

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

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

The Town Clerk called the roll.

Town Board Members Present

Robert J. Vittengl, Jr.	Councilman
Bob Prendergast	Councilman
Gina LeClair	Councilwoman
Todd Kusnierz	Councilman
Preston L. Jenkins, Jr.	Supervisor

Town Board Members Absent

None

Also present: Jeanne Fleury, Town Clerk; Karla Buettner, Attorney for the Town; Peggy Jenkins, Assessor; Paul Joseph, Highway Superintendent; Jesse Fish, Water Superintendent; Joe Patricke, Building Inspector/Code Enforcement Officer; Erin Trombley, Part-Time Recreation Director; Reed Antis, Town Resident and Planning Board Member; Town Residents: Midge Duxbury, Bill & Gayle Dzialo, Joe Tardif, Bobbi Spaulding, Mr. & Mrs. Murphy; Adele Kurtz (arrived 7:37 p.m.); and Village Resident: Harry G. Gutheil, Jr.

Supervisor Jenkins led the Pledge of Allegiance.

Supervisor Jenkins welcomed everyone to the meeting and asked everyone to silence all electronic communication devices.

MINUTES

Two sets of minutes dated July 9th were submitted to the Town Board in advance of the meeting for their review, comment, correction and approval.

MINUTES – JULY 9, 2013 – 6:34 P.M. – SPECIAL TOWN BOARD MEETING RE: CASINOS

Correction: Page 272 – 2nd paragraph – 6th line – add the word “in” between the words “it” and “statute”
Page 272 – 2nd paragraph – 7th line – delete the word “The” between the words “the” and “state” and add the words “when the”

MINUTES – JULY 9, 2013 – 7:00 P.M. – REGULAR TOWN BOARD MEETING

No comments or corrections.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to approve both sets of minutes dated July 9th with the above correction so noted.

Roll call vote resulted as follows:

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

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

15 MINUTE PUBLIC COMMENT PERIOD

Jim Hooper gave a handout to the Town Board Members and the Attorney for the Town. He informed the Town Board Members that he has attended the Planning Board Meetings for the past three months now and the tone and comments made by the Chairman are totally inappropriate. He foiled the audio of the last Planning Board Meeting and heard the following comments made: "Does anyone want to slap him a little bit?", "Why don't we just fine him \$1,500.00 a day?", "Consider yourself duly chastised.", "We can't let him get away this easy.", "We'll let you get going in about six months." Mr. Hooper said this last remark was in response to an A.T.&T. Representative asking them to be expeditious and the Chairman said they would get to it in about six months. "Or you know what we can do we can slap him a little bit like the last candidate." Mr. Hooper said that what they told him at the end, when they delayed him, was "we've got him now". Why the Town Board would want the Planning Board to be conducted in such a manner is beyond him. Mr. Hooper stated that at a meeting three or four months ago he asked the Planning Board why they wouldn't allow him to have an ice cream stand on his property and a Planning Board Member, who according to Mr. Hooper is a "dairy farmer", stated "the only way I would approve you to have an ice cream stand, Jim, is if you bought cows". He said everyone knows he is a horse farmer and for a dairy farmer who sits on the Planning Board to tell him he has to buy cows to put in an ice cream stand is wrong and something needs to be done.

Mr. Hooper then went on to talk about a trailer on his property that has to be moved and that has been on the property for twelve years and has been a home for the past eight months to a family whose home had been foreclosed on and who have a seven year old disabled boy. He said he will have to tell this family that they will have to report to social services, because the Town of Moreau will not allow the trailer to remain while he brings in a modular home. He asked the Planning Board to allow the trailer to be allowed to remain for 90 days so this family is not displaced and not have to take their young boy to social services and then he was told that this was a "ridiculous request".

Councilman Kusnierz stated that he knows for a fact that precedence was set by the Planning Board when they allowed another family in the Town who was building a new house to have a trailer on their property for up to one year so he doesn't know why that was said.

Mr. Hooper stated that it was ten years ago when he came before the Town Board with a "box of rocks", because he broke a blade on his tractor, because the road in front of his farm is just "incredible". At that time Mr. Gutheil reportedly said that "we will get to it right away" and that was ten years ago. Two or three years later it was "we don't know who owns the road". Mr. Hooper said he doesn't know who owns the road, but the Town plows it, salts it, sands it and he pays taxes and has two homes there and it appears that the Town of Moreau owns the road. He said that he has had horses nearly injured. When he comes down Route 197 with a horse trailer in tow he puts on his right turn signal as soon as he can and he has to slow down "extraordinarily" to get in his driveway, because there is a 1 ½ foot drop off that is holding water there. The tractor trailer trucks have to use their Jake brakes behind him and there is going to be a horrible accident. He has already put two horses on their knees in a trailer, because he has had to "jerk forward" to get out of their way. He said it is a totally unacceptable situation.

Mr. Hooper then went back to talking about the Planning Board and how they scheduled a Public Hearing for A.T. & T. and they don't even have a contract with the Town of Moreau.

Supervisor Jenkins replied that they have a contract with the Town of Moreau, but they are looking to change it.

Mr. Hooper stated that the Town Board could do what they want about the Planning Board and how they handle themselves, but he thinks it is unfair and unprofessional. What he was here at this meeting for was to ask for Town Board support for his ice cream stand out on the corner of the road without doing a PUD. He said there are four things you have to have under the criteria for special use conditions and they

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

are: "financial hardship, not affecting the community, etc....". He said it is no question they are all acceptable. He said he should not have to do a planned unit development and he should not have to spend \$50,000.00 in engineering to build a \$75,000.00 ice cream stand. It should be a special use permit or a variance. He said he is willing to pay the fees for the attorney for the Town to sit down with him and have her ask him "how big do you guys want this to be" and "where exactly do you want it located". He said it's just a small building that he and his wife want to operate an ice cream stand out of so they can pay their \$12,000.00 in property taxes and the \$20,000.00 for workmen's compensation, etc. He said he is willing to turn over three years worth of taxes to the Town right now. He said it cost him \$1 million to support his farm in the last three years. If any Board Member can show him how to raise \$1 million with 46 stalls and 25 acres he would be glad to try it. He has tried for 15 years. He said they built a greenhouse and they tried to sell vegetables, flowers and woodworking. He needs some sort of revenue stream. He said that he wants the Town Board to support him and give him a little guidance. He said he met two attorneys this week who told him that he was barking up the wrong tree. He said they told him to put it in his wife's name and have her send a letter to Kirsten Gillibrand and Betty Little and tell them it is a woman owned business and she would get it passed right through. He said that he didn't think the Town of Moreau had to work that way. He thinks the Town can be smarter than that and the Town Board can give guidance to the Zoning Board and Planning Board as appropriate. He said he is more than willing to work with them. He wants to make his place as beautiful as it was a few years ago. He wants an ice cream stand and for his son to be able to give pony rides. He said there is an abandoned golf course and bar across the road. The Town can have an abandoned horse farm if that is the way they want to treat the people of the Town of Moreau. He gave pictures to the Town Board Members showing where on his property he wants to put the ice cream stand. He said it is a triangular, irregularly shaped, non-conforming lot that he said he is willing to make conforming in size and shape.

