

A regular meeting of the Town Board of the Town of Moreau was held on September 27, 2011 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Supervisor Jenkins called the meeting to order at 7:02 p.m.

The Town Clerk called the roll.

Town Board Members Present

Tom Cumm	Councilman
Gina LeClair	Councilwoman
Todd Kusnierz	Councilman
Preston Jenkins	Supervisor

Town Board Members Absent

Bob Prendergast	Councilman
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Also Present: Jeanne Fleury, Town Clerk; Karla Buettner, Attorney for the Town; David Taube, Post Star Reporter; Paul Joseph, Highway Superintendent; Jesse Fish, Water Superintendent; Steve Gram, Recreation Director; Reed Antis, Planning Board Alternate Member and Town Resident; Peggy Jenkins, Town Assessor; Vince Sporrer, Town Resident; Danielle Bourdeau from South Glens Falls Girl's Softball; Andre Delvaux, Village Resident; Ed Tracy, Recreation Department Laborer; Elizabeth Lanfear, Recreation Commission Member and Town Resident (arrived at 7:30 p.m.); Jonathan Pease, Town Resident

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

Supervisor Jenkins led the Pledge of Allegiance.

MINUTES

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

August 18th, August 23rd, September 13th

MINUTES - AUGUST 18, 2011 - SPECIAL TOWN BOARD MEETING RE: PRELIMINARY PLANS FOR NEW MUNICIPAL BUILDING COMPLEX

Correction:

Page 419 - 3rd paragraph from bottom of page - After first sentence add the following wording: "She thought the 197 building would be a nice area to use as a community room that the public could use for large gatherings or meetings. She would like to enter into discussions with the Town Board on this before they make any decisions on the use of any buildings."

A motion was made by Councilwoman LeClair and seconded by Councilman Cumm to approve the minutes of August 18th as corrected.

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Roll call vote resulted as follows:

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

MINUTES - AUGUST 23, 2011 - REGULAR TOWN BOARD MEETING

Corrections:

Page 426 & 427 - Under the heading "State Grant Process" - Delete all the wording and replace with the following wording - "Councilwoman LeClair reported that the State of New York is changing the way they hand down money for grants. Instead of having a parks grant process and a sewer grant process, everything will go through one council. The state is broken into different economic groups. If you want to read more, she said, there is a website and a manual and a guide. It was Jim Martin's recommendation that when they hold their public hearings that the Town make a strong showing. We should invite our Zoning Board, Planning Board, and Building Inspector, anybody who wants to come, because in the future monies will be granted according to a list of priorities and if we are not on that list of priorities then we will have less opportunity to get some of this grant. Preston is going to check with SEDC about this process. There are going to be meetings throughout the region on August 31, September 6, and September 7 on the new grant process. She thought the board should be thinking about this. Jim Martin said we should show a strong voice for the Town of Moreau if we want to be well positioned for grants later."

Page 428 - Under the heading "Committee Reports" - 1st paragraph - next to the last line - delete "5:00 p.m." and add "4:00 p.m."

The minutes of August 23, 2011 could not be approved. Councilman Prendergast, Councilwoman LeClair and Supervisor Jenkins were the only three who attended that meeting and Councilman Prendergast was not present at this meeting to approve the minutes.

MINUTES - SEPTEMBER 13, 2011 - REGULAR TOWN BOARD MEETING

Correction:

Page 456 - Under the heading "Supervisor's Items" - 2nd line - Delete the wording "He daughter is having emergency surgery" and add the following wording: "Her daughter is having surgery on October 13, 2011."

A motion was made by Councilwoman LeClair and seconded by Councilman Cumm to approve the minutes of September 13th as corrected.

Roll call vote resulted as follows:

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

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FUTURE MEETINGS/WORKSHOPS SCHEDULED

Budget Workshops:	October 4th	7:00 p.m.
	October 6th	7:00 p.m.
	October 12th	7:00 p.m.
	October 17th	7:00 p.m.
	October 24th	7:00 p.m.
Town Board Workshop re: Cemeteries in Moreau	October 11th	6:30 p.m.
Month-End Audit Meeting	October 25th	6:30 p.m.

