

A month-end audit meeting of the Town Board of the Town of Moreau was held on October 29, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Supervisor Jenkins called the meeting to order at 7:53 p.m.

The Town Clerk called the roll.

Town Board Members Present

Robert J. Vittengl, Jr.	Councilman
Todd Kusnierz	Councilman
Bob Prendergast	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; Rudy Klick, Special Projects Aide

A voucher was in for audit from the instructor of the hula hoop class that was held this summer in the recreation department and it appeared that the voucher was for a series of six classes and only one session was held. It was also noted that there was no written contractual arrangement for this program and it was set up by Erin Trombley the former Recreation Director. It was agreed by the Board Members to pay the instructor for the one class held.

In the May 14, 2013 minutes the Town Board accepted a quote from Services Unlimited for the moving/grading/removal of top soil and hydro-seed at the new municipal complex, but they sub-contracted the work out to Evergreen Landscape and Evergreen Landscape submitted an invoice and voucher in the amount of \$16,500.00. Per Rudy Klick the minutes need to be revised to read Evergreen Landscape instead of Services Unlimited.

Councilman Kusnierz asked Rudy Klick if both companies have the same address and Rudy Klick replied that he did not know.

Supervisor Jenkins stated that Services Unlimited got the job, but sub-contracted it out to Evergreen Landscape.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to amend the minutes of May 14, 2013 to read Evergreen Landscape instead of Services Unlimited.

Roll call vote resulted as follows:

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

An emergency repair to the ~~copier~~ **mower spindle and pully** in the highway department by Seeley ~~Office Systems~~ **Machine, Inc.** in the amount of \$750.00 needed Board approval.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast authorizing the emergency repair that was done to the ~~copier~~ **mower spindle and pully** in the highway department by Seeley ~~Office Systems~~ **Machine, Inc.** in the amount of \$750.00. **[Corrected 11/12/13 jf]**

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Roll call vote resulted as follows:

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

Garry Robinson submitted an invoice and voucher for audit in the amount of \$3,675.00 for additional construction engineering on the Clark Road culvert project and Board approval is needed for his additional services.

Supervisor Jenkins stated that there wasn't any Board discussion on his additional engineering services, but the Town Board did hire him as the engineer on the project.

Councilman Kusnierz stated that this is the 3rd or 4th time this has happened and Supervisor Jenkins stated that he told Garry Robinson that.

Councilwoman LeClair asked if he didn't get authorization then how could he bill the Town.

Supervisor Jenkins replied that Garry had authorization from the Town Board to represent us on the project.

Councilwoman LeClair stated that Garry Robinson didn't even come back to the Town Board to let us know this was coming. He needs to respect our process.

Supervisor Jenkins asked if they should treat all engineers that way. He said that Tim Burley is doing work for us now and we don't have an amount. He asked if they wanted to hire someone else.

Councilwoman LeClair said this has been an ongoing issue and it can't continue and if it does then we will have to hire someone else.

Councilman Prendergast stated that Garry Robinson needs to come to the next meeting to explain.

C2Ae, the engineering firm, that Tim Burley works for has a different rate schedule than what Tim used to charge the Town and the rate schedule needs to be approved by the Town Board.

Supervisor Jenkins said that Tim Burley used to charge \$85.00 an hour and that was the rate for about eight years.

Councilman Prendergast asked if the \$85.00 was the rate that was in the organizational minutes and the answer was yes. Councilman Prendergast stated that should be the rate we pay then until it is changed.

Supervisor Jenkins stated that they could change the rate on the voucher and only pay the rate that is in the organizational minutes. He stated that Tim Burley has done a lot for us in the way of obtaining grant money and interest free loans and now he got us interest free financing for the sewer project.

Councilman Prendergast said that all he was saying was that the rates should have been approved before they were billed.

Supervisor Jenkins asked if they wanted to put the voucher and invoice on hold or establish a new fee schedule from this day forward. The Village of South Glens Falls is going to reimburse the Town for his services and Rudy Klick noted that the Village of South Glens Falls already reimbursed the Town.

