

A regular meeting of the Town Board of the Town of Moreau was held on October 14, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York

Supervisor Jenkins called the meeting to order at 7:00 p.m.

The Deputy Town Clerk called the roll.

Town Board Members Present

Robert J. Vittengl, Jr.	Councilman
Bob Prendergast	Councilman
Gina LeClair	Councilwoman
Todd Kusnierz	Councilman
Preston L. Jenkins, Jr.	Supervisor

Town Board Members Absent

None

Also Present: Leeann McCabe, Deputy Town Clerk; Tammy Daley, Deputy Town Clerk; Karla Buettner, Attorney for the Town; Pete Corlew, Recreation Department Laborer; Christine Scanlon, Post Star Reporter; Reed Antis, Town Resident and Planning Board Member; Heather and Jim Aiken, Town Residents; Elizabeth Lanfear, Town Resident; Terry Clark, Town Resident and Thomas Speziale, Town Resident

Supervisor Jenkins led the Pledge of Allegiance.

Supervisor Jenkins welcomed everyone to the meeting.

APPROVAL OF MINUTES

The minutes dated September 30th (2 sets) were prepared and presented to the Town Board in advance of the meeting for their review, comment, correction and approval.

MINUTES-SEPTEMBER 30, 2014-MONTH END AUDIT MEETING

Page 300, 5th paragraph, 2nd line; change Burt Road to Clark Road.

MINUTES-SEPTEMBER 30, 2014-REGULAR TOWN BOARD MEETING

No comments or corrections.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to approve both sets of minutes from September 30th with the above noted correction.

Roll call resulted as follows:

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

SET FUTURE MEETINGS – WORKSHOPS

None scheduled

A regular meeting of the Town Board of the Town of Moreau was held on October 14, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York

15 MINUTE PUBLIC COMMENT PERIOD

Reed Antis wanted to make comment that the Crandall Library Budget meeting had very good attendance. He also wanted the Town to be aware that there is a light out at the entrance to the Town Complex and stated that we need to improve the lighting as well. Pete Corlew was present from the Recreation Department and stated that he thought all the lights were operational but will check this one.

Reed also asked about the flag pole for the Town Hall and Supervisor Jenkins stated that he thought it was on order. Reed asked about the Town Beach and Councilman Vittengl replied that the Village side is coming along nicely. The Town has plans to upgrade with a couple pavilions. We have an engineer coming in to look at the beach and hopefully everything will be done by next year without affecting the budget.

TERRY CLARK

Terry had a presentation to the Town Board with several display items. His complaints were with water hook-ups and the performance of the contractor involved. The full discussion can be heard on the audio on the Town's website.

RECREATION DEPARTMENT REQUESTS

Tim Johnston, Maintenance Director, had asked the Town Board for approval to change the fee schedule to include both residents and non-residents at \$20 for 3 hours and \$35 for anything above 3 hours. Councilwoman LeClair agreed with the fee change. Councilman Kusnierz takes issue charging residents. Councilwoman LeClair stated that town residents are signing up to use the pavilions for events that are being held by out-of-town people and that they aren't even present at the events. Councilman Kusnierz stated that the Recreation Department could be checking with the pavilion users to make sure the person that signed the paperwork is at the park. Pete Corlew stated that they can't police every pavilion. Sometimes they're in the park and sometimes they're at the beach and can't get back to the park in time to check the pavilions when they start. Councilman Kusnierz was under the assumption that there was someone at the park at all times and if they aren't they should be for safety reasons. Elizabeth Lanfear thought that maybe they should bring back the deposit that used to be charged. Councilwoman LeClair stated that the \$50 deposit was a clean-up deposit. The problem is with people using the pavilion that aren't Town residents. Councilman Prendergast is not in favor of changing the policy either. Councilman Prendergast suggested making the form more specific, stating that the person signing the form must be in attendance at the event. Pete Corlew asked how they would handle the situation if the person is not in attendance. Councilman Kusnierz stated that the permit needs to be spelled out, if the person in charge of the event is not present, then they will have to pay the non-resident fee.

