

A regular meeting of the Town Board of the Town of Moreau was held on March 27, 2012 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 Jenkins	Supervisor

**Town Board Members Absent**

None

**Also Present:** Jeanne Fleury, Town Clerk; Peggy Jenkins, Assessor; Steve Gram, Recreation Director; Paul Joseph, Highway Superintendent; Jesse Fish, Water Superintendent; Karla Buettner, Attorney for the Town; David Taube, Post Star Reporter; Reed Antis, Town Resident & Alternate Member of the Town Planning Board; Town Residents: Bruce Flayer, Virginia Livsey, Adele Kurtz, Tim Streeter (South Glens Falls Soccer) Paul Rittereiser & John Otoupal (South Glens Falls Baseball); Joe Patricke, Building Inspector/Code Enforcement Officer and Garry Robinson, Engineer for the Town entered meeting at 7:35 p.m.; David Rogge, owner of Lamplighter Acres; Ethan Schmidt from the Town of Athol and Xavier Bell from the Town of Warrensburg; Village Resident: Danny Shannon; and guests

Supervisor Jenkins led the Pledge of Allegiance.

Supervisor Jenkins welcomed everyone to the meeting and asked that everyone turn off or put on vibrate all electronic communication devices.

**MINUTES**

The following minutes were prepared and distributed to the Town Board in advance of the meeting for their review, comment, correction and approval:

February 22<sup>nd</sup> (2 Sets), February 28<sup>th</sup> (2 Sets), March 6<sup>th</sup> and March 13<sup>th</sup>

**MINUTES – FEBRUARY 22, 2012 – TOWN BOARD WORKSHOP – SHELTER PLANNING**

No comments or corrections.

**MINUTES – FEBRUARY 22, 2012 – TOWN BOARD WORKSHOP - PLANNED UNIT DEVELOPMENT ROUTE 9**

No comments or corrections.

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz to approve both sets of minutes dated February 22<sup>nd</sup> as prepared.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Vittengl	Abstain
Councilman Prendergast	Yes

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Councilwoman LeClair	Abstain
Supervisor Jenkins	Yes

**MINUTES – FEBRUARY 28, 2012 – TOWN BOARD MONTH-END AUDIT MEETING**

No comments or corrections.

**MINUTES – FEBRUARY 28, 2012 - REGULAR TOWN BOARD MEETING**

No comments or corrections.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast to approve both sets of minutes dated February 28<sup>th</sup> as prepared.

Roll call vote resulted as follows:

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

**MINUTES – MARCH 6, 2012 – SPECIAL TOWN BOARD MEETING**

No comments or corrections.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to approve the minutes of March 6<sup>th</sup> as prepared.

Roll call vote resulted as follows:

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

**MINUTES – MARCH 13, 2012 – REGULAR TOWN BOARD MEETING**

No comments or corrections.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to approve the minutes of March 13<sup>th</sup> as prepared.

Roll call vote resulted as follows:

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

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**SET FUTURE MEETINGS/WORKSHOPS**

A Town Board Workshop was scheduled for April 4<sup>th</sup> at 7:00 p.m. in Town Hall to review drawings for the proposed new municipal center.

Supervisor Jenkins tried to schedule a public hearing to repeal the Recreation Commission, but Attorney Buettner advised him that the board needs to meet first to discuss what they want to do and if they decide to move ahead with repealing the law that established the Recreation Commission then at that point a local law could be drafted to repeal it and a public hearing scheduled.

**15 MINUTE PUBLIC COMMENT PERIOD**

John Otoupal, President of South Glens Falls Youth Baseball, asked the Town Board to take a vote on whether or not they wanted to move ahead with the renovations to the concession stand.

Supervisor Jenkins advised Mr. Otoupal that this was item 14 on the agenda. He also noted that the electrical has been done in the concession stand.

Reed Antis asked for clarification on the process the board has to follow regarding the Recreation Commission code. This process was explained to Mr. Antis.

**HIGHWAY DEPARTMENT REQUESTS**

Paul Joseph, Highway Superintendent, submitted a memo to the Town Board regarding a Defensive Driving Class that is coming up, that he wants his employees to attend.

At the February 14<sup>th</sup> Town Board Meeting he was asked to look into a class that is held at the Moreau Community Center for a lesser fee. This was done and the class is offered between the hours of 8:30 a.m. and 4:00 p.m. If his employees attend this class then it will result in overtime pay for them. The class offered by AAA Northway is being held on April 11<sup>th</sup> between the hours of 7:30 a.m. and 2:30 p.m. and the cost is \$30.00 per person.

