.

Councilman Kusnierz added to his motion the wording "with a pay rate to be established at a later date".

The motion was seconded by Deputy Supervisor LeClair.

Roll call vote on the motion resulted as follows:

Councilman Kusnierz                      Yes

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

### **ENGINEERING FEES – WATER DESIGN & CONSTRUCTION STANDARDS**

Joe Patricke, Building Inspector/Code Enforcement Officer, explained how back in 2000 the Town of Moreau adopted a set of standards for the water department and they were updated a little back in 2004 and they need updating again, based on our latest water projects and additional information that the water superintendent would like published. Jim Mitchell proposed a fee not to exceed \$2,000.00 and at his normal hourly rate to update the standards and all the detailed drawings to be put into a publication that could be posted on the Town's website.

Councilman Kusnierz asked if the standards would establish the requirements for installation and repair.

Joe Patricke said everything from the mains and into the individual homes to pipe sizes.

Councilman Kusnierz asked if this was something we would be adopting from the State or where are the guidelines coming from.

Joe Patricke replied the AWWA and general engineering practices. They would be prepared and the board copied and asked to review them and accepted by resolution.

Councilman Prendergast stated that Jim Mitchell was mentioned. He said we have a water engineer.

Joe Patricke advised that Jim Mitchell prepared the original document.

Councilman Kusnierz asked if Burley & Guminiak was involved in the original document.

Joe Patricke replied that they did the update in 2004, which was just the addition of pipe.

Councilman Kusnierz asked if the Town's water engineer should be the one doing this.

Councilman Prendergast stated they should at least get a price from him. Whenever we talk about water we call Burley & Guminiak. The board members agreed.

Joe Patricke replied that he knows this, but he used the specifications that were published before and he noted that their name is not Burley & Guminiak anymore.

Attorney Buettner stated that it is CA2E now.

Deputy Supervisor LeClair said okay, they would check with Tim Burley on this and have him give Terry a call.

Joe Patricke told the board members that they have to make sure that Tim is willing to come here and spend time with "us", because he can't do it over the phone. When he quotes a price the board needs to make sure it is a price to come here.

Deputy Supervisor LeClair asked Joe Patricke if Tim Burley could call him to find out what is needed to be covered and Joe Patricke replied no, he has to call Jesse.

### **NATIONAL GRID SERVICE AGREEMENT – ESTIMATE OF CHARGES – SITE OF NEW MUNICIPAL CENTER**

A regular meeting of the Town Board of the Town of Moreau was held on February 12, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

A proposal was received from National Grid to install 585 feet of primary underground three phase cable, one riser pole and two anchors and 95 feet of three phase overhead wire for new electrical service into the new municipal complex located at 351 Reynolds Road. The quote was in the amount of \$28,366.65.

Councilman Kusnierz asked if this cost was part of the project and was the amount allocated for this work.

Joe Patricke replied that there wasn't a number for electric or gas service. It was included in the site work estimate.

Councilman Vittengl asked Joe Patricke if he thought this amount was excessive or not.

Joe Patricke replied that the difference between this project and the new highway garage is that we need to buy a transformer for this project and with the highway garage the transformer was already there and the wire was already there.

Councilman Kusnierz asked if the Town is going to dig the trenches or do we have to pay National Grid for that.

Joe Patricke replied that this quote assumes that the Town is going to dig the trenches, backfill and the contractor on the site, as part of the bid, will install the conduit. All National Grid will do is the wiring inside of it.

Councilwoman LeClair asked if there is an alternative. She isn't saying she doesn't want National Grid to do it, but she wonders if there is an alternative. Is this something contractors do or do we have to work with National Grid.

Joe Patricke replied that we have to work with National Grid. NYSEG does allow contractors to work with them, but National Grid doesn't allow it.

Councilwoman LeClair asked how far they are from needing this done.

Joe Patricke replied, a couple of weeks ago. He said they will notice in the proposal that after everything is signed and returned to National Grid and the bill is paid, it is still 6 to 8 weeks before National Grid can do the work.

Councilman Kusnierz asked who the construction manager is on the job.

Joe Patricke replied that they "saved all the money on his job, he isn't here".

Deputy Supervisor LeClair asked if the board was ready to move forward on this tonight.

Councilman Vittengl stated that we don't have a choice we are this far along with the building now.

