

A regular meeting of the Town Board of the Town of Moreau was held on October 11, 2011 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

Tom Cumm	Councilman
Bob Prendergast	Councilman
Gina LeClair	Councilwoman
Preston Jenkins	Supervisor

Town Board Members Absent

Todd Kusnierz	Councilman
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Also Present: Jeanne Fleury, Town Clerk; Reed Antis, Town Resident and Planning Board Alternate Member; Jesse Fish, Water Superintendent; Paul Joseph, Highway Superintendent; Peggy Jenkins, Assessor; Karla Buettner, Attorney for the Town; Town Residents: John Telisky, John Benoit, and Elizabeth Lanfear (arrived at 7:09 p.m.); Village Resident, Andre Delvaux; and Steven M. VanGuilder, President and CEO of the Moreau Emergency Squad, Inc.

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

Supervisor Jenkins led the Pledge of Allegiance.

MINUTES

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

August 23rd Regular Meeting, September 27th Dog Law Workshop, and September 27th Month-End Audit Meeting

MINUTES – AUGUST 23, 2011 – REGULAR TOWN BOARD MEETING

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to approve the minutes of August 23rd with corrections so noted at the last meeting.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Absent
Councilman Cumm	Abstain
Supervisor Jenkins	Yes

MINUTES – SEPTEMBER 27, 2011 – TOWN BOARD WORKSHOP RE: DOG LAW AMENDMENTS

No comments or corrections.

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MINUTES – SEPTEMBER 27, 2011 – MONTH-END AUDIT MEETING

No comments or corrections.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to approve both sets of minutes for September 27, 2011 as prepared.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Absent
Councilman Cumm	Yes
Councilman Prendergast	Abstain
Supervisor Jenkins	Yes

FUTURE MEETINGS/WORKSHOPS SCHEDULED

A public hearing on the 2012 Preliminary Budget for the Town of Moreau will be held on November 10, 2011 at 7:00 p.m. in Town Hall.

Councilwoman LeClair suggested that a workshop be scheduled to go over the proposed resolution to establish a new recreation capital reserve fund. She suggested a workshop before one of the regular board meetings.

Supervisor Jenkins said they could schedule this workshop at the next regular meeting of the Town Board.

15 MINUTE PUBLIC COMMENT PERIOD

John Benoit who lives at 438 Fortsville Road stated that he is not happy with the restoration work being done on his property, where the water line is being installed. He said that other people on his road are not happy either, but he was going to speak for himself only. The ditch line was dug and when they put the material back in they put the stone and sand five feet past the ditch line onto his property. He spoke with Joe from Burley & Guminiak who was overseeing the job on several other issues, one being his driveway apron. He was told they don't plan to remove the sand and stone until June or July of 2012. He said this was ridiculous. Why should he have to put up with this over the winter? They never put the apron back in on his side lot. Joe told him to put pins in and they would be back to fix it. Pins have been there for two weeks and nobody came back. They left stone and chunks of blacktop in the sand that they pushed back onto his property. He picked it up and piled it up. The pile is still sitting there. Saturday the crew came down and spread grass seed and hay shaft. He asked them why they were doing this, because they have to put topsoil down first and they told him that DEC requires it. He said the Town should get involved in this.

Supervisor Jenkins said the Town is involved and "this isn't what is going to happen". What they said about DEC is true. It is supposedly for storm water protection. We have retainage and those things will be taken care of.

John Benoit said they are at the end of the dig now on Fortsville Road and asked about the aprons. He asked if they were going to have to wait until July of next year to get an apron put back.

Supervisor Jenkins said they could discuss it with them tomorrow. He then asked Joe Patricke to find out what is going on with these issues.

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Jesse Fish advised that there was going to be a construction meeting at 10:00 in the morning and Tim Burley will be here. He was told that the restoration was not complete on Fortsville Road and the reason they had to put down the grass seed and hay was for storm water purposes and they will be back to do restoration.

John Benoit said he spoke with Supervisor Jenkins about the water line and was told to speak with Jesse Fish about putting plastic water line in. Jesse Fish told him that he couldn't do that because of the law on the books. He told Jesse that he was aware of the law and that ductile iron pipe has to be used. Why does the Town get to put plastic pipe in and he can't. He thought the Town should change the law on the books to read either/or. He asked if the board could look into doing this.

