

A regular meeting of the Town Board of the Town of Moreau was held on October 8, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Supervisor Jenkins called the meeting to order at 7:02 p.m.

The Deputy Town Clerk called the roll.

Town Board Members Present

Robert J. Vittengl, Jr.	Councilman
Robert Prendergast	Councilman
Todd Kusnierz	Councilman
Preston L. Jenkins, Jr.	Supervisor

Town Board Members Absent

Gina LeClair Councilwoman

Also Present: Barbara Porter, Deputy Town Clerk, Karla Buettner, Attorney for the Town; Peggy Jenkins, Assessor; Paul Joseph, Highway Superintendent; Reed Antis, Town Resident and Planning Board Member, Dave Clough from Ray Supply; Travis Mitchell, EDP; Chris Bailey, Sound Solutions of Saratoga; Town Residents: Keith Baker, Elizabeth Lanfear, Torrence Dorsey; Rich Schermerhorn, Garry Robinson, Consultant; and the Post Star Reporter.

Supervisor Jenkins let the Pledge of Allegiance.

Supervisor Jenkins welcomed everyone to the meeting and asked everyone to turn off or silence all electronic devices.

MINUTES

The following minutes were prepared and presented to the Town board in advance of this meeting for review, comment, correction and approval:

September 20th, 24th (2 Sets), October 2nd

MINUTES—SEPTEMBER 20, 2013—BID OPENING REMODELING/EXPANSION OF THE CONCESSION STAND IN THE HARRY J. BETAR JR. RECREATIONAL PARK

No comments or corrections

MINUTES—SEPTEMBER 24, 2013—REGULAR TOWN BOARD MEETING AND MONTH-END AUDIT MEETING

No comments or corrections

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to approve the minutes of September 20th and September 24th, 2013 as prepared.

Roll call resulted as follows:

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

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MINUTES—OCTOBER 2, 2013—BUDGET WORKSHOP

The minutes of October 2, 2013 were put on hold.

FUTURE MEETINGS/WORKSHOPS SCHEDULED

The month-end audit meeting is tentatively set for October 22nd before the regular Town Board Meeting.

A budget workshop was scheduled for October 16, 2013 at 7:00 p.m.

15 MINUTE PUBLIC COMMENT PERIOD

Mr. Dorsey of 239 Potter Road spoke about the Town dumping next to his house. The Town owns the adjacent piece of property which has been used as a dump site for years. Mr. Dorsey stated that he has come in and sent e-mails to Board Members, but no one has come down to see what the dump site looks like. He said that there are trucks coming to dump at 7:00 a.m. Mr. Dorsey said that his granddaughter is afraid to go in the back yard because she found a deer bone. Mr. Dorsey stated that he has tried to sell his house, but it has devalued by \$100,000 because of the dump. The Board Members stated that they would go down to his house to look at the dump site. Councilman Prendergast will contact Mr. Dorsey to meet with him on Friday.

Councilman Kusnierz asked if a fence would help. Mr. Dorsey stated that would not help with all of the dust. Mr. Dorsey stated that 4 people in this area have gotten cancer.

Reed Antis stated that the building was not opened for the Library meeting on Monday Night.

Deputy Town Clerk Barbara Porter stated that it was her fault. It completely slipped her mind. She apologized for the inconvenience.

Reed asked Councilman Kusnierz why he was not at the meeting.

Councilman Kusnierz stated that he had a conflicting engagement.

AUDIO SYSTEM QUOTES FOR MEETING ROOM—PRESENTATION BY VENDORS

David Clough from Ray Supply gave his presentation. He stated that The Town Board wanted a functional, but not over the top sound system. There is Version 1, Version 2, and Version 3. Version 1 includes a sound system from a company called Bosch that is specifically made for Town Hall meetings. It allows you to record digitally to an SB media card and can be transferred to somebody's computer and the content from the meeting can be manipulated to be saved on the hard drive, e-mailed to someone who couldn't attend. Goose neck microphones will be put in front of each Board Member.

Mr. Clough stated some of the features: Main microphone can override other microphones, 2 sets of wall mounted speakers, hearing assistance program, 7 gooseneck microphones for desk up front and 2 at the desks in front of the seating area, a hand held wireless microphone. Mr. Clough stated that he could supply references if needed.

Councilman Kusnierz asked if there is any way to dovetail a live screen so that we could put in on our website.

David said that the Version 1 did have this capability.

HIGHWAY DEPARTMENT REQUESTS

A Request to spend \$32,000 from account HH1620.2 to purchase asphalt to do the paving in front of the overhead doors at the highway garage before the upcoming winter season was put on hold.

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A request was put in to advance Reed Devitt to an MEO.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to advance Reed Devitt from the position of Laborer to MEO.

Roll call resulted as follows:

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

A request was made to contract with Gorman Bros. to do crack sealing on William Street (Rte. 32 to Main Street), Pine Road, Nolan road and Tanglewood Drive, in the amount of \$17,000.

It was suggested that the \$17,000 be held over and added to next year's budget to buy our own piece of machinery at a cost of \$49,000.00.

