

A regular meeting of the Town Board of the Town of Moreau was held on June 25, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Deputy Supervisor LeClair 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
Todd Kusnierz	Councilman
Gina LeClair	Councilman/Deputy Supervisor

Town Board Members Absent

Preston L. Jenkins, Jr. Supervisor

Also Present: Jeanne Fleury, Town Clerk; Stefanie DiLallo Bitter, Attorney for the Town; Erin Trombley, Part-Time Recreation Director; Paul Joseph, Highway Superintendent; Keith Manning, Representing South Glens Falls Girl's Softball; Reed Antis, Town Resident and Planning Board Member; Gerald Fitzgerald, Village Resident; Terry Hall, Town Resident; Midge Duxbury, Town Resident

Deputy Supervisor LeClair led the Pledge of Allegiance.

MINUTES

The minutes of June 11, 2013 were prepared and presented to the Town Board in advance of the meeting for their review, comment, correction and approval.

MINUTES – JUNE 11, 2013 – REGULAR TOWN BOARD MEETING

No comments or corrections.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to approve the minutes of June 11, 2013 as prepared.

Roll call vote resulted as follows:

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

MEETINGS/WORKSHOPS SCHEDULED

Deputy Supervisor LeClair said that Supervisor Jenkins requested that a public meeting be scheduled to discuss Casino's. A special meeting of the Town Board was scheduled for July 9th at 6:30 p.m. for this purpose.

15 MINUTE PUBLIC COMMENT PERIOD

Gerald Fitzgerald read the following statement into the record:

"My name is Gerald Fitzgerald. I live on Fourth Street in the Village of SGF. Mr. Supervisor members of the board: The board recently purchased a property site, #353 Reynolds Rd. in the Town,

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for \$190,000. The money for the purchase comes from the General Fund Unreserved Fund Balance. The supervisor has stated a permissive referendum is not required for the purchase but he did not say the public could not be critical of the need or the purchase price. The Need: the stated use list of, maybes or might be or even demolition changes things from a We Need to We Want. The purchase price is a little different. Spending a little time on both of these factors raises questions about the need for spending \$190,000. An overhead view of the purchased area, showing the Fire Department to the West, the town owned Jehovah property to the East, the site of the New Town Complex to the North and Rte. 197 to the South clearly indicates #353 has lost its value as residential property. Town Board minutes of April 23, 2013 have statements on the values of the property that are incorrect. Assessed Value was stated as \$165,000. Property Data shows Ass. Val. \$163,000. The house square footage was stated to be around 2,600 square feet, Property Description shows House at 2,072 square feet. The statement was made it has a new roof. A roof is maintenance not an improvement. It was stated the property was purchased about six years ago for \$170,000. The property was purchased in 2008 for \$170,000, it was assessed at \$54,600 (FMV \$170,625) (ER 32%). In 2011 by either Revaluation or Grievance procedure the Assessed Valuation Final was \$163,000 (100% FMV) 2013 tentative AV is \$163,000 (100% FMV) This purchase by this board was not made with the best interest of all the taxpayers in mind. I believe The New York State Comptroller is critical of Moreau's General Fund Unreserved Fund Balance and has recommended the Town devise a plan to reduce the Unreserved Fund Balance but I can't imagine the Comptroller had a giveaway program in mind as being a part of the plan but I guess even that is possible. These happenings provide a picture of a small scale Albany or Washington. Thank you for your time. Gerald T. Fitzgerald”

Keith Manning, Representing South Glens Falls Girl's Softball was present to request that the Town Board grant a waiver of the certificate of insurance requirement for certain smaller vendors, such as, air brush artists and face painting, because the cost is too great for them to obtain insurance and these type vendors provide compensation and donations to organizations like South Glens Falls Girl's Softball and Tracy's Troops, which is a breast cancer awareness group. Vendors like these mentioned are beginning to cancel their participation in these organization's events due to the insurance requirement. He said this insurance issue has never been brought up in the past. He suggested that a waiver of liability be signed instead by the vendors. He said there have been other organizations that have used the fields in the Rec. Park that haven't had insurance and were able to sign a waiver releasing the Town and Organizations of liability.

Deputy Supervisor LeClair suggested that the board consult with the attorney for the Town and the Town's insurance carrier and she said there needs to be some consistency.

Keith Manning stated that it will play a major part in their Summer Sizzler this year, because it is a premier tournament and it will bring the level of enthusiasm and level of the program down by not having the vendors involved. The customization and personalization that they bring to the program is what makes their tournament better than everybody else's. He said that Tracy Capozucca (Tracy's Troops) is a member of our community and is a softball league and her husband has a travel team within the community. South Glens Falls Girl's Softball supports them financially with their Snack Shack and they devote a lot of time, effort and people to the event. It is going to fall apart, because she can't afford the insurance. He said he looked into bringing Tracy's Troops under their insurance for one day and it was going to cost about \$700.00. It is something they can't afford. Tracy is thinking about cancelling her event because of this. He said a viable solution would be a waiver releasing the Town of liability.

Attorney Bitter said she reviewed the minutes and would like to talk with Attorney O'Hara about this as to whether it would be a waiver or indemnification and who would sign it. He has more insurance background.

Discussion followed.

Councilman Vittengl suggested they check with the Town's insurance carrier.

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Councilman Prendergast said that if the Town's insurance carrier doesn't have a problem with a waiver then he wouldn't and Councilman Kusnierz agreed.