15 MINUTE PUBLIC COMMENT PERIOD

Danielle Bourdeau representative of the South Glens Falls Girl's Softball Organization and a taxpayer of Moreau spoke about a rumor that she said has been circulating regarding cuts that are proposed in the Recreation Department for 2012. Specifically she was speaking about the Recreation Director's position that is proposed to be changed from a full-time position to a part-time position in 2012. The South Glens Falls Girl's Softball Organization is comprised of 220 girls who play softball in the Moreau recreation park for a six week period. There are nine volunteers for this organization, but only about four that do work. She said there is a lot of planning that goes into this. She knows how much time she puts in for just 220 girls. It is a full-time job, on top of her full-time job and taking care of her family. She said it would behoove the community to keep a full-time program director in the park and not part-time. She mentioned the South Glens Falls Girl's Softball Organization "irrigation project" and how it got finalized and she thanked Steve Gram, Recreation Director, for helping them get it done. As a taxpayer, she said that her taxes went up, but she has strong feelings towards the rec. community. Her girl's don't play in any rec. programs any longer, because they are too old. However, she still has 220 other girl's that will continue to play. Her daughter Katelyn participated in the softball clinic and she will do it again. She thinks our children are important and we need to offer the best programs possible and it is not a part-time position. She knows it is hard and budgets need to be cut, but this isn't the place to make a cut. She said that the recreation department does a good job. She said her board is pushing for Softball State's here at the quads in the park for the first weekend in June of 2012. It would be a big event for our area and she needs someone there that she can trust to make sure it goes well. There are a lot of good things coming down and she hopes the board will take her comments into consideration.

Ed Tracy spoke about the same rumor. He has worked in the recreation park for the past two years. He has observed how hard the recreation director works and how many programs he puts together. It would be a giant step backwards for our community to go back to a part-time recreation director. He said the director amazes him by what he does and his work ethic. He knows how hard he works. He has heard comments from people from outside our community, who come into our park, who have said what a fabulous facility we have and how there isn't a park like it around the area. He said that Steve Gram has done a heck of a job for the Town. He said that not everybody agrees with everything he does and not everybody agrees with everything the Town Board does. He said they will hear comments either way, but all in all we are getting our monies worth and it will be a giant step back for our community to move the recreation director's position back to a part-time position.

EMERGENCY DISASTER MANAGEMENT

The Town's emergency management plan is outdated and Jonathan Pease was present to explain to the Town Board what his proposal was to update the plan.

There was discussion back and forth between Mr. Pease and the Town Board about an emergency

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management plan.

Mr. Pease did not have the cost with him at this meeting to prepare a new emergency management plan for the Town.

Supervisor Jenkins told Mr. Pease that the Town Board would be discussing this further with him.

HIGHWAY DEPARTMENT REQUESTS

The highway superintendent submitted a request to purchase diesel fuel from Global Montello Group out of Waltham, Massachusetts at a cost of \$15,000.00, under NYS State Contract, out of account DB5142.460 that had a balance of \$23,290.81 as of 9/1/11.

Discussion followed amongst the Town Board and Paul Joseph about this purchase.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair authorizing the purchase of \$15,000.00 worth of diesel fuel from Global Montello Group out of Waltham, Massachusetts, under State Contract, out of account DB5142.460 that had a balance of \$23,290.81 as of 9/1/11.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	No *
Councilman Cumm	Yes
Councilman Prendergast	Absent
Supervisor Jenkins	Yes

*Councilman Kusnierz voted no, because he has a problem with it going to an out-of-state vendor with the economy in the State of New York being such as it is. He said there must be a vendor in New York State that is willing to supply diesel fuel at that rate.

The highway superintendent submitted a purchase request to contract with Gorman Bros. for nova chipping Karen Lane (2,900 feet) and Lisa Drive (1,450 feet) at a cost of \$49,938.00. These two roads were eliminated from the proposed 2011 Town Budget. There is a balance of \$150,562.41 in account DB5112.493.4. \$95,626.10 is scheduled to be paid from this account and that will leave a balance of \$54,936.31.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair authorizing the contract between Gorman Bros. and the Town of Moreau to nova chip Karen Lane and Lisa Drive at a cost not to exceed \$49,938.00 out of account DB5112.493.4.

Roll call vote resulted as follows:

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

The highway superintendent submitted a memo to the Town Board advising them that he will be going out to bid for winter sand and he copied the Town Board on the specifications. The purchase of sand will be made out of account DB5142.491 that has a balance of \$15,000.00.

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A motion was made by Councilman Cumm and seconded by Councilwoman LeClair authorizing the highway superintendent to go out to bid for the purchase of winter sand.

Roll call vote resulted as follows:

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

The highway superintendent submitted a purchase request for crushed stone from either Jointa Galusha or Peckham Materials who are both under Saratoga County Contract #11-PWCS-5R at a cost of \$5,000.00. The purchase will be made out of account DB5110.493 that had a balance of \$20,144.95 as of 9/1/11. The availability and price will determine which supplier the crushed stone will be purchased from.

Following brief discussion, a motion was made by Councilman Cumm and seconded by Councilwoman LeClair authorizing the purchase of crushed stone in an amount not to exceed \$5,000.00 from either Jointa Galusha or Peckham Materials, depending on availability and price, and out of account DB5110.493.