Paul Joseph stated that he also contacted Driver Training Consultants and Digital Defensive Driving and their fee is also \$30.00 per person.

This class is open to any town employee and family member.

There is money allocated for this in account DB5140.480 that had a balance of \$2,811.00 as of 3/1/12.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the highway department employees to attend a Defensive Driving Class on April 11<sup>th</sup> between the hours of 7:30 a.m. and 2:30 p.m. at a cost of \$30.00 per person.

Roll call vote resulted as follows:

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

Paul Joseph submitted a request to purchase four (4) main brooms and four (4) gutter brooms for the Johnston Sweeper. He obtained the following quotes:

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United Rotary Brush Corp.	\$1,166.15
Adirondack Highway Materials	\$1,571.76
ODB	\$1,652.00

This purchase would be made out of account DB5130.492 that had a balance of \$34,896.25 as of 3/1/12.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the purchase of four (4) main brooms and four (4) gutter brooms for the Johnston Sweeper at a cost not to exceed \$1,166.15 from United Rotary Brush Corp.

Roll call vote resulted as follows:

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

Paul Joseph submitted a memo to the Town Board asking if the board wanted to offer again this year a town-wide brush and limb pick up program.

Supervisor Jenkins stated that there is \$18,000.00 budgeted for this in account B9901.9 to transfer to highway once the work is done.

Councilwoman LeClair made a motion to approve the annual brush and limb pick up program.

Councilman Prendergast thought the money had to be in the account and available first.

Supervisor Jenkins stated that the highway department normally bills for this service later on after the work is done and it is paid for out of account B9901.9.

Councilman Prendergast asked if they would make a transfer then and Supervisor Jenkins said yes it would be a transfer. Councilman Prendergast said he always thought the money had to be in the account before they passed a resolution to spend the money.

Supervisor Jenkins said that all that was being requested now was approval for the program to move ahead.

Councilman Prendergast said he realizes that, but he thought that the money has to be in the account first before they make a resolution to spend the money.

Supervisor Jenkins said it has never been done that way before and we don't get billed for quite a while afterwards. He said there was nothing stopping the board from transferring the money.

Paul Joseph said that they don't normally use the full amount budgeted.

Supervisor Jenkins said that is essentially the reason why we don't put any more money in highway budget than we have to, because we can't take it back.

Councilman Prendergast asked Attorney Buettner if it would be okay to move forward this way.

Attorney Buettner replied that the board can do it either way, but if they have the money then they should transfer it over first and then do the resolution.

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Supervisor Jenkins replied that there is a reason for not doing it that way.

Attorney Buettner stated that the State Comptroller would rather have them transfer the money first and then do the resolution and that was her recommendation.

Supervisor Jenkins stated that they could transfer \$18,000.00 from account B9901.9 into DB5031.4.

Attorney Buettner stated that the motion by Councilwoman LeClair to approve the spring clean up needed to be rescinded before the transfer can be made.

Councilwoman LeClair rescinded her motion to approve the spring clean up so the transfer of funds could be done first.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the transfer of \$18,000.00 from B9901.9 into DB5031.4 for the 2012 spring limb and brush cleanup program.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the 2012 spring limb and brush cleanup program.

Roll call vote resulted as follows:

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

Paul Joseph submitted a request to purchase a GE E-Star refrigerator for the new highway garage building break room. He obtained the following quotes:

Best TV & Appliance	\$899.00
Lowe's.com	\$899.10
Home Depot.com	\$949.00

This purchase would be made out of account HH1620.2 the capital project fund for the new highway garage.

Brief discussion followed on this purchase.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the purchase of a GE E-Star Refrigerator from Best TV & Appliance at a cost not to exceed \$899.00 for the break room in the new highway garage building.

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Roll call vote resulted as follows:

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

Paul Joseph submitted a request for the purchase of a GE 30" free standing electric range for the break room in the new highway garage building. He obtained the following quotes:

Best TV & Appliance	\$429.00
Lowe's.com	\$449.00
Home Depot.com	\$449.00

This purchase would be made out of account HH1620.2 the capital project fund for the new highway garage building.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the purchase of a GE 30" free standing electric range from Best TV at a cost not to exceed \$429.00 for the break room in the new highway garage building.