Councilman Prendergast stated that we are playing catch up on the roads. We do not want to fall behind further.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to contract with Gorman Bros. for crack sealing on William Street (Rte 32 to Main Street), Pine Road, Nolan Road and Tanglewood Drive under state contract #22220-Liquid Bituminous Materials Joint and Crack Filler/Sealer, in the amount not to exceed \$17,000 out of account #DB112.493.2 that had a balance of \$17,000 on 9/3/2013.

Roll call resulted as follows:

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

RECREATION DEPARTMENT REQUESTS

Councilman Vittengl stated that he was working on the cold storage building. He has two quotes and awaiting three more. All of our mowing equipment will fit in this building. Our crew can put in the slab for this building for about \$3,000.00 or less which will cover the stone, forms and concrete. This building will be a pole barn with metal sides. The building will be 24 x 48 with two doors on the front and will be a foot wider and a foot and a half higher than the old building. There will be a sliding barn door on the back which will be 12 feet wide. We will be paying prevailing wages.

The old building could be used for programs, meetings, etc after being fixed up.

Councilman Prendergast said he was hesitant to go ahead spending money until Joe Patricke is involved.

This item was put on hold for the time being.

WATER DEPARTMENT REQUEST

Supervisor Jenkins stated that we have to make a principal payment to the EFC. They were looking for \$180,000.00, but Karla got it down to \$ 65,181.00. We need to do a fund balance transfer of \$65,181.00

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into Water District I - I8310.4 contractual leaving a fund balance of \$136,731.00. The money had to be wired Monday.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to transfer \$65,181.00 into the Water District I - ~~I8310.4~~ **Principal Ban I9730.0** contractual account from the fund balance leaving a balance of \$136,731.00. **[Corrected 10/22/13 jf]**

Roll call vote resulted as follows:

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

Supervisor Jenkins stated that he needs a resolution to allow him to wire the money to the EFC in the amount of \$65,181.00.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to allow Supervisor Jenkins to wire a payment in the amount \$65,181.00 from Water District I - ~~I8310.4~~ **Principal Ban I9730.0** to the EFC. **[Corrected 10/22/13 jf]**

Roll call vote resulted as follows:

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

Supervisor Jenkins' Confidential Secretary is in need of a new computer. Three quotes were acquired and the lowest price was from Dell in the amount of \$1,279.61.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the purchase of a computer from Dell in the amount of \$1,279.61 from account A1220.2 leaving a balance of \$6,971.75.

Roll call resulted as follows:

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

RESOLUTION AUTHORIZING EMERGENCY SEWAGE DAMAGE CLEAN UP BY ALL-PRO

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to transfer \$15,000 from A1990.4 contingent account to A1620.4 general fund buildings contractual for payments through 2013 for things such as electricity, telephone, internet, postage and other miscellaneous expenditures.

Roll call resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to authorizing payment to All-Pro Restoration Services in the amount of \$1,621.92 for sewage damage clean up on 9/5/2013 in the Town of Moreau Municipal Building.

Roll call resulted as follows:

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

RESOLUTION AUTHORIZING STRIPING OF PARKING LOT AND HANDICAP SIGNS/NO PARKING SIGNS

Supervisor Jenkins stated that we had done a verbal resolution for the striping of the parking lot at the Town of Moreau Municipal Complex.

Councilman Prendergast stated that we should have more quotes.

Supervisor Jenkins stated that they could not find anyone else in the area that did this kind of work. Premier Pavement would work on Friday night and Saturday, and it would be finished for Monday.

Paul Joseph stated that he did not know of anyone.

Rich Schermerhorn stated that Premier Pavement is working for him. He said that they are very reasonable and very efficient.

A motion was made by Councilman Vittengl and seconded by Councilman Kusnierz to hire Premier Pavement Marking, LLC to stripe the parking lot, put in 4 handicap signs and 2 no parking signs at a cost of \$1,050.00. This money would come out of Account HC1620.2 building project.

Roll call resulted as follows:

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

AUTHORIZATION FOR FRAN THIBODEAU TO ATTEND SEMINAR ON THE AFFORDABLE CARE ACT COMPLIANCE

Supervisor Jenkins stated that the only cost would be her transportation.

Councilman Prendergast suggested that someone else go with Fran to this meeting in case Fran was not here.

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A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to send two people to the seminar on the Affordable Care Act Compliance and for any and all necessary expenses to be a proper town charge.

Roll call resulted as follows:

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

TRAVIS MITCHELL/SCHERMERHORN PROJECT

Travis Mitchell and Rich Schermerhorn were at the meeting representing the Bluebird Trace Harrison Quarry Project. Travis stated that this is a 26 acre parcel of land on the corner of Harrison Avenue and Bluebird Road. This parcel is currently zoned M-1. Travis is asking the Board to consider the PUD application. In the application they had included the extension of the water line from the Industrial Park to Harrison Avenue forming a loop. They have kept the 70 unit senior component and 116 units of townhouse style rentals totaling 186 units. They are asking for the Board to refer this project to the Planning Board. The Planning Board will review it and make recommendations back to the Town Board. It would then come back to the Town Board for final approval to approve the legislation of the PUD.