Supervisor Jenkins stated the Town Board would discuss the Planning Board comments in executive session.

Councilman Kusnierz stated that there is a distinction and separation in power between the Town Board and Planning Board and the Town Board cannot have any undue influence on the decisions of the Planning Board. The only role the Town Board has with the Planning Board is appointments.

Mr. Hooper said that when he sat on the Zoning Board for nine years they would get recommendations from the Town Board. He asked Attorney Buettner if she was saying that the Town could not make a recommendation that this situation, in their eyes, was unique and deserves to be looked at. The Town Board can't make that recommendation and is this not what these leaders are for?

Attorney Buettner stated that Councilman Kusnierz was correct. There is a separation from all the different boards and one board cannot influence the other. It is in the law. What Mr. Hooper was saying was that the Town Board should be able to recommend something to the Planning Board. There are certain areas of the Zoning Code that permits and in fact requires a recommendation from the Town Board. For example, a PUD requires a recommendation from the Town Board. If it is not in the law then the Town Board cannot tell them to do this.

Mr. Hooper agreed that the Town Board cannot tell the Planning Board they have to do something, but he remembers from being a member on the Zoning Board, times when Mr. Patricke was sitting in the audience and telling the Zoning Board Members that the Town Board was behind whatever they were discussing. They can't demand that something be approved, but he thought the Town Board should be able to voice their opinion on a project.

Attorney Buettner stated that she didn't know what projects Joe Patricke was talking about so she couldn't speak to those. The Town Board can voice their opinion on anything they want to, but the other Boards are not required to listen unless it is in the law.

Mr. Hooper stated that he wanted the Town Board to tell him if they are behind him or not.

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilwoman LeClair stated that when she first came on the Town Board she decided she was going to attend the Planning Board and Zoning Board Meetings so she could see how everything worked and get a real understanding about everything, but after about the third meeting she was told that it wasn't best to do that, because a Town Board Member sitting in the back of the room causes people to think that they were there to influence and that wasn't the reason she was there. It is something that they try to stay very cognizant of and that there isn't any undue influence.

Supervisor Jenkins stated that they would discuss the comments made at the Planning Board Meeting in executive session.

Mr. Hooper stated, that at this point, that was the least of his concerns. He wants to move forward and he has to know next year if he is going to have another revenue stream or not. He said it has been three or four years and he said that maybe he isn't talking to the right Board.

Councilman Prendergast asked how long this has been in front of the Planning Board.

Mr. Hooper stated that he is going before the Planning Board for a separate issue, the subdivision of his property. It doesn't have anything to do with the ice cream stand. "He was being forced to do it." He is going to sell four lots to get some "ammunition together" so he can build an ice cream stand. He said that the Town Board talks about wanting agricultural land; he doesn't want to sell one of those lots. He said he would tear up his subdivision request tomorrow if he could build an 800 square foot ice cream stand.

Councilman Prendergast stated that the one thing the Town Board could discuss was the road. He said they tried to address it two or three months ago.

Mr. Hooper said he was willing to take the road and pave it and have a great entrance in exchange for the Town Board helping him get his commercial operation so he can afford to pave it. He wants the corner to be right. He wants everything to be paved and a one way entrance and a one way exit and an ice cream stand and his son be able to give pony rides and he wants to sell furniture and wood products that are made in his shop.

Councilman Prendergast asked Mr. Hooper if he wanted the road.

Mr. Hooper said he would take the road if he could have a commercial use there.

Attorney Buettner said that couldn't be done.

Councilman Prendergast stated that three months ago the Town Board wasn't looking to barter. It was his understanding that Mr. Hooper wanted the road and that he was looking for a way to get it.

Mr. Hooper said there is no win for him to take the road and then have the Town "leave him high and dry" and deny him a commercial use there. Then he would have a non-conforming lot at the end of a place that has no road. He asked Councilman Prendergast if he would take the road.

Councilman Prendergast started to reply and Supervisor Jenkins interjected that the State of New York never gave the Town the road that he was aware of. We don't know who owns it and we don't have a deed to it. He said that apparently at some point the Town decided to do something with the road, because the State wasn't doing anything with it, he wasn't sure.

Mr. Hooper stated that if the Town stops plowing the road and the house at the end of the road catches on fire after the Town has plowed it for fifteen or twenty years or since it has been in existence. [He didn't finish his sentence.] He said the Town has plowed and sanded the road since it has been in existence and he said the road has been there before the highway was put in. He said for the Town to arbitrarily abandon the road is a very dirty and low down thing to do to the community. He said if the Town Board wants to abandon the road they are the ones who have to look in the mirror at night.

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Kusnierz stated that there were immediate issues with the condition of the road and he asked Paul Joseph, Highway Superintendent, if he could address the potholes at least.

Paul Joseph stated that last August he came in to see about paving the whole road and at the same time it was brought up about turning the whole road over to Mr. Hooper, because it was way back then that Mr. Hooper mentioned an ice cream stand.

Councilman Kusnierz stated that he wasn't talking about paving. He was talking about making it passable. Mr. Hooper has a legitimate concern about his livestock. He asked Paul Joseph if he could get it into a condition where horses aren't dropping down to their knees when the trailer hits a pothole in a road the Town maintains.

Paul Joseph said he could if the Town Board wants to put money in for it.

Councilman Kusnierz replied that they put money in for road repairs every budget cycle.

Paul Joseph stated that what they were talking about before was turning the road over to Mr. Hooper and this is where the Town Board was at.

Councilman Kusnierz asked Paul Joseph if he could take a look at what is needed to make it passable for the equipment that is driving on it and let the Town Board know what needs to be done.

Paul Joseph stated that it is an old state concrete road with rebar sticking out that needs to be cut off and there is quite a bit of work that needs to be done with it.

Mr. Hooper stated that he is willing, down the road, to take over that responsibility and save the taxpayers some money, but he can't see doing it now.

Councilman Kusnierz asked if there is a potential liability, because the Town has been maintaining it for well over a decade and if we don't do any repairs.

Attorney Buettner said there is. She stated that it is her understanding that when they talked about this back in August it was said that they would find out who owns it and they still have no idea who owns it and that they could quit claim their interest in it over to Mr. Hooper. However, this is the first time that she has heard, that in exchange, Mr. Hooper would like the Town Board to let him do commercial. She told Mr. Hooper that this is not something the Town Board can do.

Councilman Prendergast stated that this is the first time he has heard this too. In their previous discussions they wanted to find out who owns it so they could turn the road over to Mr. Hooper.

Mr. Hooper stated that it makes no sense for him to take over a road that is in front of two houses.

Supervisor Jenkins stated that the Board should let Paul Joseph get back to them with information on what it will cost to fix the road.

Councilman Kusnierz said he wanted to comment on what Mr. Hooper said about the Town Board supporting agriculture. He stated that he is involved in production agriculture and he has a job that is involved in developing state policy that promotes agriculture across the state. He would support anything within the confines of zoning that would help Mr. Hooper with agriculture. He asked Mr. Hooper if he was in the Ag District and Mr. Hooper said yes.

