

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, 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
Todd Kusnierz	Councilman
Gina LeClair	Councilwoman
Preston L. Jenkins, Jr.	Supervisor

Town Board Members Absent

None

Also Present: Jeanne Fleury, Town Clerk; Karla Buettner, Attorney for the Town; Paul Joseph, Highway Superintendent; Peggy Jenkins Assessor; Amanda Metzger, Post Star Reporter; Reed Antis, Town Resident and Planning Board Member; Town Residents: Bobbi Spaulding, Adele Kurtz, Elizabeth Lanfear, Ed Petrush, Bill Fitzgibbon, Tim Pease

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 minutes of October 2nd, October 8th and October 9th were prepared and presented to the Town Board Members in advance of this meeting for their review, comment, correction and approval.

MINUTES – OCTOBER 2, 2013 – BUDGET WORKSHOP

No comments or corrections.

MINUTES – OCTOBER 8, 2013 – REGULAR TOWN BOARD MEETING

Corrections:

Page 408 – 1st resolution – 2nd line – Change Water District I – I8310.4 to Water District I Principal Ban – I9730.0.

Page 408 – 2nd resolution – 2nd line – Change Water District I – I8310.4 to Water District I Principal Ban – I9730.0.

Page 410 – 1st and 4th line under the heading “Name Alternate to Planning Board” – Change “Charlie” to “Charlene”

Page 411 – Under heading “Transfer Station Bag Size Range” under “Resident” add 13 gallon \$1.00 and under “Non-Resident” add 13 gallon \$1.50

MINUTES – OCTOBER 9, 2013 – BUDGET WORKSHOP

No comments or corrections.

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to approve the minutes of October 8th and 9th with corrections so noted.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Abstain on the 8 th and Yes to the 9 th
Councilman Kusnierz	Abstain
Supervisor Jenkins	Yes

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to approve the minutes of October 2nd as prepared.

Roll call vote resulted as follows:

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

FUTURE MEETINGS/WORKSHOPS SCHEDULED

Month-End Town Board Meeting scheduled for October 29th at 7:00 p.m.

Town Board Workshop Re: Sewer along Route 9 scheduled for November 19th at 7:00 p.m.

15 MINUTE PUBLIC COMMENT PERIOD

Adele Kurtz received an e-mail from the Code Enforcement Officer saying that the Sign Law would be on the agenda.

Supervisor Jenkins said he didn't see any reason to discuss the Sign Law until the Town Board receives a report back from the Sign Committee on where they think the Town Board should go with the Sign Law. He said the committee was specifically appointed to work on the temporary sign portion. In 2008 there was a 4' x 8' sign erected for someone running for Congress and in 2010 there were several oversized signs erected in our Town for the Congressional race. As soon as the committee decides to come back with recommendations they can act on it.

Adele Kurtz stated that Joe Patricke's e-mail read that he asked for it to be placed on the agenda for discussion and then a meeting shall be held at the end of November.

Supervisor Jenkins said the Building Inspector doesn't schedule agenda items he does.

Adele Kurtz said that Supervisor Jenkins was quoted in the paper as saying that he directed the Code Enforcement Officer to not enforce the law. Adele Kurtz reviewed the minutes and didn't find where the Town Board took a vote.

Supervisor Jenkins said he didn't say they made a motion. He said the Board in discussion directed him to wait until after the Sign Committee was done.

Adele Kurtz said she couldn't find that in the minutes and asked Supervisor Jenkins when that was done.

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Supervisor Jenkins said it was done at a workshop on signs and he believes that was when it occurred.

Adele Kurtz cited a section of the minutes from June 7, 2011 and said there was discussion, but the minutes read and she quoted "I will have to check with the attorney and see whether or not we can freeze the enforcement of this section". She asked Supervisor Jenkins if he ever talked with the attorney and was there ever a determination made. She said he can't just tell him to not to enforce the law, it has to be a Board decision and she wondered if a decision was ever made.

Supervisor Jenkins replied that was our action at that time and that is what happened. He said again that it happened in 2008 and in 2010. Adele Kurtz asked what happened and Supervisor Jenkins replied oversized signs that were in violation and said now all of a sudden because it is his signs it is a violation.

Adele Kurtz asked if there were complaints back then. The Code Enforcement Officer responds to complaints and it has always been that way in our Town.

Supervisor Jenkins said again that they need to hear back from the Sign Committee as to what they think we should do. It is going to involve business people in our Town. There were 30 people at that meeting to discuss it and we basically discussed putting it on hold and whether or not we talked to the attorney at the time, Martin Auffredou, he really doesn't know.