Roll call vote resulted as follows:

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

WATER DEPARTMENT REQUEST

After the last meeting the water superintendent submitted to the Town Board quotes for purchase of a six inch water line and appurtenances for the new highway garage on Route 9.

The water superintendent submitted a purchase request for this meeting for the installation of a six inch water line and tap for the new highway garage on Route 9. This would be paid for out of the Highway Capital Project Fund.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair authorizing the purchase of a six inch water line and appurtenances from E. J. Prescott in an amount not to exceed \$6,847.77, for the new highway garage on Route 9, and for this purchase to be made out of the Highway Capital Project Fund.

Roll call vote resulted as follows:

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

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Jesse Fish, Water Superintendent, obtained three quotes for the installation of the water line & tap as follows:

Vellano Bros.	\$550.00
T.K. Flaherty Associates	\$700.00
E. J. Prescott	\$837.00

A motion was made by Councilman Councilwoman LeClair and seconded by Councilman Cumm to accept the quote from Vellano Bros. in the amount of \$550.00 to install a water line and tap for the new highway garage on Route 9.

Roll call vote resulted as follows:

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

RECREATION DEPARTMENT REQUEST

The recreation director submitted a purchase request for materials to repair the roof on the Legion dugouts. He obtained the following quotes:

Griffin Lumber	\$ 783.90
Curtis Lumber	\$ 855.18
Lowe's	\$1,013.14

This purchase would be made out of account A7140.4 that had a balance of \$20,255.00 as of 9/23/11.

A motion was made by Councilwoman LeClair and seconded by Councilman Cumm authorizing the purchase of materials to repair the roof on the Legion dugouts from Griffin Lumber at a cost not to exceed \$783.90 out of account A7140.4.

Roll call vote resulted as follows:

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

PROCLAMATION FOR RANDY KEECH

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to adopt the following Proclamation for Randy Keech:

WHEREAS, the Town of Moreau would like to recognize Randy Keech a Town of Moreau resident who has been employed with the Town of Moreau Highway Department since September 4, 2001, and

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WHEREAS, Randy Keech started out as a laborer with the Town of Moreau Highway Department and moved up to Machine Equipment Operator in March of 2008, and

WHEREAS, Randy Keech attended on an annual basis a Mine Safety Training Class and was recognized for his outstanding job performance on the construction of the new softball fields at the Harry J. Betar Jr. Recreational Park, and

WHEREAS, Randy Keech retired from the Town of Moreau Highway Department on September 14, 2011, and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Moreau Town Board wishes to express their sincere appreciation to Randy Keech for his years of service to the Town of Moreau

Roll call vote resulted as follows:

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

CLARK ROAD CULVERT PROJECT - ENGINEERING QUOTES

Three requests for proposals were mailed out by the Supervisor's Office to engineering firms seeking quotes on engineering services for the Clark Road Culvert Project.

The following quotes were received:

Garry Robinson	\$7,700.00 includes all out of pocket expenses
Environmental Design Partnership	\$7,000.00 to \$10,000.00 plus cost of copies and printing
Burley & Guminiak	Declined to submit a proposal

Supervisor Jenkins stated that we may possibly be able to install a liner in the culvert rather than a complete rebuild. He assumed that any engineer we hired would determine if it makes sense to do it this way. He also assumed that if we end up doing the liner then it would be done at an hourly rate.

Discussion followed.

Supervisor Jenkins suggested the board make a motion to accept the quote from Garry Robinson at his hourly rate.

Councilwoman LeClair asked if we go with the liner will it change their bid job.

Supervisor Jenkins replied yes.

Councilwoman LeClair asked if we would be better off financially if we sent out RFP's again.

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Supervisor Jenkins replied no. Both engineers currently do work for the Town and they would do this job at their hourly rate.

Councilwoman LeClair said she wasn't necessarily thinking about different engineers, but she wondered if their quote would be different since the job would be different.

Supervisor Jenkins said it would definitely be different and a lot less expensive. We should give Garry Robinson authority to go ahead and do this at his hourly rate of \$85.00 per hour.

Councilman Kusnierz and Councilman Cumm said there has to be a cap on it.

Supervisor Jenkins stated that they could put a cap on it, but it shouldn't cost that much.

Councilwoman LeClair said that he quoted \$7,700.00 on a job that would have cost more so maybe we can use that as a cap. We could authorize him to do the work at his hourly rate with that amount as a cap.

Joe Patricke said they could pick a number for a cap, such as \$4,500.00 to \$5,000.00, and then let Garry Robinson give us an estimate.

Paul Joseph stated that whether they go with the liner system or not, there is going to be private property involved.

Councilman Kusnierz asked Paul Joseph if he talked to the property owners yet or not.

Paul Joseph replied that he had.

Councilman Kusnierz asked him if he anticipated any problems.

Paul Joseph replied that it is uncertain at this time.