A motion was made by Councilman Vittengl and seconded by Deputy Supervisor LeClair authorizing the Supervisor to sign the proposal from National Grid for electric service to the new municipal center located at 351 Reynolds Road in the amount of \$28,366.65 to be paid out of the Municipal Center Capital Project Fund, Account HC1620.2, and authorizing the Supervisor to sign any easements necessary.

Roll call vote resulted as follows:

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

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**AUD & LANDFILL FINANCIAL ASSURANCE ACCOUNTING PROPOSALS – RESOLUTION TO ACCEPT A PROPOSAL**

Two proposals were received as follows for Accounting Services to prepare the Town's AUD and Landfill Financial Assurance for the year ended 12/31/2012 :

Jenkins Beecher & Bethel, LLP	\$2,850.00	
Whittemore, Downen & Ricciardelli, LLP	\$2,875.00	AUD
	\$ 650.00	LF Financial Assurance

A motion was made by Councilman Prendergast and seconded by Deputy Supervisor LeClair to authorize the Supervisor to sign an engagement letter with Jenkins, Beecher & Bethel, LLP to prepare the Town's AUD and Landfill Financial Assurance for the year ended 12/31/2012 at a cost not to exceed \$2,850.00.

Roll call vote resulted as follows:

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

**RESOLUTION AUTHORIZING SUPERVISOR TO ENGAGE ENGINEERING SERVICES OF C.T. MALE FOR LANDFILL MONITORING SERVICES FOR THE YEAR 2013 AND AUTHORIZING SUPERVISOR TO SIGN THE AGREEMENT WITH C. T. MALE**

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the Supervisor to sign an agreement with C. T. Male Associates to provide Landfill Monitoring Engineering Services for the year 2013 at a cost not to exceed \$8,892.95 per their proposal.

Roll call vote resulted as follows:

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

**PAM DRAGON LETTER RE: USE OF SCHOOLS FOR VOTING**

Pam Dragon a resident of the Village of South Glens Falls wrote a letter to the Town Board asking that consideration be given to not conducting voting in any of the schools any longer in light of the tragic events that occurred in the Sandy Hook Elementary School in CT recently and that the Town Board consider alternative locations for voting as a safety measure.

Councilman Kusnierz asked if any of our schools allow the public to come in and mix with the general population.

Deputy Supervisor LeClair replied not that she knows of. She thinks they all have locked doors and there is a monitor. You cannot go in and walk down the halls throughout the schools.

Reed Antis stated that when you go to vote in the Tanglewood Elementary School there is a monitor there as you enter the gymnasium to vote and they don't allow people to go any further into the building.

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Councilman Kusnierz stated that with the heightened sensitivity over what has occurred in other schools in other states, he thinks that is the perspective she is writing from. He said you have to weigh how great of an issue is it and what is the alternative. We don't have our municipal complex built yet and we have to keep in mind accessibility to the different areas of the Town and he knows that the voting districts are set up in a way where they are relatively close to the voting population. These are all things they have to think about.

Deputy Supervisor LeClair stated that there aren't a lot of obvious facilities when she thought about it. She stated that we have the Route 197 building, but that means if we move a polling place to that location then the voters in that district may not live in that area.

Reed Antis asked about the fire station and he was told that we already utilize their building for voting.

Councilman Kusnierz stated that we can have conversations with the school district and see if there is something we can do to heighten security maybe by cording off the area of that area of the building where absolutely no one can mingle with the student population.

Reed Antis stated that they already do that now.

Councilman Prendergast asked how many schools are used during voting and he was told Moreau Elementary School, Tanglewood Elementary School and the Jr. High.

Councilman Prendergast said maybe the Village Police can place an officer there or Sheriff's Department can place a couple of deputies there.

Councilman Kusnierz stated that in the Governor's proposed budget there are monies allocated for school safety services which I think is building upon what used to be the school SRO Officers that were eliminated due to funding. Therefore, from an educational standpoint there may be funding where they may be doing something a little different for security and that may be helpful in addressing that issue.

**HISTORICAL SOCIETY OF MOREAU/SOUTH GLENS FALLS – AUTHORIZE PAYMENT OF ANNUAL BUDGETED CONTRACTUAL AMOUNT**

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the payment of \$11,000.00 from the Historical Properties Account A7520.4 to the Historical Society of Moreau and South Glens Falls for the year 2013 for maintenance and repairs.

Councilman Kusnierz asked if this money was budgeted for this purpose specifically or did we just have \$11,000.00 in the budget for historical properties in general.

Deputy Supervisor LeClair stated that she thinks it was specifically for this property.

Councilman Kusnierz thought they were providing funds for something else down there.

