

A regular meeting of the Town Board of the Town of Moreau was held on October 16, 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; Karla Buettner, Attorney for the Town; Peggy Jenkins, Assessor; Paul Joseph, Highway Superintendent; Steve Gram, Recreation Director; Jesse Fish, Water Superintendent (arrived at 7:10 p.m.); Garry Robinson, Engineer for the Town; Bob Murray, Shelter Planning; Reed Antis, Alternate Planning Board Member; Town Residents: Melissa Shiffert, Donna Critchley, Bill & Gail Dzialo; and Taylor Peck and Matt Campbell from Glens Falls

Supervisor Jenkins led 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 distributed in advance of the meeting to the Town Board Members for their review, comment, correction and approval:

September 25<sup>th</sup> (2 Sets), October 3<sup>rd</sup> and October 5<sup>th</sup>

**MINUTES – SEPTEMBER 25, 2012 – MONTH-END AUDIT MEETING**

Correction :

Page 430 – Claim amount for Water District 1 Extension 2 Capital Project Fund – Change from \$86,164.09 to \$89,164.09

**MINUTES – SEPTEMBER 25, 2012 – REGULAR TOWN BOARD MEETING**

Corrections:

Page 435 – Under heading “Authorize EDP to be Inspector on Municipal Complex Capital Project” – 2<sup>nd</sup> line – change \$85.00 to \$80.00.

Page 439 – 2<sup>nd</sup> line under the first roll call vote on page – change the word “culverts” to “guide rails”.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to approve both sets of minutes dated September 25<sup>th</sup> with the above corrections so noted.

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Roll call vote resulted as follows:

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

**MINUTES – OCTOBER 3, 2012 – SPECIAL TOWN BOARD MEETING – FIRMS INTERVIEWED  
RE: HEALTH INSURANCE**

No comments or corrections.

**MINUTES – OCTOBER 5, 2012 – BID OPENING – WASTE DISPOSAL/ROLL-OFF CONTAINER  
RENTAL – TOWN OF MOREAU TRANSFER STATION**

No comments or corrections.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast to approve the minutes of October 3<sup>rd</sup> as prepared and to receive and file the minutes dated October 5<sup>th</sup>.

Roll call vote resulted as follows:

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

**SET FUTURE WORKSHOPS & MEETINGS**

A Town Board Workshop to discuss health insurance was scheduled for October 30<sup>th</sup> at 6:00 p.m. in Town Hall.

**15 MINUTE PUBLIC COMMENT PERIOD**

No one present wished to be heard.

**SHELTER PLANNING - UPDATE ON HOUSING PROGRAM**

Bob Murray from Shelter Planning was present. He explained how in early spring Shelter Planning did an outreach via direct mail, the Town's website and the newspaper, to determine what interest there may be in a housing rehab program. Initially the response indicated that there were 24-30 households that were eligible for the program. As time went on the interest increased and ultimately there were a total of 106 responses with 94 of them being eligible under HUD and 38 of these being below the median income. Shelter Planning submitted a matching AHC application and a Home application, one being state funded and the other one federally funded. They felt that the Town would have a better chance of scoring higher if they submitted both applications. The grant award announcements should be released in early December and Shelter Planning is hopeful that the Town will be successful in the grant process.

A few questions were asked by the board members and Bob Murray answered them.

This concluded Bob Murray's presentation.

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### **MELISSA SHIFFERT – BLUEBIRD TERRACE**

Melissa Shiffert was in attendance along with her neighbor Donna Critchley to complain about the conditions of Bluebird Terrace Mobile Home Park.

Melissa Shiffert has lived in the mobile home park for eight years and has had issues over the condition of the park. She came to the Town for guidance in 2008 over an issue with her septic system. She claimed that when she told Joe Patricke where she lived he handed her a brochure on Manufactured Home Park Owners and Tenants Rights and told her that the Town doesn't have jurisdiction over private property and he also directed her to NYS DOH for the septic system problems. She spoke with Kathy Perez the Building Inspector's Clerk and asked her why she couldn't get help from the Town and the response she got was "we have done everything we can for you people, just move". The only help she has received has been from Duane Miller the Assistant Building Inspector and Assistant Code Enforcement Officer. When she spoke with Supervisor Jenkins two weeks ago she claimed that Supervisor Jenkins said to her "I didn't make you move there". She has gone to Congressman Gibson and Assemblywoman Sayward and spoken with their assistants. It appears to her that because she lives in a mobile home park everybody turns a deaf ear and blind eye to her and everyone else in the park. She said they don't know her situation and why she is living where she is living and it is not an option for her to move.

Supervisor Jenkins responded to her quote "I didn't make you move there". He said that is only part of what he said in his conversation with her and most of what he talked to her about was his attempt at trying to be helpful. He spoke with Assemblywoman Sayward about this. He told Melissa Shiffert that the brochure Joe Patricke gave her has the address and phone number of an organization that can help her. The septic issue the Town responded to and it was taken care of.

Melissa Shiffert replied that it took her three years to get her septic system issues resolved. The leach field wasn't working and the septic was backing up and overflowing every three to four days from her neighbor's yard into her yard.

Melissa Shiffert claimed that the Town doesn't enforce the codes nor does the Town make the landlord abide by them, because the landlord cries poverty and she claims that she doesn't have the money to fix homes. She said that there are condemnation placards that have been placed on homes that have been condemned in the park and the landlord went and removed them. When the landlord was notified that Duane Miller was coming to do an inspection she was seen placing the placards back on the homes. Some of the homes are beyond repair. One home has black mold in it. When she spoke with Duane Miller she was told that if she kept pressing the issue then the mobile home park permit would be revoked and everyone in the park would be displaced. She said that there are about 12 to 13 people in the park who own their own homes and the rest are rented out by the landlord. Melissa Shiffert said she pays \$328.00 per month in lot rent and there are 36 lots in the park. She calculated that \$328.00 times 30 lots on average equals \$9,840.00 a month that Mrs. Badruddin receives in lot rent and \$118,980.00 a year and the Town can't force her to comply with the laws.