Councilman Kusnierz stated that it has to be resolved before construction.

Supervisor Jenkins said they could table this. He will talk to Garry Robinson for a price to do this.

HIGHWAY GARAGE SALT SHED BID OPENING RESULTS

A bid opening was held on September 23, 2011 at 2:00 p.m. in Town Hall, at which time, bids received for a salt shed for the highway department were opened.

The following bids were received and opened:

Gallo Construction Corp.	\$96,744.00
TMG LLC	\$68,300.00
V&H Construction Inc.	\$85,860.00
A.J. Catalfamo Construction, Inc.	\$87,777.00

Joe Patricke reported on where we are with the budget on the highway garage project. He stated that with the five contracts that have been let out we are about \$249,000.00 under budget. He said TMG is the general contractor on the job and they are the low bidder for the salt shed. The proposal was to add on

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the salt shed as a change order to the general construction contract for the highway garage. If they took into consideration the other two change orders then we will be about \$139,000.00 under budget.

Councilman Kusnierz asked if he could provide the board with a print out of this. He asked where they were at with legal fees and engineering.

Joe Patricke said that Fran Thibodeau the Account Clerk has that information and he didn't have it with him.

Councilman Kusnierz asked if it was deducted out of that number and Joe Patricke replied yes. They included everything. The board approved gravel and the water line and they are included in there.

Joe Patricke stated that it includes engineering, the clerk of the works, and it includes everything that has been approved to-date.

Councilman Kusnierz said he would like to know where they are at with it.

Joe Patricke said he could provide this information in writing to the board.

Councilman Kusnierz asked how big the salt storage shed was going to be.

The answer was 46' x 32' and it will be almost double the size of the current salt shed.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to accept the bid from TMG LLC in the amount of \$68,300.00 for a new salt shed for the highway department, which will be Change Order #3 to the General Construction Contract with TMG LLC for the new Town of Moreau highway garage, and authorizing the supervisor to sign the change order, and it will be paid for out of the Highway Capital Projects Fund.

Roll call vote resulted as follows:

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

TYPICAL DESIGN DRAWINGS FOR ROAD CONSTRUCTION

A motion was made by Councilwoman LeClair and seconded by Councilman Cumm to adopt the following resolution:

WHEREAS, Chapter 124 "Subdivision of Land" - Attachments 2 through 6 set forth the details of the standard requirements for the construction of storm water drywells, catch basins, cul-de-sac, and typical road sections for subdivision roads in the Town of Moreau, and

WHEREAS, upon review of those typical design standards by the Town Engineer, it has been determined that the details set forth in Attachments 2 through 6 of Chapter 124 are outdated and outmoded and in need of replacement; and

WHEREAS, the Town Board having reviewed the attached new design details for the typical catch

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basin, typical deep catch basin, typical wing gutter eye brow, typical cul-de-sac, typical offset cul-de-sac, typical cul-de-sac road section and typical road section prepared by the Town Engineer, and after hearing the recommendations of the Highway Superintendent, Town Engineer and Building Inspector, and having deliberated thereon, has concluded that Attachments 2 through 6 of Chapter 124 are, indeed outdated and outmoded and should be replaced with the aforesaid new design details;

NOW, THEREFORE, BE IT RESOLVED, that effective immediately, the Building Department shall instruct all contractors or developers with pending and future subdivision road development projects within the Town, that the road construction details to be followed are as set forth in the attachments hereto; and

BE IT FURTHER RESOLVED, that at the earliest possible opportunity, the Town Board shall cause the removal of attachments 2 through 6 of Chapter 124, and incorporate the new attachments through local law amendment or by resolution as may be determined by the Town Board at that time; and

BE IT FURTHER RESOLVED, that the Building Inspector is hereby authorized to take any and all action necessary to implement the purposes and intent of this Resolution.

Roll call vote resulted as follows:

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

RAFFLE CONSENT FORM - MANNIX - WARREN COUNTY BAR FOUNDATION

Daniel J. Mannix, Director, of the Warren County Bar Foundation submitted to the Town Clerk a Raffle Consent Form requesting permission for the Warren County Bar Foundation, who holds a raffle license in the City of Glens Falls, to sell raffle tickets within the territorial limits of the Town of Moreau under their license with the City of Glens Falls.

The Town Board did not voice any objections to the Town Clerk signing the Raffle Consent Form.