Roll call vote resulted as follows:

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

Paul Joseph submitted a request to purchase a GE Space Maker over the range microwave oven for the break room of the new highway garage building. He obtained the following quotes:

Best TV & Appliance	\$229.00
Lowe's.com	\$249.00
Home Depot.com	\$259.00

This purchase would be made out of account HH1620.2 the capital project fund for the new highway garage building.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the purchase of a GE Space Maker over-the-range microwave oven from Best TV & Appliance at a cost not to exceed \$229.00 for the break room in the new highway garage building.

Roll call vote resulted as follows:

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

A bid opening was held on February 21, 2012 when sealed bids received were opened and read aloud as follows:

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Wood CRW Corp.	\$296,000 2012 Gradall XL3100IV 4X4
Vantage Equipment	\$309,356 New Badger 470TM 4X4
Yacamo	\$65,000 2001 Gradall XL3100 4X4 with Trade-In of Town's 1995 Gradall G3 WD

Paul Joseph submitted a memo to the Town Board asking for approval to accept the bid from Yacamo for the purchase of an over the road 4X4 wheeled telescoping boom excavator at a price of \$65,000.00 that includes the trade-in of the Town's 1995 G3WD Gradall.

Councilman Kusnierz asked what the warranty is and Paul Joseph replied 90 days.

Councilman Kusnierz asked if we have that in writing and Paul Joseph replied yes.

Paul Joseph described the overall condition of the equipment as very good. He said that most of the mileage on it was road mileage where it was driven from job to job.

Councilman Kusnierz asked how many hours are on it and Paul Joseph replied about 417 and on our machine we have about 898.

Councilman Kusnierz asked if it comes with all the maintenance records and Paul Joseph replied yes.

Councilman Kusnierz asked if there have been any major components replaced and Paul Joseph replied no, just the alternator on the main motor.

Councilman Prendergast asked what year it is and Paul Joseph replied, 2001.

A motion was made by Councilwoman LeClair authorizing the purchase of a telescoping boomed excavator from Yacamo at a cost not to exceed \$65,000.00 including the trade-in of the Town's 1995 Gradall G3 WD out of account DB5130.2 that had a balance of \$196,443.27 as of 3/1/2012.

Councilman Prendergast seconded the motion.

Roll call vote resulted as follows:

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

Paul Joseph submitted a request to purchase furniture for two offices and the break room in the new highway garage building. He obtained the following quotes:

Charlie's Office Furniture	\$10,106.00
Gillespie Commercial Furnishings	\$13,231.47
W. B. Mason	\$14,937.75

It was noted that the delivery time was 6 to 8 weeks for any of the companies that quoted.

Councilman Kusnierz stated that there were some items on the list of furnishings that he thought were a little excessive. He mentioned the high back multi-function chair for \$300.00 and an articulating keyboard tray for \$179.00 and a task light for \$100.00.

Paul Joseph explained why these things were needed.

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Councilman Kusnierz didn't think that \$10,000.00 worth of furniture was a necessary expenditure.

Paul Joseph stated that they already cut back a lot on furnishings.

Councilman Vittengl asked Paul if he had looked at used equipment from Charlie's.

Paul Joseph replied yes and there were some small items that were available.

Councilman Kusnierz didn't think brand new equipment was necessary to start and that they could replace equipment as they went along with new. If used equipment can't be found then they should be able to find moderately priced equipment. He said that they have to be cognizant of saving the taxpayer's money and some of the needs can be accomplished cheaper. He said there have been endless change orders just because the project was under budget. He said there is no need to spend money just because they were under budget.

Councilman Vittengl asked if they found used equipment could they act quickly to purchase it, because it may not be available two weeks later when the board meets. The answer was no.

Paul Joseph said the problem is that they will be in the new building by May 1<sup>st</sup> or sooner and it will take 6 to 8 weeks to take delivery of the new furnishings.

Councilman Kusnierz questioned the twelve chairs and three tables that were being proposed to be purchased.

Discussion followed on the cost of these tables and chairs.

When Councilman Vittengl said that the tables and chairs would cost about \$2,200.00 Councilman Kusnierz replied that was pretty expensive.

Councilman Kusnierz asked if the highway committee could look at the quotes and maybe sharpen their pencils and bring a recommendation back to the board.

Paul Joseph stated that representatives from the three companies came to the shop and took measurements of the rooms and then submitted their quotes. He said that he and Maureen put in quite a bit of time securing these quotes.

