

The organizational meeting for the year 2011 was held by the Town Board of the Town of Moreau on January 4, 2011 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

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

The Town Clerk called the roll.

Town Board Members Present

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

Town Board Members Absent

Bob Prendergast	Councilman
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Also Present: Jeanne Fleury, Town Clerk; Paul Joseph, Highway Superintendent; Jesse Fish, Water Superintendent; Reed Antis, Town Resident; and at 8:00 p.m. Elizabeth Lanfear, Town Resident and Recreation Commission Member, entered the meeting

Supervisor Jenkins led the Pledge of Allegiance.

Supervisor Jenkins welcomed everyone to the organizational meeting.

The Supervisor and Town Clerk read items #1 through #21 and #33 through #45 on the organizational agenda.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair to waive the reading of items #22 through #32.

Vote resulted in all Ayes.

The following questions/discussions and/or changes were made to the following items on the agenda.

Councilman Kusnierz noted that there were two full-time people listed under item #2 on the agenda that were also listed as part-time in another capacity. He stated that this shouldn't be allowed since the person could in his/her part-time capacity go over into an over-time situation and we would be required by law to pay over-time.

The one person listed as full-time and part-time was Linda Blackburn.

Jesse Fish said that Linda Blackburn has been reading water meters for years and Councilman Kusnierz replied that he was just saying what the law is.

Supervisor Jenkins stated that Linda Blackburn isn't reading water meters any longer so her name could be removed from the list in this capacity.

They couldn't find the other individual on the list that works full-time and part-time.

Jesse Fish stated that Linda read water meters last year and plans to read water meters this year.

It was the consensus of the board members to remove Linda Blackburn from the list as part-time water meter reader.

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It was the consensus of the board to add the four new part-time water meter readers hired recently as follows:

Donald J. Bovair	PT, On-Call, As Needed Water Meter Reader	\$12.00 hour
Pamela A. Vaillancourt	PT, On-Call, As Needed Water Meter Reader	\$12.00 hour
Karyn E. Hanley	PT, On-Call, As Needed, Water Meter Reader	\$12.00 hour
Joan A. Fennell	PT, On-Call, As Needed, Water Meter Reader	\$12.00 hour

Councilman Kusnierz also noted that there were part-time laborers listed for the recreation department and by listing these individuals it would preclude the Town from offering the positions in the spring to employees who worked for the recreation department the previous year.

Supervisor Jenkins stated that Felix DeJesus and Ed Tracy are not working for the recreation department right now so their names could be removed.

Councilman Cumm stated that he thought he heard Steve Gram say that he was going to need Ed Tracy to work one day next week and then Ed was going back to Florida.

Supervisor Jenkins stated that technically even though a person is not listed in the organizational minutes they are still an employee.

Councilman Cumm stated that it won't hurt to leave them on the list.

Councilman Kusnierz said again that this would prevent the Town from looking for part-time help in the recreation department in the spring as the Town normally does.

Supervisor Jenkins said he understood this, but Steve Gram has a hard time keeping adults on to work the evening hours in the park.

It was the consensus of the board to leave Ed Tracy's name on the list of appointments and remove Felix DeJesus.

Councilman Kusnierz mentioned that one section of #18 was new and it reads:

"Employee is out on disability they should not accumulate additional sick time if they are not receiving town wages. "

"Employee should pay the 5% health insurance co-pay while on disability."

Councilman Kusnierz asked what the impetus was behind this new language.

Supervisor Jenkins stated that we had a situation when an employee was out on disability almost five months and they earned sick leave while out on disability and this shouldn't be. Also, if they are not drawing a salary then they should reimburse the Town the 5% health insurance co-pay that would normally be withheld from their salary.

Councilman Kusnierz noted that there are two levels of co-pays. There is the 5% for current employees and 20% for new hires. This should be distinguished in this resolution.

It was the consensus to change the wording as follows:

"Employee shall pay the percentage of health insurance co-pay, as established by Town Board resolution, while on disability."

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Councilman Kusnierz also noted that this section does not apply to union employees as it would be a negotiated item in their contract.

Councilman Kusnierz commented on the following section of resolution #18 regarding grandfathered part-time elected officials:

“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.”

He stated that the wording about “grandfathered part-time elected officials” should be removed in order to be consistent. He stated that the board members serve in a part-time capacity and the number one reason they run for office is to serve the public and he doesn’t believe that part-time elected officials should be entitled to benefits. Town board members do not receive benefits and it should be extended through to our other part-time elected officials. It shouldn’t be something that is essentially a perk for a part-time elected official.

