

A month-end meeting of the Town Board of the Town of Moreau was held on February 24, 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.

Town Board Members Present

Tom Cumm	Councilman
Todd Kusnierz	Councilman
Gina LeClair	Councilwoman (entered meeting at 7:15 p.m.)
Preston Jenkins	Supervisor

Town Board Members Absent

Bob Prendergast	Councilman
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Also Present: Jeanne Fleury, Town Clerk; Rudy Klick, Special Projects Aide; Paul Joseph, Highway Superintendent; Jesse Fish, Water Superintendent

A motion was made by Councilman Cumm and seconded by Councilman Kusnierz approving the emergency repair to the sewer sump pump by Rozell East in the amount of \$1,219.20.

Roll call vote resulted as follows:

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

The voucher from Bartlett, Pontiff, Stewart & Rhodes that was coded for the Trust & Agency Fund was withheld from the audit again. An explanation is needed from Attorney Auffredou as to why his services exceeded the estimate of \$1,000.00 by \$500.00 +.

Councilman Kusnierz asked questions on the following vouchers submitted by the recreation department and the following answers were given:

Voucher 259 -Yak Trax – What are they?

Answer: They are clamp on cleats for boots that are worn when the employees are working on the ice rink.

Voucher 260 – Three pairs of gloves at a cost of \$44.25. Do we give a clothing allowance for other departments besides the highway department that is governed by the union contract?

Supervisor Jenkins replied: The decision was made that it could be authorized depending on the cost. He didn't have any other explanation.

Voucher 365 - Petty Cash – Advanced Auto Parts for oil in the amount of \$20.94. Why are we buying it retail? The highway department buys it in bulk.

There was general discussion on this purchase and no explanation was given. It was noted that it was synthetic oil that was purchased.

Councilman Cumm asked that all departments include a description on the invoices as to what the purchase was for. Ron Gilligan does this on the invoices from the highway department and it is helpful.

Councilman Kusnierz referred to voucher 227 that was for the purchase of a radio for the mower in the highway department. He asked what this was for.

Paul Joseph replied that it was for the tractor. It is a portable radio that can be used in truck #2 also when the radio is down in that truck.

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Councilman Kusnierz referred to voucher 306 that was for the purchase of a mole kit. He noticed in the minutes that on December 30th, at an audit meeting, the board authorized the purchase of a mole in the amount of \$5, 037.00. This was a controversial purchase that was discussed at a meeting when the full board was present, so he wondered why it was acted upon at an audit meeting rather than a regular board meeting.

Jesse Fish replied that when the new water hookup fees were approved recently, it was understood that the fees included the bore under a roadway by the Town. The mole is needed to bore under the road. There were three quotes on this purchase and the board acted upon it, so that if the situation arose the Town could provide this service.

Councilman Kusnierz replied that he understands this, but why did the purchase take place at an audit meeting and not a regular meeting of the Town Board.

Jesse Fish replied that he thought it was discussed at a water committee meeting and the audit meeting took place right after the water committee meeting so it was brought up and acted upon.

Councilman Kusnierz stated that there was considerable discussion on it before the purchase took place. He wasn't present at the audit meeting and neither was Councilman Prendergast and to act on a purchase that was over \$5,000.00 at an audit meeting was not proper. Audit meetings are to audit bills.

Supervisor Jenkins said he understood and he didn't recall how it happened exactly. The water committee agreed that the mole should be purchased, so that a property owner doesn't have to hire out to have a bore under the road done.

Councilman Kusnierz asked that in the future, purchases of this type only be authorized at regular meetings of the Town Board, unless it is an emergency.

(Councilwoman LeClair entered the meeting at 7:15 p.m.)

Councilman Kusnierz noted that the purchase amount authorized for the mole was \$5,037.00 and the voucher is in the amount of \$5,045.00.

Jesse Fish said it was a math error on his part. He made the board aware that the shipping from Wallace was more than what they quoted and Wallace ate the extra shipping cost.

Supervisor Jenkins said he would put it on the next agenda to increase the purchase amount by \$8.00.

Rudy Klick and Jesse Fish thought this was already done.

Councilman Kusnierz asked if they could hold the approval of the voucher subject to verification of this.

The Town Clerk asked why they couldn't authorize the additional \$8.00 at this meeting and then the voucher could be paid.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair authorizing an increase in the amount of \$5,037.00, previously approved for the purchase of a mole for the water department, to \$5,045.00.

Roll call vote resulted as follows:

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

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A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to approve the following transfers:

Transfer \$500.00 from HP7180.4 – Recreation Capital Projects – Administration – Contractual into HP7180.2 – Recreation Capital Projects – Administration – Equipment

Transfer \$1,000.00 from A1990.4 – General – Special Items – Contingent Account into A5010.410 – General – Superintendent of Highways – Attorney Fees

Roll call vote resulted as follows:

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

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to approve the payment of bills as audited.

