

The organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

The first item of business was resolution #1 the swearing in of newly elected and re-elected officials.

Jeffrey B. McCabe, Town Justice, administered the Oath of Office to the following officials:

Preston L. Jenkins, Jr., Town Supervisor
Robert L. Prendergast, Town Councilman
Theodore T. Kusnierz, Jr., Town Councilman
Paul A. Joseph, Highway, Superintendent
Jeanne M. Fleury, Town Clerk

Supervisor Jenkins opened the Organizational Meeting at approximately 7:05 p.m.

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

Town Board Members Present

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

Town Board Members Absent

None

Also Present: Jeanne Fleury, Town Clerk; Nancy Ryan, Transfer Station Clerk; Paul Joseph, Highway Superintendent; Stephen Gram, Recreation Director; Peggy Jenkins, Assessor; Town Residents: Adele Kurtz, Mary Ellen Kusnierz, Mary Jenkins, Lynn Cumm, Nathaniel Jenkins

Supervisor Jenkins began the meeting by stating that the last year or two a lot of progress has been made in the Town and in most cases we worked in a very bi-partisan method and once the election is over we take office and become servants of the Town and that is our job to do. We have a big agenda for the next year and he is sure all of us will do the best we can to do what we think is right for the Town. We may not always agree, but he thinks that we always believe we are doing the right thing and we all make mistakes occasionally. He said that in general we have done a pretty good job getting things done, but we have a lot of things on the table and our goal is to complete them.

He asked if anyone had anything else to say. There was no response.

A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast to waive the reading of resolution #2 and to adopt resolution #2 as follows:

2. Resolution setting the following respective annual salaries (52 Week) or hourly rate, as approved in the 2010 Budget except as otherwise provided under Town Law, Civil Service Law, or other applicable law, rule, or agreement.

Wayne A. Bruce: Special Police Officer as needed	\$1,000.00
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Jeanne Fleury: Receiver of Taxes and Assessments	\$ 7,519.00
Records Management Officer	\$ 875.00
Registrar of Vital Statistics –	
[1/2 Birth & Death Certificate Filing Fees in accordance	
with NYS Public Health Law – Section 4173(3)]	
Margaret Jenkins: Assessor (10/01/07-9/30/13) (FLSA EXEMPT)**	\$44,400.00
Linda Blackburn: Assessment Clerk	\$26,088.00
Helen Potter: Crossing Guard Part-time (Moreau)	\$9.90 hour
Mary Wood, Substitute Crossing Guard	\$9.90 hour
John Hayes, Substitute Crossing Guard	\$9.90 hour
Jeffrey Durkee, Substitute Crossing Guard	\$9.11 hour
Joel Nolin, Substitute Crossing Guard	\$9.11 hour
John Helwig, Crossing Guard Part-time (Tanglewood)	\$9.90 hour
Stephen Gram: Recreation Director	\$40,519.00
Frank Joseph Patricke: Building Inspector/Code Enforcement Officer	\$47,475.00
Tom Mann: Assistant Building Inspector/Code Enforcement Officer	\$32,782.00
Kathy Perez: Clerk/Receptionist (Building Inspector's Clerk)	\$27,258.00
Theodore Monsour, Cleaner, Part-Time	\$10.36 hour
Francine Thibodeau: Principal Account Clerk/Typist/Bookkeeper	\$39,253.00
Rudolph Klick: Part-Time Account Clerk	\$11.69 hour
Lori Pike: Clerk FT (Court)	\$30,970.00
Colleen Nichols: Clerk FT(Court)	\$33,900.00
Jody Munger – Clerk PT (Court)	\$ 9.80 hour
Suzanne MacMore – Clerk PT (Court)	\$ 9.80 hour
Ron Belisle – Clerk PT (Court)	\$10.30 hour
Court Officer	\$12.88 hour
Bruce Abare: Laborer (Transfer Station)	\$14.51 hour
Nancy Ryan: Senior Clerk (Transfer Station)	\$13.98 hour
Helen Potter: Clerk, PT (Transfer Station)	\$10.61 hour

The organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.
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Flo Carpenter: Clerk, PT (Transfer Station) \$9.80 hour

Earl Ruff: Laborer, Substitute, as needed (Transfer Station) \$11.75 hour

Jesse Fish:
 Water Superintendent/Dist. I \$ 1,298.00
 Water Superintendent/Dist. II \$12,545.00
 Water Superintendent/Dist.III \$ 2,162.00
 Water Superintendent/Dist. IV \$ 9,517.00
 Water Superintendent/Dist. V \$ 1,298.00
 Water Superintendent/Dist. VI \$15,141.00
 Sewer District I Superintendent/GI \$ 1,298.00
Total \$43,259.00