Supervisor Jenkins said yes, and that is why they were moving ahead on this issue, primarily because ductile iron is so expensive right now. We have been told that the life and use is just as good on the other. He said that it isn't finalized yet. He asked Joe if he was working on it.

Joe Patricke said he didn't know what Mr. Benoit meant by ductile iron. Unless he was running a main he wouldn't use ductile iron.

Jesse Fish stated that Mr. Benoit was running a six inch line onto his property and at the time of their conversation it was in our construction standards that any water line over two inches would be ductile iron.

Joe Patricke stated that there is a proposal from Tim Burley to change this.

John Telisky said he heard that one of the proposed changes in the Town's Dog Law would give the Dog Control Officer (DCO) the sole authority to identify a dangerous dog.

Supervisor Jenkins said that wasn't really factual. A judge is the only one who can make that decision. The board hasn't finalized anything yet. They received a second draft this week and they will schedule another workshop. Right now they are busy with budget workshops, so the workshop will probably have to wait until next month.

John Telisky said he assumed this all had to do with the dog that bit two people.

Supervisor Jenkins stated that is where this all started, but we needed to update our law and we would like to prevent that from happening again.

John Telisky said he totally agreed with being proactive, but he didn't want the scenario whereby someone is engaging a dog on a leash or free or in a confined space, and kids engage the dog and it bites someone, and then somebody summarily makes the decision to pick it up and quarantine the dog without a second set of eyes looking at the case. He said that there are so many mitigating circumstances around these dog cases. Naturally when a person gets bit there is usually one side of the story and the owner's of the dog get brought into the scenario after-the-fact rather than being reactive. He was trying to find out if they were leaning in that direction and if so maybe there could be one other step in this process. He mentioned a case in Saratoga where a dog bit twice. The first time the dog bit it was never reported. When the dog bit the second time there was no record of the first bite so it technically wasn't a second bite. It was a divorce situation and one owner knew about it and the other one didn't.

Supervisor Jenkins stated that our DCO doesn't agree with the "one bite rule", because he feels there are cases of simple bites that occur within a household that this wouldn't be the right process for.

Dan Shannon asked what they meant by plastic lines and asked if they meant PVC and he was told yes.

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HIGHWAY DEPARTMENT REQUESTS

The highway superintendent submitted a request to purchase a rotary screw air compressor for the new highway garage. He received the following quotes:

J.E. Sawyer & Co.	\$6,977.13
Wallace Supply	\$7,685.00
Weller's Auto Parts	\$6,999.52

This purchase would be made out of account HH1629.2 that has a balance of \$1,164,000.00 as of 10/4/11.

Councilman Prendergast asked if this was in the budget.

Paul Joseph replied that it is part of the new highway garage budget. It is a commercial unit with air dryer.

Supervisor Jenkins stated that the reason they want to order it now is because they need the dimensions and location where it is going to be installed during construction.

Paul Joseph said the other reason was that it takes two months to receive it.

Councilman Cumm stated that it will be hardwired and hooked into all the overhead pipes.

Councilman Prendergast asked Paul Joseph if didn't he have one of these already.

Paul Joseph replied that there is one in the current shop, but it will stay there for use by the water department.

Joe Patricke stated that this piece of equipment was part of the project including installation. We just opted to buy it ourselves rather than have it as part of the construction project.

Councilman Prendergast asked if these are comparable and Joe Patricke replied yes.

A motion was made by Councilman Prendergast and seconded by Councilman Cumm authorizing the purchase of a rotary screw air compressor for the new highway garage from J. E. Sawyer & Co. at a cost not to exceed \$6,997.13 out of account HH1620.2.

Roll call vote resulted as follows:

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

Supervisor Jenkins stated that the 950 loader at the Transfer Station needs a muffler and elbow at a cost of \$547.91 for the parts. The labor will be done by the highway garage, that cost is unknown at this time.

A motion was made by Councilman Cumm and seconded by Councilman Prendergast authorizing the repair to the muffler and elbow on the 950 loader at the Transfer Station at a cost not to exceed \$547.91 out of account TS8160.4.