Harry Gutheil stated that the Town Historian's stipend is usually in that account and he was told that the Town Historian's stipend is out of another account. There are two different accounts for this.

Roll call vote resulted as follows:

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

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### **15 MINUTE PUBLIC COMMENT PERIOD**

Reed Antis asked if the new superintendent of buildings and maintenance will also be taking care of cemeteries.

Deputy Supervisor LeClair said she believes that they will be overseeing cemeteries.

Reed Antis apologized and said he has two individuals and himself who will bring some information to the Town Clerk about the Cemetery Advisory Committee and he would like to meet with the Town Board Cemetery Committee to go over some thoughts on how the cemeteries can move forward.

Councilman Kusnierz wanted to follow up on the comment about the superintendent by saying that the board hasn't had a discussion about a superintendent of buildings.

Deputy Supervisor LeClair replied no, the board needs to decide on that and come up with a job description.

Reed Antis stated that this is the first time he has heard about the new job description or that there was going to be a job for building and maintenance of all the properties.

Deputy Supervisor LeClair replied that "they" were working on a job description that the board will all review and then that job description would go to the county.

Reed Antis said it is a work in progress and Deputy Supervisor LeClair said yes, it is a work in progress.

Councilman Prendergast stated they were talking about history at the beginning of the meeting and Eric Porteus and Tim Welch came tonight and the board agreed about the importance of Grant's Cottage to the Town and to the board and they made a point about getting the word out. We have a Town Historian that we have a budget for and we are talking about how it is one of the most important historical sites in the Town and in the area.

Eric Porteus stated that they are working on a program whereby the Town residents will be invited to participate in an event for the Town of Moreau.

Councilman Prendergast asked if we should mention Grant's Cottage on our website and show a picture of it.

Eric Porteus stated that the Historical Society is listed on the Town's website and he asked if the board would accept one of their event cards for posting on the website.

Councilman Kusnierz stated that it is a great idea if they would work with the Town Historian and maybe provide some of the information that they have to the Town Hall so it could be placed here for the public to review.

Reed Antis gave the gentleman the Town Historian's contact information.

### **COMMITTEE REPORTS**

Councilman Vittengl stated that Ron King is working on getting sizes for the t-shirts for the wrestling program and the colors. There will be about 50 shirts ordered. The cost will be under the \$500.00 limit per the Town's procurement policy. He will have Ron King bring in all the information to the girl's downstairs in Town Hall and they can order them.

Councilman Vittengl stated there was an incident at one of the basketball games between a parent and a coach and he said they could discuss this in executive session at the end of the meeting.

Attorney Buettner said they could discuss it in executive session as long as it didn't involve a fight between two parents and it involved an employee of the Town.

Councilman Vittengl said the coach is a volunteer representing the Town.

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Attorney Buettner said it was okay as long as it has something to do with the Town.

Councilman Vittengl said he needs Tim Streeter's phone number if anybody has it.

Councilman Vittengl stated that the ice rink has been utilized and the school's hockey team utilized it on the 2<sup>nd</sup> in the morning.

Councilman Vittengl stated that last weekend the park was utilized a lot. There was skating, sledding, x-c skiers and snowshoers.

Deputy Supervisor LeClair asked if we were able to open the park on Wednesday or Thursday nights. She knew the school requested that we open an additional night.

Councilman Vittengl said the park is only open Friday and Saturday night right now. It is all subject to weather. If it is 10 below zero then they can lay ice. If it is 40 degrees out then there won't be any ice.

Councilman Kusnierz asked if they have somebody down there, an employee that has agreed to have the Town's cell phone down there.

Councilman Vittengl replied that they do now.

Councilman Kusnierz said he received a few phone calls from people asking how they contact people down there. They have been calling the phone number on the door and getting no response so they call Town Hall. All they are trying to find out is if there is skating or sledding on a particular day or can they borrow skates and things like that.

Councilman Vittengl stated that we should probably get that new number up.

Deputy Supervisor LeClair reported that the Conservation Committee will be holding their meetings on the third Tuesdays of each month at 6:30 p.m. instead of on Wednesdays.

Councilman Prendergast said that it was brought to his attention today, because he is on the Building and Grounds Committee that on the drawings for the new municipal center the separation inside the new building between what they refer to as the Town Hall part and the Court part does not have a door. He said there was some discussion about a door being on the plans at one time and then a door not being on the plans and he said that the record was searched and nothing could be found about this. He said there is a hallway that runs the length of the town offices part of the building and it runs right into the court section of the building and there has been some discussion about how there should be a door there that separates the two.