Mr. Hooper said the reality is that he wants to keep the horse farm and he is trying to reduce it a little bit and keep about 20 or 25 horses on about 25 acres. The numbers don't work out though. He has to come up with another plan to raise money and he is trying to be as innocuous and simple as possible and to blend into the community with a "mom and pop ice cream stand". He said again that he is open to other ideas and said again what other business ventures he has tried on the site.

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Kusnierz asked Mr. Hooper if he received an Ag Value Exemption.

Mr. Hooper replied yes.

Attorney Buettner said she wanted to make sure she was clear, because she doesn't sit as the Planning Board Attorney for the Town and she asked Mr. Hooper if he has submitted an application to the Planning Board for an ice cream stand.

Mr. Hooper replied no he hasn't.

Attorney Buettner said that the Planning Board then isn't denying Mr. Hooper anything to that effect and Mr. Hooper said no.

Attorney Buettner said she just wanted to make sure that everyone understood this.

Mr. Hooper said at the end of a Planning Board Meeting he was told informally "absolutely not and one comment was if he bought cows they would". He said actually the Planning Board wouldn't consider a special use permit it would be the Zoning Board and Attorney Buettner said it would be the Zoning Board and she said that was why she was a little confused and that is why she wanted to understand and the Town Board understand.

Supervisor Jenkins asked the Town Clerk to research the minutes when the trailer was allowed on a property while a house was being approved.

Mr. Hooper stated that in his case it would be two homes on one 17 acre lot and there would never be a time when both homes would be inhabited at the same time. As soon as the new modular home is delivered to the site and it could be inhabited then the trailer would be removed.

HIGHWAY DEPARTMENT REQUESTS

Paul Joseph, Highway Superintendent, submitted a memo to the Town Board indicating that Richard Sears Tree Experts, Inc. was willing to extend their contract with the Town for another year at the 2012 contracted prices for tree removal and that this option was part of the original contract approved on 8/14/2012. Paul Joseph stated in the memo that Richard Sears has been very efficient and has performed work in a timely manner and has responded quickly to any emergency situation when called on. Paul Joseph asked that contract extension be in an amount not to exceed \$12,000.00 out of account DB5110.457 that had a balance of \$14,890.00 as of 7/1/13.

A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast authorizing the extension of a contract with Richard Sears Tree Experts, Inc. for tree removal in an amount not to exceed \$12,000.00 for another one year term and authorizing the Supervisor to sign the extended contract.

Roll call vote resulted as follows:

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

Paul Joseph, Highway Superintendent, sent an e-mail to the Town Board regarding the Right to Farm Law Signs and pricing. Paul Joseph obtained four quotes and the lowest quote was from Lightle Enterprises of Ohio in the amount of \$43.75 each, plus freight and 12 to 14 signs were being proposed to be purchased out of account A3310.498.

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Kusnierz asked Paul Joseph if he planned to erect the signs at the entrances to the Agricultural District and Paul Joseph replied that he planned to put them at each entrance to the Town.

Councilman Kusnierz asked the Town Board Members if they wanted to place them at the entrances to the Agriculture District or the entrances to the Town. He thought they would need fewer signs if they placed them at the entrances to the Agricultural District.

Paul Joseph replied that there isn't a single sign in the Town that reads Welcome to the Town of Moreau that is legible so he thought this would be a way to say Welcome to the Town of Moreau and advise people of the Right to Farm Law.

Councilman Kusnierz said he was fine with that.

A motion was made by Councilman Vittengl and seconded by Councilman Kusnierz authorizing the purchase of up to 14 Welcome to the Town of Moreau/Right to Farm Law signs from Lightle Enterprises at a cost not to exceed \$43.75 each, plus shipping.

Roll call vote resulted as follows:

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

Paul Joseph, Highway Superintendent, requested permission to purchase \$20,000.00 worth of diesel fuel from Global Montello Group under State Contract #PC65528 out of account DB5142.460 that had a balance of \$61,113.00 as of 7/1/13.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the purchase of diesel fuel from Global Montello Group under State Contract #PC65528 at a cost not to exceed \$20,000.00.

Roll call vote resulted as follows:

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

RECREATION DEPARTMENT REQUESTS

A request was received from Erin Trombley, Recreation Director, to purchase shirts for the lifeguards and a computer for the Recreation Department Office to be shared by the Director, Supervisor and Staff.

Councilman Kusnierz thought the computer in the Rec. Office was fixed and Erin Trombley stated that Jeremy Tripp revived it, but it takes 10 minutes to load the graphics and at one point she was trying to load something and it made a whining noise and then the screen went black and it couldn't be restarted the next day and she had to take it apart. She said that Councilwoman LeClair knew it was on its last legs. If you put a picture on a word document then you can't manipulate the document.

Councilwoman LeClair told Erin that she knew they were having trouble with the computer, but she did not authorize her to buy a new computer. She told Erin that she would support taking it to the Town Board and that she would take it to the Town Board for her if she got the information together and

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

perhaps they could buy it this year rather than next year once they discussed it. She did not authorize her to buy a computer.

Erin Trombley stated that at this point she has the new computer. If the Town Board wants to authorize the purchase of the new computer then they can have it, but if not then she will take it back.

Supervisor Jenkins stated that four prices were received as follows:

Walmart	\$498.00
Staples	\$479.99
LGB Computers	\$499.00
Best Buy	\$519.99

The lowest price was from Staples in the amount of \$479.99 for a Dell Inspiron 660.

Supervisor Jenkins stated that he understands what Councilwoman LeClair is saying and he agrees. He also said he doesn't know if there was any money budgeted for equipment and Erin Trombley stated that there are zero dollars budgeted for equipment.

Councilman Prendergast asked how she purchased it and Erin replied with her credit card.

Councilman Prendergast asked if at the present time there is a computer down at Rec. Park Office that functions and Erin replied that the computer at Rec. has been revived, but it is limping along and takes 10 minutes to load anything and she can't load any new software it is too old.

Councilman Prendergast asked Erin Trombley if she was introduced to the Town's procurement policy and Erin asked if he meant getting prices.

Supervisor Jenkins stated that technically Erin has complied with the Procurement Policy even though it doesn't agree with what Councilwoman LeClair discussed with her, because it is under \$500.00 and she is a department head and she got four prices.

Councilwoman LeClair said the programs have to be loaded and files transferred and there is a warranty decision to be made and that puts it over the \$500.00 limit.

Erin Trombley stated that at this point she bought herself a computer and if the Town wants it she can bring it to the Rec. Department and if not she will return it.

Supervisor Jenkins asked if the Town Board wanted to approve the purchase or not.

Councilman Prendergast asked Councilwoman LeClair if she agreed a computer is needed down there.

Councilwoman LeClair replied yes they do need one. Even before Erin, she sat with Steve Gram and discussed it. The computers down there are hand me downs from other departments.

Councilwoman LeClair stated that before they approve the computer purchase they need to decide if they want to buy programs for it and if they want to buy a warranty and there are several things that need to be done quickly before they approve the purchase of this computer.