Councilman Kusnierz said he heard several times reference made to the Sign Committee and he wanted to update everyone on where the Sign Committee left off, because there seems to be an inference that this Board is waiting on some sort of action on the part of the Sign Committee. While he is speaking as a member of the Sign Committee, the Supervisor was quoted as saying that he chaired it and that is false. There are no committees established by the Supervisor that are chaired by any member, other than the Supervisor and he isn't aware of any that he chairs, in the Town of Moreau. There is another council member on the committee, which he doesn't know why that wasn't pointed out. There are two Town Board Members on every committee in this Town. There was a workshop prior to the establishment of the Sign Committee and the Supervisor was part of that and it happened on June 7, 2011.

Supervisor Jenkins said that was true he was there and he recalled asking Councilman Kusnierz if he would chair the committee and said maybe he didn't accept, but he did ask. He is sure it is on the audio, if not in the minutes.

Councilman Kusnierz replied he was more than happy to accept the assignment of that, along with Councilwoman LeClair. One of the reasons why he was more than happy to do that was, because there were businesses especially in the agricultural district in the Town who had issues with the Sign Law in the Town. The Sign Committee did meet and it was made up of about a dozen members of the community, business people, residents and two Town Board Members. There was no chair of the committee. When the committee met on December 1, 2011 he asked that all of the members of the committee present to the Town Clerk any issues that they would like the Town Board to review. He further asked that the Clerk forward those suggestions to the Town Board Members and then they would reconvene after the Town Board had an opportunity to review those suggested changes. He said maybe the Town Clerk could reply to how many of those suggested changes we got so we can move forward. The Town Clerk said she wouldn't know that. She replied that she could have looked it up for him, but she didn't have it with her. Councilman Kusnierz said he knew the answer to that question, because he is a member of the committee. There were no suggested changes forwarded to any Town Board Members that he was aware of. He asked if any other Board Members received suggested changes. There was no audible reply. He said that the Town Board met on December 13, 2011 and Councilwoman LeClair reported that the Sign Committee had met and that members had been asked to submit their thoughts on paper and to the Town Clerk. That is where they left off. We are not going to have a discussion if we have nothing to discuss. He said the question just came up whether or not we are doing enforcement in this community. He said nowhere in the minutes leading up to the Sign Committee Meetings or in any minutes of Town Board activities after the Sign Committee Meeting was any decision made by this Town Board not to enforce the Sign Law in the Town of Moreau.

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Councilman Kusnierz asked Attorney Buettner if the Town's Sign Law was still in full force or effect in the Town of Moreau and the answer was yes. Councilman Kusnierz then stated that there are continuing violations by members of the Board with signs in this community.

Supervisor Jenkins replied, "but we will ignore all the ones we had before, because somebody else put them up".

Councilman Kusnierz asked if they received a complaint on them. He never got a complaint.

Supervisor Jenkins said the temporary sign portion of the Sign Law was not being enforced by our Town Building Inspector and Code Enforcement Officer, because of that meeting that we had and that is why he said that to the reporter.

Reed Antis asked Councilman Kusnierz if he thought the people in our Town are happy with our Sign Law and then asked him if wasn't that why the public met to ask the Town to make changes.

Councilman Kusnierz replied that they thought it could be better, but he didn't hear anybody say they were unhappy with it.

Supervisor Jenkins said he heard from a lot of unhappy people at that first meeting that was held on this. Many felt we were in very tough economic times and taking away temporary signs from them and not allowing them to advertise was costing them when they were trying to survive. That is part of the reason why we thought we should look into it and see if we can modify it to make it better for those people.

Reed Antis stated that we have a ton of temporary signs around and camp fire wood signs would be a good example. They have been very creative the last couple of years. Therefore, he asked should Mr. Patricke enforce the Sign Law only when there is a complaint. He asked Councilman Kusnierz if that is what he thought we should do as a Town.

Councilman Kusnierz said it isn't a matter what he thinks as a Board Member. "I am sworn as a Member of the Town Board when I took my Oath of Office." So it is not what I choose to do, rather what I am required to do. He said general reference was made to temporary signs. We have size limitations on temporary signs. There are many temporary signs that fall within the legality of the Town of Moreau Code on temporary signs. The issue that was initially brought up was the size of the temporary signs.

Reed Antis stated he understood, but with signs in general there are different types of sign violations and he thought the community was hoping that the Town Board, and not just two people who were on the Sign Committee, would take a leadership role and "bring" some information and not just totally depend on the committee when you have thirty plus business people here who wanted the Sign Law changed.

Councilman Kusnierz said it wasn't a committee of two. It was a committee of ten or more and Reed Antis replied that only met once.

Councilman Kusnierz said we had a full Town Board workshop on the Sign Law and then a Sign Committee Meeting.

Reed Antis said it met once and Councilman Kusnierz said "right". Reed Antis said nothing came out of it and Councilman Kusnierz replied "I received nothing".

Reed Antis said it sounds disappointing.