NEW RECREATION CAPITAL RESERVE FUND

The following proposed resolution was read by the Town Clerk:

WHEREAS, by resolution adopted on October 12, 1999, the Town Board of the Town of Moreau ("Town Board") established the Harry J. Betar Memorial Recreation Park Capital Reserve Fund; and

WHEREAS, the Town Board of the Town of Moreau desires to establish a new capital reserve fund pursuant to the provisions of General Municipal Law Section 6-c for the purpose of funding the acquisition and maintenance of lands within the Town of Moreau for recreational use, capital improvements thereon as well as memorials for distinguished citizens including veterans and service men and women thereon or on lands presently owned by the Town; and

WHEREAS, for this type of capital reserve fund, there is no requirement to state the estimated maximum cost of improvements or equipment; and

WHEREAS, funding for the capital project reserve fund established herein shall come from

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recreation fees from development within the Town and paid to the Town pursuant to established laws and policies or through budgetary appropriations; and

WHEREAS, the Town Board having deliberated upon this matter;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby establishes a capital project reserve account under the provisions of General Municipal Law Section 6-c which shall be known as the "Town of Moreau Town-Wide Recreation and Memorial Capital Project Reserve Fund" (hereinafter "Reserve Fund"); and

BE IT FURTHER RESOLVED, that the purpose of the Reserve Fund is to accumulate monies to finance the cost of the acquisition and/or development and maintenance of park and recreation lands within the Town of Moreau, including lands for the development of memorials to distinguished citizens including veterans and men and women serving in the United States Armed Forces, and

BE IT FURTHER RESOLVED, that the funds accumulating the Reserve Fund may also be utilized for the purposes of developing memorials on lands presently owned by the Town to honor distinguished citizens including veterans and men and women serving in the United States Armed Forces, provided the Town Board approves any such memorials; and

BE IT FURTHER RESOLVED, that there shall be paid into such Reserve Fund upon resolution of the Town Board, recreation fees paid to the Town as a result of development within the Town pursuant to the established laws and policies of the Town or through budgetary appropriation; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby directed to deposit and secure the deposit of the monies of the Reserve Fund in the manner provided by the provisions of General Municipal Law Section 10 and may invest the monies in the Reserve Fund in the manner provided by General Municipal Law Section 11 and as otherwise consistent with the investment policies of the Town; and

BE IT FURTHER RESOLVED, that any interest earned or any capital gains realized in the monies so deposited or invested in the Reserve Fund shall accrue to and become part of the Reserve Fund; and

BE IT FURTHER RESOLVED, that the Town Supervisor shall account for the Reserve Fund in the manner which maintains a separate identity of the Reserve Fund and shows the date and amount of each sum paid into the Reserve Fund, interest earned by the Reserve Fund, capital gains or losses resulting from the sale of investments of the Reserve Fund, the amount and date of each withdrawal of the Reserve Fund and the total assets of the Reserve Fund, showing cash balance and a schedule of investments, and, shall, at the end of each fiscal year, render to the Town Board a detailed report of the operation and condition of the Reserve Fund; and

BE IT FURTHER RESOLVED, except as otherwise may be provided by law, expenditures from the Reserve Fund shall be made only for the purposes for which the Reserve Fund is established and shall only be made with the approval of the Town Board by resolution or as otherwise may be required by law; and

BE IT FURTHER RESOLVED, that this resolution is not subject to a mandatory or permissive referendum.

Supervisor Jenkins recapped the purpose of this resolution.

The original reserve fund will remain in place. The original reserve fund is for recreation inside the Harry

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J. Betar Jr. Recreational Park. This reserve fund will be for recreation outside the Harry J. Betar Jr. Recreational Park.

Councilman Kusnierz requested that action on this resolution be tabled for several reasons. The primary reason being that there has been no discussion on the part of the full Town Board on this resolution and a full Town Board is not present at this meeting. This type of reserve fund should come out of the development of the Town Budget discussions. It is premature to establish a dedicated capital reserve fund that essentially will tie up monies in perpetuity. Any money that would go into the account could only be used for specific purposes as described in the resolution. Recreation fees are already being dedicated to recreation programs now.

Councilwoman LeClair stated that the monies in the current reserve fund can only be used for recreation in the recreation park, but not anywhere else in the Town.

Supervisor Jenkins stated that this resolution and new capital reserve fund would allow a "wide open" way to use recreation for biking and walking trails or whatever. He said there has been some discussion on this reserve fund at previous meetings. He didn't have a problem tabling the resolution however.

Councilman Kusnierz said that the discussions have been informal. Nowhere was it said they would do a resolution at the next board meeting. He said that in all the years that he has been on the board there hasn't been any discussion about a resolution to establish a capital reserve fund. He would hate to think this was being done for political gain. There should be open discussion on this when all the board members are here and it should be done as part of the budgetary process.

Supervisor Jenkins asked what the political gain was.

Councilwoman LeClair stated that it really upsets her, that would even be thrown out there.

Councilman Kusnierz said there is a perception there.

Councilwoman LeClair stated that our current reserve fund goes to one area of the Town. If we choose to establish a trail or do anything else with reserve fund monies we cannot do that. This allows it to go to the Betar Park; it also allows it to go to the new Town Hall.