Councilman Cumm asked if he was referring to the Town Justice.

Councilman Kusnierz replied that he was referring to part-time elected officials who receive benefits. Except for the supervisor the members of the Town Board are part-time. He agrees that part-time Town Board members should not receive benefits, but it should also be extended throughout the Town to other part-time elected officials.

Supervisor Jenkins said he agrees with Councilman Kusnierz to some extent, but in other ways he doesn’t. There is one person grandfathered right now.

Councilman Cumm stated that until that person’s term is up as an elected official it should stay as is. If that person decides to run for office again then at that time the board will let him know that he won’t be receiving benefits any longer and he can decide if he wants to run for office or not.

Councilman Kusnierz asked Councilman Cumm why he changed his position from last year.

Councilman Cumm asked what he said last year.

Councilman Kusnierz read from the minutes of the organizational meeting for 2010 as follows:

“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”

He asked Councilman Cumm what prompted his change in position.

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Councilman Cumm said he wasn't changing his position. That elected official came on the same time as him and to change that in the middle of his term is not appropriate. If we are going to make a change we should make it at a regular meeting and that individual should be notified that from this point forward that position will no longer carry insurance coverage with it and that elected official can then make the decision whether to run again or not.

Councilman Kusnierz replied that this is a regular meeting so he was willing to discuss it.

Councilman Cumm stated he wasn't going to vote for a change until that elected official is up for re-election.

Supervisor Jenkins said he could put it on the agenda for the next meeting and they could discuss it then.

Councilman Cumm said he doesn't disagree with Councilman Kusnierz, but it is not fair to make the change in the middle of someone's term.

Supervisor Jenkins said they could discuss this and make a change anytime between now and the next election. He stated that this individual is up for re-election this year and he assumes he will run for re-election.

Councilman Cumm stated that when and if this board makes the decision that the elected position no longer carries the insurance package with it then that elected official can decide if he wants to run for office.

Councilman Kusnierz asked if the insurance package costs the Town \$18,000.00 to \$20,000.00 and Supervisor Jenkins said a family package costs the Town about \$20,000.00 to \$21,000.00.

Councilman Kusnierz noted that the Justices salaries are around \$24,000.00.

Supervisor Jenkins said he doesn't disagree and this problem is encountered state-wide where people hold very part-time positions and draw pensions. However, he would wait and pass a resolution later on and let it relate to the next election and that will end it. Either they will run or they won't.

Supervisor Jenkins thanked Councilman Kusnierz for his comments.

Councilman Kusnierz said he was just being consistent.

Item #20 designates the supervisor or deputy supervisor or a councilman to be a delegate at the Association of Towns Conference in NYC, February 20-23, 2011.

Supervisor Jenkins advised that he would not be attending the Association of Towns Conference this year and neither would any Town Board member or the deputy supervisor. There were not any funds budgeted for this conference in 2011. He stated that it has become too costly to attend and the agenda at the conference last year was very disappointing.

Item #33 was discussed. It read as follows:

"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."

Councilman Kusnierz said he would like to remove the wording "or prior notification to the Town Board" and he would like the amount of \$3,000.00 to be changed to \$1,000.00 in order to be consistent with item #15 on the agenda.

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Supervisor Jenkins asked Paul Joseph what he could buy for \$3,000.00 and Paul Joseph replied a small roller or a similar smaller piece of equipment.

Councilman Cumm stated that we lost out on the purchase of a very good paver this past year from Watertown that sold for \$26,000.00 at auction, because we had a cap of \$10,000.00. He said it retails for over \$100,000.00, per Paul Joseph, Highway Superintendent. He said he doesn't have a problem reducing the \$3,000.00 to \$1,000.00, but because we tied the superintendent's hands like we did we lost out on the paver.

Councilman Kusnierz stated that this was a mischaracterization by saying that we lost out on the paver. He was watching the on-line bidding and the bidding was going up by the hour by thousands of dollars. Our hands are tied by state law. When an item costs over \$10,000.00 we have to go out for competitive bid.

Councilman Cumm asked why other Towns have the ability to buy equipment for more than that without going out to bid.

Supervisor Jenkins replied, because they choose not to follow the state law.

Councilman Cumm stated they don't know that for a fact and Councilman Kusnierz and Supervisor Jenkins replied that they know what the state law is.