Erin Trombley stated that since the existing computer has been revived, the transfer of files issue can be taken off the table, because the files can be put on a flash drive. The purchase of software is the only question now.

Supervisor Jenkins asked where the computer is now and Erin replied at her house.

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilwoman LeClair stated that Erin needs to get the price for the full package, the software, the warranty, what account it is being purchased from and a transfer of funds will be required.

The purchase of the computer was put on hold.

The following quotes were received for lifeguard shirts:

Northwind Graphics	\$10.00 each
Olympic Promos	\$13.40 each
Custom Ink	\$26.17 or \$24.15 each

Supervisor Jenkins advised Erin Trombley that when she did the quote sheet she should have contacted Fran Thibodeau and she would have told her what the fund balance was that she had to work with and if there are adequate funds or not.

Erin replied that Fran has said that there isn't any money for anything. Erin said she has a sheet that reads what her budget is and it reads contractual is zero. Erin asked what contractual means, and asked if it meant salaries?

Supervisor Jenkins stated that it would come out of A7140.4 and the fund balance in this account was \$18,902.01.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the purchase of 12 shirts for the lifeguards from Northwind Graphics at a cost not to exceed \$10.00 each.

Roll call vote resulted as follows:

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

Councilman Kusnierz asked what the balance in the account was.

Supervisor Jenkins replied that the contractual account had a balance of \$18,902.01.

Erin Trombley stated that she had spoken with Councilman Vittengl about purchasing shirts for the rest of the crew in the Recreation Department. She said she would have to purchase about a dozen shirts at \$4.00 each so the rest of the guys have matching uniforms.

Supervisor Jenkins told Erin that it could wait until the next meeting and that she has to do it the right way.

WATER DEPARTMENT REQUESTS

None

COPIER PURCHASE REQUEST

Supervisor Jenkins stated that three prices were obtained for a photo copier for the Town Clerk's Office in the new municipal center as follows:

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Glens Falls Business Machines	\$8,452.00
Seeley Office Systems	\$6,850.00
Electronic Office Products	\$6,990.00

The purchase would be made out of account ~~A1620.4~~ **A1620.2** that had a balance of \$23,705.18 as of 6/6/13.

The lowest price is \$6,850.00 from Seeley Office Systems.

Councilwoman LeClair said this isn't the same machine that is in Town Hall now is it?

The Town Clerk replied that it is similar.

Councilwoman LeClair stated that the Town Clerk had expressed concern before about the speed of the current copier and the Town Clerk replied that this one is a lot faster. The current copier is around 20 pages per minute and this one is 34 or 35 pages per minute.

Councilman Prendergast asked if this copier would be in addition to one we currently have and Supervisor Jenkins replied that the one we have now will be shared by the Building Inspector's Office and Assessor's Office in the new municipal building.

Councilman Kusnierz asked if this one will be shared amongst the departments and Supervisor Jenkins replied no it wouldn't be shared it would be strictly for the Town Clerk.

The Town Clerk said she didn't know much about it, but it was her understanding that the one currently in the Town Hall will be shared by the Building Inspector's Office and Assessor's Office and the one currently in the Supervisor's Office will be used solely by the Supervisor's Office and the new one would be for the Town Clerk's Office and it would go in the copier room of the new municipal building that is next to her office.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast authorizing the purchase of a Konica Minolta BizHub C364-e photo copier from Seeley Office Systems at a cost not to exceed \$6,850.00.

Roll call vote resulted as follows:

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

RENEWAL OF MINING PERMIT – LEHIGH CEMENT

Supervisor Jenkins stated that since the last meeting a letter has been received from NYS DEC indicating that Lehigh Cement has complied with NYS DEC Mining Permit criteria. He asked for a motion and second to authorize issuance of a renewal mining permit to Lehigh Cement.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast authorizing the issuance of a mining permit renewal to Lehigh Cement and authorizing the Supervisor to sign the permit.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Yes

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

WHITE BIRCH ESTATES WATER FEE

Supervisor Jenkins stated that the Town Clerk reported to the Town Board that White Birch Estates paid to the Town of Moreau \$47,405.00 for the last twelve months for water usage in the park and if they charge \$10.00 per unit, per month the amount that White Birch would collect from their tenants for a twelve month period would be \$25,680.00. Therefore, Supervisor Jenkins recommended that the Town Board approve the \$10.00 per month, per unit rate that White Birch Estates is charging their tenants based on the fact that they will not be collecting more in water fees than what they are paying the Town of Moreau.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl approving the \$10.00 per month, per unit fee for water that White Birch Estates is charging their tenants for water usage.

Roll call vote resulted as follows:

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

AGRICULTURAL RATE FOR WATER DISTRICT 1

Supervisor Jenkins stated that right now there is no agricultural water rate in Water District 1 and users in that district are paying "\$4.50 per 1,000". He said the only effective Ag Rate we have right now is in Water District 4 and Water District 5. In Water District 4 he stated that the water rates are \$3.35 per 1,000 for the first 10,000 gallons of water used and over 10,000 gallons the rate is \$2.18 per 1,000. He stated that is the same rate set up in Water District 5 "even though they don't have a use for it". He said they raised the rate on the industrial from \$2.08 to \$2.75 so does the Town Board want to "keep the \$2.18 or should we go to the \$2.75, which we say is what our basic cost is". He stated that when the Ag Rate was established it was to help the people who are farming.

Councilman Kusnierz stated that typically if you are going to have big users of water, he thought it was a general consensus of the Town Board to help agriculture and promote it and this would be one way to do that.

Councilwoman LeClair said it would be for someone who is actively farming.

Supervisor Jenkins said it was a request from Mr. Jacobie who uses the water for agriculture and there isn't any Agricultural Rate in Water District 1.

Councilman Prendergast asked if he understood correctly that the rate is lower than what our actual cost is for water.

Supervisor Jenkins replied that our cost last year was just under \$2.75 per thousand gallons when you factor in the capital cost and payroll and all of our expenses.

Councilman Prendergast stated personally he couldn't tell the public that we are going to charge them less than what it costs us for water.

Councilman Kusnierz asked if isn't the current Ag Rate \$4.50 and Supervisor Jenkins replied no, the current rate in Water District 1 is \$3.675 cents for the first 20,000 and \$3.25 per 1,000 over the 20,000 gallons.

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Kusnierz asked why they wouldn't have the same Ag Rate in all the districts.

Supervisor Jenkins replied that perhaps they should review the whole process then through the Water Committee.

Councilman Kusnierz thought the Water Committee already did that. He asked if didn't the Water Committee meet and discuss it.

Councilman Prendergast stated that the Water Committee Meeting didn't happen, because Water Committee Members couldn't make it, "which happens".

Supervisor Jenkins said he would send this to the Water Committee and they could come back to the Town Board with a recommendation.