Tim Johnston also requested that refunds for cancellations of tournaments be limited to only 50%. It is his opinion that organizations are booking more than one tournament with the intention of only having one. They determine which date works better and then cancel one of the tournaments. Once a tournament has been booked, other organizations are turned away and by the time the tournament is canceled, it's too late for any other organization to book it. Supervisor Jenkins felt that as long as they give at least 30 days' notice of cancelation, that would be ok. Tim also proposed a maximum of 44 games per tournament and anything over 44 would be charged at the normal field use rate per game.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl allowing a 50% refund of tournament fees if cancelation is made at least 30 days in advance and to allow a normal per game rate for any games over 44 played in a single tournament.

Roll call resulted as follows:

Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Yes

A regular meeting of the Town Board of the Town of Moreau was held on October 14, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York

Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

Tim also requested a 24 hour cancellation policy for individual games and would like the policy added to the wording on the "Field Use Request" form.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl setting a cancellation policy of 24 hours in advance for individual games with the exception of rainouts or hazardous conditions.

Roll call resulted as follows:

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

HIGHWAY DEPARTMENT REQUESTS

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the Highway Superintendent to purchase winter sand from Cranseville Aggregate Co., Inc. in an amount not to exceed \$8,700.00 out of account DB5142.490.

Roll call resulted as follows:

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

DISCUSSION REGARDING FUNDS PAID TO IDEAL MOVE FROM CAPITAL FUND

Supervisor Jenkins stated that based on research from Attorney Buettner, it looks as though the moving expenses didn't qualify for Capital Improvement funds. He recommends that the amount paid from this account be transferred back into the Capital Project fund from the General Fund. Supervisor Jenkins stated that no action needs to be taken today. Discussion will follow at the next regular Town Board meeting.

DISCUSSION REGARDING SCHEDULED MAINTENANCE PLAN FOR TOWN HALL GENERATOR

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing Milton Cat to perform a scheduled maintenance inspection on the Town Hall generator at a cost of \$590.00.

Roll call resulted as follows:

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

A regular meeting of the Town Board of the Town of Moreau was held on October 14, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York

DISCUSSION REGARDING BIKE PUMP PARK AT THE RECREATION PARK

Councilman Vittengl gave a presentation regarding a Bike Pump Park. He stated that basically it's a skateboard park for BMX bicycles and it's made of soft material so there is very little safety issue. He went on line to get specs for a starter track. There's an area between the two basketball courts that was cleared out last year that this Bike Pump Park could be placed. They could use VOTECH to do the work once they're done with fall projects and they could use materials that are on site. He would recommend that our engineer inspect it once it has been built. If it doesn't work out and there's no interest, it can be leveled back down. For a minimal cost it gives the park something different. Councilwoman LeClair is afraid of liability issues. She stated that at Moreau Fun Days a little boy fell down a hill and flipped his bike wrong and broke his leg. Supervisor Jenkins asked if everyone was in agreement with this plan and stated that there's no money involved yet so nothing needs to be approved. Everyone was in agreement.

DISCUSSION REGARDING SARATOGA ECONOMIC DEVELOPMENT CORP. CONTRACT

Supervisor Jenkins stated that by signing the contract with SEDC it would make them a representative to handle the transactions for the Technical Park. Councilman Prendergast read that the agreement would remain in effect for five years unless earlier termination by mutual agreement from both parties. He asked Attorney Buettner if the Town didn't like it they couldn't terminate the contract without SEDC agreeing to the termination. She stated that was how the contract is written right now. Councilman Kusnierz thought that there was discussion at a previous meeting in that either party had the right to terminate. Attorney Buettner stated that she could add that in if the Board desires. Generally they have a clause that states that the Town can terminate on convenience. Supervisor Jenkins stated that the wording should be changed. Councilman Prendergast asked, if we had any concerns about the potential buyers business, would we have any recourse. Attorney Buettner stated that they don't come in unless we allow it.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the Supervisor to sign a contract with Saratoga Economic Development Corp with the above noted change regarding termination.

Roll call resulted as follows:

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

DISCUSSION UPDATE REGARDING STATUS OF POSSIBLE VIOLATION OF HOME BUSINESSES

Supervisor Jenkins stated that everyone on the Town Board had a copy of the handout that had a list of 28 home based businesses. There are two that are under review. One is In Home Computer Services on Tanglewood Drive and the other is Helen McEntee on Michael Road. Some of the businesses on the list are in the Village, some are in areas that the business is already permitted and some are special use.