Supervisor Jenkins asked if they were reducing it to \$1,000.00 and Councilman Cumm said he wouldn't support that.

Councilman Kusnierz stated that the number one responsibility of the Town Board is a fiduciary one and to allow a department head to usurp the authority of the Town Board is inappropriate and it is prudent to set it at \$1,000.00 to be consistent with #15. He went on to say that the board had numerous discussions with the Moreau Emergency Squad, a not-for-profit organization, whereby we were very concerned as a board on how their money was being spent, we were watching every dollar and requiring additional reporting. He would think that Councilman Cumm, of all people, wouldn't have a problem with this.

Councilman Cumm stated he didn't. The wording reads "pending approval of or prior notification to the Town Board". He said that gives the Town Board the fiduciary responsibility to approve or disapprove the purchase.

Councilman Kusnierz replied that it doesn't. The way it is written now the highway superintendent only has to notify the Town Board, but he doesn't have to get approval.

Councilman Cumm then said to remove the wording "prior notification" and Councilman Kusnierz said he already suggested that.

Supervisor Jenkins stated that if the highway superintendent was at an auction and he saw a piece of equipment for \$6,000.00 and it was a good deal then he could call three Town Board members and ask for approval to purchase it, if funds are available. The Town Board has done that before.

Councilwoman LeClair stated that at an auction things sell within a matter of minutes and \$3,000.00 would authorize him to purchase a small piece of equipment and if he was going to purchase a piece of equipment for more than that then he would have to ask for approval before he went to the auction.

Councilman Kusnierz related two experiences he has had while on the Town Board regarding the purchase of equipment. One was the purchase of a backhoe and one was a utility van that was not

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purchased at auction and we had no time constraints and they were a good price and we send Town personnel to look at them and it turned out that they weren't good investments. The time constraints with an auction are even tighter and he didn't know why the board members would want to subject the Town to an increased risk by not setting limitations on how much can be spent without the board's approval.

Supervisor Jenkins suggested that in the future, during budget time, they take a serious look at replacing equipment on a regular basis and upgrading the equipment.

Councilman Cumm stated that has been the board's policy up until now.

Supervisor Jenkins said this year we made an effort.

Councilman Kusnierz stated he has always advocated for having a five year plan for upgrades so we don't get into the expense for repairs.

Supervisor Jenkins said we have gotten way behind on this and it hasn't helped any.

Councilman Cumm stated that given the fiduciary responsibility of the board then the wording "or prior notification to the Town Board" should be removed. If the highway superintendent plans to attend an auction then he can come to the Town Board and tell the board what he plans to purchase and the board at that time can give him approval to purchase the equipment up to \$3,000.00.

It was the consensus of the board members to re-word #33 as follows:

"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 the Town Board for all items purchased costing \$3,000.00 or more."

Reed Antis asked if wasn't this department head an elected official and the answer was yes. As an elected official wouldn't he be looking out for the best interest of the Town?

Supervisor Jenkins said as an elected official he can do almost anything he wants without board approval, except to spend money.

Supervisor Jenkins said he thought Paul Joseph does look out for the best interest of the Town. That is not a question.

Councilman Kusnierz stated that in his tenure as a board member he could count on one hand and maybe two, instances when an elected official, a department head, on several occasions, has gone over budget and purchased things where they didn't have money in the budget for them. He wasn't saying that was happening now, but it has happened and we are the ones who have to stay on top of it and that was where he was coming from.

Supervisor Jenkins said he sent notification to department heads this week about consequences if they don't follow the rules and Councilman Kusnierz said he was happy to hear this.

Item #34 was read and Councilman Kusnierz asked if the road mileage included the recent acceptance of the roads in the Palette Stone Subdivision and Paul Joseph replied yes.

Discussion followed briefly on the hourly rate for Lewis & Greer in item #36. At one point in time Lewis & Greer notified the Town of an increase in their hourly rate. It wasn't clear at this meeting if the \$170.00 per hour listed for Lewis & Greer on the organizational agenda was the current rate or not. Supervisor Jenkins said he would contact Lou Lewis and ask him what his rate is and the board can change this rate by resolution at another meeting.

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Item #37 was read. This resolution, if adopted, would authorize the engagement of the following engineering and consulting firms:

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
Garry Robinson, P.E.