Deputy Supervisor LeClair said she would call the insurance carrier tomorrow and have Terry let everyone know the results by telephone.

Councilman Prendergast said they needed a policy, because this will only come up again.

Deputy Supervisor LeClair stated that at the next meeting when Supervisor Jenkins is present they could set a meeting to discuss a policy and maybe the Town's insurance agent could attend that meeting.

Discussion followed on field use.

Midge Duxbury of 24 Woodlawn Avenue asked if the lot was going to be cleared on Woodlawn where the Caputo house burned down. She said it is a mess. There is a pool still there that is full of water. There was an orange fence around it that has fallen down. She asked if there is a regulation in the Town that pools have to be fenced in.

Councilman Kusnierz replied yes and the regulations outline how the fence has to be constructed.

Paul Joseph stated that the new owner demolished the structure that burned and he was supposed to start rebuilding, but the owner went out of Town and he hasn't seen him since. Paul said he periodically checks the property to see what is going on. There is a capped basement on the property but there is an opening into the basement.

Councilman Prendergast said the pool needs to be fenced immediately.

Terry Hall from 326 Reynolds Road was present about a problem he is having with one of his neighbors who think that Route 197 is their personal drag strip and he has been dealing with it for a year now. They have little cars that are, as he described it, "hopped up on steroids". It is right next door to Sally Chardie who is very upset about it and ready to sell her house and move. He said they take off with the cars and smoke the tires and then go down the road and turn around and come back as fast as they can. The Saturday before Father's Day they had a beer party and they had a sign in the driveway that read "honk if you want to see us drink". They were smoking the tires and all kinds of stuff. He went down to the State Trooper's Barracks and found a Trooper leaving and he stopped and talked to him and the Trooper said "we'll catch them after dark". In the meantime, the party was going on and there were about 20 cars there. If you say anything to them it makes it worse. Mr. Bramer was trying to cross the road and one of the cars stopped in front of him and revved the engine and smoked the tires and all the while there were kids playing in the front yard. The Trooper said "those little cars don't go that fast". They do go that fast and when they go buy the house they "pound the house". He complained to the Sheriff's Department and nobody will do anything about it. In the wintertime they will rev the engine all hours of the night and run the car up and down the highway as fast as he wants to go and then put it back in the garage. The police keep telling him they have to catch them. That Saturday would have been a good time to catch them. They were all drinking in the front yard. It is getting dangerous.

Councilman Kusnierz said that if nothing is done in the immediate future the Town is moving into their new building just down the road and the Sheriff's Department will be there too.

Terry Hall said all of his neighbors are complaining and they were supposed to be here tonight, but it appears that they left it up to him.

Councilman Prendergast asked if he sees a Sheriff's or Trooper's car when he calls.

Terry Hall replied that a Trooper's car stopped twice. They went by real slow about 10:00 p.m. one night after the party was going on all day. Just as he went by one of the cars came out and smoked the tires.

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The Trooper came back and stopped out front of the house, because one of the kids was pushed out into the road. The Trooper never got out of the car and didn't do anything. The Bramer's have a video.

Deputy Supervisor LeClair said she would ask Supervisor Jenkins to call the police and try to get them some relief.

Terry Hall called the Sheriff's Department one Sunday morning and he was told by the Sheriff's Department to call 911 the next time and tell them what he was calling about and they would be right down. He said he doubted that was going to happen.

HIGHWAY DEPARTMENT REQUESTS

A request was received from Paul Joseph, Highway Superintendent, requesting approval to contract with Gorman Bros. to do 3,700 feet of cold in place surface recycling out of account DB5112.493.3 at a cost of \$59,120.00 and paver road surface treatment out of account DB5112.493.4 at a cost of \$65,835.00 on Merritt Road. These are both budgeted line items in the 2013 Highway Budget. Account number DB5112.493.3 has a balance of \$59,120.00 and account number DB5112.493.4 has a balance of \$371,420.00 as of 6/3/13. Gorman Bros. is listed as a supplier of these services on Saratoga County contracts 13-PWPR-28R and 13-PWPA-30R.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing a contract with Gorman Bros. under Saratoga County Contracts 13-PWPR-28R and 13-PWPA-30R for cold in place surface recycling and paver road surface treatment on 3,700 feet of Merritt Road at a cost not to exceed \$59,120.00 and \$65,835.00.

Roll call vote resulted as follows:

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

Paul Joseph, Highway Superintendent, obtained quotes for the replacement of the radiator in the 1998 International Van as followed:

North Country Radiator	\$676.00
Keystone	\$757.00
H.L. Gage	\$1,411.09

The cost of this repair would come out of account DB5130.492 that had a balance of \$23,285.63 as of 6/1/13.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast authorizing the replacement of the radiator in the 1998 International Van by North Country Radiator at a cost not to exceed \$676.00.

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

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Deputy Supervisor LeClair thanked Paul Joseph the Highway Superintendent, Maureen Leerkes the Highway Department Clerk, and Jesse Fish the Water Superintendent for taking care of a problem on Sisson Road. She had about a fifteen minute conversation with a gentleman on Sisson Road who had some issues with drainage. In their conversation the gentleman was very upset, but he ended the conversation by saying how Paul and Jesse took care of his problem and how great they were to work with and how nice Maureen was every time he called the highway department.

Councilman Kusnierz asked Paul Joseph how he was coming along with ordering the Right to Farm Signs.

Paul Joseph advised that he has obtained one price already and is waiting on two more quotes. The signs will be 30" x 24" and will read Welcome to the Town of Moreau – Right to Farm and will be green and white.