SARATOGA COUNTY WATER AUTHORITY CONTRACT

Supervisor Jenkins stated that the proposed Saratoga County Water Authority Contract is for the purchase of a minimum of 150,000 gallons per day and it is for a ten year period. Supervisor Jenkins stated "the price is no more than \$2.11 point 2 cents". He stated that Attorney Buettner has reviewed the contract and doesn't have a problem with it. "We need this approval so a copy can be sent to the EFC for funding of the cross over project and the pumping station."

Harry Gutheil asked if the rate was fixed for 10 years.

Supervisor Jenkins stated that it can only go up 1-1/2 % per year.

Harry Gutheil asked if the Town Board asked the Saratoga County Water Authority to pay for the pump station. He can't understand why the Town would spend over a quarter million dollars for the pump station. He asked if there is anybody else on the county system that is paying for a pump station. The water is being pumped 26 miles down to the Town of Malta, Clifton Park and Ballston. He said that none of them had to put in a pump station to get water to their Town. He asked why the Town was paying \$260,000.00 on building a pump station that is smaller than a one car garage.

Supervisor Jenkins stated that a good deal of that cost is equipment not building.

Harry Gutheil said that if they took that over the 10 year period at 150,000 gpd what is that water really costing the Town per 1,000? He asked if anybody has figured that out, if they amortized the pump station over a 10 year period.

Supervisor Jenkins stated it won't affect anybody's rates. It will come out of the revenue stream.

Harry Gutheil said that somebody is paying the \$260,000.

Supervisor Jenkins stated that there is a revenue stream that will take care of it. They will pay for it through their water fees that they are paying for right now.

Supervisor Jenkins asked why we wouldn't have the Water Authority pay for it.

Supervisor Jenkins replied that they would have liked that, but they wouldn't pay for it.

Harry Gutheil asked if there is a paper trail showing that they turned it down and were there discussions at the Water Authority Meetings?

Supervisor Jenkins stated that they weren't happy doing this contract for 150,000 gallons, because they know how much water we use and they thought we should get more water from them and we aren't going

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

to do that. The whole purpose of this is to get a redundant supply of water so if we lose our crossing some day or we lose support from Queensbury in some way, shape or form we will have another alternative.

Harry Gutheil said the Town would be agreeing to purchase 150,000 gallons per day and Supervisor Jenkins said this was correct.

Harry Gutheil asked if all of the water was going to go into one district or are they going to shut valves off and what happens if there is an e-coli hit.

Supervisor Jenkins replied that the water we get goes wherever it goes. We have three tanks.

Harry Gutheil asked if they were comingling the water sources into the water main and the answer was yes. He asked if there is a problem, how are they going to determine which source of water it came from.

Supervisor Jenkins said they monitor and test the water at the site.

Supervisor Jenkins asked for a motion and second authorizing the Supervisor to enter into a contract with the Saratoga County Water Authority.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the Supervisor to sign the contract with the Saratoga County Water Authority.

The Town Clerk started the roll call with Councilman Prendergast and Councilman Prendergast asked if there was an attempt made to get the Saratoga County Water Authority to pay for the pump station.

Supervisor Jenkins replied there was a discussion with them and basically the amount of water we use didn't convince them to do it.

Reed Antis asked if Supervisor Jenkins was saying that our water consumption was too low and it didn't justify them paying for it.

Supervisor Jenkins replied that was part of the issue and there were other issues.

Reed Antis asked what the other issues were.

Supervisor Jenkins replied they are providing the water to us and we aren't providing it to them and they are already increasing their volume in the lower part of the county and the only reason they need us is it may help them with some of their flow.

Harry Gutheil asked Supervisor Jenkins if he reminded them of their host benefit. They put a \$20 million facility in our Town and they aren't being taxed on their pipeline and their building. He believes that one of the sewer districts down below is even taxable. He said it seems to him that we could have made some arrangement.

Supervisor Jenkins thanked Harry Gutheil for his comments and asked the Town Clerk to finish the roll call vote.

Roll call vote resulted as follows:

Councilman Prendergast	No
Councilwoman LeClair	Yes

When the Town Clerk got to Councilman Kusnierz with the roll call, Councilman Kusnierz asked if anybody would be interested in tabling this for further negotiations and Supervisor Jenkins replied no.

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Roll call vote continued as follows:

Councilman Kusnierz	No
Councilman Vittengl	Yes
Supervisor Jenkins	Yes

SOUTH GLENS FALLS BEACH - BEACH CONTRACT WITH THE VILLAGE OF SOUTH GLENS FALLS

Supervisor Jenkins stated that the contract has been reviewed by the Attorney for the Town and the Town pays \$1.00 for use of the beach.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast authorizing the Supervisor to sign an agreement with the Village of South Glens Falls for use of the South Glens Falls Beach for the sum of \$1.00.

Roll call vote resulted as follows:

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

ACCEPT RESIGNATION FROM NANCY RYAN FROM THE TRANSFER STATION POSITION

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to accept the Nancy Ryan's resignation from her Transfer Station position effective July 27, 2013.

Roll call vote resulted as follows:

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

NEW MUNICIPAL BUILDING ITEMS

Supervisor Jenkins stated that there is only one item regarding the new municipal building that needs to be addressed and it is regarding the paving of the parking areas.

Joe Patricke stated that when he and Jim Mitchell originally estimated the tonnage for blacktopping they used the specifications and there was a certain tonnage for the binder course and a certain tonnage for the top course. Two companies quoted on different thicknesses of the binder and the top and they resolved it and it ended up being the same tonnage, but the thickness of the blacktop they didn't account for in their first quote. They had the wrong numbers to go by. They had 2" of binder and 1" of top and the specifications called for 2 1/2" and 1 1/2" and when you figure the tonnages out it comes out to a different price than what they ended up with. Joe said the tonnage was right, but the breakdown was different. Joe stated they estimated 80,000 and it came to 83,000.

Councilman Kusnierz asked how the tonnage could be the same if it is an inch thicker.

Joe Patrick stated that different areas of the land required different thicknesses. Some areas had 2 1/2 inches and some had 2 inches and some areas had 1 inch of binder and the top was different. The total tonnage that they came out with was 770 tons and the estimate was 800 tons. Joe Patricke also added that the top is more expensive than the binder.

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Kusnierz said there is essentially a third higher cost for the binder then and Joe Patricke replied yes there is more binder because the 1” wasn’t correct and they had to go to 1 ½” and that is the difference, because the price on the top coat is higher.

Councilman Prendergast stated that the Board awarded it to Kubricky right and Joe Patrick stated that they haven’t awarded it yet. He said they talked to them and the work has been lined up, but they had to come back to the Board with the difference in price.

Supervisor Jenkins stated that last Tuesday the Town Board approved an amount that would have been from Kubricky, but “when we get to final we know we have a problem”. He said they have three prices and read off the following:

Town of Moreau Highway Department	\$95,114.22
Peckham	\$88,835.00
Kubricky	\$84,481.00

Councilman Prendergast asked if that is the new price, because the Town Board did approve Kubricky to do the work.

Supervisor Jenkins said it is the new price. They did approve Kubricky, but the price has changed and it is now \$84,481.00 and it is still lower than Peckham’s price.