Earl Ruff: Deputy Water/Sewer Department Superintendent as Needed \$16.48 hour

Water Meter Readers:
 Cynthia Carpenter \$9.55 hour
 Christine Clifton \$9.55 hour
 Karen Hotmer \$10.14 hour
 Dennis Thibodeau \$9.55 hour
 Linda Blackburn \$9.83 hour
 Flo Carpenter \$9.55 hour

Jeremy Tripp: Laborer \$12.36 hour

Bruce Siergiey: Laborer \$12.36 hour

Maureen Leerkes: Clerk, PT (Highway Department) \$11.33 hour

Records Clerk, PT – as needed \$ 9.00 hour

Royce Pixley, Laborer \$10.82 hour

The Town Clerk advised that on page 2 of the agenda next to Bruce Siergiey’s name are listed the words “Laborer, PT”. Bruce is full-time so the “PT” should be deleted.

Vote to adopt resolution #2 resulted in all Ayes and zero Noes.

The Town Clerk read resolutions #3 and #4 as follows:

- 3. Supervisor’s, At Will, Appointments:
 - Budget Officer: Supervisor (unpaid)
 - Confidential Secretary/Assistant Bookkeeper : Teresa McGuire:
 Annual Salary (52-Weeks) \$29,228.00
 (FLSA EXEMPT)**
 - Deputy Supervisor: Councilwoman Gina LeClair (Unpaid)
 - Supervisor’s Committee Appointments as follows:

The organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Buildings and Grounds	Councilman Cumm Councilman Prendergast
Cable TV	Councilman Kusnierz Councilwoman LeClair
Cemetery	Councilman Prendergast Councilman Kusnierz
Highway Department	Councilman Cumm Councilwoman LeClair
Insurance	Councilman Kusnierz Councilman Prendergast
Mosquito Control	Councilman Prendergast Councilman Kusnierz
Personnel & Employee Benefits	Councilman Cumm Councilman Prendergast
Recreation	Councilman Kusnierz Councilwoman LeClair
Revaluation	Councilwoman LeClair Councilman Cumm
Transfer Station/Landfill	Councilman Cumm Councilwoman LeClair
Water 1, 2, 3, 4, 5, 6 & Sewer 1	Councilman Prendergast Councilman Cumm
Crandall Library Liaison	Councilman Kusnierz
Fire Company Liaison	Councilwoman LeClair
Moreau Community Center Liaison	Councilwoman LeClair Councilman Cumm
Local Waterfront Revitalization	Councilwoman LeClair
Industrial Park	Councilman Cumm Councilwoman LeClair
Zoning Liaison	Councilman Cumm Councilman Prendergast

4. **Town Clerk's, At Will, Appointments:**

Deputy Town Clerk and Receiver of Taxes: Leeann McCabe
Annual Salary (52-Weeks) \$25,451.00

Deputy Town Clerk and Receiver of Taxes: Barbara Porter
Annual Salary (52-Weeks) \$27,235.00

Deputy Registrar of Vital Statistics: Barbara Porter
(1/2 of Birth & Death Certificate filing Fees paid to Registrar in accordance with NYS Public Health Law-Section 4173(3))

Sub-Registrar of Vital Statistics: Leeann McCabe (Receive and file Birth and Death Certificates only. No compensation.)

The organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast to adopt resolutions #3 and #4 as read.

Vote to adopt resolution #3 and #4 resulted in all Ayes and zero Noes.

A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast to waive the reading of resolutions #5 through #11 and to adopt resolutions #5 through #11 as follows:

5. Highway Superintendent's Appointments:
Deputy Highway Superintendent: Michael Montgomery (Per CSEA Contract)
6. Resolution setting non-employee compensation per annum of \$1,000 for Mary Antis as Town Historian.
7. Resolution setting stipend for Planning Board Members at \$40.00 per meeting for each of the six members, \$50.00 per meeting for the Chairperson.
8. Resolution setting stipend for Planning Board Secretary at an amount not to exceed \$65.00 per meeting.
9. Resolution setting stipend for Zoning Board of Appeals Members at \$40.00 per meeting for each of the four members and \$50.00 per meeting for the Chairperson.
10. Resolution setting stipend for Zoning Board of Appeals Secretary at an amount not to exceed \$65.00 per meeting.
11. Resolution setting stipend for Board of Assessment Review Members at an amount not to exceed \$70.00 per meeting.

Vote to adopt resolutions #5 through #11 resulted in all Ayes and zero Noes.

The Town Clerk read resolutions #12 through #14.

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz to adopted resolutions #12 through #14 as read and as follows:

12. Resolution authorizing the Supervisor to sign the following contracts and make payment in the amounts and terms stated in the contracts.