Councilman Kusnierz asked why this needed to be done.

Travis stated that it is zoned M-1.

Councilman Kusnierz asked if they couldn't do what they wanted.

Travis stated yes.

Councilman Prendergast asked if the density was the issue.

Travis stated yes.

Councilman Vittengl made a motion and it was seconded by Councilman Prendergast to refer the Bluebird Trace Harrison Quarry Project to the Town Planning Board for review and their recommendation.

Roll call resulted as follows:

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

NAME ALTERNATE TO PLANNING BOARD

Supervisor Jenkins asked the Town Board to appoint ~~Charlie~~ **Charlene** Endal to the Planning Board as an alternate member. **[Corrected 10/22/13 jf]**

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to appoint ~~Charlie~~ **Charlene** Endal as an alternate member on the Planning Board. **[Corrected 10/22/13]**

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

TRANSFER STATION BAG SIZE RANGE

There has been a question as to the size of the bags and the price.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to approve the following range in bag sizes at the Transfer Station

RESIDENT

13 gallon	\$1.00	[Corrected: 10/22/13 jf]
15-30 gallon	\$1.50	
32.45 gallon	\$3.00	
47-55 gallon	\$4.00	
57-90 gallon	\$6.00	

NON-RESIDENT

13 gallon	\$1.50	[Corrected: 10/22/131 f]
15-30 gallon	\$2.50	
32-45 gallon	\$3.50	
47-55 gallon	\$4.50	
57-90 gallon	\$6.50	

Roll call resulted as follows:

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

APPOINT PEGGY JENKINS, ASSESSOR, SIX YEAR TERM

The Board will go into executive session to discuss the reappointment if Peggy Jenkins to the position of Town Assessor so there will be no action taken at this time.

15 MINUTE PUBLIC COMMENT PERIOD

Reed Antis asked if something could be done regarding the lighting out front by the Annex Building.

Preston Jenkins stated that he thought there were bulbs that were out and they needed to be adjusted so they came on. The lights around the new building have to be adjusted so they will come on. Someone is supposed to be coming in soon to do this.

Reed asked where the sewage problem was. It was stated that it was in our new building.

He also asked about the entrance off of Reynolds Road.

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Supervisor Jenkins stated that plans have been sent in to DOT regarding this.

Reed asked if any follow up had been done about the water problems south of the Northway.

Supervisor Jenkins said that he had spoken with Tim Burley, our Water Engineer, but he did not have a number for us yet.

Reed asked if there is a committee formed to deal with the Hudson Street Town Hall. What is the Town planning to do with the building? He felt that the Town Board was dragging their feet.

Supervisor Jenkins stated that we have other people who have water problems.

Supervisor Jenkins stated that we have a buildings and grounds committee. There are zoning issues.

Reed asked which council people are on the committee.

Supervisor Jenkins stated that Bob Prendergast and Bob Vittengl are on the committee.

Reed asked about the William Street property.

Supervisor Jenkins stated that it has been cleaned up. He said that this Board would have to declare it surplus property and it would be subject to auction.

Reed stated that he thought the Board was dragging their feet.

Elizabeth Lanfear asked where the money for the new cold storage building would come from.

Supervisor Jenkins stated that it would come out of the Recreation Capital Project fund.

Elizabeth asked if the Little League building was coming out of that fund. She asked if we were going to spend it all this year.

Supervisor Jenkins stated that we would still have some money left.

Elizabeth asked if the capital project funds were for the entire town or just the Recreation Department.

Supervisor Jenkins stated that the Betar funds had to be used in the Recreation Department.

Elizabeth asked how much was in the Town Wide fund.

Supervisor Jenkins stated approximately \$50,000.00.

Elizabeth asked if the Board had come up with a master plan for the additional land that was acquired.

Supervisor Jenkins stated that we have an old master plan that included a golf course, pool, amphitheatre, etc., but we do not have a new one.

COMMITTEE REPORTS

None

SUPERVISOR'S ITEMS

Supervisor Jenkins stated that he had a compliment that was given to Councilwoman LeClair regarding our new maintenance department.

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There has been a moratorium on signs. Originally there was a sign committee and at the time Councilwoman LeClair and Councilman Kusnierz served on that committee. Supervisor Jenkins gave Councilman Kusnierz some paperwork from a couple of other towns that had names they could contact.

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz to adjourn to executive session at 8:10 p.m. to discuss the Assessor's 6 year appointment and to discuss a contractual issue regarding the Clark Road and Burt Road culverts.

Roll Call resulted as follows:

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

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

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to adjourn the executive session at 9:00 p.m.

Roll Call resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to re-open the regular meeting at 9:00 p.m.

Roll Call resulted as follows:

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

No action was taken in the executive session.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to approve change order # 1 of Contract CLVT-12-1—Culvert Slip lining Project on Clark Road and Selfridge Road.

Roll call resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adjourn the regular meeting at 9:05 p.m.

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Roll call resulted as follows:

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

Respectfully submitted,

Barbara Porter
Deputy Town Clerk