DISCUSSION RE: PROPOSED LOCAL LAW 2 OF 2014 RE: FOWL OR POULTRY

Supervisor Jenkins stated that he wanted everyone to take a look at the proposed local law #2 for input. He's not prepared to take any action at this meeting. Councilwoman LeClair stated that she would like to go to Thomas Speziale's home to see his composter that he puts the droppings in. She would like to learn how that works.

A regular meeting of the Town Board of the Town of Moreau was held on October 14, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York

TRANSFER OF FUNDS

Supervisor Jenkins is asking for a transfer of \$20,000 from A1990.4 (General-Special Items-Contingent Account) into account A1620.201 (General –Buildings – Municipal Center). The transfer is necessary to install 4 drywells and resolve drainage problems at the entrance to the Town Municipal Center and Sheriff’s Sub Station. The Highway Department will do the work with the drywells to fix the drainage. The new entrance will be wider and have three lanes. A left turn and right turn to exit the complex and one lane for an entrance to the complex. We’ve received DOH approval. They intend to close the driveway entrance to the Sheriff’s department as well as the far end driveway into the Annex Building. Councilman Kusnierz asked if this project would be part of the Town Hall construction project. Supervisor Jenkins stated that it was but that there weren’t enough funds to pay for the project. Councilman Kusnierz stated that some members of the Town Board assured the taxpayers that there wouldn’t be any expenses to them. So in fact it will cost the taxpayers to do this project. Supervisor Jenkins stated that it doesn’t have to, we could leave the whole thing mud. He stated that we either do what’s right or we don’t. He could vote no if he wanted to. Councilman Kusnierz stated that he would be voting no.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair, that \$20,000.00 be transferred from A1990.4 (General-Special Items-Contingent Account) and \$20,000 be transferred to A1620.201 (General-Buildings-Municipal Center Account)

Roll call resulted as follows:

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

15 MINUTE PUBLIC COMMENT PERIOD

Angela Wadsworth came to discuss her water issue but started with the question “where was the warrantee” when the contractor finished the job and left the homes. She stated that she has over \$6,000.00 damage to her home. Councilman Kusnierz asked that Angela get together a complete list of her issues that need to be taken care of and give it to the Town Clerk. Supervisor Jenkins stated that he would be meeting with her on Thursday and that they could discuss her issues then. The full discussion can be heard on the Town’s website.

Elizabeth Lanfear spoke regarding the transfer of \$20,000.00. Supervisor Jenkins stated that there is an option to do required maintenance or not to. His job is public safety and to keep people safe coming in and out of the complex. Councilman Kusnierz stated that we wouldn’t have a public safety issue if we didn’t build the building to begin with. Christina Scanlon asked if the Sheriff’s Department kicks in. Supervisor Jenkins explained that we provide the facility & don’t pay for protection. Other municipalities do pay extra for protection to their communities.

Reed Antis asked what SEDC does for us. Supervisor Jenkins explained that their job is to try and bring companies and jobs to the Technical Park.

He also asked if there are 26 to 27 home violations, was code enforcement not doing their job. Supervisor Jenkins stated that 5 are in the Village and only 2 on the list were subject to review. A member of the audience asked about day care and Supervisor Jenkins stated that they’re regulated by the Department of Health and that we have no control over them.

Elizabeth Lanfear asked if the Municipality doesn’t allow them isn’t it irrelevant what the Department of Health has for their regulations? Attorney Buettner stated that the Town can have laws that are stricter than the State.

A regular meeting of the Town Board of the Town of Moreau was held on October 14, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York

Elizabeth asked where Joe Patricke was and why he wasn't at this meeting. Supervisor Jenkins stated that he didn't know where Joe was. Councilman Kusnierz stated that there was always a policy that all department heads be present for Town Board meetings. Supervisor Jenkins stated that if employees are mandated to be at the Town Board meetings, then they have to be paid overtime.

Elizabeth stated that Department Heads used to be in attendance at the meetings. Without them, we can't get educated responses.

Terry Clark made a comment that the lights were all out when he went by the other night. Peter Corlew stated that there was a power outage and it knocked out the timers. It's since been taken care of.