A month-end audit meeting of the Town Board of the Town of Moreau was held on October 29, 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 authorizing the attached rate schedule from C2Ae retroactive to the following invoices that are in for audit: Invoices #56258-1 in the amount of \$1,643.75, #56258-2 in the amount of \$1,480.00 and #56575 in the amount of \$1,575.00 and authorizing payment of these invoices that were calculated based on the new rate schedule attached.

Roll call vote resulted as follows:

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

Supervisor Jenkins went back to the voucher and invoice in for audit from Garry Robinson and asked the Board what they wanted to do with it.

Councilwoman LeClair said to ask Garry Robinson to come to the meeting on November 12th.

Rudy Klick asked the Board if they wanted to set a cost for future work on the project.

Councilman Prendergast stated that the reason Garry Robinson was being asked to the meeting on November 12th was to ask him what he is doing and where he is going from here on the project.

Supervisor Jenkins said the voucher and invoice would be withheld from payment until the Board could talk to Garry Robinson.

A voucher and invoice was in for audit from the Center for Occupational Health for a pre-employment physical for a new hire and on the invoice was a \$20.00 charge for a no show. The employee did eventually go for the pre-employment physical, but missed the first appointment. Does the Board want to pay the \$20.00 and then take it out of the employee's pay? This is the question that Rudy Klick had.

It was agreed to pay the \$20.00 and discuss it with the employee.

A voucher and invoice was in for audit from Garry Robinson for the annual MS4 reporting for 2012 in the amount of \$2,513.75. The Town Board did not authorize his services in advance of the work being done.

Councilman Prendergast stated that Garry has to tell the Board ahead of time from now on out ahead of time what his charge will be for his services.

Supervisor Jenkins stated that he would ask Garry to give the Town Board a price for next year's reporting even if he has to give them a price range.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to approve the engineering services provided by Garry Robinson in the amount of \$2,513.75 for the MS4 reporting for the year 2012.

Roll call vote resulted as follows:

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

A month-end audit meeting of the Town Board of the Town of Moreau was held on October 29, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

A voucher and invoice was in for audit from Rucinski Hall Architects in the amount of \$1,645.00 for the preparation of bid documents for the concession stand in the Harry J. Betar Jr. Recreational Park. The Town Board authorized the project to go out to bid, but never authorized an amount to be spent on the bid preparation.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to approve the engineering services of Rucinski Hall Architects in the amount of \$1,645.00 for preparation of bid documents for the concession stand at the Harry J. Betar Jr. Recreational Park.

Roll call vote resulted as follows:

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

Adirondack Cabling installed ground wire from the main telecom in basement to the data closet at a cost of \$682.63 and approval was not received from the Town Board prior to the work being done.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to approve the installation of ground wire from the main telecom in the basement to the data closet by Adirondack Cabling at a cost of \$682.63.

Roll call vote resulted as follows:

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

The per copy rate increased on the service contract with Seeley Office Systems for the copier in the Building Department from .0094 to .0097 starting on 9/30/13 and Rudy Klick asked for the Town Board to approve this rate increase.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing a rate increase per copy under the service contract with Seeley Office Systems from .0094 to .0097 retroactive to 9/30/13.

Roll call vote resulted as follows:

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

A voucher and invoice was in for audit from Kost-It in the amount for \$2,156.25 for work done on the computers and telephone system in the new municipal building. The hourly rate of \$125.00 per hour was not approved by the Town Board.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to approve the work done by Kost-It at a cost of \$2,156.25 and their hourly rate of \$125.00 per hour.

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Roll call vote resulted as follows:

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

A voucher and invoice was in for audit from Vellano in the amount of \$1,552.00 for two Master waster meters purchased for Water District 1. The Town Board was polled prior to the purchase and the purchase was verbally authorized, but needs to be ratified at this meeting. The meters are going in the Schermerhorn development so Schermerhorn will reimburse the Town the difference in price from a regular meter and the meters purchased.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the purchase of the two Master water meters from Vellano at a cost of \$1,552.00 for the Schermerhorn Development in Water District 1.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the following transfers:

\$2,000.00 from A6460.4 – General Fund – Economic Assistance – Contractual into A6460.4F – General Fund – Economic Assistance – Farmland Protection Grant to pay Chazen Engineering for work done on the Farmland Protection Grant.