Councilman Kusnierz thanked Paul.

RECREATION DEPARTMENT REQUESTS

There were no purchase requests.

Paul Joseph stated that he delivered a load of sand to the beach yesterday and when he was driving out a family who had walked all the way from McDonalds was coming in and they were upset to find out that the beach wasn't opened. He told them it was under construction and he told them that they were shooting for an opening this weekend, but he wasn't sure.

Deputy Supervisor LeClair stated that they were hoping to open the beach on Friday. Tim, Jeremy and Kevin were at the beach today and she met them there. There is damage to the roof on the bathroom and it isn't safe until the outside edge of the roof overhang is fixed. They are going to get concrete posts to use as support when they jack the roof up. There is standing water on the overhang and there is a sag in the boards. Once it is jacked up they will investigate what needs to be done to fix it. We will need to talk to the Village because it is their building.

Paul Joseph stated that he didn't realize there were that many stones in the beach after he delivered the sand. He was calling around to see if he could find a drag to borrow for the day to get rid of a lot of the stones.

Deputy Supervisor LeClair stated they have had trouble hiring people. She and Bob interviewed every applicant. They interviewed two people and neither one had their certification. They were going to get their certification and come back and they haven't heard from them. Getting applicants has been a problem this year. She said that there was one person that was interviewed that they would be discussing in a few minutes and another one that they weren't recommending.

HIRING LIFEGUARDS AND SEASONAL STAFF

Deputy Supervisor LeClair stated that she and Bob interviewed Nicholas Trudeau as lifeguard. He needs to get his certification. They recommend him for hire, but he can't start until he gets Fran his CPR and certification papers. He is on hold for scheduling until then. We currently have four and one that can only work nights and weekends. Marikka is working on the schedules.

Fran Thibodeau, Principal Account Clerk, prepared a table of hiring recommendations for the board to approve. This information was given to the Town Board Members.

Councilman Kusnierz asked Deputy Supervisor LeClair if she interviewed all of them.

Deputy Supervisor LeClair replied no. Erin Trombley interviewed the ones for Rec. She said that Nicholas Trudeau was interviewed by her and Councilman Vittengl. Bruce Siergiey was interviewed by

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Tim Johnston. She said that Bob Bogdan is a volunteer that does the Baseball Camps and is a rehire. She said that Kevin Powers is a rehire from a prior year. Tony Ciuffatelli she believes has been a volunteer in prior years and Councilman Vittengl added that he is involved in the school program. Jason Vittengl is a prior volunteer. Mark Biddiscombe is a prior volunteer. Gary Plimpton is already an employee. She stated that Mary Antis, Ramona Bearor, Natalie Walsh, Laura Donovan are the people hired through the school grant to do the geo caching, day hikes, the gardening program and the cooking program. The school has approved them. The remaining names are Erin's.

Erin Trombley advised that the Arts & Crafts person pulled out, because she hadn't been hired yet and needed a job so she got another job. She stated that since the program is only 1 hour long could they hire a minor with babysitting certification who is able to do crafts with the younger kids along with a second person. She stated there is an adult who was hired in the past that she interviewed and she was going to have her be the assistant. She said that multiple people have an opinion about this person, but given the circumstances if it means we have nobody and then no program, which also means there wouldn't be anybody to supervise the sprinkler time or candy bar bingo or a bunch of things that person was going to do or have her as the adult supervisor person and a minor as an assistant so you could also break the kids into two age levels and she could meet with them and help develop a program together then she thinks it would be okay.

Deputy Supervisor LeClair said that two years ago there were two young college students and last year we had this person that Erin is talking about and we didn't have a lot of success with her within the program with the numbers. Do we want to see if we can do better this year?

Erin stated that the program starts later in the day and it is a shorter period of time and the other things are basically supervisory. The kids are going to bring a bag lunch and run through the sprinkler and we will have somebody there to make sure it runs okay and to make sure the kids aren't running amok.

Councilman Prendergast asked if there would be adult supervision and Erin replied yes. He asked how old the minor is and Erin replied that the one she has in mind is 15 years old. She has Red Cross babysitting. Councilman Prendergast asked if they had problems with this adult before and Deputy Supervisor LeClair and Councilman Vittengl said they just didn't have a lot of success with the program she ran. Two years ago when we hired the young college students they didn't get the support that they needed and by the time the program got started it was three weeks into the program. People who weren't happy with the program won't come back.

Councilman Prendergast said it sounds like we don't have anybody.

Erin Trombley said we don't have two "great adults" that is for sure, but if they pull the plug on any staff in that role then they are pulling the plug on a lot of other things too.

Councilman Prendergast said this is for Arts & Crafts right?

Erin Trombley replied Arts & Crafts, Kit Making, Candy Bar Bingo and Lunch and Sprinkler Time for the children.

Councilman Prendergast asked if these are all programs we have had in the past.

Erin replied Arts & Crafts is, but the rest are new.

Councilman Prendergast said maybe we just can't have these programs.

Councilman Vittengl asked what the time frame is for these programs.

Erin replied July 9th through August 16th and about 16 hours a week.

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Discussion followed.

Councilman Prendergast asked if they could hire a minor.

Erin Trombley replied that she has her working papers.

Councilman Vittengl stated that the minor is Erin's daughter.

Councilman Prendergast stated that with adult supervision he doesn't have a problem with it.

Deputy Supervisor LeClair said she would be in support of trying it. The big shortcoming before was lack of organization.