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Roll call vote resulted as follows:

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

WATER DEPARTMENT REQUESTS

Supervisor Jenkins stated that Jesse Fish, Water Superintendent, didn't have any requests. However, there is an issue with a water meter reading that the board needs to discuss. The remote reader on a water meter has been apparently malfunctioning for several years. When the water meter was read inside this time it was found that a lot of water has been used and it appears that it may have been used by the previous owner of the house. He didn't think that the Town could legally charge the new owners of the property who have only owned the house for about 18 months.

Jesse Fish stated that the remote reader has been read ever since the house has been there and there was nothing to show or make you think that anything was wrong with it for the past several years.

Councilman Prendergast asked if the house has been vacant and Jesse Fish replied that people have been living in the house. This is the fourth owner of the house. These people bought it 1 ½ years ago. They have had one meter reading and then the second one they got showed 100 gallons used and they were charged a minimum charge. This time around the meter inside the house was read and it was 400,000 plus gallons more than what has registered on the remote reader. This means that there was either a massive leak inside or the remote reader has been wrong for many years.

Councilman Prendergast asked what caused Jesse to read the inside meter and Jesse replied, because the remote stopped working.

Jesse Fish said there is no way of knowing if the remote reader has been slowing down since the day it was installed and the inside meter has been working normal or if they had a massive leak and they aren't telling us.

Councilwoman LeClair asked how there could be a leak that big and they not know about it.

Jesse Fish said there was a case where a person was on vacation for a week and while gone someone came by and turned on the outside faucet and it was running all the time she was gone. A person would know it if they had a leak that big.

Jesse Fish stated that in this instance the homeowner doesn't have a sprinkler system and he doesn't think that they had a leak.

Supervisor Jenkins said he didn't see how they could bill these people for this amount and the reading of 23,800 gallons for a six month period that they were billed previously appears accurate.

Jesse Fish stated that he read their meter again and they used 1,370 gallons in a ten day period and that equates to 137 gallons a day, which for two people is rather low usage.

Jesse Fish stated that they received one bill based on a consumption of 23,800, which we considered normal. Their next reading was 100 gallons and we knew that wasn't right and we charged them a minimum charge. This time we read the meter inside.

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Councilwoman LeClair asked when the inside meter was read last and Jesse Fish assumed it has never been read inside. Jesse said that if the outside remote reader doesn't stop then there isn't any red flag that comes up to tell him to read the inside meter.

Supervisor Jenkins said he would ask the board to come up with an estimate for the 18 months and offer that to the homeowner.

Councilman Cumm stated that they have been paying a water bill so we have to adjust that 18 months worth of usage based on what they already paid for. He said this is one more reason why we need radio read meters on these houses.

Jesse Fish suggested that the board use the 23,800 consumption for all three billing periods and subtract 10,000 gallons off that total, because they paid for 10,000 gallons last time and the difference would be 36,000 to 37,000 gallons that they would be billed for this time.

The board members were agreeable to this.

Jesse Fish stated that if the final meter readings for house closings were read inside each time then we would detect any problems at that time.

Supervisor Jenkins asked Jesse Fish if he said he was going to do an inside reading next time to see where we are at. Jesse Fish asked if he meant in this house and Supervisor Jenkins said he thought he was going to do some others too, on a test basis. Jesse Fish replied no, he hadn't heard anything about that. Supervisor Jenkins thought the board should discuss this, but not at this meeting.

RECREATION DEPARTMENT REQUESTS

Supervisor Jenkins stated that the highway department submitted a bill for paving in the recreation park that will be paid out of account A7140.4.

Paul Joseph, Highway Superintendent, stated that it was not a bill it was a proposal to pave a 7,608 square foot section in the park. The proposal was in the amount of \$5,600.00.

[The area that would be paved is where the road was widened heading out towards the quads.]

A motion was made by Councilman Prendergast and seconded by Councilman Cumm authorizing the highway department to pave in the recreation park at a cost to the recreation department in an amount not to exceed \$5,600.00 out of account A7140.4.