\$1,500.00 from A9060.8 – General Fund – Employee Benefits – Health Insurance into A9050.8 – General Fund – Employee Benefits – Unemployment for unemployment benefits paid to Recreation Department staff.

Roll call vote resulted as follows:

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

The Town Board previously accepted a quote from Foresight Alarms for the installation of an alarm system on the new municipal building and they don't have the \$2 million in liability insurance that the Town normally requires. The Town's insurance agent and attorney don't have a problem with this. Supervisor Jenkins asked if the Town Board did and there was no objection expressed by any Town Board Member.

Quotes were obtained for the purchase of shirts for the Town of Moreau Youth Basketball Program through the Town of Moreau Recreation Department. The lowest quote was from Northwind Graphics at \$5.00 per shirt, per Supervisor Jenkins.

A month-end audit meeting of the Town Board of the Town of Moreau was held on October 29, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

A motion was made by Councilman Prendergast and seconded by Councilwoman Leclair authorizing the purchase of 200 shirts from Northwind Graphics at a cost not to exceed \$5.00 each.

Roll call vote resulted as follows:

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

Attorney Buettner had prepared and presented to the Town Board a resolution that declares the Town Board Lead Agent under SEQRA for the sewer district extension being proposed. In order to receive the \$14 million from the EFC for this project the Town Board has to form a sewer district by 2/2/13 and the first step in doing this is to declare lead agency status and declare the project a Type 1 action under SEQRA.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adopt the following resolution:

WHEREAS, the Town of Moreau, hereinafter referred to as the "Town", is proposing to cause to be constructed a sewerage collection system to serve town residents, businesses, and institutions (the "Action"); and

WHEREAS, the Town of Moreau Town Board must evaluate all proposed actions submitted to it for its consideration that may affect the environment in light of the State Environmental Quality Review Act ("SEQR") and the regulations promulgated thereunder, and

WHEREAS, the involved agencies [as that term is defined in 6 NYCRR 617.2 (t)] include the New York State Department of Environmental Conservation and the New York State Department of Transportation, and the required environmental review will be conducted concurrently by the Town of Moreau Town Board; and

WHEREAS, the Town of Moreau desires to serve and act as the lead agency for the purposes of SEQR; and

WHEREAS, to aid the Town of Moreau Town Board in determining whether the Action may have a significant impact on the environment, a Full Environmental Assessment Form dated October 28, 2013, has been prepared by the Town with a copy filed with the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Moreau that the Town Board makes the following findings and determinations with respect to the proposed project:

- (1) The project constitutes a "Type I Action" as that term is defined in Section 6 NYCRR 617.2(ai) and 617.4;
- (2) The Town Board of the Town of Moreau desires **to** serve as lead agency for the purposes of SEQR;

A month-end audit meeting of the Town Board of the Town of Moreau was held on October 29, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

- (3) The Town Attorney shall cause the New York State Department of Environmental Conservation and the New York State Department of Transportation, as other "involved agencies", and any other interested agencies, to be notified of this resolution.

This resolution shall take effect immediately.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing a new checking account to be established for the Town of Moreau NYS Affordable Housing and authorizing Preston L. Jenkins, Jr., Town Supervisor and Gina LeClair, Deputy Supervisor, to be the authorized signers on the account.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to pay bills as audited.

