

A special meeting of the Town Board of the Town of Moreau was held on July 16, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Supervisor Jenkins called the meeting to order at 5:30 p.m.

Town Board Members Present

Robert J. Vittengl, Jr.	Councilman
Gina LeClair	Councilwoman
Preston L. Jenkins, Jr.	Supervisor

Town Board Members Absent

Todd Kusnierz	Councilman
Bob Prendergast	Councilman

Also Present: Jeanne Fleury, Town Clerk (Present for the open session only)

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to adjourn to executive session at 5:30 p.m. to interview candidates for the position of Assistant Building Inspector/Code Enforcement Officer and to discuss the employment history/performance of a particular unnamed employee(s) and to discuss a contractual issue involving A.T. & T. Mobile.

Roll call vote resulted as follows:

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

The Town Clerk was not present during the executive session.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to adjourn the executive session and re-open the special meeting at 7:30 p.m.

Roll call vote resulted as follows:

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

No action was taken in the executive session.

Jeanne Fleury, Town Clerk, was now present for the open session.

Supervisor Jenkins stated that the first item for the open session were quotes for irrigation and landscaping around the new municipal building and a recommendation from Jim Mitchell of EDP, the Town's Engineer.

The recommendation from Jim Mitchell dated July 15, 2013 listed the following quotes received:

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Evergreen Landscape & Turf	\$19,600 Add Alternate – Sod \$5,500.00
Toadflax Nursery, LLC	\$27,769.00 Add Alternate – Sod \$7,118.00
Jim Girard Landscape Maintenance Corp.	\$20,500.00 Add Alternate – Sod \$9,500.00

According to the recommendation from Jim Mitchell, the Town board requested several revisions to the perimeter landscaping plan including plant substitutions and additional landscaping at the easterly entrance of the Town Hall. He submitted revised plans to Evergreen Landscape & Turf, who submitted the lowest quote, and they returned a revised quote, which represented an increase of \$1,800.00, but they still submitted the lowest quote even with the revised additional planting if the alternate for the sod is accepted. Jim Mitchell recommended that the contract be awarded to Evergreen Landscape and Turf who submitted the lowest quote in the amount of \$21,400 (includes the additional \$1,800.00 for the additional planting and plant substitutions) and the alternate for sod in the amount of \$5,500.00.

Supervisor Jenkins stated that the lowest quote was from Evergreen Landscape & Turf and the \$19,600.00 includes the \$1,800.00 to do the same kind of landscaping from the east end of the building. He said the sod was originally \$6,600.00, but if you subtract the \$1,100.00 for the hydro-seeding that we won't be doing then it brings it down to \$5,500.00. So they submitted the lowest quote by a far. He said the real cost to do the hydro-seeding is \$3,500.00, but he doesn't know how "he" came up with that number.

Joe Patricke said that what wasn't included in this was the price they got for a drip edge, "the stone drip" on the side of the building. If we hydro-seeded we were going to put a strip of metal in, "retaining", so the gravel stays in one spot and the "grass can grow in the next" and that was \$2,000.00 the lowest price we got. If we hydro-seed then we need to add the \$2,000.00.

Supervisor Jenkins said the price is \$26,100.00.

Councilman Vittengl asked if wasn't Evergreen's quote \$21,400.00 plus \$5,500.00 per Jim Mitchell's Letter, because we asked for additional plantings to the east.

Joe Patricke stated that was \$1,800.00.

Councilwoman LeClair asked if the \$19,600.00 includes all of the trees and Supervisor Jenkins said it does not include the trees on the hillside.

Councilwoman LeClair said the trees on the hillside are not included in the \$19,600.00 then and Joe Patricke replied no, they weren't even part of the specifications.

Joe Patricke said this work would be inside the curb line to get the look around the building.

Councilman Vittengl said it was going to be \$26,900.00 with the sod and the additional landscaping and Supervisor Jenkins said \$26,100.00.

Joe Patricke told Councilman Vittengl that it includes the topsoil, irrigation, sod and all the landscaping.

Councilwoman LeClair asked Joe Patricke if there would be any other charges.

Joe Patricke stated that there will be one more charge. He said it is a public works project and we are mixing trades and sometime in the future we will get a bill for about \$500.00 to tie into our water system.

Councilwoman LeClair asked if this included wiring to the front.

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Joe Patricke stated that would be part of the electrical contract and we haven't gotten a price yet.

Discussion followed on flag poles and flags.

Joe Patricke stated that what he and Jim Mitchell recommend is a 30 foot tall by 5 inch pole to fly an American Flag on top with a POW Flag underneath at the court entrance to the building and at the entrance to the Town Hall portion of the building there would be a 20 foot pole to fly an American Flag from and a 15 foot pole to fly a New State Flag from.