Councilwoman LeClair stated that she and Councilman Kusnierz have an appointment with Joe Patricke to sit down with him and just go over everything again, because of the length of time. She said that if the Town Board wanted to set a workshop at the November 6th Town Board Meeting for two weeks after that then they should be ready for that. She thought it would be nice to revisit the Sign Law again with Joe

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Patricke before they set a public workshop. She said that they could set a workshop for later in November if they so chose to do that.

Supervisor Jenkins stated again that in 2008 there was a 4' x 8' sign put up along Route 9 for Sandy Treadwell who was running for Congress. NYS DOT had the sign moved, because it was blocking a speed limit sign. The sign was reinstalled so it wasn't blocking the sign. It was moved by our Building Department. It was ruled by our Building Department that it was on private property and it was protected by the First Amendment. It went back to the issue that Frank Williams brought up several years ago about political signs. He said that is prior to the meeting in 2011 obviously, but he doesn't understand what the difference is. Is it who puts the signs up that makes the difference? He doesn't know.

Adele Kurtz stated that it is a lot different having those signs in a commercial zone, but she still thinks it violated the law. She then said she doesn't know whose property he was talking about. Those in the agricultural and residential zones are a lot different. It is the community and the aesthetics of the community. It is much different than putting up a sign like that in a commercially zoned area. She thinks there is a distinction and she thinks that is why the code distinguishes the size of a sign that can be put up in a commercial zone vs. in an agricultural or residential district.

Supervisor Jenkins said those people chose to put up those signs in front of their house, they wanted them. After the newspaper article he got three more calls from people who wanted signs to put up on front of their houses.

Adele Kurtz replied "sure you did, because they know you are not going to enforce it".

Elizabeth Lanfear asked about the old Town Hall and old Highway Garage and she said that at the last meeting Supervisor Jenkins said he was waiting on the committee. She asked if that committee has met yet. She would like to see those properties declared surplus property and sold.

Supervisor Jenkins replied that the old Highway Garage is still being used to store equipment and it would need to be cleaned out first. As for the old Town Hall, he isn't sure what the zoning in the Village of South Glens Falls would allow the building to be used for. He thought it would be great if the building could be used for something for the community and not for apartments or an office.

Elizabeth Lanfear asked if isn't the first step to declare it surplus property and Supervisor Jenkins said probably and they could probably declare it surplus property now, but if they do that then he would assume that the next step would be to put it up for auction under the law. Elizabeth Lanfear asked why they wouldn't start that process and get it going.

Councilman Prendergast replied that he would be glad to do that right after they finish the budget. There is a deadline for that. They are going to meet on it and complete it on time. The plan is to not raise taxes and they are going to take care of that first.

Elizabeth Lanfear asked how long the property on William Street has not been used and Councilman Prendergast replied 24 years. He has been on the Town Board 24 years. Multiple Board Members and multiple Supervisors of different parties have talked about it. It has just been sitting there. He then said it has been used. It is being used as we speak. The Highway Department stores equipment in there and years ago they used it a lot more. He said he is on the Building Committee, but he is going to finish the budget first. That is priority right now. There is a time table on that and the time table is going to be met.

Elizabeth Lanfear agreed it didn't have to be done in the next two weeks.

Councilman Prendergast said the answer again is after the budget.

Elizabeth Lanfear stated they had a budget last year too.

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Councilman Prendergast replied that there was one ten years ago too when there was a Republican Supervisor here.

Elizabeth Lanfear said she wasn't talking about party. She was just asking about a building that is just sitting there.

Councilman Prendergast said she wasn't here ten years ago asking them then. It could have been declared surplus property ten years ago.

Bobbi Spaulding asked if isn't the 15 minute public comment period up so they could get on with the agenda.

Supervisor Jenkins replied that is exactly where they were headed and he then said the 15 minutes is up and he said they would go on to agenda item number 3.

Councilman Kusnierz said he was still not clear. Is it the Board's intent to not abide by the Town Code if we have Board Members in violation? Is that the intent tonight?

Supervisor Jenkins said "he could take that home and dream on it". They were not going to act on it tonight. He wasn't going to vote on it.

Councilman Kusnierz said he wasn't asking for a vote.

Councilman Kusnierz then addressed Attorney Buettner and said we have signs in violation of the code and he asked Attorney Buettner if she was familiar with the Town's requirement for temporary signs and before she could reply he said we have Town Board Members in violation of the Code and he asked Attorney Buettner if this was correct.

Attorney Buettner said she didn't know if they were in violation. She knows how the Sign Law reads.

Councilman Kusnierz asked her how the Sign Law reads and Attorney Buettner replied she knows how it reads and before she could continue Councilman Kusnierz asked her what the square footage limitation is on temporary signs. Attorney Buettner replied six square feet.