Civic Center of Moreau, Inc.
Bartlett, Pontiff, Stewart & Rhodes, P.C.
Daniel Styczynski, Dog Control Services
13. Resolution instructing the Supervisor to extend a loan to the Town Clerk in the sum of \$200.00 for one year for the purpose of making Change and petty cash and the Receiver of Taxes \$250.00 for the purpose of making change.
14. Resolution authorizing the Town Clerk the right to accept bingo and games of chance licenses and amendments and the authority to approve same.

The organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Roll call vote resulted as follows:

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

Discussion followed on resolution #15.

The Board discussed changing the \$500.00 limit to \$1,000.00 in resolution #15 for “purchases relating to repairs and maintenance expenses to equipment and facilities may be purchased without prior Town Board approval”.

Councilman Kusnierz suggested adding the word “emergency” before the word “purchases”.

Councilman Cumm stated that he wouldn't be agreeable to that and was of the opinion that the Highway Department should be at \$1,000.00 and all the other departments at \$500.00. He said that Town of Wilton is \$3,000.00 and the Town of Northumberland is at \$2,500.00. Every time the Highway Superintendent comes to the Town Board Meetings he has purchase requests over \$500.00 so it should be \$1,000.00.

Councilman Kusnierz disagreed and said that they are charged with the duty of accountability of taxpayer dollars and when you have a threshold of \$500.00 with wording that allows for emergency repairs and maintenance we would still maintain control so he wouldn't be in support of that change.

Supervisor Jenkins said he agreed with Councilman Kusnierz. For basic purchases it isn't a problem the Highway Superintendent is here at every meeting and if there is an emergency they can respond to it. The change was suggested mainly because every time there is a repair we have to go through the emergency process. Most of the rest of the purchases we haven't had that problem with. He would like to change it to \$1,000.00 for emergency repairs and expenses. Otherwise there isn't any reason why they can't get three prices and approval.

Councilman Kusnierz said he would agree with that.

Councilwoman LeClair asked “emergency being or not being equipment repairs when they are down a truck”.

Supervisor Jenkins stated “emergency repair and maintenance expenses”.

Councilman Cumm asked who makes the decision on what is an emergency repair.

Supervisor Jenkins replied the Board does. The Highway Superintendent would call his office and report a problem that needs to be fixed and can't wait and his office would contact the other Board Members and if they agreed it would be approved. If it is less than \$1,000.00 we wouldn't have to go through that process.

Councilman Prendergast said he doesn't have a problem with emergency repairs only what constitutes an emergency.

Paul Joseph said there would still be three quotes obtained.

The organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Prendergast said based on the economy it isn't the time to loosen the control. He doesn't mind in an emergency.

Councilman Kusnierz said maybe he was misinterpreting this. He said the gist they were trying to get at was that for an emergency repair it would be done without resolution, but the Highway Superintendent would still contact three Board Members at least and get it taken care of. The Town Board could memorialize it at the next meeting if they wanted to.

Supervisor Jenkins stated that is what we have been doing. If it is under \$1,000.00 and an emergency repair he could notify the Board Members and get it done.

Councilwoman LeClair asked how this is different than what the Highway Superintendent is doing now.

Councilman Prendergast asked what prompted this and asked if this has been a problem.

Paul Joseph said sometimes it takes two days to get the vehicle going by the time he contacts the Board Members and gets a response. Sometimes he doesn't get a response right away.

Councilman Cumm said they had two purchases last week and Paul Joseph added one was \$895.00 for the conveyor chain and the other one was \$1,023.00.

Councilman Kusnierz asked if he had a problem getting a hold of someone and Paul Joseph said no.

Supervisor Jenkins said that one purchase for \$895.00 wouldn't have had to have Board approval if this policy had been in place.

Councilman Prendergast asked what an "emergency maintenance" would be and Paul Joseph said it would be an emergency repair more than maintenance. Councilman Prendergast said it would seem that we dropped the ball if we ever had an emergency maintenance, but if it is snowing out and a truck needs repair then they would need to get it fixed.

Councilman Cumm said just about every repair the Highway Department has had has been over \$500.00.

Supervisor Jenkins said that is the whole purpose of raising it to \$1,000.00 and beyond that the Board needs to take a look at it and decide if it is the right thing to do or not and whether to replace the piece of equipment or not.

Councilman Prendergast asked if they were keeping the resolution at \$500.00 and emergency repairs up to \$1,000.00.

Supervisor Jenkins said that is what he would like.

A motion was made by Councilman ~~Cumm~~ **Kusnierz** and seconded by Councilman Prendergast to adopt resolution #15 as follows: [**Amended 1/12/10 jf**]

15. Resolution requiring all purchases \$500.00 and over for all departments be made with properly approved purchase orders, and that all purchases that may exceed \$500.00 be competitively priced and not purchased without prior Town board approval, except emergency purchases relating to repairs to equipment may be purchased without prior Town Board approval up to \$1,000.00.

The organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Roll call vote resulted as follows:

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

The Town Clerk read resolutions #16 and #17.

The Town Board discussed resolution #18.

Councilman Cumm said he put in the Board Members mailboxes last week for their consideration a vacation schedule for first time, new employees, for the first year of service. He asked if they had time to look at it.

Councilwoman LeClair said she did and she agreed with him.

Councilman Kusnierz asked him to recap what his recommendation was.

Councilman Cumm stated his recommendation was to give vacation time during the first year of employment for new hires as follows:

One hour of vacation time for each full week of employment up to a maximum of 6 ½ days during the first year of employment.

One of the reasons he feels strongly about this is that when he started working back in 1974 the company he worked for had a policy allowing them one hour of vacation time for each week of employment. He got married in June of that year and under the policy the Town of Moreau has he wouldn't have had a honeymoon. He also used the example of Jesse Fish who came on board and has to work a full year without a single day of vacation after working for the Village and getting three weeks of vacation. He said giving one hour of vacation time for each full week of employment isn't going to hurt us and may improve morale for new hires.

Councilman Kusnierz said he looked at this and had some recommendations. He thought it would be easier to pro-rate their time based on their pay period. He used the example of, if you pro-rated two weeks of vacation per year that would equate to an accrual rate of five hours per pay period beginning with the day of employment. They would have to earn that time going forward, but they would have time moving forward and not have to wait an entire year for vacation time.

Councilman Cumm said they wouldn't under his plan. He recited again "one hour of vacation for each pay period".

Councilman Kusnierz said that may be different than what they are entitled to.

Councilman Cumm said they are entitled to nothing now.

Councilman Kusnierz said that was right. What he was saying was take the current schedule of 1- 5 years of service equals 2 weeks vacation and 6 – 10 years equals 3 weeks vacation, etc. Take that figure and pro-rate it for the time they are entitled to for that entire year and that would be what they are earning per pay period.

The organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Cumm said he could go along with that.

Councilman Kusnierz said all they had to do is change resolution #18 in part to read as follows:

“Vacations: Full-time employees will earn vacation leave pro-rated per period as follows:

1-5 years of service = 2 weeks vacation
6-10 years of service = 3 weeks vacation
11-19 years of service = 4 weeks vacation
20 + years of service = 5 weeks vacation

Vacations: Full-time employees hired on or after 1/1/07 will earn vacation leave pro-rated per period as follows:

1-5 years of service = 2 weeks vacation
6-12 years of service = 3 weeks vacation
13 and forward years of service = 4 weeks vacation”

Supervisor Jenkins asked if the maximum would be one week and Councilman Kusnierz said it would be spelled out.

Councilman Cumm said he didn't have a problem with the way it stands for one to five years. His concern is for the person who starts January 1st or February 1st and has to wait until the following year to get a single day of vacation.

Councilman Kusnierz said he was lining that out. Each pay period they will be earning a portion of their entitlement.

Councilman Cumm said he could live with that.

Councilman Prendergast stated that Moreau isn't the only place of business that does it the way we do it now. The first six months of employment with the Town a person is strictly on probation and we don't decide until the end of their probation if they will be kept on or not. We would be offering an employee vacation time while they are still on probation.

Councilman Kusnierz said they could add the wording “upon successful completion of probationary period”.

Councilman Cumm said he could live with that too.

A motion was made by Councilman Prendergast and seconded by Councilman Cumm to waive the reading of the rest of resolution #18 and adopt resolutions #16 through #18 as follows:

16. Resolution designating the Evergreen Bank a division of TD Bank NA of Glens Falls, Glens Falls National Bank and Trust and NBT Bank as depositories for town monies.
17. Resolution designating the Glens Falls Post Star Newspaper and the Chronicle as the official newspaper to be used for all legal advertising.
18. Resolution setting forth the following employee policies (not applicable to elected officials or those employees covered under CSEA contract), and defining “full-time” as any permanent employee working twenty (20) hours per week or more on a regular, continuing basis and “part-time” as any permanent employee working less than twenty (20) hours per week on a regular basis:

The organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

~~Vacations: Full-time employees will earn vacation leave pro-rated per pay period as follows upon successful completion of the employees probationary period:~~

Vacations: Full-time employees will earn vacation leave upon the completion of the employee's anniversary date of employment following:

1-5 years of service = 2 weeks vacation
6-10 years of service = 3 weeks vacation
11-19 years of service = 4 weeks vacation
20 + years of service = 5 weeks vacation

[Amended 1/12/10 by Town Board jf]

~~Vacations: Full-time employees hired on or after 1/1/07 will earn vacation leave pro-rated per pay period as follows upon successful completion of the employee's probationary period:~~

Vacations: Full-time employees hired on or after 1/1/07 will earn vacation leave upon the completion of the employee's anniversary date of employment following:

1 – 5 years of service = 2 weeks vacation
6 – 12 years of service = 3 weeks vacation
13 and forward years of service = 4 weeks vacation

[Amended 1/12/10 by Town Board jf]

Vacation credits may not be accumulated from one year to the next, unless otherwise approved by the Town Board and unused vacation time will not be paid in cash. Vacation schedules shall be approved in advance by each department head. The department head will notify the Town Supervisor of all vacation schedules approved for all employees in their department. All department head's should request approval of their vacation schedule in advance by the Town Supervisor. Grandfathered Part-Time employees hired prior to January 1, 2005 will be eligible for same vacation schedule with "week" being the same as that employee's work week.