Supervisor Jenkins, Councilman Vittengl and Councilwoman LeClair liked this idea.

Supervisor Jenkins stated that at the Town Hall entrance maybe we could do something creative to support the veterans in general and their military service.

Councilwoman LeClair said maybe we could have an area where there is a stone and where we could put the military flags.

Joe Patricke stated the cost for the flag poles installed and flags would be about \$10,000.00 and there is only \$4,000.00 budgeted in the project for this.

Supervisor Jenkins stated that the power should be run to the area at least for now. To install flag poles after would not be that disruptive.

Supervisor Jenkins asked if anyone wanted to make a motion to accept the quote from Evergreen in the amount of \$26,100.00.

Joe Patricke stressed the urgency for this work to be authorized. He said the parking lots are going to be paved next week and we want to have as much "dirt work" done and out of the way as possible, because running front end loaders over fresh blacktop to bring in fresh topsoil or sod is not a good idea. He doesn't want to push off the paving past next Friday, because the following Friday the top coat will go on.

Councilwoman LeClair made the motion to accept the quote from Evergreen Landscape & Turf for \$26,100.00.

Councilman Vittengl asked if they were approving the recommendation from Jim Mitchell in the amount of \$21,400.00 and \$5,500.00.

Supervisor Jenkins said no, but then Joe Patricke reviewed the recommendation that Councilman Vittengl was looking at. Joe Patricke and Councilman Vittengl said \$19,600.00 plus \$1,800.00 equals \$21,400.00 plus \$5,500.00 equals \$26,900.00. Joe Patricke said this was correct.

Councilwoman LeClair changed her motion to accept the quote from Evergreen Landscape & Turf in the amount of \$26,900.00, which includes \$5,500.00 for the sod.

Councilwoman LeClair said the only other cost would be the hook up to the water system for the sprinklers and Joe Patricke replied yes.

Councilman Vittengl seconded the motion.

Roll call vote resulted as follows:

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

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Councilman Prendergast Absent

Discussion followed on the date for moving into the new municipal building.

Joe Patricke stated that the Planning Board Meeting would be held in the new building on August 19th.

It was agreed by those present that the Town Board Meeting on August 13th would be held in the old Town Hall.

The target date for the move is the week of August 12th through the 15th. Councilwoman LeClair said she would tell the moving company that we plan to move that week.

The next item on the agenda was the approval of rental of equipment from Temporary Heating Technologies to deal with a moisture problem in the basement of the new municipal building. Verbal approval was obtained from a majority of the Town Board to rent this equipment and the equipment was rented and the problem in the basement was taken care of. The Town Board needs to ratify this action by way of a motion and second.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl approving the rental of equipment during the period of 6/28/13 through 7/10/13 from Temporary Heating Technologies in the amount of \$2,300.00 to deal with a moisture problem in the basement of the new municipal building.

Roll call vote resulted as follows:

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

The next item was discussion on the stone for the new municipal building. There are some delivery slips that don't have signatures on them. The first one was for 92.55 tons at a cost of \$1,064.38 and the second was 55.25 tons at a cost of \$624.04.

Supervisor Jenkins stated that the Town Board should approve the amount of \$1,688.42 based on the fact that we are confident that the deliveries took place based on the delivery slips.

Supervisor Jenkins stated that the Town Board approved \$16,100.00 and it went over by 146 tons.

Joe Patricke explained that it went over, because it was an estimate in the beginning and once they started with the delivery they didn't want to stop it. There were workers there on site and equipment and it didn't make sense to stop the work while they waited for approval to get enough stone to finish the job.

Supervisor Jenkins stated that if they looked at the edges there is extra stone there and the sand that was moved had stone in it and they cut across the road twice or maybe three times and closed it back up and that required extra stone. The estimate was probably based on the driveway and the slope only.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair approving the gravel/stone deliveries to the site of the new municipal building by Galusha in the amount of \$1,688.42.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Absent

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Councilman Prendergast	Absent
Supervisor Jenkins	Yes

The next item on the agenda was an agricultural water rate for Water District 1. Supervisor Jenkins stated that Councilman Kusnierz and Mr. Jacobie requested this rate. The only agricultural rate we have is in Water District 4 and that rate is \$3.25 for the first 10,000 gallons of water and after that we use what we had before, which was the rate for commercial or manufacturing or whatever of \$2.18 per 1,000. He asked if they wanted to hold this, because they did change the rate in Water District 3 for industrial to \$2.75. He then said he would table this, because he doesn't know what Councilman Kusnierz wants to do.

The next item was the water rate of \$10.00 per mobile home per month that White Birch Estates plans to charge their tenants. The Town Clerk verified that they paid about \$50,000.00 last year and at the rate of \$10.00 per unit, per month, it is about half of that so by them using that rate they aren't charging more than what the Town is charging. Supervisor Jenkins said he would put this on hold until the Town Board Meeting next week.