Erin Trombley stated that Fran asked if they had to do a background check on a minor who Erin said obviously doesn't have a background to check and who has no license and who is not going to be on the sex offender registry. What does Fran have to do in this regards?

Councilman Prendergast said "well she's not on the registry".

Joan Routh and America Vasquez are the two people that the Town Board would be hiring for Arts & Crafts.

Deputy Supervisor LeClair asked Erin to report back to the board in a couple of weeks and let them know how the program is going.

Deputy Supervisor LeClair asked the Board Members if they wanted her to read the list of individuals being considered for hire.

Erin Trombley asked the Board Members if they wanted her to go through the ones that she interviewed and Deputy Supervisor LeClair stated that she hoped she had interviewed all of them. Erin started to read off the names of the individuals that she interviewed when Deputy Supervisor LeClair answered a question from Councilman Kusnierz by saying that some of them are just program leaders, some will be actual employees, some will come for one session like Yoga and some will be here throughout the summer like the Arts & Crafts person.

Erin Trombley stated that only the Arts & Crafts Specialist and the Assistant will be hired by the Town. The others will be like vendors. They will come in and do their thing and their pay will be based on registration. We will do background checks on them to make sure it is safe for them to be around our children and then they get paid based on their enrollment. She stated that she interviewed Brooke Dittmar who will be doing the jewelry-making. Micah Scoville came highly recommended by the Moreau Community Center, but Erin hasn't interviewed him. He will be giving guitar lessons. Carrie Java came highly recommended through a friend of Erin's. She will be running the hula hoop program. Sam Ling who will be giving Tai Chi instruction came highly recommended by the Moreau Community Center and he will hold his classes at the Moreau Community Center. Tobey Gifford is a licensed yoga instructor and her business is in the old shirt factory in Glens Falls and her program was already held and was very successful. Steve Kulls is a Discovery Channel guy who was referred to her through a friend of a friend. His search for Sasquatch will be a one-time thing and he won't be alone with any one person. It will be a group of people hiking through the woods looking for Sasquatch. June Waters Leary is a volunteer and is a curator of education at the Hyde Collection and will facilitate a one-time En Plein Aire painting event at the Betar By-Way. Nathan Corhouse is who Bob Bogdan wants as his assistant for the baseball mini-camp. Councilman Kusnierz said he could vouch for Bob Bogdan.

Councilman Prendergast asked about the To Be Determined Fee.

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Erin Trombley stated that Steve Kulls may do it as a “lark” and June Waters Leary is not charging. Toby Gifford charged \$50.00, but Erin said she knew that upfront.

Councilman Prendergast stated that if the Town is going to hire someone on a fee basis then the Town needs to know what the fee will be.

It was then noted that they wouldn't be approving Steve Kulls program at this meeting until the details could be worked out.

Deputy Supervisor LeClair stated that as the Town Board will see from the spreadsheet that Fran prepared that she is working on the background checks and some have been completed and some are pending.

Deputy Supervisor LeClair made the motion to hire the following people contingent upon successful completion of the background checks and pre-employment physicals where required, with the exception of Steve Kulls who is not being hired tonight.

The motion was seconded by Councilman Prendergast

Joan Routh	Arts & Crafts Rec. Specialist \$10.20 Per Hour	Employee No-Physical
America Vasquez	Arts & Crafts Rec. Assistant \$8.42 Per Hour	Employee No-Physical
Brooke Dittmar	Jewelry Making \$5.00 per session, per person, 6 weeks, minimum 2 people required to run class	Program Provider
Brooke Dittmar	Batik \$10.00 per session, per person, 6 weeks, minimum of 6 people required to run class	Program Provider
Micah Scoville	Guitar \$10.00 per session, per person, 6 weeks, minimum of 1 person required to run class	Program Provider
Carrie Java	Hula Hoop 80% of all registrant fees paid for class, 5 weeks, minimum of 2 people required to run class	Program Provider
Sam Ling	Tai Chi \$10.00 per session, per person, 5 weeks, minimum of 6 people required to run class	Program Provider
Tobey Gifford	Yoga \$50.00 one time event	Program Provider
Nicholas Trudeau	Lifeguard \$8.67 per hour (hiring pending receipt of CPR re-certification & waterfront lifeguard certification	Employee Pre-Employment Physical Required
Bruce W. Siergiey	Laborer, FT/Seasonal \$8.67 per hour	Employee Pre-Employment Physical Required
June Waters Leary	En Plein Aire Painting – Free – One Time Event	Program Volunteer
Bog Bogdan	Baseball Mini Camp – Volunteer	Program Volunteer
Nathan Corhouse	Baseball Mini Camp Rec. Assistant - \$8.42 per hour, 4 hours per week for 4 weeks	Employee No Pre-Employment Physical Required
Ken Powers	Flag Football – Volunteer	Program Volunteer
Tony Ciuffatelli	Flag Football – Volunteer	Program Volunteer
Jason Vittengl	Flag Football – Volunteer	Program Volunteer
Mary Antis	Geo Caching – School grant will pay	Instructor
Ramona Bearor	Gardening Coach – School grant will pay	Instructor
Natalie Walsh	Gardening Coach – School grant will pay	Instructor
Laura Donovan	Family Cooking – School grant will pay	Grant Program Provider
Laura Donovan	Family Hiking – School grant will pay	Grant Program Provider

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Roll call vote resulted as follows:

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

ACCEPT RESIGNATION FROM SCOTT WINANS FROM POSITION OF TRANSFER STATION LABORER/CLERK

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to accept the resignation from Scott Winans from the position of Transfer Station Laborer/Clerk effective June 15, 2013.