Supervisor Jenkins said the only thing the Town can enforce in the park is the septic system and it is his understanding that all the septic systems are functioning properly now.

Melissa Shiffert said there are some that are not. She said her septic is, but she isn't here just for herself.

Melissa Shiffert complained about a six foot tall fire pit that was three feet from her bedroom window. She didn't get any satisfaction from the prior supervisor so she got the NYS Fire Marshall involved. She is an advocate for all the people in the park who are intimidated and won't show up at a meeting, because they are threatened with evictions. She complained about milkweed that is growing around her propane tank. The landlord removed the milk weed from around her tank, but she did not remove the roots that are growing under her propane tank. It can cause a leak and is a safety issue.

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Supervisor Jenkins asked Melissa Shiffert if she contacted the number on the brochure that Joe Patricke gave her and Melissa Shiffert replied yes and they are doing what they can about people who don't have leases, but they can't help with building codes that aren't being enforced or condemned homes that aren't being removed. Those are Town and State issues.

Supervisor Jenkins asked Attorney Buettner to comment on this.

Attorney Buettner replied that she was a little hesitant to comment, because Bartlett, Pontiff, Stewart & Rhodes represented Mrs. Badruddin in some evictions cases. She doesn't see it as a conflict, but she would leave that up to the Town Board to decide.

Councilman Kusnierz said he wanted to apologize to Melissa Shiffert if Town Staff didn't treat her in a manner she thought she should be treated, because everybody should be treated fairly and equally. Every resident of our Town is entitled to a level of public health and safety. That is the reason why there is a State Uniform Building Code, which is enforced in the Town through our Code Enforcement Officer, Joe Patricke. That does relate to the septic issue. Some of the other issues she touched on are landowner issues between the tenant and the renter. We have no jurisdiction over that and that is why the Supervisor and the Code Enforcement Officer referred her to an organization that may be able to help her. There are State regulations on how septic systems must be installed and operated. If the septic systems in the park are in violation then the Town has the authority, regardless of who owns it, to enforce the State regulations and if that isn't enough then NYS DOH can also come in and do enforcement.

Melissa Shiffert stated that back in 2007 when she had problems with her septic system she came to Joe Patricke and he told her that the Town would not get involved, because it is private property and a mobile home park.

Councilman Kusnierz said the Town regulates all septic systems, unless there is an exemption under the State Building Code that he isn't aware of and that legal counsel knows about.

Supervisor Jenkins said that he knows that since 2008 the Town has taken care of the septic issues that were there. If there is something that is still wrong then all she has to do is tell us and we will be there for that. We did bring NYS DOH in to check on this and the landlord was finally forced to fix the problem.

Melissa Shiffert stated that her husband brought NYS DOH in not the Town. Her husband was given the same information when he came to the Town during the time she was hospitalized with e-coli from raw sewage that she got from e-coli spores through her dialysis ports. Her husband was told by the NYS DOH that nothing could be done unless they could witness raw sewage spilling out of their septic. Her husband had pictures of it under their home and in their driveway and those weren't good enough. One day when it was bubbling out of the ground she called NYS DOH and it took them 45 minutes to respond and when they arrived it was still coming up out of the ground and only then was action taken and that was in 2008. The landlord was allowed to make two makeshift leach field systems, where she had two of her tenants put PVC pipe into the ground and under the mailboxes until she had the money to be able to fix it properly. That is exactly what she was told by Mr. Patricke and Erin from the NYS DOH, as well as, by Mrs. Badruddin and her daughter Zara. They shouldn't have to wait until she has the money she has their money every month.

Supervisor Jenkins stated that if Mrs. Badruddin hadn't done anything then NYS DOH would have shut the park down.

Melissa Shiffert said that is why she has been coming to the Town for eight years so it doesn't get to that point.

Supervisor Jenkins reiterated again that the Town can only address the septic issues and if there are other public safety issues then the Town can go in with the health board. Beyond the septic issues there isn't much the Town can do, because it is private property. The Town can't enter the property without permission of the owner and if the health board wanted to go in they would have to request permission of the owner to enter the property. That is the law.

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Councilman Kusnierz asked Melissa Shiffert if he heard correctly that her septic was working now.

Melissa Shiffert replied that her septic is, but there are a few septic systems in the park that are not.

Councilman Kusnierz asked if any of those people have approached the Town and Melissa Shiffert replied absolutely one of those people came in with her.

Councilman Kusnierz asked her if she was here on behalf of them and Melissa Shiffert said she was here on behalf of everybody in Bluebird Terrace.

Supervisor Jenkins told Melissa Shiffert that if she could give him the names and locations of the septic systems in the park that aren't working properly then they will go in and look at them.

Melissa Shiffert asked Supervisor Jenkins how he was going to go in and look at them when he just said he needs the property owner's permission to enter the property.

Supervisor Jenkins replied that they could enter the property for that reason, because it is a public health issue. They would have to identify themselves and let the property owner know they are coming.

Donna Critchley stated that one of the homes that has been condemned was rented out within the last two weeks.

Councilman Kusnierz suggested that the Town Board retain outside legal counsel regarding this matter since Bartlett, Pontiff, Stewart & Rhodes, Town's legal counsel, has represented Mrs. Badruddin.

Attorney Buettner stated that they did represent Mrs. Badruddin on eviction proceedings and they may be representing her regarding her husband's estate.

Melissa Shiffert said she contacted the Attorney General and they will not get involved at all and they told her to go to her congressmen and assembly person.

Supervisor Jenkins said she wasn't given correct information from the Attorney General. The Attorney General can subpoena any documents they want and have virtually unlimited power.