Councilman Kusnierz asked what the budgeted amount was for this work and the answer was \$80,000.00.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing Kubricky to do the blacktopping on the site of the new municipal center at a cost of \$84,481.00.

Councilman Prendergast asked if the budget was \$80,000.00 where is the other \$4,000.00 coming from.

Supervisor Jenkins replied that there is still money in the project account for this. The \$80,000.00 was just an estimate.

Councilman Kusnierz asked what this leaves left in that fund.

Joe Patricke replied about \$39,000.00.

Roll call vote resulted as follows:

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

Councilman Kusnierz asked if there has been any thought to broad casting the public Town Board Meetings and if so now is the time to do drop wires in the new building. He said that as part of our cable franchise agreement we can require that they broadcast at no charge.

Supervisor Jenkins said it will boil down to what we have budgeted for that system right now. We are talking about \$20,000.00 for a sound system. We are going to have to go slow on those issues as to what decisions we make.

15 MINUTE PUBLIC COMMENT PERIOD

Madeline Duxbury asked if there was any new information on the property at 15 Woodlawn Avenue.

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Supervisor Jenkins stated that he stopped there yesterday and they did correct the condition there somewhat.

Joe Patricke stated that he was meeting with Mr. Ball tomorrow morning on the site about putting up a permanent fence around the pool.

Reed Antis asked Councilman Prendergast when he was going to reschedule the Water Committee Meeting. It was supposed to be held in June and here it is near the end of July.

Councilman Prendergast stated that the meeting was scheduled and he got called into work and couldn't make the meeting. He thought they had rescheduled it. Then he said they would reschedule it tonight before they leave the meeting.

Bill and Gayle Dzialo from 179 Reservoir Road were present and asked if this was the point in the meeting when he was supposed to discuss his request with the Town Board for water hook up. He said he was scheduled to be at this meeting and he doesn't see his name or subject matter anyplace on the agenda.

Supervisor Jenkins replied yes and Mr. Dzialo addressed the Board.

Mr. Dzialo stated that he appeared before the Town Board several months ago and discussed with the Board the fee for hooking up to the water system. He stated that water lines were installed along Reservoir Road in part because of the Abeleno Orkin contaminated site at the corner of Route 9 and Reservoir Road and then the Michael's Group installed a water line along Reservoir Road into their subdivision and Mr. Dzialo stated that he was not asked if he wanted to hook up to the water line. Recently he said there have been hundreds of people who have been hooked up to a water line that was paid by somebody at \$100.00 per year for thirty years. Mr. Dzialo was requesting to hook up to the water line on Reservoir Road at a reasonable cost similar to what these hundreds of people had to pay recently.

Supervisor Jenkins stated that there were two Public Hearings held, one in 1992 and one in 1993 before the water lines were installed along Reservoir Road and it was disclosed at the Public Hearings that the cost to hook up to the system was \$1,900.00 and it was projected that it would cost \$800.00 to do the crossing and \$400.00 for a water meter and tower capacity and another charge of \$800.00 to install the water line from the road into the house. These were projected costs. Since then the Town Board raised the cost to \$3,100.00 to cover the cost of the infrastructure. The major difference is that they are in a separate district and there is no way we can justify lowering the fee for one person and not for others. It could go on forever. He said the \$3,100.00 fee was derived from a study that our engineer did. He also stated that everybody on Reservoir Road had the chance to attend the Public Hearings.

Councilman Kusnierz stated for the record that this is not the same situation as everyone else in the Town who would like to come on board with the public water, because there is no record like we require today when we do water district installations or extensions where we make people sign who do not want the water. He stated that the developer paid to put the water line in. However, because there is municipal water going through that area there should have been an attempt on the part of the Town to make sure that the residents had an opportunity to tie in at that time and that didn't happen. There is no record of that happening. He spoke with the engineer on the job at the time and that didn't happen. He said because that didn't happen this is a different situation and we aren't comparing apples to apples with other people who want water. This is a prime opportunity for the residents along Reservoir Road to have access to the public water at an affordable price. He didn't support the fee that went into place most recently. He is willing to work out a lower rate, because of these facts, to get the people along Reservoir Road hooked up to municipal water.

Councilwoman LeClair asked Attorney Buettner "would it be legal, we have fund balances in water districts, we borrow between water districts and pay the rate that the lending water district is earning when it is in a savings account, would it be legal to do the same thing borrow from a fund and reimburse that fund at a rate that they're earning to help fund the cost for those if we recomputed it annually,

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

because our interest rate changes we might be earning now $\frac{1}{2}\%$ and next year we might be lucky to earn 2%

so we would have to have some kind of an adjustment annually on the interest rate and fund it over five or ten years like we are funding it for other water districts.”

Attorney Buettner stated that when you borrow between water districts you have to pay it back at the end of the year.

Councilwoman LeClair asked if it would be possible to borrow the money for more than a year and Attorney Buettner replied that she didn't know the answer to that.

Supervisor Jenkins stated that there is sufficient funds in Water District 5 to do that, but he asked Councilwoman LeClair if she was saying that the payback would come from the people who hook up and Councilwoman LeClair replied yes, the hook up, just as it is now with the people who have water now and who are paying for it over a thirty year period for the hook up and the infrastructure that came into those neighborhoods.

A gentleman in the back of the room asked if they know that. He knows a lot of people on Route 32 who got hooked up and they think they got it for free.

Councilwoman LeClair said it felt like free, but a part of what they are paying for is the infrastructure.

Supervisor Jenkins stated that they pay for it in their water rates.

This same gentleman said he called Jesse Fish about a month ago and Jesse wasn't sure if the meter was included in the \$3,100.00. Is it included or not?

Supervisor Jenkins replied that it is included in the whole project. It is part of the entire debt of the project.

The gentleman asked again if the \$3,100.00 includes a water meter.

Supervisor Jenkins said it depends on how you look at it. There are a lot of ways to look at how the numbers come out.

The gentleman then said that Jesse Fish will install a water line from the road to the shut off valve at the curb and he knows that he has to pay to bring the water from the curb into his house, but he asked again if the water meter is included in the \$3,100.00.

Jesse Fish replied that it has included the meter. He said there was discussion at one of the Board Meetings about the meter not being included in the price, but nothing was settled on that. As it stands right now if he goes and installs a water line and hooks up a house and gives them a meter and when all is said and done the fee that they pay is \$3,100.00.

The gentleman said he got a price of \$5,500.00 for a sand point well on his property so he wants to know exactly what it is going to cost him.

Councilman Kusnierz asked Mr. Dzialo what he thought was a fair price to hook into municipal water for anybody living on Reservoir Road.

Mr. Dzialo said that was a difficult question to answer since the people on Route 32 are getting it for \$100.00 a year for 30 years and some didn't even want water and there are a lot of people on Reservoir Road who need the water, but can't afford the \$3,100.00.

Supervisor Jenkins stated in 1993 if they hooked up to the system it would have cost them roughly \$1,900.00.

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Mrs. Dzialo said that is not true. She said that Woodscape came in 2004 and before that there was no water down Reservoir Road.

Supervisor Jenkins said that it must have been 2002 and 2003 then.