Councilman Kusnierz stated that he would support this resolution under two conditions. In the interest of transparency he would like these engineering firms be required to file ethics disclosure forms and he would like the following wording added: "Such individuals or firms shall be prohibited from representing individuals or parties with official business before the Town of Moreau."

He stated that if it isn't a conflict of interest it sure gives the appearance of one, because they are working for the Town in another capacity. He knows of one instance where one person had business with clients that appeared before the Planning Board. This would remove all doubt, as far as, a potential conflict of interest.

Supervisor Jenkins said he didn't think this was totally true. He stated that one of the engineers with EDP is a partner in the development at the corner of Route 32 and Bluebird Road and it is already in the process.

Councilman Kusnierz asked if they received an ethics disclosure statement from them and the answer from the Town Clerk was that EDP, Chazen, C.T. Male and Garry Robinson filed ethics disclosure statements in 2010.

Supervisor Jenkins stated that essentially if you put that kind of restriction on anyone they would have to stop working for developers in order to do occasional work for the Town. As long as they file an ethics disclosure statement and they don't violate that statement then we should be okay.

Councilman Kusnierz asked the board if they would agree to add the wording "subject to a current ethics disclosure statement on file".

None of the board members objected to this wording being added.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair to adopt resolutions #1 through #17 as follows, with any changes so noted:

1. Resolution setting 2011 salaries for elected officials:

Supervisor	\$45,076.00
Councilpeople (each)	\$10,800.00
Town Justice (each)	\$24,926.00
Town Clerk	\$39,406.00
Highway Superintendent	\$49,441.00

2. Resolution setting the following respective annual salaries (52 Week) or hourly rate, as approved in the 2011 Budget except as otherwise provided under Town Law, Civil Service Law, or other applicable law, rule, or agreement.

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Wayne A. Bruce	Special Police Officer as needed	\$13.48 hour
Jeanne Fleury	Receiver of Taxes and Assessments Records Management Officer Registrar of Vital Statistics – [1/2 Birth & Death Certificate Filing Fees in accordance with NYS Public Health Law Section 4173(3)]	\$ 7,669.00 \$ 893.00
Margaret Jenkins	Assessor (10/01/07-9/30/13) (FLSA XEMPT)**	\$45,288.00
Linda Blackburn	Assessment Clerk	\$26,610.00
Helen Potter	Crossing Guard – Part-Time (Moreau)	\$10.00 hour
Mary Wood	Substitute Crossing Guard	\$10.00 hour
John Hayes	Substitute Crossing Guard	\$10.00 hour
Jeffrey Durkee	Substitute Crossing Guard	\$9.30 hour
Joel Nolin	Substitute Crossing Guard	\$9.30 hour
John Helwig	Crossing Guard Part-Time (Tanglewood)	\$10.00 hour
Stephen Gram	Recreation Director	\$41,325.00
Frank Joseph Patricke	Building Inspector/Code Enforcement Officer	\$48,425.00
David Smith	Assistant Building Inspector/Code Enforcement Officer	\$32,782.00
Kathy Perez	Clerk/Receptionist (Building Inspector's Clerk)	\$27,803.00
Theodore Monsour	Cleaner, Part-Time	\$10.56 hour
Francine Thibodeau	Principal Account Clerk/Typist/Bookkeeper	\$40,038.00
Rudolph Klick	Part-Time Account Clerk	\$11.92 hour
Lori Pike	Clerk Full-Time Court	\$31,589.00
Colleen Nichols	Clerk Full-Time Court	\$34,578.00
Jody Munger	Clerk Part-Time Court	\$10.00 hour
Suzanne MacMore	Clerk Part-Time Court	\$10.00 hour
Ron Belisle	Clerk Part-Time Court	\$10.50 hour
Court officer	Thomas Geraghty	\$13.13 hour
Bruce Abare	Laborer Transfer Station	\$14.80 hour
Harold Coombs	Laborer Transfer Station Part-Time	\$11.48 hour
Nancy Ryan	Senior Clerk Transfer Station	\$14.26 hour
Helen Potter	Clerk Part-Time Transfer Station	\$10.82 hour
Flo Carpenter	Clerk Part-Time Transfer Station	\$9.49 hour
Joanne Owens	Clark Part-Time	\$9.18 hour
Earl Ruff	Laborer Substitute As Needed Transfer Station	\$11.98 hour
Jesse Fish	Water Superintendent District 1	\$ 1,324.00
	Water Superintendent District 2	\$12,796.00
	Water Superintendent District 3	\$ 2,206.00
	Water Superintendent District 4	\$ 9,707.00
	Water Superintendent District 5	\$ 1,324.00
	Water Superintendent District 6	\$15,443.00
	Sewer District 1 Superintendent	\$ 1,324.00