Roll call vote resulted as follows:

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

CHANGE IN PROPOSALS FROM HVC FOR NEW MUNICIPAL CENTER

Change in Proposals No. 19 and 20 were received from HVC for the new municipal center.

Change in Proposal No. 19 was in the amount of \$145.95 and was for the changing of offices and storage rooms in the court area of the new building, which increased the amount of VCT needed to complete the rooms.

Change in Proposal No. 20 was in the amount of \$8,295.00 and was to furnish and install 22 gauge 304 stainless steel wall cladding in the two holding rooms and a bathroom and to install three security window guards in the same rooms. If HVC is required to be on site for installation \$1,104.00 has to be added.

Deputy Supervisor LeClair said that the work under the Change in Proposal No. 20 was something the Judges requested.

The question arose as to why there is a charge for HVC to be on-site for Change in Proposal No. 20.

Deputy Supervisor LeClair said she would have Terry check the contract to see if HVC has to be on-site and then she will have Terry poll the board by telephone.

Change in Proposal No. 19 was also put on hold until the Board Members knew what VCT meant.

ADOPT BACKGROUND CHECKS POLICY AND PROCEDURES

Deputy Supervisor LeClair asked the Board Members if they all received the e-mail from Fran Thibodeau. She said that Fran has spent an immense amount of time on this. She and Fran went over this information and addressed some of the questions that they all had. Her e-mail included the Clifton Park Background Check Form that they made some changes to. It includes the applicant's date of birth and it has the applicant sign authorizing us to do background checks. It gives Fran the information that she needs to run background checks. It is the recommendation that this form be filled out by every applicant who fills out a job application. We use the county's job application and it doesn't contain the information needed to do a background check. They have been using this form lately when they interview people and

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they have been asking them to fill out this form. Does the Town Board want them to continue having applicants fill out this form when they apply or are being interviewed?

Councilman Kusnierz said that there won't be any changes to the county application, but this form would be added.

Deputy Supervisor LeClair stated this was correct.

Deputy Supervisor LeClair asked if there were any other suggestions. There was no response. She asked if all the Board Members were okay with the form and the response was yes. She asked for a motion to approve the use of that form.

Councilman Vittengl made the motion to approve the Background Check Form.

The Town Clerk asked if they were approving just the form or the whole policy.

Deputy Supervisor LeClair suggested they adopt the form first and then discuss the policy and decide if they want to do a criminal background check, which is a \$65.00 review fee or just check the sex offender registry.

Attorney Bitter said the policy incorporates the form and Deputy Supervisor LeClair said this was correct, but she said they have to decide if they are going to do the sex offender search and the criminal background search or are they going to do the sex offender search and then ask permission to do the criminal background search and then perhaps not do the criminal background search.

Attorney Bitter suggested that the Town Board casually discuss the form and then the policy and then collectively they can be adopted.

Deputy Supervisor LeClair stated that Fran Thibodeau is doing the sex offender search through the Family Watchdog Site and she received a response from the NYS Division of Criminal Justice the other day within two hours. That gives us Level 1, 2 and 3 sex offenders and the Family Watchdog Site only gives us Level 1. She asked the Board Members if they want to do this for anyone interviewing with the Town and if so at what point does the Town Board want these checks done.

Councilman Prendergast stated that if a person shows up in these checks then we don't want to interview them.

Deputy Supervisor LeClair said they would do them prior to the interview then.

Deputy Supervisor LeClair stated that Clifton Park said that sometimes it takes up to 10 days to get a response from the Division of Criminal Justice. It only took two hours the other day, but that is probably because all the other Towns have their seasonal staff already on board. She asked if they wanted to interview with the information from Family Watchdog that would give them Level 2 and 3 offenders and then wait to recommend hiring someone until we hear about Level 1.

Councilman Prendergast asked if wouldn't they want to know if a person is on the list as Level 1, 2 or 3 before they interviewed.

Deputy Supervisor LeClair said she would think so.

Councilman Vittengl stated they would know if the person was on the list as Level 2 or 3 and then after the interview they would find out if they are Level 1 or not, which is the least offense, but that can take the longest to get a response on.

Deputy Supervisor LeClair said if they started earlier and interviewed earlier then they should have time.

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Deputy Supervisor LeClair asked if they wanted to do Level 1, 2 and 3 background checks completely before they interviewed.

Councilman Prendergast said he understood what Councilman Vittengl was saying, but if they start early enough then they should be able to get the information in time.

Councilman Kusnierz stated the bottom line is that they just don't hire until a person is cleared.

Deputy Supervisor LeClair said if they get down to where they are now where we have four lifeguards, but still need to hire more does the Board want to interview and get the process going and wait to see what comes in.

Councilman Prendergast stated that as Councilman Kusnierz said the bottom line is we aren't going to hire until all the information is in so we could do that.

Deputy Supervisor LeClair stated that Level 2 and 3 come in pretty much instantly and Fran can do those on-line. The Board could set up interviews and then interview and all the while Fran will have already started the process of checking the list of Level 1 sex offenders.

Councilman Vittengl said that when the Board gets to the point of hiring then they could go through the full background checks.