Councilman Kusnierz asked Attorney Buettner if we have Town Board Members that have a sign that exceeds the six foot square size limitation would they be in violation of the Town Code.

Attorney Buettner started saying that if he was asking her right now and then she was cut off by Councilman Kusnierz when he asked her if a Town Board Member has a sign that exceeds six square feet in various locations of the Town does that violate the Town Code.

Attorney Buettner replied that she would say probably yes, but she doesn't know all details or the specifics.

Councilman Kusnierz said to Attorney Buettner that she just told him six square feet for temporary signs. He asked her again if a Town Board Member has a sign that exceeds six square foot limitation then it is in violation of the Town Code in certain areas of the Town and he said it is a yes or no answer.

Attorney Buettner said well your honor, yes and if a member of the public has similar signs up in Town then they would be in violation too.

Supervisor Jenkins asked Councilman Kusnierz if when he put up the Sandy Treadwell sign on his brother-in-law's property does he think that was a violation?

Councilman Kusnierz replied "not my sign, not my property".

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Supervisor Jenkins said “do you think it was a violation”?

Councilman Kusnierz replied “not my sign, not my property”.

Supervisor Jenkins asked again “do you think it was a violation”?

Councilman Kusnierz replied again “not my sign, not my property”.

Supervisor Jenkins replied “yea I know, go sleep on that one”. He said they were moving on to the next agenda item and then Councilman Kusnierz interjected saying that there are Board Members in violation. He wasn’t in violation and he still isn’t in violation”. Supervisor Jenkins said excuse me and said they were going on to agenda item number 3 and Councilman Kusnierz replied don’t throw out innuendos then. Supervisor Jenkins said they were going on to agenda item number 3 and Councilman Kusnierz stated that apparently “we just make the laws we don’t have to uphold them”.

HIGHWAY DEPARTMENT REQUESTS

Paul Joseph, Highway Superintendent, submitted a memo to the Town Board informing them that he was going to advertise for winter sand and attached a copy of the bid specifications for their review and if they had any questions they should contact him. The sand would be purchased out of account DB5142.491 that had a balance of \$10,000.00 as of 10/1/13.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the Highway Superintendent to go out to bid for sand.

Roll call vote resulted as follows:

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

Paul Joseph, Highway Superintendent, submitted a request to purchase gasoline from Global Montello Group under State Contract #PC66184 in the amount not to exceed \$10,000.00 out of account DB5142.460 that had a balance of \$49,174.51 as of 10/1/13.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the purchase of gasoline from Global Montello Group under State Contract #PC66184 in the amount not to exceed \$10,000.00.

Roll call vote resulted as follows:

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

Paul Joseph, Highway Superintendent, requested permission to spend \$32,000.00 from account HH1620.2 to purchase asphalt to do the paving in front of the overhead doors at the highway garage before the winter season. Putting down asphalt will help prevent stone being brought into the garage which is causing cracks to form on the entrance aprons. The balance as of 10/1/13 in account HH1620.2 was \$37,089.91. He requested that if the Board didn’t want to approve this amount then he was

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

requesting approval of at least \$15,000.00 to be spent to pave out 25 feet from the building in the front and back.

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz authorizing the paving of 25 feet out from the highway garage on Route 9 in the front and back at a cost not to exceed \$15,000.00.

Roll call vote resulted as follows:

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

RECREATION DEPARTMENT REQUESTS

None

Councilwoman LeClair stated that at some point in time Amy Alfonso, Recreation Director, would like the Board Members to review what she gave them about the website. They also took pictures of Amy with all types of sporting equipment and they are hoping to send a flyer to the schools and the Moreau Community Center to let people know that she is helping people go on-line to let her know what type of programming they are looking for. Hopefully before the next meeting the flyer will be ready for the Board to review.

Councilman Kusnierz asked if Amy would do the updates to the website or would they have to have someone else do it.

Councilwoman LeClair replied it is a questionnaire that will be posted on-line.

Supervisor Jenkins stated that Amy is going to do a lot of the prep work and Mannix Marketing will do the rest.

Elizabeth Lanfear stated that when you called the land line at the Rec. Park you used to get the answering machine and the message would give you the person to call. Now when you call the message on the answering machines just tells you that if you have a soccer question who to call and tells you to leave a message. She said it would be nice if the recording gave you Amy's name and phone number and the cell phone number of the phone that the staff carries out in the fields.

Councilman Kusnierz thought the numbers were posted on the door.

Elizabeth Lanfear said that people who are calling from outside the park should be able to call the park and get the number of the person they are trying to reach from the recording.

Supervisor Jenkins told Elizabeth Lanfear that she could call Town Hall and ask for Terry and she can give her the cell phone number of the other person in the park.