Councilman Prendergast stated that it appears that the approach the board has been preaching here for a long time has been applied in this case or as close as possible. The only issue he has is used vs. new. He is not impressed with used furniture. He is familiar with it, because where he works they have had used furniture for a long time and it is not a good scenario and even his workplace doesn't go that route any longer.

A motion was made by Councilman Prendergast authorizing the purchase of furniture for two offices and the break room in the new highway garage building from Charlie's Office Furniture at a cost not to exceed \$10,106.00 out of account HH1620.2 the capital project fund for the new highway garage building.

Councilwoman LeClair agreed. She said we are on a time frame and there has been a lot of research done. It isn't feasible to try to find used equipment and try to get it to fit in with the time frame that we are working with. She noted the research that has been done. If we had several months to shop we might be able to do it. She seconded the motion.

Councilman Prendergast added that the department head has done his homework on this.

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Councilman Kusnierz stated that he is not implying that the department head didn't do his homework, but he can't in good conscience spend \$2,000.00 in taxpayer money for the purchase of twelve chairs and three tables for a break room. He said there are ways to save some money here.

Roll call vote resulted as follows:

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

### **RECREATION DEPARTMENT REQUESTS**

Steve Gram, Recreation Director, submitted a request to purchase a back pack blower for use in cemeteries in town. He obtained the following quotes:

Falls Farm & Garden Equipment	\$395.96 Stihl BR550
Green Management	\$299.00 Echo PB500 \$389.00 Kawasaki KRB650
Smith Lawn & Garden	\$280.00 Husqvarna 350BT \$524.95 Husqvarna 380 BT

This purchase would be made out of account A8810.2 that had a balance of zero as of 3/20/12.

The recommendation was to purchase the Kawasaki from Green Management the amount of \$389.00.

Councilwoman LeClair asked what was wrong with the Echo and Steve Gram explained that the Echo isn't powerful enough and it is more for residential use.

Councilwoman LeClair asked if this was the case with the Husqvarna and Steve Gram replied yes, the difference is in the horsepower.

Steve Gram then noted that there was not money in the account to make this purchase and he said that Fran Thibodeau advised him that a transfer was needed.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the transfer of \$389.00 from A8810.4 into A8810.2.

Roll call vote resulted as follows:

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

Councilman Kusnierz asked if this blower would be used exclusively in the cemeteries and Steve Gram replied yes.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the purchase of a Kawasaki KrB650 Back Pack Blower from Green Management, LLC at a cost not to exceed \$389.00.

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Roll call vote resulted as follows:

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

Supervisor Jenkins reported that a request was received from a softball league that is a travel league that isn't really part of a South Glens Falls league. They are looking for some kind of a break in the rate for Sundays. He told them that he would at least bring it before the board, but his position is that if they do it for one they have to do it for all and we can't afford to do that. It costs us money to have staff there on Sundays and to maintain the fields.

Councilman Kusnierz asked what they want.

Supervisor Jenkins said they are doing a fundraiser primarily for them to go to the Eastern Nationals. It is the Xtreme Organization, which is not part of South Glens Falls Softball League. Everybody else who does this on weekends we charge. It is \$500.00 per day to have staff there and maintain the fields.

Councilman Kusnierz asked if they want use of fields for three Sundays.

Supervisor Jenkins replied that they want use of the fields for April 15<sup>th</sup>, 22<sup>nd</sup> and 29<sup>th</sup>.

Councilman Kusnierz asked if they have ever granted this type of request before (waiver of fees).

Steve Gram replied no.

Supervisor Jenkins replied that they have for organizations like the Heart Fund or Cancer Fund.

No action was taken on this request.

### **WATER DEPARTMENT REQUESTS**

None

### **SEWER DISTRICT 1 EXTENSION 3**

Attorney Buettner stated there was a petition in the map, plan and report given to the Town by Rich Schermerhorn for the Harrison Place Apartments and under Article 12 the Town Board has the opportunity to schedule a public hearing and declare the Town lead agency for SEQR. After the board declare the Town lead agency letters are sent out to all interested agencies and they have 30 days to object to the lead agency status. The SEQRA determination isn't done until after the public hearing.

Joe Patricke asked Supervisor Jenkins why they were changing it to extension 3. The extension was originally proposed as extension 4.