Melissa Shiffert stated that she wants to be able to live safely and peacefully like everybody else. She purchased the home, because it was a beautiful home and nothing was disclosed to her about the park at all. Since Mr. Badruddin has been missing and Mrs. Badruddin has taken over she likes to play ignorant.

Supervisor Jenkins said they would deal with another attorney and find out what we can do. He will meet with Mr. Patricke in the morning about this. The rest of her problems are still going to be private property issues.

Melissa Shiffert suggested that he bring Duane Miller in on the conversation, because he is up-to-date on this and he is the only one who has actually given her the time of day. She corrected herself by adding that back in 2008 she did speak with Supervisor Jenkins and after that conversation he got the ball rolling.

This concluded the discussion between the Town Board and Melissa Shiffert.

#### **GARRY ROBINSON – GO OUT TO BID FOR STORAGE BUILDING AT REC. PARK**

Garry Robinson stated that plans and specifications have been prepared for the cold storage building in the Rec. Park. He was recommending a bid opening date of November 2<sup>nd</sup>.

Councilman Kusnierz asked if the board members had a copy of what the building was going to look like and what they were letting out for bid. He stated that he hasn't seen anything.

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Garry Robinson advised that the board members were previously provided with a report with options. He described the proposed building to the board members, which was basically going to be a 45'x65'x12' building with two insulated overhead doors.

The board members asked a few questions and Garry Robinson responded.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing bid documents to be released and a bid opening on November 2<sup>nd</sup> for a cold storage building.

Roll call vote resulted as follows:

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

### **BILL AND GAIL DZIALO – 179 RESERVOIR ROAD – WATER HOOK UP REQUEST**

Mr. & Mrs. Dzialo were present to express their desire to hook up to the public water system at a reasonable rate similar to what he said that hundreds of other Town Residents have paid rather than the \$7,000.00 that he said he would have to pay to hook up to the water system.

The reason he wants to hook up now to the water system is due to his aging water supply system and due to the fact that he lives in an area that he calls a “hot spot” where there is contamination and he mentioned the Abelene-Orkin Site, the Town Landfill, and T-Bird Country Club and he added that the water table, in his opinion, is somewhat unpredictable. He said there are other people on Reservoir Road who are hard up for public water. He said the water line was installed along Reservoir Road by a developer and at no expense to the Town.

Councilman Kusnierz asked Mr. Dzialo who told him it would cost \$7,000.00 and Mr. Dzialo replied that it was \$3,100.00 that he would have to pay to the Town and then he would have to pay to have the water installed from the road 150 feet into his home.

Discussion followed on whether or not a letter was ever sent to the property owners along Reservoir Road offering them the chance to hook up to the water supply system when it was put in. There was mention that a letter was sent out, but Mr. Dzialo claimed he never received one and that nobody can produce a copy.

Councilman Kusnierz asked Jesse Fish, Water Superintendent, how many homes have been hooked up to the water system around where Mr. Dzialo lives and Jesse Fish replied about five. He said that Mr. Izzo hooked up and paid the \$3,100.00 and he was the only person who hooked up after the fee changed to the \$3,100.00. The fee used to be \$700.00 and \$900.00 depending on whether or not the water line had to be run under the road or not.

Discussion followed between Mr. Dzialo and the Town Board as to what was included in the \$3,100.00 fee and how the most recent water project was funded.

Councilman Kusnierz explained to Mr. Dzialo that the Town Board was not unanimous in its decision to increase the fee to \$3,100.00. In fact he voted against it, because he didn't see the justification for the increase. He stated that Mr. Dzialo and the property owners along the stretch of road where he lives are in a unique situation in that a developer put the water main in and when the Town applied for the interest free, thirty year loan, for the recent water project the reason the Town was able to get this type of loan, because of the number of users and the potential for more users to come on line afterwards. He said that he was willing to work with the board members and come up with an equitable fee for this type of circumstance.

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Supervisor Jenkins asked Jesse Fish what the \$1,150.00 hook up fee that was in place before it was increased to \$3,100.00 included.

Jesse Fish replied that the Town ran the water line to the property line and the owner was responsible to finish bringing the water line from the property line into their house.

Councilman Kusnierz asked if it was \$3,100.00 to the curb now and the answer was yes.

Supervisor Jenkins stated that under the circumstances he was okay with charging Mr. Dzialo \$1,150.00.

Councilman Kusnierz asked Mr. Dzialo if he would be amendable to the Town installing the water line to the curb for a reduced fee and then he would have to finish installing the water line from the curb into his home. There was no reply from Mr. Dzialo.

Councilwoman LeClair thought the board members needed to discuss this, because if they do this for one person then they are going to have to do it for others and it is unknown at this point how many more there will be. She said it isn't that she doesn't want to help, but there are other implications here.

Supervisor Jenkins said that if they reduced the fee then they would have to refund the people who paid more.

Supervisor Jenkins then said that back in 2005 the fee was \$900.00 and he was okay with going back to that fee for Mr. Dzialo, but Mr. Dzialo would have to run the water line from the curb into his home.

Councilman Prendergast asked Mr. Dzialo why he didn't approach the Town about hooking up to the water line when the line was being installed.

Mr. Dzialo said he must have been ignorant on how water was put in and figured that eventually the Town would approach him and ask if he wanted to hook up to the system. He did ask the contractor that was installing the water line if he could hook up and the contractor told him that he would have to ask the Town and at that point he came to Joe Patricke and asked him about it. He said that Peggy Springer asked to be hooked up too. [Note: Mr. Dzialo did not say what the response was from Joe Patricke.]

Supervisor Jenkins said that he could agree to charge \$900.00 to bring the line to the curb.

Councilman Kusnierz said he would be on board with that.

Councilwoman LeClair said she wanted to discuss this with the Town's attorney first. We have to decide how far reaching this will be.

Councilman Kusnierz said this is a unique situation. When the latest district was formed we sent a letter to property owners and offered them the water and if they didn't want to hook up then they had to sign off saying they didn't want it.