The next item was a request from the Town Clerk for approval of a license fee of \$500.00 from Business Automations Systems for a five user license for the Town Clerk's Software Program.

The Town Clerk, Jeanne Fleury, explained that when her office is moved to the new building on Route 197 she wanted to start issuing marriage licenses in a more private section of her office or the building and she purchased a laptop computer to do this. In order to add the laptop computer as a 5th user on the BAS Software Program a license fee of \$500.00 is required. Jeanne Fleury explained that the program was installed on the laptop this date, but she misunderstood BAS and thought that the only charge was an additional \$120.00 a year in the support/maintenance fee from BAS. She found out that there was a one-time charge of \$500.00 for a five user license and since it was \$500.00 plus the \$120.00 maintenance fee she thought it was appropriate per the procurement policy to have the Town Board approve it. This could probably wait until next Tuesday's meeting, but since the software was already installed and a bill was going to be received she wanted the approval from the Town Board as close to the installation date as possible so she was asking for approval at this meeting. She noted in a memo to the Town Board that quotes could not have been obtained for this license from any other vendor. This is a proprietary license through BAS for their proprietary software.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the purchase of a five user license from Business Automation Systems in the amount of \$500.00 plus a yearly maintenance fee of \$120.00 out of the Town Clerk's Account A1410.

Roll call vote resulted as follows:

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

Vending machines for the Rec. Park and Beach were discussed next.

Supervisor Jenkins stated that he wanted approval to engage in a contract with Fitzgerald Bros. Beverage Company pending our attorney's review and approval. He said he hasn't seen a contract yet. He has only seen a comment from Attorney Buettner in which she asked if we wanted to use the old contract and Supervisor Jenkins told her no. He told her he wanted to see a current contract. He said that nobody services the machines anymore except Fitzgerald's.

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Councilwoman LeClair stated that she called more companies. She stated that she called Standard Coffee and they don't do soda machines. Brock Vending is not in business anymore, but he said he might have another company call us. Crystal Rock does not service our area with vending machines. She said she doesn't know who else to call. She said if we wait any longer then there won't be any reason to contract with a company. The hottest weeks of summer are now and our people can't get a cold drink.

Councilwoman LeClair made a motion authorizing the Supervisor to contract with Fitzgerald Bros. Beverage Company to furnish a vending machine for the Beach and two vending machines for the Rec. Park for this year pending review and approval by the Town's legal counsel and the Town Board can review what they want to do for the future.

Councilman Vittengl seconded the motion.

Joe Patricke asked if they have any vending machines at the court house.

Supervisor Jenkins said they have them in the highway department building. He wasn't sure about the court house.

Joe Patricke asked if there were going to be vending machines in the new municipal building.

Supervisor Jenkins said they may put them in the new municipal building, but the question is do we put them in the main entrance to Town Hall or down at the Court entrance. It was his opinion that the machines would be utilized by the staff only and they should be placed in the Town Hall end of the building.

Joe Patricke said it was his opinion that we should stay with what we have now in Town Hall and that is no vending machines and the Town Clerk agreed and stated that the staff bring in their own snacks and drinks now. She too didn't think the staff would use the machines and it was her concern that people will be going down to the machines while waiting for court and that they could spill the drinks on the floor on the way back to the court area and drop crumbs from the snacks they buy creating a mess.

Joe Patricke agreed and said he just wanted to know the plan so in two weeks it doesn't change and he isn't prepared for it. He agreed that we should stay with what we have now in Town Hall and that is no vending machines. It works very well. We have a refrigerator.

Supervisor Jenkins agreed and said the Town Hall wouldn't be part of the contract with Fitzgerald's.

Roll call vote resulted as follows:

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

The last item on the agenda was approval of the cleaning of the Nolan Road Water Tower if needed.

Jesse Fish, Water Superintendent, told Supervisor Jenkins today that the company the Town Board approved to come and inspect the Water Tower was going to inspect the Water Tower tomorrow and if they find that the Water Tower needs to be cleaned then the cost will be no more than \$700.00. Town Board approval is needed for the \$700.00 fee if we want it cleaned.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the cleaning of the Nolan Road Water Tower, if needed, at a cost not to exceed \$700.00.

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Roll call vote resulted as follows:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to hire William Coon as a Part-Time, Transfer Station Clerk, at the current rate of pay for the Transfer Station, with no benefits and subject to successful completion of a pre-employment physical and background check.

Roll call vote resulted as follows:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing Bruce Abare, if he is willing, to train Kevin Dickinson and William Coon on how to run the compactor and maintain it at the current rate of pay for the Transfer Station.

Roll call vote resulted as follows:

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

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to adjourn the meeting at 8:02 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury
Town Clerk

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