Attorney Buettner replied that she could answer that question. She then stated that there has been no petition for the Va Va Voom project. There is only a map, plan and report. Until there is a petition there is nothing before the board so this one will be extension 3, because there is already a petition. Once a petition is filed for Va Va Voom then that one will be extension 4.

Joe Patricke asked Attorney Buettner if she would call him tomorrow and tell him to change it to #4.

Attorney Buettner said she would.

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The Town Clerk read the resolution setting the public hearing.

Supervisor Jenkins noted that on page 2 of the resolution in the 2<sup>nd</sup> whereas clause the "27 apartment unit complex" should be changed to read "26 apartment unit complex".

Attorney Buettner thought that the site plan approval was for 27 units, but he is building 26 units.

Joe Patricke said as far as he knows it is 26. There are two buildings 14 and 12, which totals 26.

Attorney Buettner said she would change it to 26.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to adopt the following resolution:

**WHEREAS**, the Town Board of the Town of Moreau ("Town Board") is considering an application entitled Extension No. 3 of Sewer District No. 1 within the Town of Moreau for the purposes of providing municipal sewer service to a proposed 26 unit apartment complex to be known as Harrison Place Apartments to be developed by Schermerhorn Residential Holdings, L.P. The parcel to be serviced is a 3.19± acre parcel of land located on the south side of Harrison Avenue, approximately one tenth of a mile east of the intersection with Van Buren Street identified as all of tax map parcel 37.4-19; and

**WHEREAS**, the Town Board has received a petition from the property owner/developer to establish Extension No. 3 of Sewer District No. 1; and

**WHEREAS**, Extension No. 3 of Sewer District No. 1 is located entirely within tax map parcel 37.-1-19; and

**WHEREAS**, at the sole cost of the Owner/developer of the property, Environmental Design Partnership has prepared a Map, Plan and Report on Extension No. 3 of Sewer District No. 1 ("Map, Plan and Report"), outlining the description of proposed Extension No. 3 of Sewer District No. 1, the facilities within the extension, the estimated cost of the project and estimated user fees within the proposed sewer district extension; and

**WHEREAS**, all necessary sewer district extension costs and all construction costs of the wastewater collection system including sewers, pump station and modifications to Town facilities shall be borne by the Owner; and

**WHEREAS**, the Owner has received site plan approval from the Town of Moreau Planning Board for a 26 apartment unit complex located on the parcels; and

**WHEREAS**, the Town Board has reviewed the Map, Plan and Report and has further determined that it is appropriate to schedule a public hearing on the formation of Extension No. 3 of Sewer District No. 1; and

**WHEREAS**, pursuant to an existing contract between the Town and the City of Glens Falls, as **amended** July 7, 2011, wastewater generated from Sewer District No. 1 is conveyed to the City of Glens Falls Wastewater Treatment Plant, and it may be necessary for the Town to secure an amendment to that agreement to include wastewater generated from the Harrison Place Apartments complex;

**NOW, THEREFORE, BE IT RESOLVED** that:

1. The Supervisor is authorized to execute the Order and Notice of Public Hearing

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scheduling a public hearing on the formation of the proposed Extension No. 3 of sewer District No. 1; and

2. A public hearing is scheduled for Tuesday, April 24, 2012 at 6:50 p.m.; and
3. The Town Clerk is authorized to publish the aforementioned Order and Notice of Public Hearing once in the Glens Falls Post Star newspaper, post the Order and Notice of Public Hearing in the town office building. Such publication shall occur not less than 10 days no more than 20 days prior to the public hearing. In addition, the Town Clerk is authorized to post the Order and Notice of Public Hearing on the Town's website.
4. The Town Board asserts lead agency status for this unlisted action under SEQRA.

All involved/Interested agencies shall be notified.

Roll call vote resulted as follows:

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

#### **SARATOGA COUNTY NATURAL MITIGATION PLAN RESOLUTION**

At a previous meeting of the Town Board the board reviewed a proposed resolution regarding the Saratoga County Natural Hazard Mitigation Plan. The resolution was tabled, because the resolution read that the public was afforded an opportunity to comment and provide input in the plan and that wasn't the case here in Moreau. Supervisor Jenkins turned it over to Attorney Buettner to review and she determined that Saratoga County did in fact give the public an opportunity for input on this plan and as a result, there is no need for the Town to have further proceedings on same. She opined that it is appropriate for the Town Board to adopt the resolution and plan.