Councilwoman LeClair said there are a lot of people on Reservoir Road who were not afforded the chance to hook up.

Councilman Kusnierz asked Mr. Dzialo if he was amendable to the \$900.00.

Mr. Dzialo replied that it was better than when he walked in here.

Councilman Kusnierz asked him if it was amendable to him. Mr. Dzialo did not reply.

Councilwoman LeClair said that if we do it for one then we have to do it for all the people affected the same way.

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Mr. Dzialo said that was an admirable thought and he wished the board had that thought two years ago when the Town hooked up all the other people at \$100.00 a year for 30 years. If that thought had been out there on how they were going to treat the rest of the people in the district fairly then it would have been better.

Councilman Prendergast stated that Mr. Dzialo was trying to compare his situation to something that is town-wide and it doesn't work that way. It is not town-wide, it is not tax dollars. It is user fees. He explained that each water district is different. Some were formed with grants and some weren't. There are different costs. Each district has different rates. Some people on this board want to combine all the districts and some people on this board don't want to combine the districts and he is one of them. The reason he doesn't is because people in Water District 1 shouldn't give money to Water District 2. People in Water District 4 shouldn't give the money to Water District 2. This is not tax money, it is user fees.

Councilman Kusnierz added that some of the districts are debt free.

Mr. Dzialo said they may be debt free, but when something in a district has to be fixed where does the money come from to fix it.

Councilman Prendergast and Kusnierz replied that district only. There are laws that dictate this.

Councilman Prendergast said right now they can't take money out of district 2 to fix a pipe that is broken in district 4. They can borrow the money. He said this isn't the only Town that does it this way and we aren't the only Town that charges for hook ups.

Councilwoman LeClair asked Attorney Buettner if she should draft a policy that covers what they are doing and what area it covers.

Attorney Buettner replied that whatever resolution the board creates should identify the location of the policy.

Supervisor Jenkins said he would limit it to Water District 5 and specifically Reservoir Road. There is contamination there. They say that the water is going northwest, but is that always going to be the case, we don't know. Across the road the water goes southeast. There are about 12-15 houses that don't have water on that street. He said the contamination on the corner of Route 9 and Reservoir Road has been encapsulated and there are vents, but it is still there. The question is, should they be given the same opportunity their neighbors got three years ago.

Attorney Buettner said it sounds like the board wants to do this because of the contamination and the board is concerned for the health and safety of the people in that area. If that is the case then the resolution should include this.

Supervisor Jenkins said again he would limit this to Reservoir Road from Route 9 to Gansevoort Road.

Councilwoman LeClair said they have to be fair to everybody.

Jesse Fish asked if it would be logical to send a letter to people in that area who aren't hooked up to the water system yet and offer them the public water and give them a limited time to sign up for the water.

Discussion followed on how Water District 5 was created and why the water line was put in by the Michael's Group.

Councilman Kusnierz suggested they direct legal counsel to prepare a letter to be mailed to property owners on either side of Reservoir Road between Route 9 and Gansevoort Road offering them a chance to hook up to the water system at the 2010 rates and give them 45 days to decide.

Supervisor Jenkins noted that developers along this portion of Reservoir Road pay \$1,700.00 plus cost of a meter for each building.



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Councilman Prendergast stated that they were shooting at the hip here. We need to understand the affect. Who is it going to affect and exactly what is this going to mean? He said there are other districts, other hook ups and who else is going to come in front of us and request a hook up. Are we going ask legal counsel to come up with a special resolution for them? He said you don't have to be here 24 years, you can be here a short amount of time and make a decision without all the information and a month later say, I wish I didn't do that. He said he wasn't going to shoot from the hip.

Councilman Kusnierz stated for the record that this is a unique situation, because of the contamination. He said he doesn't think there is contamination in any many other areas of the Town like there was when this line was put in.

Supervisor Jenkins said he thought they had to put it on hold for now and he would get more information.

Gail Dzialo said she was talking to Cindy Murphy who owns Cottage Crafts and she wants to be hooked up too. Her concern is that there are numerous people with cancer who live between Route 9 and Gansevoort Road.

Supervisor Jenkins told Mr. & Mrs. Dzialo that the board would see what they can do and he would get back to them.

#### **HIGHWAY DEPARTMENT REQUESTS**

The highway superintendent requested permission to purchase diesel fuel from Global Montello Group in the amount of \$20,000.00 under State Contract #PC65528. This purchase would be made out of account DB5142.460 that had a balance of \$31,291.86 as of 10/1/12.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast authorizing the purchase of diesel fuel under State Contract #PC65528 from Global Montello Group at a cost not to exceed \$20,000.00.

Roll call vote resulted as follows:

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

The highway superintendent requested a transfer of funds in the amount of \$8,500.00 from account DB5112.493.4, Highway Improvements (Blacktop/Nova Chipping) into account DB5110.493, Highway General Repairs (Road Materials & Shoulders) for the installation of six drywells and two drywells requiring the cutting of the road and installation of new risers and repair work on Woodland Drive.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the following transfer of funds:

\$8,500.00 from account DB5112.493.4, Highway Improvements (Blacktop/Nova Chipping) into account DB5110.493, Highway General Repairs (Road Materials & Shoulders)

Roll call vote resulted as follows:

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

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The highway superintendent submitted a memo to the Town Board regarding Old State Road 197, which runs in front of Jim Hooper's house. Jim Hooper previously asked the Town Board to either repair the roadway or turn the ownership of the road over to him. The road is more like a driveway entrance into his property. Last year, while plowing this section of roadway, a section of the cutting edge on the Town's snow plow broke and resulted in a repair bill of \$1,320.00. The estimate to repair the road is approximately \$6,565.00. The asphalt alone would cost around \$5,900.00. This estimate is only for the stretch of road that is used daily (610 feet). The southwest remaining section of roadway (320 feet) does not get used at all. There is money in account DB5112.493.4 to cover this repair if the Town Board wants to do so. The money for stone and road fabric would come out of account DB5110.493.