Roll call vote resulted as follows:

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

AUDITED CLAIMS

General Fund – A Account: Claim nos. 193-194, 197, 198, 201-002, 205, 213-262, 297, 324, 334-335, 339-341, 344, 363-371, 378, 381-382	\$ 52,334.26
Town Outside Fund – B Account: Claim nos. 195, 204, 263-275, 342-343, 345, 372-373	\$1,234.19
Highway Fund – DB Account: Claim nos. 276-296, 298-302, 346-350, 374-376	\$102,772.43
Sewer 1 Fund – GI Account: Claim nos. 327, 329, 379, 383	\$ 2,454.18
Recreation Capital Project Fund – HP Account: Claim nos. 380	\$ 133.75
Water District 1 Fund – I Account: Claim nos. 303-305, 351	\$ 1,116.15
Water District 2 Fund – II Account: Claim nos. 196, 199, 306-307, 326, 328, 352-356	\$ 3,872.13
Water District 3 Fund – SW Account: Claim nos. 308-309, 357	\$ 327.38
Water District 4 Fund – IV Account: Claim nos. 310,313, 358	\$ 1,240.53
Water District 5 Fund – V Account: Claim nos. 317-318, 359	\$ 221.44

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Water District 6 Fund – VI Account: Claim nos. 206, 319, 320, 360	\$ 2,378.68
Landfill Reserve Fund – LF Account: Claim nos. 321-322	\$ 459.50
Trust & Agency Fund – TA Account: Claim nos. 203	\$ 6,784.56
Transfer Station Fund – TS Account: Claim nos. 207, 323, 325, 361, 362, 377	\$ 1,641.24
Info Fund skipped the following voucher numbers: 208-212, 311-312, 314-316, 330-333, 336-338	
Voucher #200 was voided	

Jesse Fish informed the board that he took a pump down to Troy to be rewound. The cost is going to be \$5,147.74 for parts and \$720.00 labor. The last time it was done the cost was around \$7,000.00. The pump is a spare and will sit on a shelf until it is needed.

Councilman Kusnierz asked what the warranty will be and Jesse Fish said normally, by the time the pump is in the ground the warranty has expired.

Jesse Fish stated that according to a Nortrax salesman, Councilman Kusnierz called them and asked for the state contract number on the John Deere Loader/Backhoe that the Town Board authorized the purchase of at the Tuesday night meeting. The salesman didn't know what Councilman Kusnierz was looking for. Jesse Fish stated that the John Deere is not on state contract.

Councilman Kusnierz advised that the machine has to be on OGS contract in order for the Town not to go out to competitive bid. If it isn't then the Town is breaking the General Municipal Law, because if the purchase is over \$20,000.00 it has to go out to competitive bid.

Jesse Fish stated that it isn't on state contract, the CAT is.

Supervisor Jenkins stated that we haven't ordered it yet so we can review the situation and if we have to, we can go out to bid.

Jesse Fish replied that the John Deere Loader/Backhoe has been delivered to the Town of Moreau.

Supervisor Jenkins stated that we have a problem then.

Councilman Kusnierz stated that when we rush forward like this without all the facts this is what happens. If we had done our due diligence we would have no problem and now we have to straighten it out, somebody will have to straighten it out.

Jesse Fish asked what the board wanted him to do.

Councilman Kusnierz suggested that the Town Board have the attorney for the Town look into the matter.

Jesse Fish stated that he would have thought the attorney would have said something right then, because he knew it wasn't on state contract.

Supervisor Jenkins stated he didn't know if that was what was exactly said. It was his understanding that it was below state contract price. He only heard that the CAT was on state contract, but if the John Deere is not on state contract then it is hard to say it is under state contract price.

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Jesse Fish stated that John Deere has governmental discounts and percentages that they can take off for municipalities and that makes them competitive with state contract or below.

Supervisor Jenkins said that the attorney for the Town will have to review it and we will find out what we have to do.

Councilman Kusnierz stated that moving forward it would be beneficial to all the residents of the Town if the board members put their personal biases aside and do what is in the best interest of all of our residents. He asked the board members to give consideration to the valid arguments made by each board member, because many times they are made on good merit and can prevent problems down the road.

Supervisor Jenkins said he couldn't think of a single decision he made that wasn't on the best merit for this community, this town, as a board. He told Councilman Kusnierz that he doesn't always agree with him and that is obvious, and Councilman Kusnierz doesn't always agree with him, that is obvious. But, it doesn't mean that either one of them are right or wrong. He has always reached out to everybody on this board with any issue they have had. He continues to reach out, because he thinks it is important. He told Councilman Kusnierz that he accepts what he is saying. He told Councilman Kusnierz that he would guess that each board member would ask that he have the same attitude towards them. He told Councilman Kusnierz that if they really have an issue and four people agree, it doesn't mean they are against him, it means they don't agree with him, he thought anyways. He doesn't vote that way. He gets the last vote and there hasn't been a single vote where he voted against the board, except one time when a full-time person in the recreation department went to part-time and the board voted to reduce that person's hourly rate and he thought that was a terrible thing to do and he voted against it.

Councilman Kusnierz stated he appreciated his comments and he wasn't singling anyone out.

Supervisor Jenkins stated again that they should all have that same approach, he agreed.

Supervisor Jenkins stated that he is a minority on the board of supervisors, but they all get along very well. They reach out to him. He serves on some important committees and they listen to what he has to say and it is very structured and organized down there.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to adjourn the meeting at 7:30 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury
Town Clerk