The Town Clerk read the resolution.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to adopt the following resolution:

WHEREAS, the Town of Moreau, with the assistance from Saratoga County, has gathered information and prepared the Saratoga County Natural Hazard Mitigation Plan, and

WHEREAS, the Saratoga County Natural Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000, and

WHEREAS, the Town of Moreau is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Town of Moreau has reviewed the Plan and affirms that the Plan will be updated no less than every five years, and

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NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Moreau adopts the Saratoga County Natural Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the plan.

Roll call vote resulted as follows:

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

### **HEALTH INSURANCE BENEFITS FOR SURVIVING SPOUSES – AMEND POLICY**

In the organizational minutes for the year 2012 under resolution 18 that was adopted on January 3, 2012, it reads, "Health insurance benefits coverage will be extended to surviving spouses and dependents, who are covered by town health insurance, through to the end of the month following the date of death of current or retired town employees."

It has been determined that this can't be done, so this clause has to be removed from the organizational minutes.

Supervisor Jenkins stated that a surviving spouse would be eligible for COBRA and has 60 days to make an option for it and it would be retroactive.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast to remove this clause from the organizational minutes.

Roll call vote resulted as follows:

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

### **RAGNAR RELAY ADIRONDACKS**

A request was received from Courtney Mitchell, New York Race Director, Ragnar Relay Series/Ragnar Events, LLC to allow Ragnar Relay Adirondacks to run through the Town of Moreau on September 28<sup>th</sup> & 29<sup>th</sup>. The event is a 200 miles overnight running relay race from Saratoga Springs to Lake Placid, New York. It was also requested that the Town sign a permission letter. They will provide a certificate of insurance.

Brief discussion followed on this request.

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz authorizing the supervisor to sign the permission letter authorizing Ragnar Relay Adirondacks to run through the town on September 28<sup>th</sup> and 29<sup>th</sup>.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes

A regular meeting of the Town Board of the Town of Moreau was held on March 27, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Vittengl	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

### **WATER CAPACITY PRINCIPAL BALANCE**

Supervisor Jenkins stated that we currently owe the Town of Queensbury \$217,777.00 and we are also going to have to pay \$3,865.54 interest on April 1<sup>st</sup>. He would like authorization to pay off this entire debt plus interest due. We would pay it out of Water District 2 and establish a bond anticipation note, a 5 year bond. Water 4 and Water 1 would be able to pay their share. The others may have to spread it out over a 5 year period, but we could do that. He said that later this year we could look at merging them and virtually eliminate the whole problem. What we can't do are transfers and short term loans, because we would have to pay them off by December 31<sup>st</sup> but we can do a 5 year bond anticipation note.

Councilman Kusnierz asked if we have to have the bond anticipation note ready to go before we authorize this.

Attorney Buettner replied yes and said they have to have the estoppel letter ready.

Councilman Kusnierz asked her if the board needed to adopt a resolution authorizing the supervisor to direct her to draw that up and Attorney Buettner replied yes.

A motion was made by Councilman Kusnierz authorizing the supervisor to engage town counsel to draw up a 5 year bond anticipation note to pay off the water debt in the amount of \$217,777.00 plus interest in the amount of \$3,865.54.

Councilwoman LeClair seconded the motion.

Roll call vote resulted as follows:

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

Supervisor Jenkins said right now we are paying a 3.55% interest rate on this debt and the banks are paying us 3/10 of 1% so it makes a lot of sense to pay it off. Former supervisor, Harry Gutheil, has been talking to us about this for the last six months and we are finally in a position where we can do it through BANs.

### **SOUTH GLENS FALLS BEACH SEPTIC PROPOSALS**

Two proposals were received for the evaluation and design of sewage disposal for the beach facility along the Hudson River located behind the Village of South Glens Falls DPW Garage in South Glens Falls.

The proposals were as follows:

Garry Robinson, P.E.	\$85.00 per hour times an estimated 45 hours for an estimated total of \$3,825.00
Jim Mitchell (EDP)	\$4,000.00

Garry Robinson was present and explained how it would be difficult to put a leach field in due to the proximity of the river. He recommended a grinder pump system.

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Supervisor Jenkins asked if Jesse Fish the Town Water Superintendent and Brian Abare the Director of the DPW for the Village of South Glens Falls would be able to find a way to provide the labor and Jesse Fish acknowledged that they would.

Councilman Kusnierz asked how much the materials would cost.