Councilman Kusnierz asked why they had to do it tonight.

Councilwoman LeClair replied, because they have discussed it off and on for some time.

Councilman Kusnierz said this is the first time he knew they were going to do it until tonight.

Councilwoman LeClair stated that she resents that the statement was made that it was political, because it is not.

Supervisor Jenkins stated that this is something that the board has discussed in the past and it was discussed with Attorney Auffredou and it was left open when he left. It doesn't have to be adopted tonight. He will put it on the agenda for two weeks from tonight.

Councilman Kusnierz stated that it should be part of their budget discussions.

Supervisor Jenkins said that they could do that, but he didn't think it had anything to do with budgets, because it isn't likely that money will be budgeted to be put into this fund.

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Councilman Kusnierz asked why they were creating a fund and then not putting any money in it.

Supervisor Jenkins stated that as recreation fees come in, the sitting board will make the decision on where it goes.

Councilman Kusnierz stated that normally when a reserve fund is established there is an attempt to put monies into it.

Councilwoman LeClair said this reserve fund would free up money for more uses than the current reserve fund does. She stated that one of the things they discussed a while back was that when the new Town Hall is built, maybe we could put in some sort of memorial park to recognize our veterans and service people, and nobody seemed to object to that idea.

Councilman Kusnierz stated that he doesn't have a problem doing that, but he does have a problem using a capital reserve fund for that.

Councilwoman LeClair asked if he preferred to ask taxpayer's for dollars to do that.

Councilman Kusnierz said they are already doing that. Anybody who is developing land in our Town has to pay recreational fees. They are taxpayer's on that property. It is a fee. Whether you call it a tax or fee, people in our community pay for it. It is built into the cost of their lots. He said he didn't know how she could make the characterization that our residents wouldn't be paying for it.

Councilwoman LeClair stated this is money that comes out the fees that developer's pay.

Councilman Kusnierz asked who she thought pays those fees through the purchase of their lots.

Councilwoman LeClair said she wasn't here when the original reserve fund was established and she doesn't know if Councilman Kusnierz was or not. They weren't debating that tonight. They are debating whether or not to move forward with that money.

Councilman Cumm said he would like it tabled, because he never got a copy of the resolution.

Supervisor Jenkins stated that with Councilman Prendergast not being here tonight they should table it.

CHANGE ORDER NEW HIGHWAY GARAGE BREAK ROOM

Supervisor Jenkins stated that from the original plan we are adding five feet of length on the west side of the new highway garage building to make the break room larger, to allow more space for training. It will eliminate five feet from the parts room. This change will cost an additional \$1,709.00. This would be change order #1.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair authorizing change order #1 in the amount of \$1,709.00 to the general construction contract with TMG LLC for the new highway garage and authorizing the Supervisor to sign the change order.

Roll call vote resulted as follows:

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

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Supervisor Jenkins Yes

Supervisor Jenkins stated that the next change order being entertained was change order #2 for sound insulation in the office area and above the ceiling at a cost of \$1,380.00.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair authorizing change order #2 in the amount of \$1,380.00 to the general construction contract with TMG LLC for the new highway garage and authorizing the Supervisor to sign the change order.

Roll call vote resulted as follows:

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

15 MINUTE PUBLIC COMMENT PERIOD

Vince Sporrer asked what prevents the board from taking monies from the general fund and putting it into the new reserve fund if adopted.

Supervisor Jenkins replied nothing.

Vince Sporrer stated that it would also tie monies up for recreation purposes only and it couldn't be used for anything else.

Supervisor Jenkins replied that they haven't done that historically, but yes it could be done.

Vince Sporrer stated that they couldn't move monies from the reserve fund into the general fund and he was told this was correct.

Vince Sporrer noted that in the resolution it was mentioned that the monies in the reserve fund could be used for maintenance and that isn't a capital expenditure. He asked if that should be in there and Supervisor Jenkins replied no.

Vince Sporrer asked where the money was going to come from that would be deposited into the reserve fund.

Supervisor Jenkins replied the monies would come from developers who pay recreation fees. Some of those monies would still go into the reserve fund for our recreation park.

Ed Tracy asked for an update on the proposed new municipal building and court facility.

Supervisor Jenkins stated that a meeting was held a few weeks ago and they are waiting on a final report from the architects. It will include a cost analysis.

Ed Tracy asked if there is a contingency plan if the cost comes in too much.

Supervisor Jenkins replied no. The taxpayers approved \$2.6 million and we can't spend more than that. If we can't build what we need for the next 25 years then the board will have to sharpen their pencils.

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Elizabeth Lanfear asked how far down Hatchery Road the water line was going.

Supervisor Jenkins replied about 2,000 feet.