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	Total	\$44,124.00
Earl Ruff	Water/Sewer Department Superintendent As Needed	\$16.48 hour
Cynthia Carpenter	Water Meter Reader	\$12.00 hour
Christine Clifton	Water Meter Reader	\$12.00 hour
Dennis Thibodeau	Water Meter Reader	\$12.00 hour
Denise Jones	Water Meter Reader	\$12.00 hour
Donald J. Bovair	Water Meter Reader	\$12.00 hour
Pamela A. Vaillancourt	Water Meter Reader	\$12.00 hour
Karyn E. Hanley	Water Meter Reader	\$12.00 hour
Joan A. Fennell	Water Meter Reader	\$12.00 hour
Jeremy Tripp	Laborer	\$13.10 hour
Bruce Siergiey	Laborer	\$12.60 hour
Maureen Leerkes	Clerk Part-Time Highway Department	\$11.55 hour
Nick Mattison	Laborer Part-Time	\$9.80 hour
Edward Tracy	Laborer Part-Time	\$8.67 hour
Royce Pixley	Laborer	\$11.00 hour
Harold Combs	Laborer Rec. Part-Time	\$8.67 hour
Daniel Styczynski	Dog Control Officer	\$13,200.00

3. Supervisor's, At Will, Appointments:

Budget Officer	Supervisor Unpaid
Teresa McGuire	Confidential Secretary/Assistant Bookkeeper (FLSA EXEMPT)** Annual Salary (52-Weeks): \$29,813.00
Deputy Supervisor	Councilwoman Gina LeClair Unpaid
Supervisor's Committee Appointments	Attached

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

Deputy Town Clerk and Receiver of Taxes: Leeann McCabe	Annual Salary (52-Weeks):	\$25,960.00
Deputy Town Clerk and Receiver of Taxes: Barbara Porter	Annual Salary (52-Weeks):	\$27,779.00
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)	

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.

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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.
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.
Saratoga County Animal Shelter
Saratoga County Youth Advisory Council
Saratoga County Office for the Aging Nutrition Agreement
Bartlett, Pontiff, Stewart & Rhodes, P.C.

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.
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 highway purchases relating to repairs to equipment may be purchased without prior Town Board approval up to \$1,000.00, subject to being competitively priced.
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.

Roll call vote resulted as follows:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Cumm to adopt resolution #18 as follows:

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

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“part-time” as any permanent employee working less than twenty (20) hours per week on a regular basis:

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

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 pay period as follows upon successful completion of the employee’s probationary period:

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

Unused accrued vacation time may be carried over annually up to 10 work days not to exceed a maximum of 30 days accrued vacation, but 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.

Employee is out on disability they should not accumulate additional sick time if they are not receiving town wages.

Employee should pay the percentage of health insurance co-pay adopted by Town Board resolution while on disability.

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).

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

Councilman Kusnierz	No
Councilman Cumm	Yes

The organizational meeting for the year 2011 was held by the Town Board of the Town of Moreau on January 4, 2011 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Prendergast	Absent
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair to approve resolutions #19 through #32 as follows, with any changes so noted.

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 20-23, 2011 and to cast the vote of the aforesaid Town, pursuant to Section 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 Adirondack Trust 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:

Supervisor	\$140,000
Deputy Supervisor	\$140,000
Town Clerk/Tax Collector	\$140,000
Deputy Town Clerk/Tax Collector	\$140,000
Bookkeeper	\$140,000
Senior Transfer Station Clerk	\$140,000
Two FT Court Clerks Each	\$140,000

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.

The organizational meeting for the year 2011 was held by the Town Board of the Town of Moreau on January 4, 2011 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

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 Department, 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.

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 Kusnierz and seconded by Councilwoman LeClair to adopt resolution #33 as follows, with changes so noted:

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 the Town Board for all items purchased costing \$3,000.00 or more.

Roll call vote resulted as follows:

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

The organizational meeting for the year 2011 was held by the Town Board of the Town of Moreau on January 4, 2011 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to adopt resolutions #34 through #45 as follows, with changes so noted:

- 34. Resolution authorizing the expenditure of town highway funds in the amount of \$1,111,296.00 for General repair and improvement of 83.97 miles of town highways, sluces, 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 and subject to the engineering firms having a current ethics disclosure statement on file:

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
Garry Robinson, P.E.