Roll call vote resulted as follows:

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

HIGHWAY GARAGE CHANGE ORDERS #4 AND #5

Supervisor Jenkins stated that at the last meeting the board discussed two credits that we received, but at the time the board didn't approve the change order.

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Change Order #4 to the general construction contract with TMG LLC was in the amount of \$1,155.00, which is a credit to the Town for payment of the base materials for the new highway garage if paid within 10 days of the delivery date.

Change Order #5 to the general construction contract with TMG LLC was in the amount of \$2,218.00, which is a credit to the Town for the omission of four (4) Anderson 400 Series Windows.

Councilman Cumm asked Joe Patricke what the reason was for changing the windows.

Joe Patricke stated that they aren't different windows. When they laid out the building they included windows on the design in places where they couldn't put windows. We have adequate light on the inside and most of it is right in the maintenance bay so we were able to survive without the four windows.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to approve change order #4 and #5 to the general construction contract with TMG LLC and authorizing the supervisor to sign the change orders.

Roll call vote resulted as follows:

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

COMMUNITY GARDEN

Councilwoman LeClair stated that she hoped to receive approval from the Town Board to move forward on the community garden. There has been a meeting at the Moreau Community Center to see if there was any interest and there appears to be an interest to have a community garden. They didn't define rules or anything, because they wanted to make sure it was okay with the Town Board to move forward with plans. They would like to hold a meeting the beginning of November to come up with some proposed rules and regulations and ideas on what the garden might be. Then they would sit down with the Town Board at some point and get their input. The American Community Gardening Association has a suggested outline to start a community garden. She wanted the Town Board to have a copy and review it. Not everything in the outline will apply to us. It includes suggestions.

Councilman Cumm asked where it was going to go in the rec. park.

Councilwoman LeClair said that she talked to Jeremy about where the water lines were and they found an area at the end of the playground, between the playground and the road. They liked the idea that it was near the playground so that if they planted cherry tomatoes and green beans parents could let their children taste a fresh vegetable without having to make a commitment the first year to create a garden. It would be a shared garden area. The other area they looked at was down at the end of the parking lot where the quad is. She talked to Donna Nichols today and the school has received over one million dollars for exercise and health programming for children and they will be working with the Moreau Community Center. She thinks gardening may fall under this grant, which means the children's garden may fall entirely under that grant that the school got. The school could work with the children during the school year and the Moreau Community Center could work with them during the summer.

Supervisor Jenkins stated that one of the things the board has to deal with is that ultimately the board has control over the park so that is an understanding we will have to come to with this organization. He said they would have to work with Elizabeth Lanfear also, because she is going to bring something up right now. He said we should also talk to the recreation commission.

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Elizabeth Lanfear said that Councilwoman LeClair was supposed to bring it to the recreation commission, but she couldn't attend the last meeting. It was discussed and she asked Councilwoman LeClair if she was told about the conversation.

Councilwoman LeClair stated that Bob Vittengl told her that at the beginning of the discussion there seemed to be some objection, but as the discussion went on the recreation commission was in support.

Elizabeth Lanfear told Councilwoman LeClair that apparently she didn't get the details. What was discussed was; John Farrell thought it was a fantastic idea and then he thought that they should talk to the school. Elizabeth said she talked to Jean Tedesco, Assistant Superintendent. Starting at the school level would be a good way to get the kids interested in a garden. The kids would plant seeds in school and then they plant them wherever the garden is. There was some skepticism about it being near the playground for fear of it being ruined. She is going to stop and talk to Donna Nichols at the Moreau Community Center. As for the location, nobody has talked to the recreation commission about that. She said the commission doesn't talk to Jeremy he is not the director so he is not at their meetings. Steve Gram voiced concerns about planting a garden in that location where there is a lot of traffic.

Councilwoman LeClair said there haven't been any decisions. These are just ideas until the Town Board approves them. What Elizabeth said is exactly what the Moreau Community Center would like to do. They are working with the school this Thursday on a project.

Supervisor Jenkins stated that this discussion is supposed to be about whether or not the Town Board wants to move ahead on a community garden or not. He doesn't have a problem moving ahead on it and working with the school district and Moreau Community Center.

Councilman Cumm stated he doesn't have a problem except for the location near the playground. He asked how big the garden plot was going to be.