Deputy Supervisor LeClair said they would have to decide if they wanted to do the full background checks. When she headed to Clifton Park for their meeting she was determined that yes she wanted to do the full background checks, but when she got to Clifton Park she found out they weren't doing them and was told that the State Comptroller was very happy with what they were doing with the sex offender background checks. They told her that if we decided to do full background checks then the Board should decide what they are going to do with the information once they receive it. They felt a policy would have to be put in place. For instance, if a person has a speeding ticket how would that affect their hiring?

Councilman Prendergast said they would have to determine what knocks somebody out of the box or keeps them in the running. He recalled correspondence from Attorney Buettner saying you can't disqualify someone.

Attorney Bitter said there is a balance test.

Councilman Prendergast said that at that point he asked himself if it was worth doing the full background check at a cost of \$65.00.

Deputy Supervisor LeClair said it didn't make any sense to do it if they couldn't use it as a reason not to hire someone. She said that if they have permission to do a background check and then start to have problems with an employee then they could choose to do a background check at that point. She said she couldn't think of a scenario when that might happen though.

Councilman Prendergast said again, does it make sense to do a full background check.

Councilman Kusnierz said probably not.

Deputy Supervisor LeClair said that after talking to Clifton Park she didn't think so and if we can't legally use the information.

Deputy Supervisor LeClair said another question that Fran Thibodeau had was does the Board want to get involved with hiring volunteers and summer session people to do the programs if they are not considered employees. They are considered sub-contractors and get a 1099 miscellaneous when they make over \$600.00. It is Fran's understanding that they will get paid by voucher. Each individual that registers for

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a program will submit their registration fee to the Town Clerk's Office and then they will receive a payment by completing a Town voucher and the voucher will go through the audit process at the end of the month.

Deputy Supervisor LeClair asked the Board Members how they wanted to handle the volunteers that are running the summer programs. We would do background checks on them. Would we interview them? She then said that she would think they would and Erin would interview the people who will run her programs and Tim Johnston could interview people that would be working in his department as he has done.

Erin Trombley stated that soccer is a Town program, but it is run by South Glens Falls Soccer Club and they do the background checks and training and all that "stuff" and she doesn't have any contact with all of those people. She said it is the same thing with Flag Football. Ken Powers is the Commissioner and he has contacts and Tony Ciuffatelli have contacts with the coaches and "stuff" where she just does the administrative part of the program and it would be hard to interview every coach that is going to coach for football.

Councilman Prendergast asked if Clifton Park said how they handle this.

Councilwoman LeClair said in Clifton Park if someone is running a program they require the person responsible for the program to provide the Town with a letter on the organizations letterhead indicating that they have done background checks on all of the coaches.

Erin Trombley said that would work for soccer and softball and all the school "stuff", but football is a Town program and there is no organization.

Deputy Supervisor LeClair and Councilman Prendergast said "we would have to do it".

Erin Trombley asked if she needed to interview every coach or do they want to let the Commissioner vouch for them.

Deputy Supervisor LeClair said we aren't picking the coaches "they are", but we still need the background checks.

Erin Trombley replied yes, that is easy. She said that two of the people on the list that they just talked about are people who Ken Powers forwarded the background check form to and they have already filled it out and returned it. Those two people are Jason Vittengl and Mark Biddiscombe. She didn't even know they were going to be involved, but Ken Powers is already doing that part. She wanted to know if she needed to interview the volunteer coaches.

Deputy Supervisor LeClair said we haven't ever interviewed volunteer coaches before. We didn't interview the coaches involved with soccer. Councilman Kusnierz concurred.

Discussion followed on paperwork for the background checks and how it is collected and transmitted to Fran.

Councilman Kusnierz said isn't it typically the case that volunteers have their own kids involved in the programs. He said his brother-in-law is a soccer coach and his kids play soccer and most of the coaches have their own kids on the team. He asked if we should take into consideration, as part of the policy, parents who are volunteers and who have their own children on the team.

Deputy Supervisor LeClair replied no not in her experience with child molesters. She knows nine people that have been molested as children and some by immediate family members. It more common by someone that you know than by strangers. She knows of one case of a father with daughters who molested boys in the Boy Scouts. You can say he is a father and it is okay, but it is not.

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Councilman Prendergast asked if this is a program that we want to run. We have let organizations run our other programs.

Discussion followed.

Deputy Supervisor LeClair asked if the Board could decide tonight whether they want to do the background checks prior to interviews and to have at a minimum of Level 2 and 3 confirmation before they interview and Level 1 confirmation before they approve for hire. She said they could approve the additional form and it would be titled "Town of Moreau Criminal Background Check Form". It will be part of every application process and at the next meeting they can decide what to do with volunteers. We aren't going to do the criminal background search for \$65.00, because we can't legally deny employment based on the information received.

Attorney Bitter said again "do the balancing test".

There was no comment from the Board Members so after a few minutes of silence Deputy Supervisor LeClair said she would make that motion.

Councilman Prendergast seconded the motion.

Deputy Supervisor LeClair asked for a roll call.

The Town Clerk asked what the motion was for.

Discussion followed.

Councilman Prendergast said the Policy and Procedures before them included criminal background checks and Attorney Bitter said it would have to be revised.

The motion was to adopt the Town of Moreau Background Check Policy and Procedures with all references to criminal background checks being removed from the document.

Roll call vote resulted as follows:

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

BINGO LICENSE RENEWAL – MOREAU COMMUNITY CENTER

The Moreau Community Center submitted an application for renewal of their bingo license. The Town Board was given this application at least seven days prior to this meeting for their review and investigation. At this meeting the Town Board went down through the questions on the Findings and Determinations statement and answered questions #1 through #9 to the affirmative and answered no to question #10.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the Supervisor to sign the Findings and Determination Statement.