Elizabeth Lanfear replied that she understands that, but it isn't that hard to put a recording on the answering machine that says if you are calling for the Rec. Director call this person and number, if you are calling about soccer call this person and number, etc.

Councilman Kusnierz said they could put that on the answering machine.

Councilwoman LeClair said she would let Tim Johnston know this.

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

WATER DEPARTMENT REQUESTS

None

SALES TAX RESOLUTION

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing \$800,000.00 in sales tax revenue to be sent back to Saratoga County to be applied as a credit against the Saratoga County Real Property Tax Levy.

Roll call vote resulted as follows:

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

AUTHORIZATION FOR TOWN CLERK TO SIGN LICENSE ISSUING AGENT AGREEMENT WITH NYS DEC

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the Town Clerk to sign the License Issuing Agent Agreement with NYS DEC.

Roll call vote resulted as follows:

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

PROPOSED SEWER DISTRICT/FUNDING

Supervisor Jenkins reported that information has been received that there is a good chance that we will get funding from the EFC for sewer along Route 9. Right now the amount is \$14,135,000.00 for the project. However, we may not be eligible for any grants, but we don't know that for sure. It is likely we will be eligible for 0% financing. We would have to file the hardship application by December 1st and the sewer district would have to be formed by February 1, 2014. He said there will be a meeting of the Town Board held on November 19th at 7:00 p.m. in the Town of Moreau Municipal Building. Tim Burley our Engineer will be here to tell us what needs to be done. Tim has met with the EFC to get some direction. He met with Tim today and there is a lot of work to do. They will need help from everybody to get this done. It is a great opportunity for us to open up the Route 9 corridor to commercial development once the sewer is in. Jason Denno who works for the EFC said there are people who don't understand that this could be a one year or fifty year period where there actually could be twice as much money. We are above the funding line and he said all we had to do was file by August 1st. Tim Burley agreed to do it for no fee, because he just had to update our 2010 filing. He really stepped up to find us funding and he is the best there is. A lot more information will be available soon. There is some information that we have on the Route 9 project from back in 2010. It probably has to be updated, because there has been some developments approved since then along Bluebird Road, that haven't been started yet. The Town Board needs to authorize going ahead with sending out an opinion poll. We did this back in 2009 or 2010 for this area and got replies and they were favorable and people wanted sewer. The Town Board would have to approve the opinion poll to be sent out.

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Councilman Kusnierz stated that he thinks every Town Board Member is on board with this. The update portion is important from the standpoint that the more users we can include the more it will decrease the annual cost when we settle in on this project.

Councilwoman LeClair stated that the Town Board needs to revisit and get back on track with re-zoning. Maybe we should speak with Chazen. In ten years she doesn't want to look back and say that our zoning wasn't properly in place for that corridor and it is a hodge podge of businesses. She asked Supervisor Jenkins to contact Chazen and try to reactivate the re-zoning or she was willing to contact them.

Supervisor Jenkins said he would talk to Joe Patricke about this. It was his understanding that it was nearly completed other than somebody preparing it. He didn't think there were a lot of changes.

Councilwoman LeClair said maybe the Town Board could meet in a workshop setting to see where we are at with it.

Councilman Prendergast stated that sewer is the biggest asset this Town can acquire right now and it has been for many, many years. The Town Board has positioned ourselves so we can take advantage of this opportunity. As Preston said it is once in 50 years that we could get an opportunity like this and we were ready for it. There are a lot of people in Town that would like the opportunity to bring it into their development. In his development people have asked him when is it coming and he would like to think this is the first step in answering them. They aren't businesses, they are homeowners and they are asking for it. It is important not only for commercial, but residential also.

Councilman Kusnierz stated that it is a fantastic opportunity for the Town. He said that as Board Members they have to go out and campaign to get re-elected and he said they all know what the number one issue is when they go door to door and there has been enormous pressure on them to get the job done and it looks like they are headed in that direction and on their terms. He said they have had people who have come in and presented opportunities to them and they wanted so much to get sewer along Route 9 that they were entertaining doing things that our zoning really didn't permit. He said this gives them an opportunity to stand back and get back on track where they wanted to go. He said "Councilman Prendergast" is on the money about getting our zoning committee back and having all of our Board Members there and revisiting it.

Supervisor Jenkins stated that this funding would actually pay for our capacity increase with the City of Glens Falls, which would be at a substantial cost that we would avoid. It puts us in a position where we can give a better deal to the people, because it won't have a lot of buy-in. It will be similar to what we did with our water projects in that it would include all the installations and they would just have an annual cost for usage. It is very good news. He thanked Tim Burley and the EFC people who helped us get this.

ELECTED OFFICIAL'S SALARIES

Supervisor Jenkins stated that the Board needs to set the salaries for elected officials. He asked the Town Clerk when they had to be published. The Town Clerk replied that she had to send the Public Hearing Notice on the entire Preliminary Budget that included the salaries to the newspaper by October 29th for Publication on November 1st in order for the Town Board to hold a Public Hearing on November 7th, which is the latest they could hold the Public Hearing.