Mrs. Dzialo replied that it wasn't 1992.

Supervisor Jenkins stated that they should have attended the Public Hearing. He wasn't saying this was finalized, but he didn't see a decision being made here at this meeting and he said the Water Committee could discuss it and come back to the Town Board with a recommendation.

Mrs. Dzialo stated that she and several other people wrote several letters to the Town Board Members and didn't receive any response. She stated that there is a family on Reservoir Road who wanted water for a long time and they don't have the money. Reservoir Road should be treated the same as the people on Route 32. She said she doesn't understand why nobody gets back to them with an answer except Councilman Kusnierz who has been wonderful. He calls them back she said.

The gentleman in the back said he has e-mailed Supervisor Jenkins and hasn't received a reply and his server indicates that the messages were sent and received so he doesn't know if the e-mails got lost in space or not.

Supervisor Jenkins said he doubted the e-mails got lost in space. He said he receives about 100 e-mails per day and he might have missed it. He would be happy to talk to anybody about it, but it is not an easy decision for this Town Board to make. He said there is a developer on Reservoir Road that pays \$1,700.00 for every hook up and who does the work that is covered under the \$1,400.00 fee so they pay in essence the \$3,100.00 like everybody else.

Councilman Kusnierz asked if the Town Board would be willing to hold a special meeting to discuss this.

Councilwoman LeClair said she was and she would like Attorney Buettner to check and see if there was some way they could hook up and pay for the cost of the hook up the same way the other districts do.

Attorney Buettner asked what they would be funding. The difference between the \$3,100.00 and \$1,900.00?

Councilwoman LeClair said they don't have a dollar amount yet. She said that if one person is hooked up and they don't pay the \$3,100.00 then the other users in the Water District would be paying for the cost of hook up. They need to look at all the costs and breakdown and see where it is going and then make a decision.

Jesse Fish stated that there are people on Reservoir Road who have paid the \$3,100.00.

Councilwoman LeClair said they would be looking at refunding those people then in fairness to them.

Supervisor Jenkins said the Water Committee should meet and then when they get their data the Town Board can schedule a public meeting.

Councilman Prendergast asked if he understood correctly that Mr. Dzialo was never contacted to hook up and we don't have a record of it.

Mr. Dzialo said this was correct.

Councilman Prendergast asked if their neighbors were contacted and the answer was no.

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Mrs. Dzialo said there are many people on the road who they talked to and who said they were never contacted. They tried to get water too.

Councilman Prendergast asked Mr. and Mrs. Dzialo if they knew under what circumstances some of the people on the road were hooked up under.

Mrs. Dzialo replied that some had to hook up, because they didn't have any water and she mentioned the names of Springer and Izzo.

Councilman Kusnierz said they weren't part of the original opportunity. Nobody hooked up when the line was originally put in.

Supervisor Jenkins stated that the Water Committee should meet and do a study and come back to the Town Board with their recommendation and then the full Town Board could hold a special meeting and the public could be part of that meeting.

A resident asked if they could be part of the study and said he would love to work with them on it.

A resident in the back of the meeting room asked if everyone on Reservoir Road between Route 9 and Route 32 would be notified in writing when the special meeting is held and Supervisor Jenkins replied yes.

Harry Gutheil asked about the handicapped ramp out front of Town Hall.

Supervisor Jenkins said that the Town Clerk obtained two prices and only one could do the full job and the insurance company is going to reimburse the Town. He had this on the agenda later in the meeting.

Harry Gutheil asked if there was an agreement for the Town to sell the Village water and Supervisor Jenkins replied yes.

Harry Gutheil asked if it was a long term or transitional.

Supervisor Jenkins replied that right now it is for a transitional period. He said there will always be an emergency hook up capability between the Town and Village.

Mr. Dzialo asked when the Water Committee was going to meet.

Councilman Prendergast suggested the Water Committee meet on August 2nd at 1:00 p.m. and Councilman Vittengl the other member on the committee said that works for him.

A gentleman in the back of the meeting room stated that Bob Baker owns a 75 to 100 foot wide lot between him and "Joe" and it is grandfathered for a house and his well is on that side and if a house is built on the property the septic system would be right next to his well.

Joe Patricke replied that even with a grandfather lot there are NYS DOH regulations that have to be followed and a septic system couldn't be placed that close to a well.

A resident present said there are three properties along Reservoir Road and the owners have never been contacted to tap into the water line.

Reed Antis asked when the Public Hearings were.

Supervisor Jenkins said around 2002 or 2003.

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Kusnierz asked Mr. & Mrs. Dzialo for a list of names of people along Reservoir Road who would be interested in hooking up to the water system so the Town Board would have numbers to work with then they get to their meeting.

Attorney Buettner noted that all property owners along Reservoir would have to be given the same offer and the Board can't pick and choose.

COMMITTEE REPORTS

Councilwoman LeClair reported that she spoke with the moving company that was selected. She got nervous because she talked with "him" before the 10th of June and he was going to immediately get her box measurements and references and she hadn't heard back from him. She asked Attorney Buettner this week if we became uncomfortable with them can we do something about it, because we haven't signed a contract with them and Attorney Buettner said yes. Councilwoman LeClair said she called the company this week and spoke with Tom Geddes and he gave her two references to contact, Capital Region Boces and Computer Sciences, and both references checked out okay and both were very pleased with the job done by this moving company. She also talked to Kost It who needs to coordinate with the mover to get the computers hooked up and they will work with the mover.

Attorney Buettner said she received the contract from the moving company and she created a contract on behalf of the Town and sent it to the company and Supervisor Jenkins will have to sign it so the Town Board will have to give him authority to do so.

Councilwoman LeClair asked if the Town Board could get a copy to look at and Attorney Buettner said absolutely.

Supervisor Jenkins reported that Time Warner Cable has been notified and they know what they have to do. They are waiving any costs for installation. It should be on schedule.

Councilwoman LeClair reported that the move will take place the week of August 12th through the 16th. The moving company will furnish 150 boxes.

Councilwoman LeClair reported that Bruce Abare is willing to train the staff at the Transfer Station and she asked if the Recreation Staff that fills in at the Transfer Station could be trained also and there were no objections voiced by the Town Board Members.

Councilwoman LeClair reported that people are given a receipt at the Transfer Station Fee Booth, but the people aren't good about turning in the receipt at the compactor and staff down there hasn't been good about collecting it down below and with new staff at the Transfer Station it would be a good time to reiterate that we want that done and maybe put up two metal boxes with lids on them for people to drop their receipts into if there isn't anybody there to collect them.

Councilwoman LeClair reported that the staff at the Transfer Station would like to leave at lunch time so she asked if the person at the compactor area could come up and work in the fee booth. She also recommended that the person leaving for lunch cash out and sign for it and the person filling in should cash out when the person returns from lunch and sign off on it.

Councilwoman Kusnierz said it was a good time to revisit the idea that stickers should be sold at Town Hall so there is no money handled down at the Transfer Station. He thinks it would be better accountability.