Councilwoman LeClair said they haven't come up with a size yet. They don't know how many people will be interested in it at this point. The Moreau Community Center said they would like to have several beds to work with children in. They didn't make any assumptions. All they asked was is there an interest and there appears to be an interest. She was pleased that the community center was on board, because she didn't see how a municipality could make it happen without an organization such as the community center on board. They made no assumptions. We just want to know if we can move forward. They would hold a meeting to come up with rules and a plan. They would then bring that back to the board.

Councilman Cumm referred to the American Community Gardening Association outline and said that it appears that in organizing a garden there are a lot of questions that have to be answered.

Councilwoman LeClair acknowledged that she realized this.

Supervisor Jenkins asked Councilman Cumm where he stands on this.

Councilman Cumm said he wholeheartedly agrees with community gardens. He always has.

Councilman Prendergast said it sounds like they were in the information gathering stage. He could see how it would tie in with the school district. As for the location, he would have to go down to the park and take a look at it. He wondered if it would be more suited at the school.

Councilwoman LeClair said the concern with the school is that there aren't any children there in the summertime. The community center is in the recreation park in the summertime. If the garden is planted out by the fields in the back of the park then she fears that it will be vandalized. If it is out near the front then there are a lot of eyes to watch it. Also, if it is a children's garden then it would be nice to have it near the playground.

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Elizabeth Lanfear said it was mentioned at the Recreation Commission Meeting that the new municipal center would be a great location for a flower garden. It would provide landscaping for the new building and there would be people there who would want to take care of it.

Councilwoman LeClair said that is a great idea, but she tried that. If you go down to the Betar By-Way there is approximately 150 feet of garden. She is going down next week with a friend to weed it. She and her family put it in. The Girl Scouts helped the first year. They hoped that there would be people in the community that would be interested in participating. The Village was very supportive. There was one lady who would occasionally weed. She had two 4-H groups that she ran and that helped her, but they grew up and are now gone. There is no one out there that wants to volunteer to help with it. It is not a high maintenance garden. That is why she didn't want to move ahead with a community vegetable type garden because of that. Until the Moreau Community Center expressed an interest in vegetable gardening she wasn't willing to do it, because of that experience.

Supervisor Jenkins asked to move on with agenda item number 8.

RIVERFRONT GRANT

Councilwoman LeClair said she brought it up last week and said she needs to know if the Town Board is on board or not with her completing and filing a grant application for the riverfront park, and if they will support the supervisor signing a grant application for the next round of grants. We received approximately \$29,000.00 from a grant last time. She stated that they are still working on the planning process and it should be finished by mid-winter. Andy LaBruzzo told her two weeks ago that we should be applying for the next round of grants. That is the State's goal. They give money for planning and then for implementation. She needs to file the grant by October 30th and it will take her several days to complete the grant application. The grant money will be matching funds and it will allow us to put a parking lot in or signage. Whatever they feel needs to be done. Andy LaBruzzo said we don't need exact dollar amounts or exact items in mind. We can say these are some of the things we want to do and the LA Group is familiar with the costs on these types of things. We can work with estimated numbers. In the springtime if we decide we want to put a parking lot in then Andy LaBruzzo would allow us to work with what they give us.

Supervisor Jenkins said the important thing is that it won't cost the Town anything to do the grant and Councilwoman LeClair said no. She wrote the last grant and she will write this one with Andy LaBruzzo's help. She needs approval for Supervisor Jenkins to sign the grant and for the Town Board to say they want to move forward.

A motion was made by Councilman Prendergast and seconded by Councilman Cumm authorizing Councilwoman LeClair to complete a grant application and file the application for a matching funds grant for a riverfront park in the Town of Moreau and authorizing the Supervisor to sign the grant application.

Roll call vote resulted as follows:

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

APPROVAL FOR OUTSIDE USER FOR SEWER – THE HOME OF THE GOOD SHEPHERD

Supervisor Jenkins stated that the Town Board Members were copied on an agreement for an outside user of sewer in the Town. Rather than going through the whole process of expanding the sewer district boundaries the board can authorize an outside user by resolution.

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Attorney Buettner stated that she e-mailed the Town Clerk late in the day of a resolution and agreement. She had copies of both documents available for the Town Board at this meeting.