Supervisor Jenkins stated that if the road is abandoned then it automatically belongs to the owner abutting it. If we give the road to Jim Hooper would he still expect the Town to fix it?

Councilman Prendergast and then Councilman Kusnierz mentioned that they thought there was a question of ownership of the road when this was brought up last time. Councilman Kusnierz thought that research was done and that no record could be found of the road being turned over to the Town from the State.

Attorney Buettner stated that if the Town has been maintaining the road for more than 10 years then the Town could turn the road over to Jim Hooper by way of a quit claim deed.

Supervisor Jenkins said if the road was abandoned then it would automatically go to Jim Hooper.

Councilman Prendergast said he doesn't think there is any value to the road.

Councilman Vittengl concurred.

Supervisor Jenkins asked if a resolution would have to be adopted.

Attorney Buettner said she would have to find out.

Councilman Kusnierz asked that the minutes be researched as to what transpired on this when it was brought up last time.

Peggy Jenkins, Assessor, said that there was an ownership issue. She did the research on it the last time.

The highway superintendent requested permission to purchase shelving/racks for the new highway garage out of account HH1620.2. The shelving/racks would be used in the parts & oil/paint room. He obtained the following quotes:

New Shelving/Racks

American Surplus, Inc. East Providence, RI	\$6,223.00
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Inner Space Systems Albany, NY	\$6,547.00
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Used Shelving/Racks

American Surplus, Inc. East Providence, RI	\$2,985.00 Plus Shipping
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R&M Bargain Barn Hartford, NY	\$3,099.00
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Bargain City Racking  
Ballston Spa, NY

\$2,795.00

Paul Joseph recommended purchasing used shelving/racks from Bargain City Racking.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the purchase of used shelving/racks from Bargain City Racking at a cost not to exceed \$2,795.00 out of account HH1620.2 (Highway Garage Capital Project Equipment Account).

Roll call vote resulted as follows:

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

Councilman Kusnierz asked Paul Joseph if he was done drawing money from this account after this purchase. He wants the taxpayer's to save a little money on this deal.

Paul Joseph replied yes.

The highway superintendent requested permission to advance Reed Devitt from the position of Laborer to MEO. Reed Devitt has been an employee of the highway department since December 2009. He has proven himself to be responsible and very dependable and in the past he has stepped up and performed as an MEO when requested. This advancement has been allocated for in two labor accounts DB5110.1 and DB5142.1. If Reed Devitt is advanced to MEO then there will still be three men working as laborers.

Councilman Kusnierz asked Paul Joseph how many MEO's he has now and Paul replied seven.

Councilman Kusnierz asked Paul Joseph how many he normally has and Paul replied eight or nine.

Councilman Kusnierz asked Paul Joseph if he anticipated moving anyone else up to MEO next year.

Paul Joseph replied that this is something the board members will have to discuss, because at the new hire rate compared to the MEO rate they are looking at a \$9.00 to \$10.00 increase. When the board does the contract with CSEA it is something that should be looked at.

Councilman Kusnierz asked what the MEO rate is and Paul Joseph replied he thought it was around \$21.00 an hour.

Councilman Kusnierz asked what the laborer's rate is and Paul Joseph replied around \$15.60 an hour to start. Reed Devitt has been here a few years and is at the old hourly rate of about \$19.00 plus per hour.

Councilman Prendergast suggested that the board not move anybody up to MEO until the board finalizes the contract.

Paul Joseph stated that he has been running short on staff recently due to vacation time so Reed Devitt worked as MEO last week four days at MEO rate and this week has worked two days at MEO rate so far.

Councilman Prendergast stated that his opinion about waiting still stands.

Councilman Kusnierz asked if he would be replacing an MEO that retired this year and Paul Joseph replied yes he would be.

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Paul Joseph stated that when it comes time to plow he wants somebody ready to go.

Councilman Kusnierz asked if Reed Devitt was next in line for this advancement based on seniority and Paul Joseph replied yes.

Councilman Kusnierz said that since it sounds like we are replacing an MEO that retired and he doesn't know if he wants to be in the position of holding an individual hostage or making him a pawn in contract negotiations. He agreed we should be looking at rates. He is already at the \$19.00 plus per hour and the MEO rate is \$21.00 plus per hour. It isn't like we are going from the entry level rate of \$15.60 to \$21.00. He asked Paul Joseph if he would be paying that rate for plowing and Paul acknowledged that he would.

Paul Joseph noted again that in the last two weeks Reed Devitt has worked as MEO for all but two days.

Councilman Prendergast said they should discuss contract negotiations in executive discussion at the end of the meeting and the board could always come out of the executive session and act on this request.

The request was tabled for now.

A request was received from the highway superintendent to purchase a spring for Truck #18 the 2003 Freightliner. It was noted that this purchase was already made upon verbal approval from the Town Board Members. It was an emergency repair. Truck #18 is the only truck in the highway department that is set up to run a front broom and the highway department was trying to finish up shoulder work. The spring was purchased from Shaw Truck Repair at a cost of \$555.72 and it will be paid for out of account DB5130.405 that had a balance of \$12,807.56 as of 10/1/12.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the purchase of the spring for Truck #18 the 2003 Freightliner from Shaw Truck Repair at a cost not to exceed \$555.72 out of account DB5130.405.

Roll call vote resulted as follows:

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

An emergency repair was made to the Town's bulldozer. Verbal approval was received from the Town Board for the \$2,500.00 repair including parts and labor. 70% of the labor was performed by the highway department personnel. The other 30% had to be contracted out as there were special tools needed that the highway department did not have.

Councilman Kusnierz asked what made it an emergency repair.

Paul Joseph stated that the bulldozer was on the site of the new municipal complex when it broke down and the work had to be done so the contractor could get in and get started. His staff was there ready and able to do the work.