Joe Patricke stated that there was a door on the plans originally and then the Town Board talked about the fact that it is a public building and buildings should be open to all the public and it was decided that we wouldn't have a door separating the two when people could access either side so they took the door out.

Councilman Prendergast stated that in part of the discussion he was involved in today Supervisor Jenkins said that structurally it is set so if we want to put a door in we can.

Joe Patricke said this was correct. He said it really has no impact, because it had to be built like that anyhow. The walls are there, the header is over it and the doors can be added at any time.

Councilman Prendergast said obviously right now it would be an added cost.

Councilman Kusnierz asked what the purpose of the doors would be.

Councilman Prendergast replied that if they asked the court they would say it is for security.



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Joe Patricke stated that it wasn't coming from the court. The court hasn't raised the question.

Councilman Prendergast stated that he was told by Supervisor Jenkins that the court would prefer doors for security reasons.

Councilman Kusnierz asked if weren't they going to be sharing the courtroom as a Town Board meeting room and the answer was yes.

Councilman Vittengl stated that he thinks the concern is that people waiting for court will be meandering down through the corridor.

Councilman Prendergast showed on the map the two entrances and if the people enter the building on the court end and there aren't any doors separating the court area from the rest of the Town Hall the people coming in could enter the Town Office Building portion.

Councilman Kusnierz asked if the door would be locked.

Councilman Prendergast said he told Supervisor Jenkins that if we ever wanted to separate the two buildings for security purposes or any other reason we could do it if we had a door. If we don't have a door then we would have to station a person in between the two sections.

Joe Patricke said he would have to check, but it is a fire corridor and he isn't sure if they could lock the door or not. They may not be able to block the fire corridor.

Councilman Kusnierz stated that it comes down to cost vs. benefit.

Deputy Supervisor LeClair stated that the Town of Galway has a new municipal complex whereby they combined the court with the Town Hall facilities and it has worked well and it saved money, but one of their concerns is that there is a lot of overflow from the court into the corridor of Town Hall and it makes it difficult sometimes for the public to come and speak with the Town Clerk or come to take care of building permits. It tends to impede traffic flow for those people who are trying to take care of Town Hall issues. People come to court with children and at times they can be disruptive, because the children are not always supervised very well and the corridor becomes a play area for the children.

Joe Patricke said he wasn't here when Town Court was downstairs in Town Hall, but he understands that when court was in session there was a lot of noise from the people waiting for court.

Councilman Kusnierz asked if aren't our court sessions at night.

Councilman Prendergast replied no, some are in the daytime.

The Town Clerk advised that court is held during the daytime not at night.

Councilman Prendergast stated that he was asked to bring this to the board. He said he is a product of his environment so he looks at things from security standpoint. He thinks it would be a good idea. If you have a door you can block things off and if you don't have a door then you can never do it. You can always open a door.

Councilman Kusnierz asked what the price is.

Councilman Prendergast said he doesn't know. He was asked to find out if the board is interested in having a door there and if not then there is no sense getting a price.

Joe Patricke stated that he could ask Ethan Hall to give us a proposal.

Councilman Vittengl asked if the door would be wood or glass.

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Joe Patricke stated that they will have to be fire rated doors.

Councilman Kusnierz said he thinks we should get a price and find out if they can be locked and then the board can make a decision.

Joe Patricke said he would get a price for the next meeting.

### **SUPERVISOR'S ITEMS**

Deputy Supervisor LeClair said she didn't see anything in Supervisor's items to go over.

A motion was made by Deputy Supervisor LeClair and seconded by Councilman Prendergast to adjourn to executive session at 8:38 p.m. to discuss the employment history/performance of unnamed employees and departments within the Town and to conduct interviews with candidates that may lead to the potential employment of a person with the Town.

Councilman Prendergast told Reed Antis that a meeting of the Personnel Committee was held today.

Councilman Kusnierz reported that there will be a Town of Moreau Farmland Protection Board Committee Meeting this Thursday at 6:00 p.m. in Town Hall.

Roll call vote resulted as follows:

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

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

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adjourn the executive session and re-open the regular meeting at 10:16 p.m.

Roll call vote resulted as follows:

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

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

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to adjourn the regular meeting at 10:16 p.m.

Roll call vote resulted as follows:

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

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Meeting adjourned.

Respectfully submitted,

Jeanne Fleury  
Town Clerk