The Town Clerk read the resolution.

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

WHEREAS, the Town has duly established Sewer District No. 1 (the “Sewer District”) within the boundaries of the Town and adopted rules and regulations for the Sewer District as found in Chapter 115 of the Code of the Town of Moreau, and

WHEREAS, Rosen Development Co., Inc. (“Rosen”), has contracted to purchase the property, which is currently owned by Va Va Voom, Inc., located at 196 Bluebird Road which property is further identified as a portion of Tax Map No. 50-2-19.1, specifically known as Lot 1 of the Planned Unit Development known as The Nest Senior Community PUD and as Lot 1 in the Subdivision of Va Va Voom, Inc. which was approved by the Town of Moreau Planning Board on September 19, 2011 (the “subject premises”), and

WHEREAS, the subject premises is located outside the boundaries of the Sewer District, but in the vicinity of the boundaries of the Sewer District; and

WHEREAS, Rosen desires, upon purchasing this property, and at its sole cost, to extend municipal sewer infrastructure to the subject premises, connect to the sanitary sewer service in the Sewer District and to purchase sewer capacity in the amount of 4300 gallons per day from the Town in the Sewer District so that Lot 1 of the Planned Unit Development known as The Nest Senior Community PUD can be developed; and

WHEREAS, the Town through the Sewer District is willing to allow Rosen, at its sole cost, to extend and connect Lot No. 1 to the sewer infrastructure within the Sewer District upon the terms and conditions set forth herein; and

WHEREAS, the Town and Rosen desire to memorialize their agreement in a written document entitled “Agreement to Supply Sewer Service to Property Outside of Sewer District”, a copy of which is attached hereto; and

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby authorizes the Supervisor to execute the Agreement to Supply Sewer Service to Property Outside of Sewer District.

Roll call vote resulted as follows:

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

15 MINUTE PUBLIC COMMENT PERIOD

Reed Antis stated that in the Recreation Commission Code it reads in part: “sets policy for all recreational areas within the Town of Moreau”. He asked if it is up to them to decide about a community garden and not the Town Board.

Supervisor Jenkins replied no.

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Reed Antis asked what “sets policy” means then.

Supervisor Jenkins said that is the way it was written and there is a clause in there that actually turns all powers back to this board.

Reed Antis asked if he was saying that if the board doesn't like something they can “hold back” and if they don't want to deal with something then they let the Recreation Commission deal with it. He then asked why they have a Recreation Commission then.

Supervisor Jenkins stated that the whole reason for that language was that we should listen to them, but we are elected and not appointed to a committee and we make decisions based on what we think is best for the Town.

Reed Antis said he would use the word Councilman Kusnierz uses, “fiduciary”. He asked if they worry about the money and not getting bogged down by the projects. There is so much going on down in the park and different functions. The commission would have a better handle on it and the Town Board wouldn't get bogged down. It seems like we are going in a circle all the time.

Councilman Prendergast stated that they deal with a lot of issues, but the positive aspect is that more people in the community get involved. The bottom line is we are elected and we make the final decision. He said the Town Board doesn't make decisions on everyday activities in the park. He doesn't know what went on down there today.

Reed Antis stated that deciding whether to have a community garden or not or deciding about softball league fees, it seems like the board is constantly bogged down by the little nit picking stuff that the Recreation Commission should be dealing with, because the board appointed these people to get involved on a regular basis.

Councilwoman LeClair told Reed Antis that if in five years she is not sitting here and he was and somebody comes in and they are upset about something that is done, they are coming here and they aren't going to the Recreation Commission and saying “you let this happen”. The buck stops here. She stated that if this community garden happens or the riverfront park happens there will be countless hours involved in it and it is hours that she will personally put in and she is taking it on knowing that. The Recreation Commission meets once a month and they makes decisions. She welcomes them at any time to participate in anything that she has done. She stated that Bob Vittengl attended the garden meeting. Generally anything that she has tried to institute in the Town have been her man hours and she hasn't had a lot of other people step up and say “let me help you with that”. Sometimes that is how things happen and that is okay.

Elizabeth Lanfear stated that the Recreation Commission didn't know about that meeting.