Garry Robinson didn't give him a price, but said that a deluxe grinder pump would be needed and he would have to look at the flows to determine what size sewage container was needed.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to engage the engineering services of Garry Robinson at a cost not to exceed \$3,825.00 out of account A7140.4, per his proposal for the evaluation and design of the sewage system at the sand bar beach.

Roll call vote resulted as follows:

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

#### **BURT ROAD CULVERT DISCUSSION – POSSIBLE HIRING OF AN ENGINEER**

In September 2011 quotes were received from Garry Robinson and Jim Mitchell, engineers, to provide engineering services to the town for the Clark Road culvert. The quote from Garry Robinson was \$7,707.00 and the quote from Jim Mitchell was in the range of \$7,000.00 to \$10,000.00.

Garry Robinson was present and discussed with the board members the condition of the Clark Road and Burt Road culverts and their repair.

He said that there is a trout stream that runs through the Clark Road culvert so work on the culvert would have to be done no earlier than July and done by the middle of October. He was proposing to slip line the culvert. An individual permit would be required by NYS DEC. He met with DEC last week and they said it would take about a week to get a permit.

He said that the Burt Road culvert is a little different in that it has an open bottom. The concrete foundation is eroded pretty badly. It can be slip lined also, but would have to be done differently and he explained how.

He recommended that the two projects be bid together as two contractors said we could save 15% that way. He estimated that the Clark Road culvert would cost about \$100,000.00 to \$130,000.00 and the Clark Road culvert would cost closer to \$200,000.00. He suggested that we bid one as an alternate in case the bids came in higher than expected.

Supervisor Jenkins advised that Garry Robinson has quoted \$9,007 for the Burt Road culvert for engineering services.

Brief discussion followed.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast to accept the quote from Garry Robinson to provide engineering/design services in an amount not to exceed \$7,707.00 for the Clark Road culvert and to provide engineering services in an amount not to exceed \$9,007.00 for the Burt Road culvert and for this expense to be paid out of account DB5110.497.

A regular meeting of the Town Board of the Town of Moreau was held on March 27, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Roll call vote resulted as follows:

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

**AUTHORIZE SUPERVISOR TO SIGN CLUB CONTRACTS WITH SPORTS ORGANIZATIONS**

The contracts with the various sports organizations for use of the Harry J. Betar Jr. Recreational Park for the 2012 season have been reviewed by Attorney Buettner and are ready for board approval.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast authorizing the supervisor to sign the contracts with the various sports organizations for use of the Harry J. Betar Jr. Recreational Park for the 2012 season.

Roll call vote resulted as follows:

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

**DISCUSS RECREATION CONCESSION STAND PLAN/PRICING, NEW MAINTENANCE BUILDING LOCATION/CLEARING AND DISCUSS HIRING AN ARCHITECT TO DESIGN A NEW WARMING HUT AND HIRING AN ENGINEER REGARDING THE PROPOSED NEW MAINTENANCE BUILDING CONSTRUCTION**

Councilman Vittengl and Councilman Prendergast recommended that the warming hut project be put on hold for now. There is more of a need for a new maintenance building/cold storage facility. They recommended sending out RFP's for engineering services for this project.

Regarding the youth baseball concession stand it was their recommendation that an architect be hired for this project and not an engineer. This is a building that is going to be visible and utilized by about 80% of the people in the park so they want it to look nice. A lot of the inside of the current concession stand will have to be stripped and redone. The foundation and electrical should be inspected. The capital project fund is in good shape financially and we will have money coming in from developers that can be utilized for this project. It will probably have to go out to bid.

It was their recommendation that the supervisor be authorized to send out RFP's for both projects and Councilman Vittengl and Councilman Prendergast will meet with the engineers and architects.

Councilman Prendergast said that at the last meeting they discussed a 5,000 square foot maintenance/storage building and how it wouldn't be financially possible to build something this big. They are now recommending a 2,000 square foot or 2,400 square foot building or pole barn. It will be a lot less expensive.

Councilman Vittengl stated that the building could be non-insulated with a concrete floor to start, with a fence around it and power to it. It would be a secure place for equipment and it would be away from the center of the park where all the people are. He estimated the cost to be around \$20,000.00.

A regular meeting of the Town Board of the Town of Moreau was held on March 27, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Prendergast asked representatives of South Glens Falls Baseball who were present if he understood correctly that they were willing to contribute \$10,000.00 towards a concession stand and John Otoupal replied yes.