Roll call vote resulted as follows:

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

AUDITED CLAIMS	
General Fund – A Account Claim nos. 1200, 1208-1212, 1215-1217, 1219-1232, 1235-1239, 1242-1248, 1251-1252, 1258-1262, 12565-1266, 1268-1269, 1271-1279, 1282, 1285, 1287-1288, 1302-1306, 1308, 1310-1311, 1320-1321, 1323-1325, 1327-1328, 1334, 1338, 1341	\$75,982.21
Town Outside Fund – B Account Claim nos. 1229, 1235, 1255, 1258, 1270, 1275, 1287, 1289-1294, 1312-1319, 1322, 1339-1340	\$4,915.77
Highway Fund – DB Account Claim nos. 1233-1235, 1241, 1250, 1253-1254, 1256-1257, 1261, 1263-1264, 1267, 1280-1281, 1283, 1285, 1288, 1302, 1307, 1309, 1336-1337	\$215,662.62
Sewer District 1 Fund – GI Account Claim nos. 1221, 1227, 1229, 1275, 1334	\$142.41
Water District 1 Fund – I Account	

A month-end audit meeting of the Town Board of the Town of Moreau was held on October 29, 2013 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

Claim nos. 1221, 1226-1227, 1229, 1235, 1240, 1275, 1279, 1304, 1326, 1330, 1333-1335, 1342	\$1,977.04
Water District 2 Fund – II Account Claim nos. 1221, 1226-1227, 1229, 1235, 1240, 1275, 1284-1285, 1304, 1326, 1330-1331, 1332-1335	\$75,605.32
Water District 4 Fund – IV Account Claim nos. 1201-1202, 1204-1207, 1221, 1226-1227, 1229, 1235, 1240, 1275, 1302, 1304, 1326, 1330-1331, 1334-1335	\$295,611.20
Meadow Ridge Lighting District Fund – MR Account Claim nos. 1208 and 1210	\$75.44
Palette Lighting District Fund – PA Account Claim nos. 1208 and 1210	\$166.67
Palmerton Heights Lighting District Fund – PH Account Claim nos. 1210	\$491.59
Pinewood Lighting District Fund – PW Account Claim nos. 1208 and 1201	\$225.20
Riverview Lighting District Fund – RV Account Claim nos. 1208, 1210	\$299.18
Sherwood Forest Lighting District Fund – SH Account Claim nos. 1208 and 1210	\$252.29
Water District 3 Fund – SW Account Claim nos. 1221, 1226-1227, 1229, 1235, 1240, 1275, 1304, 1326, 1330, 1334-1335	\$245.24
Transfer Station Fund – TS Account Claim nos. 1218, 1226, 1249, 1254, 1258, 1279, 1286-1287, 1302, 1304, 1329, 1334	\$13,251.09
Tanglewood Lighting District Fund – TW Account Claim nos. 1208 and 1210	\$116.38
Water District 5 Fund – V Account Claim nos. 1221, 1226-1227, 1229, 1235, 1240, 1304, 1326, 1330-1331, 1333, 1334-1335	\$203.87
Water District 6 Fund – VI Account Claim nos. 1221, 1226-1227, 1229, 1235, 1240, 1304, 1326, 1330-1331, 1333-1335	\$842.18
Woodscape II Lighting District Fund – WP Account Claim nos. 1210	\$288.07
Woodscape Lighting District Fund – WS Account Claim nos. 1208 and 1210	\$386.04
Trust & Agency Fund – TA Account Claim nos. 1203, 1346-1347	\$34,623.99
Municipal Center Capital Project Fund – HC Account Claim nos. 1295-1299, 1343-1344	\$61,974.01
Highway Capital Project Fund – HH Account Claim nos. 1300	\$715.00
Water District 1 Extension 2 Capital Project Fund – HI Account Claim nos. 1213-1214	\$63,201.00
Recreation Capital Project Fund – HP Account Claim nos. 1345	\$1,645.00

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to adjourn to executive session at 8:45 p.m. to discuss the employment history/performance of an unnamed employee.

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Roll call vote resulted as follows:

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

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

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to adjourn the executive session, re-open the month-end audit meeting and adjourn the meeting at 8:58 p.m.

Vote resulted in all Yes and 0 No

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

Meeting adjourned at 8:58 p.m.

Respectfully submitted,

Jeanne Fleury
Town Clerk