Councilwoman LeClair stated that it was in the newspaper, there were flyers all over Town, Steve Gram was told about it, and the word was out there.

Dan Shannon asked if the Town has an expert horticulture person or place where they can bring the seeds so the children can watch them grow, like a green house setting.

Supervisor Jenkins replied no.

Dan Shannon advised that BOCES in Hudson Falls doesn't have a horticulture program right now, it was defunded. They have a greenhouse still and there are people who are still around there and maybe they would donate their time to help start growing some plants and then go to the community center afterwards.

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Supervisor Jenkins stated that is something the group can look into.

Steven VanGuilder, President and CEO of the Moreau Emergency Squad thanked Paul Joseph, Highway Superintendent, for fixing the driveway at the Moreau Emergency Squad.

COMMITTEE REPORTS

Councilwoman LeClair reported that she and Councilman Cumm met last week with John Otoupal as a representative from youth baseball. They are ready to do something with their concession stand. They would like to make a presentation to the board at the last meeting in November. They have been to the Recreation Commission several times and the Town Board. They tried to give them some guidance on what they would need to put together.

Councilman Cumm stated they were leaning towards using the old concession stand. They want to remove a pine tree.

Supervisor Jenkins said that is pretty much where we were at a year ago.

Councilman Cumm stated that this is what they really want to do now. He and Councilwoman LeClair gave them some guidance on what they need to bring to this board in order for us to move forward with it.

Supervisor Jenkins stated he would put it on the agenda for the last meeting in November.

SUPERVISOR'S ITEMS

Supervisor Jenkins stated that our account clerk is requesting an increase in appropriations. Our Water District 1 contractual is off, because revenues are down this year so we need to increase appropriations by \$5,000.00 due to some expenses in that district this year. In order to pay bills through the end of 2011 this increase in appropriations is needed.

A motion was made by Councilman Prendergast and seconded by Councilman Cumm authorizing an increase in appropriations by \$5,000.00 in account I8310.4 – Water 1 – Administration – Contractual, which will be financed from available unreserved fund balance that is needed to pay the Village of South Glens Falls for water usage and remaining vouchers through the end of 2011.

Roll call vote resulted as follows:

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

Supervisor Jenkins stated that before Attorney Auffredou left he drafted a procurement policy back in May for the Town Board to review and consider. He copied the board members and asked the Town Board to review the policy and dollar amounts to make sure they are the most current amounts. The adoption of this procurement policy would be entertained in January.

He advised that he invited the State Comptroller's Office to come in and do an audit. The audit is ongoing now. This audit will enable the board to remove the funding for an audit next year from the 2012 budget and it will save the Town about \$20,000.00 to \$25,000.00.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to adjourn to executive session at 7:58 p.m. to discuss four Article 7 assessment cases, to discuss the employment

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history/performance of an unnamed recreation department employee, and to discuss the employment history/performance of an unnamed building department employee, and to interview two people for the position of Assistant Building Inspector.

Roll call vote resulted as follows:

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

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

Two individuals were invited into the executive session, one at a time, to be interviewed by the Town Board for the Assistant Building Inspector's position.

A motion was made by Councilman Cumm and seconded by Councilman Prendergast to adjourn the executive session and re-open the regular meeting at 9:20 p.m.

Roll call vote resulted as follows:

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

A motion was made by Councilman Cumm and seconded by Councilman Prendergast to engage the services of Empire State Appraisal Consultants to prepare preliminary appraisals on the following Article 7's at the costs listed:

Epic Holdings	\$2,900.00
Frank Parillo (77.1-1-62.1)	\$1,500.00
Frank Parillo (77.1-1-63)	\$ 700.00
Glen Gate Realty, LLC	\$1,350.00

Roll call vote resulted as follows:

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

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair authorizing the Town Clerk to advertise for a full-time Assistant Building Inspector/Code Enforcement Officer at a salary of \$33,450.00 with benefits and for applications to be received on or before October 31st and for it to be posted on the Town's website.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Absent

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Councilman Cumm	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

A motion was made by Councilman Prendergast and seconded by Councilman Cumm to adjourn the regular meeting at 9:28 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury
Town Clerk