Councilman Kusnierz said he saw a John Deere Dozer on the site.

Supervisor Jenkins stated that they had to rent a dozer for the week while ours was being repaired. He authorized the \$753.00 rental fee. He said that the highway staff was on site and available to work and the contractor was coming in at the end of the week to get started so he took it upon himself to authorize the rental of the dozer in order to keep the work moving.

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Councilman Kusnierz said that since we rented a dozer it doesn't sound like the repair to the Town's dozer was an emergency.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the repair made to the bulldozer at a total cost of \$2,500.00 with the parts having been purchased from Southworth and the labor being done by Chandler.

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

The following quotes were received for the rental of a dozer:

Nortrax Clifton Park, NY	650L	\$1,350.00 weekly
Caterpillar Clifton Park, NY	D-5 D-4	\$1,350.00 weekly \$1,135.00 weekly
Finkle/Bobcat of Saratoga Gansevoort, NY	650L	\$683.00 weekly
Monroe Tractor Latham, NY		None Available

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the rental of the dozer from Finkle/Bobcat of Saratoga at a cost not to exceed \$683.00 for the week.

Roll call vote resulted as follows:

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

Councilman Kusnierz explained his vote by saying that he didn't know anything about the rental of the dozer and now they were asking him to vote on the expenditure of taxpayer's dollars and as a board member he should have at least been informed of this rental.

### **RECREATION DEPARTMENT REQUESTS**

A request was received from the recreation director to replace the backstop fence at field #1. He obtained the following quotes:

Tri-County Fence Co.	\$2,050.00
Afsco Fence Supply Co.	\$3,350.00
Adirondack Fence	\$2,575.00

This repair would be paid for out of account HP7180.2 that had a balance of \$49,858.00 as of 10/12/12. On April 10, 2012 authorization was given to accept the quote from Tri-County Fence in the amount of \$2,050.00 to replace the backstop fence. Tri-County Fence never did the work. When asked for a quote this time they held

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their price at \$2,5050.00, but since they did not show up last time it was the recommendation of the recreation director to accept the quote from Adirondack Fence in the amount of \$2,575.00.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the ~~repair~~ **replacement** of the backstop fence at field #1 by Adirondack Fence at a price not to exceed \$2,575.00 out of account HP7180.0. **[Amended 10/30/12 jf]**

Roll call vote resulted as follows:

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

A request was received from the recreation director for the installation of a sprinkler system in the Rec. Park by the quad parking lot and outfield area. The request was for 10 zones with 38 plus heads with pvc main and lateral lines and timer with valves, etc. The following quotes were received:

A. J. Lawn Sprinkler Co., Inc.	\$13,650.00
Garden Time Sprinkler Services	\$11,800.00
Sunshower Services, Inc.	\$7,580.00

The sprinkler system would be paid for out of account HP7180.2 that had a balance of \$49,585.00 as of 10/12/12.

Councilman Kusnierz asked Steve Gram why his staff couldn't handle the job.

Steve Gram said he preferred to talk about that in executive session and when Councilman Kusnierz said it was a yes or no question Steve Gram replied that they told him no.

Councilman Kusnierz asked if this was on the list of budgeted items in the 2012 budget.

Supervisor Jenkins stated that a lot of money was budgeted for equipment and contractual, but it isn't broken down as to what each item is and how much was budgeted.

Councilman Vittengl stated that this is something that really needs to be done. It has been discussed for about 3 or 4 years.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the installation of a sprinkler system in the Rec. Park by Sunshower Services, Inc. at a cost not to exceed \$7,580.00 out of account HP7180.2.

Roll call vote resulted as follows:

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

A request was received from the recreation director asking permission to purchase playground equipment (seated x-cavator/backhoe digger/sandbox digger) for the Rec. Park.

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The following quotes were obtained:

Miracle Recreation (Pettinelli & Associates)	\$1,099.10 including freight
Flaghouse	\$867.25 including freight
Bluegrass Playgrounds, Inc.	\$450.00 including freight \$465.00 including freight
Higley Diggers	\$348.00 including freight \$408.00 including freight
The Play Pro	No Quote

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the purchase of playground equipment from Higley Diggers at a cost not to exceed \$408.00 including shipping and handling out of account HP7180.2.

Roll call vote resulted as follows:

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

A request was received from the recreation director asking permission to repair the driver's side floor pan in the 2002 pickup truck. The following quotes were received:

Bodies by Jay	\$562.00
Dessaint's Auto Body Shop	\$660.20
Jim Betit Auto Body Collision	\$454.95

This repair would be paid for out of account A7140.4 that had a balance of \$18,920.32 as of 10/5/12.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast authorizing the repair to the driver's side floor pan in the 2002 pickup truck by Jim Betit Auto Body Collision at a cost not to exceed \$454.95 out of account A7140.4.

Roll call vote resulted as follows:

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

Steve Gram mentioned that the minutes from September 25<sup>th</sup> were incorrect regarding the playground equipment purchases that were authorized. It was determined after brief discussion that on page 441 of the minutes in the first paragraph and on the 3<sup>rd</sup> line Miracle Equipment should be changed to Little Tykes.

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### **WATER SUPERINTENDENT REQUESTS**

Jesse Fish, Water Superintendent, requested permission to attend a workshop sponsored by Adirondack Water Works on October 18<sup>th</sup> in Saratoga Springs and for the registration fee of \$35.00 (includes lunch) to be a proper town charge.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing Jesse Fish, Water Superintendent, to attend the Adirondack Water Works Workshop on October 18<sup>th</sup> in Saratoga Springs and for the \$35.00 registration fee (includes lunch) to be a proper town charge.