Sick Days: All employees after six months of continuous service shall be entitled to one (1) day of paid sick leave for each month of service commencing from the first day of employment. Grandfathered, Part-Time employees hired prior to January 1, 2005 will be eligible for sick leave with "week" being the same as that employee's work week. Unused sick leave may be accumulated but cannot be paid in cash at any time. Any employees calling off sick shall notify their department head. The department head will in turn notify the Town Supervisor. A department head calling off sick shall notify the Town Supervisor.

Personal Days: All full-time employees shall be entitled to four (4) personal days per year; grandfathered part-time hired prior to January 1, 2005 shall be entitled to two (2) per year. If an employee fails to use his/her personal days, all unused days shall be added to the employee's accumulated sick leave.

Bereavement Leave: All full-time employees shall be entitled to three (3) days bereavement leave for a death in the immediate family (including nieces and nephews and brother-in-law and sister-in-laws).

Employee Leave Records: All employees will be responsible for maintaining an accurate, on-

The organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

going, accounting of his/her used and unused leave time on forms provided by the town. These forms shall be submitted (with written approval of department heads) to the Supervisor's Office bi-weekly.

Holidays: All permanent full-time employees shall be granted thirteen (13) paid holidays. Grandfathered Part-time employees hired prior to January 1, 2005 will be eligible for the following Holidays schedule with "holiday" being the same as employee's work day:

New Year's Day	Veteran's Day
President's Day	Memorial Day
Thanksgiving Day	Day after Thanksgiving
Fourth of July	Christmas Day
Labor Day	Floater
Columbus Day	Good Friday
Martin Luther King Day	

If a holiday falls on a Saturday, the day of observance shall be the previous Friday. If a holiday falls on a Sunday, the day of observance shall be the following Monday. Unused holidays cannot be carried over to next year.

Employee Benefits: All full-time, year-round, employees (see definition) and their eligible dependents will be entitled to receive the following benefits:

- NYS Employees' Retirement Plan (unused sick leave may be converted as additional service credit upon retirement).
- NYS Disability Insurance.
- Saratoga County Self-Insurance Plan (Workman's Compensation).

Insurance Benefits:

All full-time, year-round, employees (see definition) and their eligible dependents will be entitled to receive medical, prescription, optical and dental insurance benefits pursuant to programs approved by the Town Board and continue to pay the same percentage they are currently paying. The health insurance benefits listed above are not applicable to those receiving the insurance buy-out. Those covered under the CSEA Contract will be covered as in their contract.

The above insurance benefits will also be extended to Town Supervisor, Town Clerk and Highway Superintendent and grandfathered part-time elected officials. Unless the Town Board designates a probationary "waiting period" at the time of hire, these benefits will become effective within a thirty (30) day period after the day of employment.

Health insurance benefits coverage will be extended to surviving spouses and dependents, who are covered by town health insurance, through to the end of the month following the date of death of current or retired town employees.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes except the portion of resolution #18 that reads "The above insurance benefits will also be extended to Town Supervisor, Town Clerk and Highway Superintendent and grandfathered part-time elected officials."

The organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Kusnierz stated that he is of the opinion that either all part-time elected officials or no part-time elected officials should be extended insurance benefits.

Councilman Cumm Yes except the portion of resolution #18 that reads “The above insurance benefits will also be extended to Town Supervisor, Town Clerk and Highway Superintendent and grandfathered part-time elected officials.”

Councilman Cumm was of the same opinion as Councilman Kusnierz that either all part-time elected officials or no part-time elected officials should be extended insurance benefits.

Councilman Prendergast Yes
Supervisor Jenkins Yes

The Town Clerk read resolution #19 through #22.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair to waive the reading of resolutions #23 through #32 and adopt resolutions #19 through #32 as follows:

Discussion:

Councilman Cumm referred to resolution #19 that sets the rate for mileage as the rate set by the IRS. He stated that the Town of Queensbury just approved a mileage rate of 40 cents per mile. He wasn't advocating that, but he wanted to throw it out there for the Town Board to think about.

Supervisor Jenkins said Saratoga County today approved a mileage rate of 50 cents per mile, which is the IRS rate right now.