Elizabeth Lanfear asked if a person chooses not to hook up to the water line now can they still hook up later on. She then asked if, a person sells their home and the new owner wants to hook up to the water line will, they be able to.

Supervisor Jenkins explained that a person can hook up to the water line and not have the water turned on and still use their well and pay the minimum charge for water bills, which will be about \$105.00 per year. If they choose not to do this and they want to hook up later on the cost will be about \$3,100.00 to hook up to the water line.

COMMITTEE REPORTS

Councilwoman LeClair reported that she received a response from the EPA on questions regarding remnant sites 2 & 4. Terry printed out additional information and there is more available on a CD that covers the full history on the sites and the LA Group will get her the CD. Andy LaBruzzo encouraged the Town to apply for the next round of grants. The next round of grant applications are due in by October 31st. This grant money could be used for things like trail development, kiosks and parking areas with gravel. Since the last meeting three possibilities have been looked into for parking. One possibility is a site that is owned by the Town. She also talked to the Archaeological Conservancy who owns property next to Niagara Mohawk property and they hope to close within the next 90 to 120 days on property they are looking to buy in the Robert Rogers area and they are willing to partner with us on the development of a trail to access the larger remnant site from the southern end. She had discussions with National Grid and Behan Communications who were both very receptive. She said we need to have a discussion with a landowner in the park. A trail was located that would allow us to enter the area, in the middle of the two areas, from the middle of the field in the industrial park. She said you go down over a hill and walk along the top of a ridge that overlooks the river and come down onto the center of the two sites. It appears we have three very viable accesses all by foot. Nobody will be allowed to park down there. She wanted to know if the board wanted to move forward with the next round of grants so we would have money to move forward with plans we are working on. Jim Martin from the LA Group and Andy LaBruzzo from the State think that we can work with estimates from what the LA Group thought it would cost to implement a parking area or a kiosk or trail development or something like that.

Councilman Kusnierz asked how much it will cost.

Councilwoman LeClair replied that they would be matching grants just like the last one was. That is one of the reasons why they were looking to create the new reserve fund so that some of the money put in that fund could be used for this.

Councilman Kusnierz asked if it was handicapped accessible.

Councilwoman LeClair said right now it isn't accessible at all. She doesn't know how in the beginning it could be made handicapped accessible. We could look at the northern end to be handicapped accessible. One of the trails has a steep section that maybe we could do a "S" switchback on to be able to get down onto it. The southern end should be a wide enough trail across either all National Grid or the Conservancy lands that you would be able to access it that way, but not by vehicle.

Supervisor Jenkins asked who would prepare the application.

Councilwoman LeClair said she would prepare the grant application as she did with the last one. Jim

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Martin would furnish her with numbers. Andy LaBruzzo was of great assistance last year with the grant application and he said he would be of assistance again this year.

Councilwoman LeClair reported that there was a meeting at the Moreau Community Center last night regarding a community garden. It is something she has been supportive of ever since she has lived in Moreau, but she didn't feel comfortable moving forward without someone else involved that would help ensure its success. There were about 11 or 12 people at the meeting and there are three others that would like to be involved, but couldn't attend last night. She met with Jeremy at the rec. park and there is an area between the road the children's playground that they felt would be a good spot for a garden. There is water close by and it is a sunny area. She wanted to know if the board wanted to move ahead with this. There would be plots where people could plant whatever they wanted to. The Moreau Community Center wants to work with children on gardening and they hope to work with the schools on this. Donna Nichols checked with the school and there is grant money to help pay for educational things for children such as this and she is going to check further on this. There is going to be another meeting on this around the 1st of November to work through some rules and regulations and ideas on how a community garden would be run. A report would then be brought back to the Town Board.

Elizabeth Lanfear asked if it was a vegetable garden or flower garden.

Councilwoman LeClair replied whatever anyone wants to grow. Rules haven't been established yet, because they wanted to see how many people were interested first. If a person wanted to grow a whole bed of flowers, or herbs, or a mix, that would be okay. They talked about a fence around it, but having a sharing garden around the outside that children could pick from without disturbing a person's bed inside the fenced in area. There could be tomatoes, purple string beans, cucumbers and things that children would be interested in and be invited to share and taste from the vegetable garden outside the fenced in area.

Councilman Kusnierz asked who would pay for the inputs and who would oversee it.

Councilwoman LeClair said she thought we could partner with the Moreau Community Center on this. She would like to ask the board to consider putting \$3,500.00 into the rec. budget for this. The feeling at the meeting was that they would get donations to cover all or almost all of it, but their concern was that if there wasn't a budgetary amount and some of the donations didn't come through then we may not be able to put the fence up or the beds in. We have topsoil, chips and compost available in the Town. We support many other programs within the rec. center so it isn't a new concept.