Roll call vote resulted as follows:

Councilman Kusnierz	Abstain
Councilman Vittengl	Yes

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Councilman Prendergast	Yes
Deputy Supervisor LeClair	Yes
Supervisor Jenkins	Absent

RESOLUTION TO INCREASE REVENUES AND APPROPRIATIONS IN THE HIGHWAY FUND

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing an increase in revenues in the amount of \$3,268.92 in the Highway Fund, Insurance Recoveries Account DB2680 and increase expenditures in the amount of \$3,268.92 in the Highway Fund, General Repairs, Guardrails & Road Safety Account DB5110.494. [Note: An insurance claim check was received from Geico General Insurance Company to assist in the repair of a set of guardrails damaged by a motor vehicle.]

Roll call vote resulted as follows:

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

QUOTES FOR SHREDDING

There are 33 large boxes and 65 small boxes of documents that need to be shredded in the court and 6 large boxes in the Assessor's Office and 14 large boxes in the Supervisor's Office.

The following quotes were received for shredding services:

Adirondack Paper Shredders – \$50.00/Container (Each container equals about 6-7 banker boxes. This company has been used before and they shred on-site.)
Stone Secure Shredding - \$50.00/Container (They were going to charge a set-up fee of \$85.00, but waived the fee when they found out other vendors were not charging a set-up fee.)
Shredit - \$8.00/Banker Box - \$6.00/Cubic Foot (Smaller Box) – This company is located out of the area and they add a 12% fuel charge to their fees.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to accept the quote from Adirondack Paper Shredders.

Roll call vote resulted as follows:

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

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QUOTES FOR MOVING TO NEW MUNICIPAL CENTER

The following quotes were received from moving companies to move the Town Offices to the New Municipal Center:

American Movers	\$9,240.00
The Ideal Move	\$7,995.00
Mullen Moving & Storage	\$14,398.00

Brief discussion followed.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to accept the quote from The Ideal Move at a cost not to exceed \$7,995.00

Roll call vote resulted was follows:

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

Deputy Supervisor LeClair said this would be paid out of account A1620.4 that had a balance of \$23,705.00.

15 MINUTE PUBLIC COMMENT PERIOD

Reed Antis asked when the move was scheduled for.

Deputy Supervisor LeClair said that Supervisor Jenkins has said the end of July, but we don't have a definite date yet.

Reed Antis asked if the Board has started discussing what they are going to do with the existing building and the reply was no. Reed asked if shouldn't they be and Councilman Prendergast replied that at some point they will.

Reed Antis asked when the Beach was going to be opened.

Deputy Supervisor LeClair replied that she was hoping for Friday, but it won't be opened until they can fix the roof overhang over the door to the bathroom. They don't feel that it is safe.

Reed Antis asked when the problem with the roof was noticed and Deputy Supervisor LeClair replied today or yesterday. She said they feel that they can fix it Thursday.

COMMITTEE REPORTS

Deputy Supervisor LeClair reported on the Transfer Station roof and said Joe Patricke has been busy. She gave him the quotes for repair of the roof. Hopefully by the next meeting he will be able to give us an overview on what he feels is the best approach.

Deputy Supervisor LeClair said she has some concerns over the landscape plans for the New Municipal Center site. She spoke with Jim Mitchell about her concerns and she is going down to meet with the landscaper in Albany. She gave the Board Members copies of the landscape plans. One of her concerns is over the proposal to plant 75 6'-8' black spruce trees along the Town's property border next to White

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Birch Estates. She said it seems like overkill. Councilman Vittengl asked that they consider a seed mixture that he found and she asked him to comment.

Councilman Vittengl said it is a low maintenance grass that only has to be mowed twice a year and then prairie flowers/wild flower mixture. The idea would be to put real nice turf around the building and then put the low maintenance grass in the area around that and then the perimeter just before the white pines is where the wildflower mixture would be planted.

Paul Joseph asked if didn't the Board just hire someone to spread topsoil and hydro seed.

Deputy Supervisor LeClair replied not that she knew of.

Paul Joseph stated that he thought the company the Board hired to spread the topsoil was going to hydro seed this fall.

Councilman Prendergast said he recalled this.

Deputy Supervisor LeClair said if they haven't done it already then this is something they can still do.

Paul Joseph stated that they signed a contract and it could change their quote.

Councilman Vittengl said it is just the type of seed you put in and it is still hydro seed. They can't hydro seed until fall.

Deputy Supervisor LeClair said she had asked to be involved in this and she realized last week that she hadn't heard anything and she asked about it and was given the plans and she thought she was given the plans because they were working on it, but then she found out that they had gone out to landscapers for quotes. This is why it is here tonight. She asked for the Board Members feedback on the plans.

Deputy Supervisor LeClair also noted that the entrance to the court portion of the building is where the flag is going to be located per the plans and she would like the flag to be by the main entrance to the building. Our citizens are going to be coming in through the main entrance most of the time to conduct business in the main portion of the building. The Board Members agreed.