Councilman Kusnierz said that, that rate bounces around too and that is why we worded it that way.

General discussion followed on employees who use their own vehicles and who puts in for mileage.

19. Resolution authorizing the reimbursement to Town Officials and Employees who use their own Vehicles for Town Business and setting that rate at the rate set by the Internal Revenue Service and also requires that all elected and appointed officials gain Town Board approval prior to attending a conference or seminar, if expenses for same are to be a town charge.
20. Resolution designating the Supervisor as the representative from the Town to attend the Annual Business Session of the Association of Towns of the State of New York, to be held in New York City, on February 15-17, 2010 and to cast the vote of the aforesaid Town, pursuant to Sect. 66 of Article III of the Constitution and By-Laws of said Association and in the absence of the Supervisor, the Deputy Supervisor is designated to cast the vote of said Town and in the absence of the Deputy Supervisor any member of the Town Board may cast the vote.
21. Resolution designating TD Bank Insurance Group for the term of our current policy as the insurance broker of record for commercial package policy and umbrella, including general liability, public official's liability, auto, fire, inland marine and Town Officers and Employees Bonds currently in effect.
22. Resolution authorizing the Town Clerk to collect all water and sewer rents and receive all applications and fees for taps in Water District I, II, III, IV, V, VI and Sewer District I.
23. Resolution authorizing and accepting as the official undertaking the following bonds for Town Officers and Employees:

Deputy Supervisor	\$140,000
Town Clerk/Tax Collector	\$140,000

The organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Deputy Town Clerk/Tax Collector \$140,000
Bookkeeper \$140,000
Senior Transfer Station Clerk \$140,000
(2) FT Court Clerks \$140,000 each
All other elected and appointed officials/town employees will be bonded for \$90,000

24. Resolution designating the regular monthly meetings of the Town Board be set for second and fourth Tuesdays of each month at 7:00 p.m. and Month-End Meetings will be designated by Town Board.
25. Resolution establishing the policy that, minutes of all Town Board Meetings be completed and made available for review by the Town Board within two weeks following the meeting and further establishing that all minutes from all regular and special meetings be subject to approval at the following Town Board Meeting and all audios of Town Board Meetings be made available to the public via the Town's website within three days of the meetings.
26. Resolution requiring all department heads submit a monthly report to the Town Board three days prior to its regular monthly meeting outlining pertinent department activities, data and problems the Town Board should be made aware.
27. Resolution designating the Town Clerk as the official responsible for notifying the media of regular and special Town Board Meetings in compliance with the New York State Open Meetings Law.
28. Resolution authorizing diesel, oil, and gasoline for the highway department be purchased at State Bid Price or below.
29. Resolution authorizing heating oil for court building be purchased at State Bid Price or below.
30. Resolution authorizing South Glens Falls Fire Department, Civic Center of Moreau, Inc., South Glens Falls Central School, Corinth Headstart, Saratoga EOC Headstart, Saratoga County Public Health Nurses, Recreation, Building Department, Sewer Department and Water Departments to purchase diesel & gasoline from the Town of Moreau Highway Department and be invoiced for same.
31. Resolution authorizing the Highway Superintendent to hire temporary employees to help with snow and other operations as needed at \$10.00 per hour.
32. Resolution authorizing the Highway Superintendent to negotiate with the Superintendent of Highways of any municipality within the County of Saratoga, Warren or Washington to provide for the reciprocal use of town owned highway machinery, tools or equipment, upon such terms and conditions as agreed upon by the parties, including the Town Board of the Town of Moreau.

Councilman Kusnierz stated that in the future we could omit resolution #24. It is in the Town Code Book.

Roll call vote resulted as follows:

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

The organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

The Town Clerk read resolutions #33 through #38.

Discussion:

It was agreed by the Board to delete the following wording next to Lewis & Greer in resolution #36 "Ni Mo Litigation, Orion, Erie Blvd & other" and leave in "utility matters".

It was also agreed to remove "Betts & Holt (Condemnation) \$270.00 per hour plus disbursements & expenditures" from resolution #36.

Councilman Kusnierz asked what the genesis was behind adding Garry Robinson, P.E. to resolution #37.

Supervisor Jenkins replied that he has done a good job for us and for the most part the work he will be doing will be done under Trust & Agency. We have contracted with him to do other work and if projects that aren't out of Trust & Agency then a contract would come before the Board. There wouldn't be any "discretion" to call him up to do something.

Councilman Kusnierz said the reason he questions this is because Mr. Robinson and his firm represents a number of clients with projects before our Planning Board. There was a situation, not related to his firm, where there was a perceived conflict of interest with a firm representing themselves with a project before the Planning Board. There is a significant potential for a conflict of interest if we list him as a Town Engineer and he is representing a number of projects before the Planning Board.