Supervisor Jenkins read the following salaries:

Town Board Members (4) @ \$11,300.00 each
Town Justices (2) @ \$26,939.00 each
Town Supervisor \$45,076.00
Highway Superintendent \$53,497.00
Town Clerk \$42,638.00

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl setting the salaries of elected officials for the Year 2014 as stated above.

Roll call vote resulted as follows:

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

The Town Clerk asked the Board if they wanted to set the Public Hearing date.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl setting the Public Hearing on the 2014 Preliminary Budget for November 6, 2013 at 7:00 p.m.

Roll call vote resulted as follows:

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

ASSESSOR'S RE-APPOINTMENT

Supervisor Jenkins stated that he had a meeting with Peggy over some of the issues that they have discussed and she is willing to comply with those issues. He asked for a motion to re-appoint Peggy Jenkins as Assessor for another six year term.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to re-appoint Margaret T. Jenkins as Assessor for the Town of Moreau for another six year term that will expire 9/30/2019.

Roll call vote resulted as follows:

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

HEALTH INSURANCE RENEWALS

Supervisor Jenkins stated that right now we have a health insurance deductible of \$3,500.00 for single plan and \$7,000.00 for family or two-person plan. If we stay with these deductibles then we are facing a significant increase in health insurance costs. If we go with a higher deductible plan of \$4,500.00 for single and \$9,000.00 for family and two-person plan then it would only be about a \$2,000.00 increase over 2013 and we could potentially have a substantial savings. It would be about \$18,000.00 less than if we stayed with the current plan. Our employees would actually save money and we would save \$30,000.00 based on the experience that we have by using this plan and apparently the insurance company saves money. This year we saved about \$50,000.00 by going with this process over the prior year. He said that by the same token they have to look at the fact that we are increasing the deductibles by \$1,000.00 for single coverage and \$2,000.00 for family and two-person coverage. He asked what happens next year. How long do they deal with these increases until it doesn't really solve the problem.

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

By increasing the deductibles by the \$1,000.00 and \$2,000.00 we are actually taking the risk away from the insurance company and by the same token, based on this year's experience, we will still be saving money. He thinks it is the right thing to do this year, but anymore increases and it might not make sense. It may be getting to a point where we will be committing too much. He said we only have three employees who have gone over their deductible and there may be a 4th employee and the employees avoided paying anything for the coverage except for the premium that they paid and we saved \$50,000.00. Our other option is to stay with the existing plan and pay about \$17,000.00 more and not get anything back. It depends on the claims.

Councilwoman LeClair said the public needs to understand that it is not an unlimited amount there is a set amount, a maximum amount of risk, so it is not something that could escalate to an amount we aren't aware of.

Supervisor Jenkins stated that if we paid the full amount we could potentially pay another \$2,000.00, but that would be if all employees went over, but normally 60% don't go over. The 60% reduces our liability and we don't have to pay all that money to cover the expenses and that is where we save the \$50,000.00. The \$50,000.00 is a projected amount and it is actually higher than that right now and that is with anticipating some claims through November.

Councilman Prendergast stated that we do have a track record this year. He thought it made sense to go to a higher deductible. We have a group of employees that we know something could change with. We aren't looking at a significant change here from what happened this year.

Councilman Vittengl agreed it made sense.

Councilman Kusnierz said it was fine.

Supervisor Jenkins stated that he would notify Marshall & Sterling that we are going to increase the deductible to \$4,500.00 and \$9,000.00.

Supervisor Jenkins stated that there is no increase in the Medicare through CDPHP and with Guardian Dental there doesn't seem to be any reason to change. CDPHP has a similar plan to Guardian that would cost a little less, but the benefits are less and the employees pay their fair share of it.

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz authorizing the Supervisor to sign an agreement with Marshall & Sterling for them to administer the plan.

Roll call vote resulted as follows:

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

QUOTES FOR HYDRO-SEEDING OF THE NEW MUNICIPAL COMPLEX GROUNDS

The following quotes were received to hydro-seed the land between the new municipal complex and the fire station:

Galusha	\$5,400.00
Don Kingsley Excavating	\$4,900.00
Evergreen Landscape & Turf	\$4,430.00

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Councilwoman LeClair asked if they offset our costs for the area where the solar panels are going to be installed and Supervisor Jenkins said he would have to check on that.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to accept the quote from Evergreen Landscape & Turf in the amount of \$4,430.00 and authorizing the Supervisor to sign an agreement with them.

Roll call vote resulted as follows:

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

15 MINUTE PUBLIC COMMENT PERIOD

Elizabeth Lanfear asked if a sign could be erected out on Route 197 directing motorists where to turn into the municipal complex.