Deputy Supervisor LeClair also noted that the Board was going to be asked to approve sod for in back of the building and around the front of the building where she labeled the map 2 and 3. They had discussed having an area in recognition of our veterans and if they do that they won't need as much sod and we are paying a set amount for this landscaping design to be done. Why go back later and come up with a different idea if we choose to do that. If it is incorporated now and it is something that we feel we don't want to spend the money on right now then we will at least have the plans for it. If we wait to do it later then we will have to pay someone to design it. When she meets with the landscaper she would like to ask him to come up with a small seating area and some simple plantings. She said the two square boxes on the plans may be where the electrical boxes are and she and Councilman Vittengl thought the view of these boxes could be softened by planting some grasses or bushes or something the landscape designer may suggest. Also, anything against the building should be seasonal and not bushes, because the snow is going to come off the roof. She asked if the Board Members had any comments.

Councilman Kusnierz said they were valid concerns. He said the flag should be by the main entrance.

Councilman Prendergast agreed that all of the proposed trees are not needed.

Deputy Supervisor LeClair explained how the bank is steep and if there is a concern over people living in White Birch Estates having to look at the Municipal Building then there shouldn't be, because there is one ranch style home that is visible and two or three other homes where only their rooftops show. She said that 75 trees is overkill. If we want to offer those people some privacy then maybe we could plant crab

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apple trees down low on the bank. They stay very round and full and when you consider the angle of the bank and with the foliage on the trees it will give the coverage needed. She said they could put spruce along that area, but not to the extent of 75 trees.

Councilman Prendergast said especially when considering the cost of that many trees and Deputy Supervisor LeClair said it is a lot of cost.

Deputy Supervisor LeClair said she was going to have to reschedule her meeting with the landscaper so she asked the Board Members to get her their comments or suggestions and she would come back to them with a new landscape plan.

Deputy Supervisor LeClair asked if the Board Members were okay with switching the seed. She was okay with it.

Councilman Prendergast said he would like to see a picture and Councilman Vittengl said he could get pictures and prices and he was sure it was going to be more money.

Deputy Supervisor LeClair said it doesn't have to be the whole field of wild flowers. As long as the people can see the wildflowers then there is a perception that it is the whole field even when it is not. She said most of the time when you see the bermes of wildflowers they are usually 25 feet or 50 feet wide and then it is just meadow beyond them and it is not the entire surface of the area. The grass that they intend on growing and mowing twice a year would still be viable and we would be looking at adding a strip of land with the wildflowers on it.

Deputy Supervisor LeClair thanked Fran Thibodeau for all the work she has done on this hiring process. It has been quite a procedure and she has spent a couple of days on it.

Deputy Supervisor LeClair advised that the gardeners have asked to be able to purchase a couple of the concrete blocks like the ones that we use to block people from the parking lot. They cost about \$60.00 each. We need five to keep compost, chips and weeds in. She will get quotes, but she wanted to know if the Board would support the purchase first.

Councilman Kusnierz asked Paul Joseph if he had any extras and Paul Joseph replied no, that any extras he did have are pretty deteriorated.

No objections were voiced by the Board Members over this purchase.

Deputy Supervisor LeClair said she didn't have anything in Supervisor's Items and she didn't have anything for Executive Session.

Jeanne Fleury, Town Clerk, spoke up and said she thought the Town Board was going to bring up for discussion the Notice to Bidders that Jim Mitchell gave her today and that Jim Mitchell thought was going to be discussed. She said she didn't know why he thought that or who he thought was going to bring it up, but it was a Notice to Bidders that Jim Mitchell wanted to go in the newspaper on Friday for a bid opening on July 8th. It is for the asphalt paving at the site of the New Municipal Center and the work consists of fine grading and paving of the access road and the parking lots. Jim Mitchell was going to prepare the bid documents and have them available at the Town Hall on Friday. He wanted approval to do this and for some reason he thought it was going to be brought up tonight.

Paul Joseph said there are two quotes under county contract that are downstairs in Town Hall.

Councilman Kusnierz asked if there are specifications.

The Town Clerk replied that Jim Mitchell would have them ready by Friday.

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Councilman Kusnierz asked if there would be time for the Town's legal counsel to review them and then asked if doesn't the Town's legal counsel usually review them and the Town Clerk replied that she didn't think so, not lately anyways. At least that she is aware of.

Deputy Supervisor LeClair asked Paul Joseph if wasn't there a difference of about \$10,000 or \$12,000 between what one contractor can do it for under county contract and what the highway department could do it for.

Paul Joseph said he knows there are two quotes that came into Town Hall yesterday or today that are under county contract to supply the material and do the work and they are downstairs in Town Hall.

Councilman Kusnierz asked Paul Joseph if he would be doing the work and he said no.

The Town Clerk said that the Notice to Bidders reads that the Town is going to supply the material.

Paul Joseph said that he knows that he isn't able to furnish the materials and haul it for what one of the quotes is for.

Councilman Kusnierz said he is confused and asked if the Town is going to supply the material.

The Town Clerk read the Notice to Bidders again where it read that the Town will supply the material.

Councilman Kusnierz said he was really confused and Paul Joseph said he hadn't heard anything about that and it was news to him.

Councilman Kusnierz said there needs to be discussion on this. What are we buying? The company hired would only be moving the material around?

Councilman Vittengl said they would be laying the blacktop and Paul Joseph said they would be laying the blacktop and rolling it, but the way the ad reads the Town would be buying the material. He said that the quote he saw was for the material and hauling and it would be done cheaper than what he could do it for.

Deputy Supervisor LeClair said it sounds like we need clarification.

A motion was made by Deputy Supervisor LeClair and seconded by Councilman Vittengl to adjourn the meeting at 8:55 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury
Town Clerk