Angela Wadsworth asked that a flashing light be put at the intersection of Gansevoort and Reservoir Roads. Supervisor Jenkins stated that this would be brought up under Supervisor's items. He stated that the Town could put up flashing lights above the sign that reads "light ahead" but Gansevoort Road is a State Road and the State would have to authorize that.

Councilwoman LeClair stated that they were having a Cleanup Day this Saturday for the Garden Beds. She stated that they would like to be able to reserve their beds now for next year. There was no objection to this.

SUPERVISOR'S ITEMS

The Supervisor stated that he had met with five different brokers regarding Health Insurance and that CDPHP is showing a 30% increase for the upcoming year. There are some funds from savings over the last three years that will help with the increase. They were cheaper and now they're the same as everyone else. He asked if the Town Board wanted to meet with two of the Brokers they could do it in executive session at the next meeting.

The Court has a JCAP Grant Application in the amount of \$7,922.00 that needs the Supervisor's signature. There were no objections.

The Saratoga County Fire Advisory Board is having a meeting on October 25th at 9:00 a.m. It's called Fire 101 training. The Fire Companies will update everyone as to what they do.

The Supervisor has had a few complaints regarding Sweenor Lane. The Highway Department used a new microfiber for the first time which resulted in a lot of loose stone. He discussed this with Paul Joseph and was told that they would be sweeping this street and that will solve the problem.

The Supervisor stated that they already talked about the Gansevoort Road – Reservoir Road issue. He's going to get together with the Town Clerk to see if they can submit something to get some extra language in. In the meantime, he'll have the Highway Department install some flashers on the signs that say "light ahead".

Councilman Vittengl asked if we could cut back on Route 32 to make the line of vision a little better. The Supervisor stated that he would talk to Paul Joseph about the possibility of re-positioning the stop signs so they are more visible.

Terry Clark stated that people speed on Route 32 and suggested contacting the Sheriff's Department to see if they can sit there more often.

The last item to discuss under Supervisor's items is the house on Bluebird Road that they've discussed before. They're asking \$229,000 and it sits on 4.68 acres. It's the second house to the left of Moreau Elementary School. The property had been looked at a couple years ago for an entrance to the park.

A regular meeting of the Town Board of the Town of Moreau was held on October 14, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York

Elizabeth Lanfear asked if the Town has a survey of the entire Recreation Park yet. Supervisor Jenkins stated he'd have to look. He thinks that there is a survey of the original park and he knows there was a survey done when the Town purchased the 59 acres. At some point it should be done again and that's something the Town Board can look at.

Supervisor Jenkins stated that the Town just sold the property on William Street. They would have more than enough money to cover the cost of the purchase on Bluebird Road. Councilman Kusnierz thought it was worth looking at. If there were ever a catastrophic event at the Park where people had to get out of there, it would tough to get everyone out.

Councilman Kusnierz stated that he had brought up for discussion, at the September 30th meeting, the Bouton property.

Supervisor Jenkins stated that his office had sent out about five requests for quotes and one had come in today. There may be more that he hasn't seen yet. A letter has already been sent out stating that the restoration will be done. The cost will come out of the retainage.

Angela Wadsworth wanted to know what the Municipality is going to do about the person who tarnished her name. This man's position needs to be addressed. Supervisor Jenkins stated that it was unlawful to discuss a particular person at a Board Meeting. Councilman Prendergast asked if she would be bringing the audio to her meeting with the Supervisor on Thursday and if so, the Board members will listen to the audio and address her concern at that time.

She then asked if the lawsuit with Casale had been resolved. Supervisor Jenkins stated that the matter is in the hands of the Insurance Carriers. Attorney Buettner stated that the insurance companies are working on the one claim that's been filed and that's Mr. Clark's claim. Once the insurance companies have the claim, it's out of our hands. She stated that the Town's hands are tied because the insurance company is in charge of the claim.

There was some discussion again regarding Casale which can be heard in full on the Town's website.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adjourn the regular meeting at 8:59 p.m.

Roll call resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
Deputy Town Clerk

A regular meeting of the Town Board of the Town of Moreau was held on October 14, 2014 in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York