Councilman Prendergast asked if the rest of the board was okay with sending our RFP's. No objections were raised.

Councilman Kusnierz stated that the main reason for building a new maintenance/storage building was so that all equipment could be under cover and stored in a secure facility away from all the activity in the park. This concept just explained is a way to get what we need away from the public and then we can build upon it down the road.

### **15 MINUTE PUBLIC COMMENT PERIOD**

Tim Streeter representing South Glens Falls Soccer Club was present to address the board. They currently hold a skills training session in the Chase Sports facility and to cut costs they want to move it outside and they are requesting to use the bowl in the Harry J. Betar Jr. Recreational Park on Wednesdays for 1 ½ hours during the month of April and for the field use fee to be waived. All the fees they take in go directly to trainers. Ages 8 through 17 participate in this training session and the fee is \$12.00 per person.

Councilman Kusnierz asked Mr. Streeter if his organization would consider reducing this fee if the town allowed them to use the bowl at no fee.

Mr. Streeter replied that they are breaking even now and they are subsidizing some of the expenses as it is.

Councilman Kusnierz asked him where the revenues are coming from to subsidize the program.

Mr. Streeter replied that donations come from UPS and Martin, Harding and Mazzotti.

Councilman Kusnierz asked what the cost savings would be to the organization.

Mr. Streeter replied about \$1,140.00 for the four weeks.

Councilman Kusnierz asked Steve Gram if the field was available during this time period and if there was a conflict with scheduling.

Steve Gram acknowledged that the field was available and there was no conflict.

Steve Gram said the only concern he had was over setting a precedent. If we waive the fee for one group we have to do it for all.

Supervisor Jenkins didn't think it would be setting a precedent, because they are just practicing like softball and youth baseball and they don't get charged a fee to practice on the fields. It isn't a tournament.

There were no objections from the board members over the use of the bowl and the fee waiver.

Reed Antis mentioned how the recycling trailer at the transfer station doesn't have any lettering on it to let people know they can dump their televisions and computers in there.

Supervisor Jenkins said he will call the company and see if they can put a sign on it or something to let people know what it is there for.

Councilman Kusnierz asked Supervisor Jenkins to ask them if they can supply flyers to hand out to customers at the transfer station.

A regular meeting of the Town Board of the Town of Moreau was held on March 27, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

**COMMITTEE REPORTS**

None

Paul Joseph stated that his employees have been picking up trash from alongside the roadways the last five or six days and they have picked up 60 bags so far and 39 tires. They haven't covered all the roads yet. They even picked up a whole garbage can full of garbage and televisions and computers. Last year they picked up a total of 80 bags of trash and 18 tires, so the amount has increased and they aren't done.

Supervisor Jenkins said if they could find identification in the bags then the town could do something about it.

Paul Rittreiser stated that haulers are responsible for containing their load. He said there is a potential for a reduction in this type of activity if the police become involved.

Supervisor Jenkins said the town can bring charges. Whether it is upheld in court or not is another story.

Councilman Kusnierz suggested that no littering signs be installed with the fines on them.

Mr. Rittreiser stated that a simple letter to the State Police in Wilton or Loudonville or Sheriff's Department asking for their assistance and making them aware of the problem in the area would make a difference.

**SUPERVISOR'S ITEMS**

Supervisor Jenkins stated that the Town Clerk requested to purchase mosquito dunks. The following quotes were obtained:

Summit Chemical	\$70.00 per case of 100 plus shipping estimated at \$22.00
Pest Control Solutions	\$128.95 per case free shipping
Arbico Organics	\$21.95 per pack of 20 equals \$109.75 per case

The request was to purchase from Summit Chemical.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the purchase of ten cases of mosquito dunks at \$70.00 per case plus shipping from Summit Chemical at a total cost not to exceed \$750.00 out of account A4068.4.

Roll call vote resulted as follows:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast to adjourn to executive session at 9:04 p.m. to interview applicants for the position of Dog Control Officer and to discuss an Article 7 Tax Assessment Proceeding involving Stone Bridge Farm LLC.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes

A regular meeting of the Town Board of the Town of Moreau was held on March 27, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

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

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to adjourn the executive session and re-open the regular meeting at 9:33 p.m.

Roll call vote resulted as follows:

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

No action was taken in or as the result of the executive session.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast to adjourn the regular meeting at 9:34 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