Supervisor Jenkins said he didn't see this as a problem. If we have a contract and we don't think we can appoint him, because of a conflict, then we won't. He has been a good servant to us.

Councilman Kusnierz stated he wasn't saying that he wasn't a good servant, but he is looking from a standpoint of conflict of interest. It is similar to having our Town Counsel, Martin Auffredou, representing clients with matters before the Board and also acting as Town Attorney. That would be a blatant conflict of interest.

Supervisor Jenkins said it would only be a conflict of interest if we hired him to do something in which he had been involved in. The fact he has a client here and we ask him to do an inspection here he didn't see how that is a conflict of interest when they are unrelated parties.

Councilman Cumm said he could see a conflict of interest with one of our Planning Board Members who works for C.T. Male and C.T. Male doing a lot of work for us in Town. He always thought that was a conflict.

Supervisor Jenkins didn't see that as a conflict of interest either. They are unrelated issues. It isn't any different than what he was saying about Garry. Liz Rovers from C. T. Male has done work in our landfill and other work for us and it had nothing to do with anything that has happened on the Planning Board.

Councilman Cumm said it isn't an issue anymore, because that Planning Board Member has since left the Board.

Councilman Prendergast said he didn't know if there was a direct conflict or not, but we should be a little sensitive about Garry being listed in the Organizational Minutes, because he is so involved in the Town and he does represent us in several matters in the Town. Listing him in the Organizational Minutes is opening us up to problems even if they aren't real problems and only perceived.

Councilwoman LeClair said if we removed his name from the resolution we could still use him at our discretion. If we leave him on then we have to be cognizant of the fact that we don't want him representing us on something that he would have a conflict of interest on.

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Supervisor Jenkins said he didn't see that happening, because essentially any inspection work he has done will be signed by the Planning Board and not by us. He didn't have a problem removing his name from the resolution.

Councilman Cumm asked if they wanted to leave him on as an alternative to what is currently happening with the Planning Board i.e. EDP.

Supervisor Jenkins said he didn't think it would make any difference any more than having C.T. Male Associates, because they have to sign a contract with them for what they do anyway. We can get over involved in the language. He didn't have any problem removing his name at this point. We already have a contract with him for storm water.

A motion was made by Councilman Prendergast and seconded by Councilman Cumm to adopt resolutions #33 through #38 as follows:

33. Resolution authorizing the Highway Superintendent to attend the New York State Transportation and Federal Surplus Auctions and be authorized to purchase items for the highway department, pending approval of or prior notification to the Town Board for all items purchased costing \$3,000.00 or more.
34. Resolution authorizing the expenditure of town highway funds in the amount of \$685,710.00 for General repair and improvement of 83.34 miles of town highways, sluices, culverts and bridges having a span less than five feet and boardwalks or the renewals thereof and permanent improvement of town roads. No moneys set aside for such improvements shall be expended, nor shall any work be undertaken on such improvements, until the Highway Superintendent and Town Board approves the expenditures, specifications and estimates for such construction.
35. Resolution authorizing Supervisor to pay postage to refill postage meter, utility bills, state retirement, leases, Board approved cash advances and payments due on contracts, prior to audit.
36. Resolution authorizing the hiring of the following;

Special counsel for the town:

Lewis & Greer (Utility matters) \$170.00 per hour plus disbursements and necessary expenses.

Counsel:

Bartlett, Pontiff, Stewart & Rhodes, P.C.

37. Resolution authorizing engaging the services of the following engineering and consulting firms as follows:

Burley & Guminiak Engineers (Set by Town approved rate schedule)

Wade Sherman/JR Pettis Computer Consultant/Technician(PS Technical Services) @ \$80.00 per hour

Environmental Design Partnership, LLP

C. T. Male Associates

38. Resolution authorizing Town Officers/Employees who collect town fees or other payments to Impose a \$20.00 service charge on all returned checks as per General Municipal Law Section 85.

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Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to adopt resolution #39 as follows:

39. Resolution appointing G. Peter Jensen, Chairman of the Planning Board.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilman Cumm to adopt resolution #40 as follows:

40. Resolution appointing Gerhard Endal, Chairman of the Zoning Board.

Roll call vote resulted as follows:

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

The Town Clerk read resolutions #41 through #44.

Discussion:

Councilman Cumm pointed out under resolution #42 next to "Planning and Zoning Board Members who terms expired 12/31/08" the date reads "08" and asked why.

Councilman Kusnierz said it should read "09".