Roll call vote resulted as follows:

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

The water superintendent also requested permission to purchase an electric power valve wrench and exerciser. He obtained the following quotes:

Ferguson Water Works	\$1,965.00
Vellano Bros.	\$2,095.00
Blair Supply	\$2,685.00

This purchase would be made from all water districts.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the purchase of an electric power valve wrench and exerciser from Ferguson Water Works at a cost not to exceed \$1,965.00.

Roll call vote resulted as follows:

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

The Town Clerk was also instructed to run an ad for water meter readers.

Councilman Kusnierz saw on the water superintendent's monthly report for August that he installed a 6 inch water line at the new highway garage and asked if that work was done out of the new highway garage capital project fund.

Jesse Fish explained that the water line was run from the new building to the old highway garage before the highway department paved the area.

Councilman Kusnierz asked if it was part of the water department's duties then and not the capital project.

Paul Joseph said he thinks the pipe was purchased out of the capital project and the water department installed the line.



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**WASTE HAULING BIDS**

On October 5, 2012 the Town opened bids for waste hauling/disposal and roll-off container services at the Transfer Station [refer to the minutes of the bid opening on October 5<sup>th</sup> for the bidders and bid amounts]. There were three bidders: Waste Management, County Waste and Cassella Waste. The low bidder was Waste Management as follows:

12 Month Contract

Bid Item 1	(1) 40 cy container
1 (a) Trans.	\$88.00
1 (b) Disposal	\$51.00
Bid Item 2	(1) 20 cy open top container for overflow
2 (a) Trans.	\$88.00
2 (b) Disposal	\$51.00
Bid Item 3	(1) 20 cy open top container for back up
3 (a) Trans.	\$88.00
3 (b) Disposal	\$51.00

24 Month Contract

Bid Item 1	(1) 40 cy container
1 (a) Trans.	\$88.00
1 (b) Disposal	\$51.00
Bid Item 2	(1) 20 cy open top container for overflow
2 (a) Trans.	\$88.00
2 (b) Disposal	\$51.00
Bid Item 3	(1) 20 cy open top container for back up
3 (a) Trans.	\$88.00
3 (b) Disposal	\$51.00

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz authorizing the award of a two year contract for waste hauling/disposal and roll-off container services at the transfer station to Waste Management per their bid prices, subject to legal counsel’s review and authorizing the Supervisor to sign the contract.

Roll call vote resulted as follows:

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

**CLARK ROAD CULVERT FEMA REPAIR – AUTHORIZATION FOR BID OPENING**

Tim Burley, Engineer for the Town, has prepared bid specifications and a Notice to Bidders regarding the FEMA repair of the Clark Road Culvert. He recommended that the Town Board authorize a bid opening on November 5<sup>th</sup> at 2:00 p.m.

Supervisor Jenkins stated that the Town will receive the full amount of the repair from FEMA.

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A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing a bid opening for the Clark Road Culvert FEMA repair on November 5<sup>th</sup> at 2:00 p.m. in Town Hall.

Roll call vote resulted as follows:

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

### **2012 HOLIDAY PARADE**

Glens Falls National Bank the sponsor of the 2012 Holiday Parade approached the Town again this year seeking the Town's support in sponsoring a marching band for the parade. Full sponsorship of a band is \$500.00 and co-sponsorship of a band is \$250.00. Last year the Town co-sponsored a band. Supervisor Jenkins advised that there is money in the celebrations account for this.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the co-sponsorship of a marching band for the 2012 Holiday Parade at a cost not to exceed \$250.00 out of the celebrations account A7550.4.

Roll call vote resulted as follows:

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

### **GRISWOLD CEMETERY FENCE**

On July 6<sup>th</sup> Royce Pixley, Laborer for the Town and the person who mows the cemeteries in the Town, notified the Town Board that the fence along the side of Griswold Cemetery on the side that abuts Kloss Equipment was in a state of disrepair and he recommended replacing 162 feet of the fence and add another 20 feet to divide the cemetery from the Kloss property. He worked up a cost estimate for materials of \$807.00. There was some question at the time of whose property the fence was on and who owned the fence. Mr. Kloss said he did not own the fence. On October 1<sup>st</sup> Royce Pixley notified the Town Board that the fence finally fell down and a section is lying on a gravestone.

It was the consensus of the board at this meeting that the Rec. Staff should remove the portion of the fence that is lying on the gravestone and then the board will figure out what to do about the rest of the fence.

### **ASSOCIATION OF TOWNS' 2012 FALL PERSONNEL & ETHICS SCHOOL**

Fran Thibodeau, Principal Account Clerk, requested permission to attend a one day seminar hosted by the Association of Towns on November 2, 2012 in Syracuse and for the \$75.00 registration fee to be a proper town charge. She will ride to the seminar with Councilwoman LeClair. This expense would come out of account A1220.4 that had a balance of \$1,391.11.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing Fran Thibodeau, Principal Account Clerk, to attend a one day seminar hosted by the Association of Towns on November 2, 2012 in Syracuse and for the \$75.00 registration fee to be a proper town charge.

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Roll call vote resulted as follows:

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

### **SERIAL BOND RESOLUTION FOR WATER DISTRICT 1, EXTENSIONS 2 AND 3**

No action was taken on the serial bond resolution for Water District 1, Extensions 2 and 3, prepared by Attorney Buettner. An Environmental Assessment Form has to be prepared and SEQR completed before the resolution can be adopted.

### **DOG CONTROL OFFICER'S REQUEST FOR CLOTHING AND SUPPLIES**

At the last Town Board Meeting the Dog Control Officer submitted a request to purchase gloves, boots, pants, flashlight, cell phone case, and I.D. Badge. The request was tabled. Since that time the Town Board received a copy of a field report from NYS Department of Agriculture & Markets. In the report it was suggested that the DCO be provided with a more adequate catch pole, but we need to know what the cost will be before we can purchase one. They also suggested a uniform or some form of identification, such as, a patch or t-shirt. They also suggested some type of signage on his vehicle identifying him as DCO. We may have to get him a magnetic sign for his vehicle. Supervisor Jenkins said he would tell the DCO to get prices. If the magnetic sign is under the amount that requires prior Town Board approval he will tell him to order it.