SUPERVISOR'S ITEMS

Supervisor Jenkins asked the Town Board Members for authorization to notify Hillman Properties Inc. that we will be vacating their building on Route 9 by August 31st. There were no objections voiced by the Town Board Members.

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Supervisor Jenkins reported on some information received from Adirondack Insurance about an accident policy that can be purchased to cover the Town in the event of an injury that occurs in one of the recreation programs. The Town's premium would increase \$1,000.00 if this policy is added.

Councilman Prendergast asked if weren't we covered before.

Supervisor Jenkins said the Town has liability insurance to cover anything that happens in the park, but this would be another layer of protection in the event there is an uninsured person who tries to collect from the Town.

Councilman Kusnierz asked if the Town's insurance agent could come to a meeting and explain the coverage to them.

Supervisor Jenkins said he was sure that he would.

Supervisor Jenkins stated that a price of \$1,470.00 was received to repair the handicapped ramp out in front of Town Hall. One other price was received, but it didn't include repair of the railings only the decking. The Town will receive reimbursement from insurance. In the meantime the cost of the repair could come out of A1620.4.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to accept the quote from Schroeder's Welding and Fabrication in the amount of \$1,470.00 for repair of the handicapped ramp in front of Town Hall and authorizing the Supervisor to sign a contract with Schroeder's.

Roll call vote resulted as follows:

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

Supervisor Jenkins stated that Attorney Buettner reviewed and approved the contract with Fitzgerald Bros.

Attorney Buettner stated that she drafted the contract for them and sent it out last week to the Town board and the Supervisor has already received authorization to sign it. However, the contract mentions the Town Hall and Highway Garage and it doesn't reference two vending machines at the Rec. Park and one at the beach so Fitzgerald's needs to give us a different proposal.

Councilwoman LeClair stated that at one point the past couple of weeks she thought why are we doing this at this point, but if we do it at this point it will give us a chance to see how they are going to work with us. She said that in prior years we required teams to purchase their soda and juice products from whatever company we selected, which gives us more leverage. If we allow Fitzgerald's to show us that they want to work with us then in January it opens up Fitzgerald's if we want to consider them and DeCrescente and one other company that Terry McGuire contacted. Councilwoman LeClair stated that she contacted seven companies and some of them are closed and some don't do it anymore more. It will give us a chance to see how they work with us, because she assumes it won't be a big money maker for them. She stated that we will have to make a decision earlier next year. She said it appears we are still in limbo.

Attorney Buettner said the contract is done pursuant to how it was set up at the last meeting, but they need to give us a proposal to put one at the beach and two in the park.

Councilman Kusnierz asked if he understood correctly that they required teams to purchase from them.

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilwoman LeClair said we did in the past and Attorney Buettner said that was under the prior contract and Councilman Kusnierz said right, but the Town was very favorably paid as part of the contract once we sold the vending items.

Attorney Buettner said it was \$12,000.00 a year that we were paid.

Councilwoman LeClair said she thought they had that requirement in the DeCrescente contract and Attorney Buettner said no.

Attorney Buettner stated that if they can get a new proposal from them it can be attached to the contract and Supervisor Jenkins can sign it.

Supervisor Jenkins stated that Crossroads Church requested use of the beach on August 11th between the hours of 9:30 a.m. and 11:00 a.m. for a church service and baptism in the water. The beach doesn't open until 11:00 so if we allow this then we need someone to open the gate at 9:30 a.m.

Councilman Kusnierz said that they had other requests from other religious organizations to use Town facilities and they haven't done it in the past he thinks because of church and state issues.

Supervisor Jenkins said they allowed a conference for a whole week held by a church in the Rec. Park, but we limited signage that they could put up.

Councilman Prendergast said we will need to bring in an employee to open the gate and if the baptism is going to be held in the water then we will need lifeguards on duty.

Councilwoman LeClair stated that our senior lifeguard makes about \$10.00 per hour and we would need two lifeguards down there.

Supervisor Jenkins recommended authorizing \$30.00 for the 1 ½ hours for two lifeguards.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing Crossroads Church to use the beach on August 11th between the hours of 9:30 a.m. and 11:00 a.m. to hold a baptism service and for two lifeguards to be on duty and for Crossroads Church to pay the Town of Moreau a sum of \$30.00 to cover the cost of having Town Staff on duty during the service.

Roll call vote resulted as follows:

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

Supervisor Jenkins reported on a Local Government Efficiency Grant. We would be paired up with Washington County, City of Glens Falls, Village of South Glens Falls and Town of Queensbury and each Municipality would each be applying for a \$12,000.00 grant. If we get the grant it requires a 50% match. It is a Phase 1 Study with an implementation factor afterwards where each municipality would get a maximum of \$200,000.00. It would be a study of our existing system and possibly a second hook up with the City of Glens Falls at Sisson Road. The real goal is the implementation grant. Right now we don't have to spend any money, but if we get the grant and want to accept it then we would have to match it. It is basically a letter of intent at this point and when and if we get the grant we would have to decide if we are going to accept it or not.

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Kusnierz asked if we would share services out of that with the sewer installation.

Supervisor Jenkins said the study has to be on something that already exists. He mentioned an extension or a master meter that could be part of the cost.

Supervisor Jenkins asked for a motion authorizing him to enter into this agreement.

Harry Gutheil asked who was doing the grant.

Supervisor Jenkins said he has been dealing with Ed Bartholomew, but somebody else will write the grant application.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast authorizing the Supervisor to enter into an agreement to apply for this Local Government Efficiency Grant at no cost to the Town for the application process.

Roll call vote resulted as follows:

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

Councilwoman LeClair stated that the Town Court has items that were confiscated by the police such as old bicycles that are broken and miscellaneous items that don't appear to be of any value and they want to know what the Town Board wants done with these items. They don't want to leave them behind in the Route 9 building.

It was the consensus of the Town Board that the Town Court could do what they see fit with the items.

Attorney Buettner stated that when the Town Board resolved to authorize her to negotiate with Monolithe Solar the Town Board did not authorize the Supervisor to sign a contract with Monolithe. She has been working with the attorney for Monolithe and Dave Meager the Town's Insurance Agent and they are close to finalizing the contract so she asked the Town Board to authorize the Supervisor to sign the contract once it is finalized.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the Supervisor to sign a contract with Monolithe Solar once it is finalized and subject to approval by the Attorney for the Town.

Roll call vote resulted as follows:

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

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to adjourn the meeting to executive session to discuss a contractual matter with A.T. & T. Mobile, interview two candidates for the position of Assistant Building Inspector/Code Enforcement Officer, discuss the employment history/performance of an unnamed employee and certain Planning Board Members.

Roll call vote resulted as follows:

A regular meeting of the Town Board of the Town of Moreau was held on July 23, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

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

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

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to adjourn the executive session and re-open the regular meeting at 10:14 p.m.

Roll call vote resulted as follows:

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

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to hire Ben Marcantonio as Assistant Building Inspector/Code Enforcement Officer effective two weeks from this date pending successful completion of a pre-employment physical and background check.

Roll call vote resulted as follows:

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

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to adjourn the regular meeting at 10:17 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury
Town Clerk