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz to adopt resolutions #41 through #44 as follows:

41. Resolution conferring the benefits of Section 18 of the Public Officer's Law upon the Town's employees, as that term is defined in Section 18(1) (b) of the Public Officer's Law, and to be held liable for the costs incurred under Section 18 of the Public Officer's Law.
42. Resolution requiring the following to file an Oath of Office prior to the commencement of their new term each year:

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All Deputies
Building Inspector/Code Enforcement Officer
Assistant Building Inspector/Code Enforcement Officer
Special Police Officer
Planning and Zoning Board Members whose terms expired 12/31/09
Court Officer
Dog Control Officer

43. Resolution to pay employees who serve on active jury duty their normal wages with the understanding that if they only have to serve on jury duty for a portion of their work day that they will return to work and also that they provide proof of service.
44. Resolution authorizing payment pre-audit of the water capacity charge to the Town of Queensbury.

** FAIR LABORS STANDARDS ACT.

Roll call vote resulted as follows:

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

Supervisor Jenkins said that Councilman Kusnierz gave the Board information on procurement policies and procedures and suggested that it be added to the resolutions.

Councilman Kusnierz said he didn't know if they needed to add all the language and recapped what the law is all about.

He stated that it goes concurrent with General Municipal Law (GML) that requires competitive bidding for municipalities and this section of law applies to goods and services that are not subject to competitive bidding and requires Town Boards through resolution to adopt internal policy for procurement of such goods. It spells out what the policies and procedures shall contain. For instance, you have to describe the procedure by which you are going to secure the goods and services, set forth a method of how that procurement would be utilized taking into account which method would further the purpose of that section, require justification, documentation, contract award other than the lowest responsible dollar.

Councilman Kusnierz said they didn't have to adopt this tonight. He will come up with a one or two sentence line for the next Board Meeting.

Supervisor Jenkins stated that the Highway Superintendent submitted three purchase requests that he needs approved. The following action was taken:

A motion was made by Councilman Prendergast and seconded by Councilman Cumm authorizing the purchase of rock salt from International Salt under county contract #09-PWS-10R out of account DB5142.490 at a cost not to exceed \$70,000.00.

Roll call vote resulted as follows:

Councilman Cumm	Yes
Councilman Prendergast	Yes

The organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the purchase of diesel fuel from Warex Terminals Corp. under state contract #PC64673 at a cost not to exceed \$20,000.00 out of account DB5142.460.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the purchase of gasoline from G. A. Bove under state contract #PC64747 at a cost not to exceed \$10,000.00 out of account DB5142.460.

Roll call vote resulted as follows:

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

Supervisor Jenkins reported receiving an e-mail that congratulated Councilwoman LeClair on her successful grant application for the Hudson River Waterfront Park. She worked on this and championed the project. The grant award is in the amount of just under \$30,000.00 from the State of New York.

Supervisor Jenkins and those present gave Councilwoman LeClair a round of applause.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the establishment of a new checking account at TD Bank for the Pinewood Lighting District.

Roll call vote resulted as follows:

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

Councilman Kusnierz commented that he received a telephone call from a member of the Recreation Commission and she was told that the Recreation Commission Meeting scheduled for tonight was cancelled and the reason she was told it was cancelled was because he had suggested that we consolidate meetings to save time. That is not accurate. The date and time for those meetings is set in Town Code. His comment at the last meeting was that when it is feasible we should try and hold our Audit Meetings on the same day as our Regular Board Meetings maybe ½ hour before the Regular Meeting. That is all he said about that.

The organizational meeting of the Town Board of the Town of Moreau was held on January 4, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Steve Gram said the meeting was changed, because he was told that he, Councilwoman LeClair and Councilman Kusnierz were to attend this meeting and he was told this morning to cancel the meeting. This is what she (the Recreation Commission Member) was told.

Councilwoman LeClair said she e-mailed Bob Vittengl Friday or Saturday and told him that if they were holding the meeting they would have to hold it downstairs and after the Organizational Meeting they would have to come upstairs, because there wouldn't be anybody here to lock up downstairs. Then she came to Town Hall and saw the notice on the door about the meeting being cancelled.

Supervisor Jenkins said he didn't know why it got changed then.

Steve Gram said that Terry asked him to cancel it, because the three of them had to be at this meeting. He tried to call Councilwoman LeClair today and then he spoke with Bob Vittengl and Bob said to cancel the meeting. Bob Vittengl then asked Steve Gram to call all the committee members and tell them the meeting was cancelled.

Supervisor Jenkins said it is a case of I said, he said, she said and nobody got it right.

Councilman Cumm said we have a meeting scheduled for next week on Outdoor Hydronic Heaters and he doesn't think we are ready for that meeting.

Supervisor Jenkins said he was meeting with Joe and Martin tomorrow.

Councilman Cumm asked if we have enough time to put the word out about the meeting.

Supervisor Jenkins said it is a workshop and not a public hearing and he is sure there will be changes.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair to adjourn the Organizational Meeting at 7:58 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned at 7:58 p.m.

Respectfully submitted,

Jeanne Fleury
Town Clerk

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