Councilwoman LeClair suggested an orange vest that reads "Town of Moreau".

Supervisor Jenkins said as for the clothing and misc. items he requested he doesn't see the Town purchasing them. We haven't purchased them before for any other DCO.

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

Reed Antis asked Councilman Kusnierz if he has attended any of the library budget meetings and reviewed the budget at all.

Councilman Kusnierz replied that unfortunately the library was holding the Public Hearing on their budget tonight downstairs in Town Hall and since he is at this meeting he is unable to attend. He stated that he gets their reports as does all the board members.

Reed Antis asked Councilman Kusnierz if he thought the Town Residents should vote yes or no on the library budget.

Councilman Kusnierz replied that his personal opinion is that the Town Residents should vote for the library budget. It is an exceptionally good value for what the residents get. He does know that is not the feeling of the entire board.

Supervisor Jenkins said the cost is too high for us. However, he thinks they did a good job on their budget, they kept it very tight and they are within the 2% cap. They run a great library with great services. Would he have built a building designed that way? No, but he is not an architect or a contractor. He will vote yes for it, but the only complaint he has is that 35% of the people who use the library are from municipalities that don't pay anything to the library.

Reed Antis stated that about \$1 million of the revenue is coming from outside the district and from estates and trust funds. He thinks that a lot of the revenue should be more equally shared and other Towns should be

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contributing to the library tax district other than the three Towns presently and in order to do that the law has to be changed.

Reed Antis suggested that the Town Board budget money in each department's budget to allow department heads to attend training classes rather than making them come to board meetings and asking for funding to attend training classes that we know they should be attending.

Supervisor Jenkins replied that there is money budgeted for training.

Reed Antis asked why the department heads have to come to a meeting and ask permission to attend the training classes when the board knows that they have to attend these classes each year.

Supervisor Jenkins said it is a policy of the Town.

Councilman Prendergast advised that the board has cut back on some training recently. They told Joe Patricke he couldn't go to training up north and he didn't go.

Brief discussion followed.

Reed Antis mentioned that a sign has not been put up yet at the Transfer Station for the electronic recycling bin.

Supervisor Jenkins replied that he sent a letter out two weeks ago and has received no response. He said that he could tell him to pull it out of there, but he doesn't want to. He will call him and talk to him about it.

Reed Antis said it is a shame that people walk all over this Town and that we react so slowly in general to a lot of things. He asked why the board isn't dealing with issues with people we do business with.

Councilman Prendergast replied that they have been dealing with bigger issues lately.

Reed Antis asked if the bigger issue was dealing with the septic issue at the beach that still is not complete.

Councilman Prendergast replied yes and why wouldn't they?

Reed Antis stated that they still haven't finished that project.

Councilman Prendergast stated that not one person was turned away from using the beach this summer. It was open to the public safely for their use. That was his main concern.

Supervisor Jenkins said the problem is scheduling as it involves the Village DPW, Town Highway and Water Department.

Reed Antis stated that the bottom line is that it has taken 14 months and it is still not finished.

Supervisor Jenkins said they could have spent another \$5,000.00 and gotten the job completed by now.

Reed Antis stated that they could have started the job last fall.

Councilman Prendergast stated that as far as the library budget is concerned he thinks they did a pretty good job this year of watching the budget. However, he doesn't think the library will look the same as it does today 10 or 15 years from now just like the assembly lines in factories don't look the same as they did 10 or 15 years ago and he doesn't know if the library is heading in that direction. What he foresees in the future for libraries is smaller libraries with more technology involved and more access to the public without the public having to go to the library.

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Reed Antis said there are a lot of people using the library regularly and it is a hub of activity. It is a wonderful facility and great resource.

### **COMMITTEE REPORTS**

Councilwoman LeClair reported that the Conservation Committee met and they are working on a flyer about recycling.

Councilwoman LeClair stated that she is going to call Dave King at the EPA to see if he can determine ownership in regards to land in the area of the proposed River Front Park. Peggy Jenkins has done research here and at the county level. National Grid said they don't have a deed. She also has to discuss this with Attorney Buettner. When they did the dredging there had to be something in writing. We just haven't been able to find it.

### **SUPERVISOR'S ITEMS**

When the permanent easements were signed by property owners in Water District 1 Extension 2 a TP584 (Combined Real Estate Tax Form) was not signed by each property owner and this form must be filed with each permanent easement. Also the filing fee at the Saratoga County Clerk's Office to file about 32 permanent easements and TP584's is estimated at \$2,387.50. Authorization is needed from the Town Board for Bartlett, Pontiff, Stewart & Rhodes to prepare a TP584 for each permanent easement and obtain signatures from the property owners and authorizing the payment of the filing fees to Saratoga County.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing Bartlett, Pontiff, Stewart & Rhodes to prepare a TP584 form for each permanent easement and obtain signatures on same and authorizing filing fees to be paid to the Saratoga County Clerk to record the easements and TP584's.

Roll call vote resulted as follows:

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

Supervisor Jenkins informed the board that there was going to be a groundbreaking ceremony on the site of the new municipal complex at 11:00 a.m. on Friday, October 19<sup>th</sup>. He asked the board members if they were okay with the Town Hall and all Town Departments being closed from 10:30 a.m. to 12:30 p.m. to allow employees to the groundbreaking ceremony. The board members didn't object.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to adjourn to an executive session at 9:50 p.m. to discuss the employment history/performance of an unnamed employee(s) and CSEA contract negotiations.

Roll call vote resulted as follows:

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

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

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A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adjourn the executive session and re-open the regular meeting at 10:43 p.m.

Roll call vote resulted as follows:

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

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

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adjourn the regular meeting at 10:44 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury  
Town Clerk