Supervisor Jenkins asked if wasn't one of the concepts that excess food from the gardens would go to the Moreau Community Center and be distributed.

Councilwoman LeClair said yes. They thought maybe they could be delivered with meals on wheels dinners or let the kids share them and learn to cook with them and learn about vegetables. If the board wants to move ahead with this then they would come up with rules and contracts for people to sign who want to create a bed and an agreement that they won't use pesticide.

Ed Tracy stated that Jeremy isn't the recreation director and he asked Councilwoman LeClair why she didn't ask the recreation director if he thought it was a suitable site.

Councilwoman LeClair said she asked Jeremy, because he knows where the water lines are.

Ed Tracy said that is why we have a recreation director and to keep him in the dark isn't fair. He also thought that the recreation commission should give their input also.

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Councilwoman LeClair said she did discuss this with the recreation director and he was invited to the meeting last night and he did not attend.

Councilman Kusnierz said that the recreation commission should be involved. If you look at their responsibilities under the local ordinance it is within their purview.

Councilwoman LeClair said that Bob Vittengl has been very supportive.

Councilman Kusnierz said he wasn't talking about one member of the recreation commission, but rather the whole recreation commission should give their opinion on it.

Councilwoman LeClair said she didn't have a problem with the recreation commission giving their input on this, but if they don't have a quorum are we going to wait or move forward.

Councilman Kusnierz said he couldn't tell her whether or not they have a quorum, but he is not in favor of earmarking \$3,500.00 of taxpayer's money for this type of project. He knows of community gardens that are established all over the state, especially by metropolitan areas, and they are run by not-for-profits or for-profits, but he doesn't know of one instance where there is a municipal government that is using taxpayer's dollars for a community garden at this point in time.

Councilwoman LeClair stated that we spend \$20,000.00 a year to water the fields. She supports the ball sports and she supports everything that they do in the rec. park. This is just another activity that would be made available to our community, just as the ball fields are.

Supervisor Jenkins stated there are budget workshops coming up where they could discuss this.

Steve Gram stated that he wasn't at the meeting last night, because he wasn't at work yesterday. He was at the orthopedic doctor.

Councilwoman LeClair asked him if he was aware of the meeting and Steve Gram said he was told about it.

SUPERVISOR'S ITEMS

Supervisor Jenkins asked for a motion to prepay a voucher from TMG LLC for payment #2. It has been approved by Jim Mitchell. It is for the work they have done so far on the new highway garage. If TMG pays for the building within 10 days they get a 1% discount that they will pass on to us by giving us a credit on our bill in the amount of \$1,155.00.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair authorizing the prepayment of payment #2 to TMG LLC out of the Capital Project Highway Fund and authorizing the supervisor to sign the voucher.

Roll call vote resulted as follows:

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

Supervisor Jenkins brought up for discussion again a proposal for Platinum Coating LLC to coat the

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handicapped ramp at Town Hall for \$3,500.00. He read from their proposal.

Councilwoman LeClair asked if shouldn't we have someone look at the ramp and steps for rotten boards.

Supervisor Jenkins stated that this company already did that. There are three or four spots with some weakness and those areas will be addressed.

Councilwoman LeClair asked if this was included in the quote.

Councilman Kusnierz said it wasn't and he read from the quote.

Joe Patricke said he could get clarification from the company on what was included.

No action was taken on this.

Councilman Cumm asked when a handrail was going to be installed on the Hudson Street side entrance to Town Hall.

Councilwoman LeClair stated that Terry has contacted the contractor that put the sidewalk in and he had given us a quote and this is the second time she has contacted him and we are waiting for a call back from him.

Joe Patricke stated that Rob Pratt is the one who quoted on it.

Councilman Cumm stated we need to get a handrail out there, there are too many complaints.

Supervisor Jenkins said it wasn't for lack of trying. He said they have been trying for months to get it done and the Town Clerk interjected that it has been over a year.

Supervisor Jenkins stated that we always run into a problem when it comes to the cost and when we get done jumping through hoops we aren't sure we want to do it sometimes.

Joe Patricke stated that stainless steel is the proper type of railing to install and the one price we got was for vinyl. Is it more than we want to spend? Sure it is. You get what you pay for.

Ed Tracy asked if we are going to build a new Town Hall do we really need to do the work on the ramp at this point.

Supervisor Jenkins stated that if we do move, we may declare the Town Hall as surplus property and sell it. Whoever buys it will need handicapped accessibility. The ramp is dangerous. There are a few soft spots and in the winter there is icing up in those spots. He said that people don't like to use the ramp, because it doesn't look safe.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to adjourn the meeting at 8:59 p.m.

Roll call vote resulted as follows:

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

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Supervisor Jenkins Yes

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury
Town Clerk