Supervisor Jenkins replied that the Town Clerk sent a letter to NYS DOT requesting signage out on Route 32 and Route 9 at the intersection of Route 197 directing motorists to the municipal complex. NYS DOT responded saying that they would allow temporary signs for one year and then they would have to come down, because by that time people would know where we are located.

Paul Joseph said he received an e-mail from the Town Clerk asking him to get prices on signs, but Paul pointed out that the color NYS DOT authorized was orange with black lettering and those are temporary sign colors. So if it was the intent to seek permission for permanent signs then signs shouldn't be ordered until we are sure the State is going to allow permanent or temporary signs.

Reed Antis had previously requested and was requesting again for the Board Members to authorize Royce Pixley to mow the cemeteries that have been cleared and restored and for a path to be cleared through to Rogers Cemetery so it could be accessed. He asked if any of this work had been addressed in the 2014 Budget so far.

Paul Joseph replied that it would take about three days to clear the brush and grind it so access could be gained to Rogers Cemetery.

Councilwoman LeClair asked if part-time rec. employees could do this work and the answer was probably not, it is like a jungle the brush is so thick.

Councilman Kusnierz asked if they had to go over private property to do this and Reed Antis replied possibly depending on which way they go in. However, he stated that Town Law reads that the property owner has to allow access to the cemetery.

Councilwoman LeClair stated that Reed has done volumes of research, worked on stones and we need to make them accessible.

Bobbi Spaulding asked if the Buck Group was still interested in developing in the Exit 17 corridor area especially since we may be getting sewer.

Supervisor Jenkins replied that he thinks they lost their financing, but they may have another financier lined up and he thinks they are still interested.

Adele Kurtz asked when we would find out if we are eligible for a 0% loan for the \$14 million for sewer.

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Supervisor Jenkins replied that the hardship request is a simple application. It relates to our median income, which is about \$56,000.00. Depending on the area we could have somebody come in and do a study to have a lower median income, but that would only qualify us possibly for a grant in the amount of about \$1 million or \$2 million he doesn't know. An interest free loan for 30 years is almost about a 60% or 70% grant when you look at the value of currency. If we had to take an option between the two then an interest free loan is a much better deal. He said again the application is fairly simple and according to the 2010 census we are probably going to be qualified for that per Tim Burley.

Adele Kurtz asked if in the worst case scenario we weren't granted a hardship then what would the interest rate be.

Supervisor Jenkins replied hardship status is a strange thing and he doesn't totally understand it, but in part of the area that we are doing he assumed the median income would be lower for a good number of people, because we have some mobile home parks and other housing that more than likely the income levels would be lower. He said to qualify for a grant we would have to do a study and he doesn't know if we could come up with the money and do the study in time to qualify.

Adele Kurtz asked if the opinion poll would have any impact on what area that would be serviced by the sewer line. She asked if it could possibly extend down to the apartments.

Supervisor Jenkins said that area is pretty well settled. We are talking about some of the old Hudson Park and between Route 32 and Route 9 and some properties on Bluebird Road, Tanglewood and all those areas there. If we were to do that and get a favorable poll it would certainly help and with that kind of volume it would bring down the costs and make it much more affordable and because we are doing it through this process we don't have to charge for hook up and we would have funds to pay for capacity to the City and it would pay for infrastructure. The people would pretty much just hook up and start paying the annual fee for usage.

Adele Kurtz asked if the \$14 million could include the Tanglewood area and the Bluebird Road area and down Route 9 to exit 17.

Supervisor Jenkins said it would start at exit 17 on the north side of it and come up to Bluebird Road and it would pick up most of the property on Route 9 adjacent to it and then down Bluebird Road to Fort Edward Road and from there we would expand what we have going to the City from that point.

Peggy Jenkins thanked the town Board for re-appointing her and for their continued support.

Peggy Jenkins then noted that the Board previously authorized her clerk, Susan Stockman, to attend some courses and the amount authorized for registration was \$105.00, but she since found out the fee is now \$120.00 so she asked the Board to amend the resolution to increase the fee from \$105.00 to \$120.00.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to amend the resolution made on September 24, 2013 changing the registration fee from \$105.00 to \$120.00 per course.

Roll call vote resulted as follows:

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

Elizabeth Lanfear asked if the elected official's salaries were increasing or staying the same.

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Supervisor Jenkins replied that the increases were between 4% and 5% and there was no increase projected for his salary. He said the Town Board Members got at least \$500.00 each and they haven't had an increase since 2008 and they felt it was time, it was requested and that is what we did. He said he thought the Justices were getting a 4% increase.