- 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.
- 39. Resolution appointing G. Peter Jensen, Chairman of the Planning Board.
- 40. Resolution appointing Gerhard Endal, Chairman of the Zoning Board.
- 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:

All Deputies
Building Inspector/Code Enforcement Officer
Assistant Building Inspector/Code Enforcement Officer
Special Police Officer
Planning and Zoning Board Members whose terms expired 12/31/10
Court Officer
Dog Control Officer

The organizational meeting for the year 2011 was held by the Town Board of the Town of Moreau on January 4, 2011 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

- 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.
- 45. Resolution authorizing the Saratoga County Animal Shelter to issue dog licenses on behalf of the Town of Moreau prior to the release of any impounded dog to a Town of Moreau resident pursuant to the NYS Agriculture & Markets Law.

**** FAIR LABORS STANDARDS ACT.**

Roll call vote resulted as follows:

Councilman Kusnierz	Yes Except No for Resolutions #40 & #41
Councilman Cumm	Yes
Councilman Prendergast	Absent
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

The highway superintendent submitted the following requests to purchase gasoline, rock salt and diesel fuel.

Rock Salt - American Rock Salt- \$70,000.00 – County Contract #10-PWS-10R – Account DB5142.490 – Balance as of 1/1/11 \$153,000.00

Gasoline – G. A. Bove - \$10,000.00 – State Contract #PC64747 – Account DB5142.46 – Balance as of 1/1/11 \$90,000.00

Diesel Fuel – Warex Terminals - \$20,000.00 – State Contract #PC64673 – Account DB5142460 – Balance as of 1/1/11 \$90,000.00

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair authorizing the above purchases.

Councilman Kusnierz noted that the request was for \$100,000.00 in purchases and he asked Paul Joseph why he needed to order all of this at this meeting.

Paul Joseph replied that he needed it on hand in case of storms and that this was done last year also.

Councilman Kusnierz advised Paul Joseph that the policy is that the board members are supposed to have requests three days prior to the date they are expected to act on them. These requests are dated January 3rd and he received it on the 4th.

Paul Joseph replied that Friday was a holiday and the Town offices were closed and Saturday and Sunday the Town offices are closed and the 3rd was Monday.

Roll call vote resulted as follows:

Councilman Cumm	Yes
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The organizational meeting for the year 2011 was held by the Town Board of the Town of Moreau on January 4, 2011 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

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

*Councilman Kusnierz noted that he voted yes on the resolution, but if the policies of the board on purchase orders aren't followed he will never approve requests like these again in the new year.

A motion was made by Councilwoman LeClair and seconded by Councilman Cumm authorizing the following transfer:

\$13,200.00 from A3510.4 – General Fund – Control of Dogs – Contractual into A3510.1 – General Fund – Control of Dogs – Personal Services

Supervisor Jenkins stated that this transfer was needed as the result of the IRS ruling that our dog control officer is an employee and not a contractual relationship. It is a matter of budgeting him as an employee now.

Roll call vote resulted as follows:

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

Councilman Kusnierz asked if there are any legal requirements for benefits as the result of that ruling.

Supervisor Jenkins replied no, he is still a part-time employee. He can't work more than 19 ½ hours.

Discussion followed.

Reed Antis asked how Dan Styczynski, the dog control officer, was working out and the answer was that no complaints have been received.

Reed Antis asked if Martin Auffredou was part of the law firm of Bartlett, Pontiff, Stewart & Rhodes and Supervisor Jenkins said he was a partner with the firm.

Councilman Kusnierz stated that he spoke with one of the property owners on Hatchery Road about the road being closed and he can't report on any forward progress, but at the next meeting of the Town Board, in executive session, he will report on what the property owner adamantly refuses to do.

Elizabeth Lanfear asked the board if they have an easement for the snow plow turn-around on Hatchery Road and the answer was yes, for each side of the culvert. She asked if the school district could use that turn-around for their school buses. She said right now the children are being dropped off on the Selfridge Road end of Hatchery Road and they are walking three quarters of a mile and this isn't safe.

Supervisor Jenkins said the board would have to check into this.

The organizational meeting for the year 2011 was held by the Town Board of the Town of Moreau on January 4, 2011 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to adjourn the organizational meeting at 8:07 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