

A special meeting of the Town Board of the Town of Moreau was held on January 10, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York, for the purpose of considering and possibly acting on the contract between the Moreau Emergency Squad, Inc. and the Town of Moreau for the Year 2013.

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

The Town Clerk called the roll.

Town Board Members Present

Bob Prendergast	Councilman
Todd Kusnierz	Councilman
Preston Jenkins	Supervisor

Town Board Members Absent

Robert J. Vittengl, Jr.	Councilman
Gina LeClair	Councilwoman

Also Present: Jeanne Fleury, Town Clerk; **Moreau Emergency Squad Members:** Helen M. Glen, Secretary; Steven M. VanGuilder, President and CEO; Ronald C. Quinn, Jr., Paramedic and E-Board Member and Member of the South Glens Falls Fire Company; Joshua Jacobs, Treasurer; John Bonn, Chaplain; **South Glens Falls Fire Company Members:** Tim Pease, Safety-Health Officer; Don Ranck, 1st Assistant Fire Chief; Kevin Dickinson, Director; Ricky Meyers, President; Keith Dickinson, Fire Chief

A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast authorizing the Supervisor to sign the contract between the Town of Moreau and the Moreau Emergency Squad, Inc. for the duration of January 2013 through December 31, 2013 for the agreed upon amount of \$204,000.00.

Roll call vote resulted as follows:

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

Members of the South Glens Falls Fire Company were present to deliver to the Town Board a list of fire fighting gear that they need and the cost estimate. They were told at a previous meeting to bring this information to the board on this date.

Supervisor Jenkins stated that most of the equipment was included in the budget request presented by the Fire Company. The cost for the equipment listed in the budget that the Fire Company presented was \$87,000.00. He also stated that the Fire Company requested a 4% increase for 2013 and the Town Board gave a 2% increase. The Town Board consulted with the attorney for the Town about amending the 2013 Town Budget and other options in order to fund the purchase of the equipment needed. The attorney for the Town opined that the Town Budget cannot be amended, because taxes have already been assessed for the Fire Company and there is no other alternative.

Supervisor Jenkins suggested that the Fire Company present their budget request to the Town Board early on in the budget process for the Year 2014 and allow the board a chance to review the numbers and come to a

decision. He stated that there were two people at the public hearing on the Fire Company contract who didn't have any information or numbers that the Town Board needed for this equipment.

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Rick Meyers introduced himself as the new President of the South Glens Falls Fire Company. Mr. Meyers said that it was his understanding and the Fire Chiefs understanding that the budget could be amended if they gave the board the information they needed. He asked if this new opinion came after they were led to believe this.

Supervisor Jenkins replied that the law is specific about how a Fire Protection District and a Fire District can receive funding. He said that Fire Districts are separate legal entities and they can raise their own taxes. This is different than for Fire Protection Districts. He said the Town has done all it can legally to this point based on the fact that the taxes have already been assessed.

Mr. Meyers asked if they misinterpreted this or was there a misunderstanding.

In regards to what Mr. Meyers asked Supervisor Jenkins stated that the board wasn't sure of the law and how to interpret it so they went and got a legal opinion. There were comments made by the board that they are very supportive of what the Fire Company does, but our attorney has said it cannot be done. It may have been possible to amend the budget before the taxes were assessed.

Councilman Kusnierz stated that how Mr. Meyers and Mr. Dickinson interpreted what was said at the last meeting was correct. What counsel said was that we needed to go ahead and adopt the budget before anything was done and that she would have to do some research. Since then our counsel has informed us that once the tax levy is established and the budget is adopted we cannot amend the budget. He said that he had spoken in favor of amending the budget at that time and was hopeful that they would be able to without impacting the tax levy, but we didn't have all the information from counsel at that time. Since then we have found out that we can't do anything further this year on it.

Mr. Meyers asked if it was the board's recommendation that they get their information in earlier.

Councilman Kusnierz replied that when they discuss the budget with the various entities that we have contract with, it is very important that the entities provide the Town Board with their proposed budgets in a timely fashion; he wasn't saying that this wasn't done, so the board can take a look at it. He also said that when the board sits down and starts reviewing the budget it would be helpful if whomever put the budget together for the entity, that they are present. It would benefit the board and the entity that is submitting a proposed budget.

Don Ranck asked if the Fire Company is receiving all the money that is collected via the property taxes in the Town of Moreau.

Supervisor Jenkins replied yes and that sometimes it is a few pennies over.

Mr. Ranck asked what the Public Safety line item in the Town Budget is for.

Councilman Kusnierz read from the Town Budget that the line items under Public Safety are for police, traffic control and road signs. He said it is in the general fund.

Supervisor Jenkins gave some comments about this line item.

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz to adjourn the special meeting at 7:10 p.m.

Roll call vote resulted as follows:

Councilman Prendergast Yes

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

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury
Town Clerk