Reed Antis stated that the Town Board sent the proposed PUD for the Bluebird Road/Harrison Avenue area to Planning Board for comment and he is curious why the Town Board seems to be in favor of more apartments and senior living down there where it is zoned M1. Are we going to continually change that area to more and more residential from M1? He asked the Town Board to keep in mind that the more senior living there is the more it will affect emergency services.

Councilman Kusnierz said it shouldn't be construed from his perspective that his vote was supporting the project. What he was in favor of was referring it to the Planning Board for comment, get their comments as another separate Board and bring them back to the Town Board, because the Town Board has to vote on it for that change to occur. He wanted to hear what the Planning Board had to say about it.

Reed Antis stated that all the Planning Board can do is comment on setbacks, roads, drainage, building heights; make sure there are adequate entrance ways and things like that. They cannot comment on whether it is a good idea or bad idea to change the zoning. That is out of their realm.

Councilman Kusnierz said the Planning Board can give the Town Board additional information before they took a vote on it.

Reed Antis said the Planning Board can't influence the Town Board. All they can do is make sure the building is the right height and that the setbacks are correct, etc. They can't comment on whether it is a good idea or not.

Councilman Kusnierz wasn't saying they could influence the Town Board.

Reed Antis stated that whether or not it is a good idea to allow a PUD in that area is totally up to the Town Board to decide.

Supervisor Jenkins stated that in his opinion it may be a good use for the land in that area and it will bring sewer down to that area and it could lead to light manufacturing or commercial development in that area if water and sewer was available.

Reed Antis asked the Town Board to consider the impact that more senior living would have on the Moreau Community Center.

COMMITTEE REPORTS

Councilwoman LeClair reported that she met with a Trustee from Fort Edward about walking, x-c ski trails, snow shoe trails in the back of the Harry J. Betar Jr. Recreational Park and linking the trails onto about 200 acres of their property. They are very enthusiastic about working with us on a project such as this that helps both municipalities. There would be no other property owners involved so no easements would be required. She is going to ride the trails with them so they can visualize the project.

Councilwoman LeClair reported that the Jim Martin from the LA Group has started working on the easements with General Electric and National Grid for the Riverfront Park that we started on some time ago and they are trying to move forward with the Archaeological Conservancy and other entities involved.

Councilman Kusnierz reported receiving a request from residents on Fedor Road for an "intersection sign" to be erected on Route 32 alerting motorists that a cross-road is ahead (Fedor Road).

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Councilman Kusnierz reported receiving a recommendation from two residents that the stop sign on the property of the municipal complex be moved so it is 90 degrees off to the side so there is less confusion coming in and there would be a loop around and then they would stop so there would be two-way traffic there rather than a stop and people coming around.

Supervisor Jenkins said they could take a look at that. He said a lot of people wonder why it is there at all.

Supervisor Jenkins asked the Town Clerk to submit a request to NYS DOT for a sign on Route 32.

Councilman Prendergast reported that at the last meeting Mr. Dorsey approached the Board about the Town dumping materials out behind his house. He went down to take a look at it and it gives you a different perspective when you walk behind his house and see what he is looking at.

Supervisor Jenkins said he also went down at a different time. When you get there and look at the piles, we have 72 acres there and we need to take a look at it and try to accommodate him by doing something different. He said that he realizes that it is our property and that Mr. Dorsey clear cut his property so it opened it up a lot and made it more visible, but Supervisor Jenkins said he wouldn't like it behind his house.

Councilman Prendergast said it would be different if we didn't have any other option, but we do. There is 70 acres of land that we own. We should try to do something different. He told Mr. Dorsey that there is a temporary solution that he believes we can take care of and he was agreeable to that. For now if we bring anything down there we are going to put it out behind the trees and this has been discussed with the highway department. The long term solution is, like Supervisor Jenkins said, we have 70 acres down there.

Councilman Vittengl reported that he walked the property too and it is beautiful property and he didn't realize the Town owned it and we don't want to jeopardize it for the future. It is a beautiful asset the Town has and it has some value for the future for some good uses.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing Supervisor Jenkins to sign the JCAP Grant prepared by the Town Justices in the amount of \$8,686.56 and authorizing the Town Justices to submit the grant.

Roll call vote resulted as follows:

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

Discussion followed on Confined Space Training the cost and drafting a policy.

Attorney Buettner said the purpose of drafting a policy would be so the training is free. The first step would be for NYS DOL to come in and do an inventory of the different departments that deal with confined space (Transfer Station, Highway Department and Water Department) and then a policy can be developed.

Discussion followed.

Supervisor Jenkins said that Attorney Buettner should prepare a policy and Attorney Buettner said she can't prepare a policy until NYS DOL does their inventory. Supervisor Jenkins said okay you invite them.

A regular meeting of the Town Board of the Town of Moreau was held on October 22, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adjourn the meeting at 8:45 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury
Town Clerk