

A regular meeting of the Town Board of the Town of Moreau was held on January 13, 2015 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.

Town Board Members Present

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

Town Board Members Absent

Gina LeClair	Councilwoman
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Also Present: Leeann McCabe, Town Clerk; Karla Buettner, Attorney for the Town; Paul Joseph, Highway Superintendent; Jesse Fish, Water Superintendent; Peggy Jenkins, Assessor; Peter Corlew, Recreation Department Laborer; Sandy Mahoney, Recreation Program Director; Ted Monsour, Transfer Station Laborer; Reed Antis, Planning Board Member and Town Resident; David Rogge, Lamplighter Acres; Steve VanGuilder, Helen Glen, Ron Quinn, Jr., Shane Fahey, Joshua Jacobs, Members of the Moreau Emergency Squad; Pete Lemery, South Glens Falls Fire Co.; Town Residents Terry Clark, Elizabeth Lanfear, Donna Jacobie, Larry Sweet, Vince Spoorer and David Parrish.

Supervisor Jenkins led the Pledge of Allegiance.

Supervisor Jenkins welcomed everyone to the meeting.

APPROVAL OF MINUTES

The minutes from December 9, 2014, December 16, 2014, December 23, 2014 (3 sets) and December 29, 2014 (2 sets) were prepared and presented to the Town Board in advance of the meeting for their review, comment, correction and approval.

MINUTES DECEMBER 9, 2014 REGULAR MEETING

The Town Clerk made a correction to page 405, 1st paragraph, 4th line, from \$3.35 per to \$2.25 per

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to approve the minutes from December 9, 2014 with the above noted correction.

Roll call vote resulted as follows:

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

MINUTES DECEMBER 16, 2014 SPECIAL MEETING

No comments or corrections.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to approve the minutes from December 16, 2014 as prepared.

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Roll call vote resulted as follows:

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

MINUTES DECEMBER 23, 2014 (3 SETS) PUBLIC HEARING, AUDIT AND REGULAR

The Town Clerk made a correction to page 420 of the Regular Meeting, 2nd paragraph, and 3rd line from A1110.2 to A1110.2F

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to approve the minutes (3 sets) from December 23, 2014 with the above noted correction.

Roll call vote resulted as follows:

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

MINUTES DECEMBER 29, 2014 (2 SETS) PUBLIC HEARINGS

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to approve the minutes (2 sets) from December 29, 2014 as prepared.

Roll call vote resulted as follows:

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

SET FUTURE MEETINGS AND WORKSHOPS

The following Resolution was read aloud by the Town Clerk:

**RESOLUTION
TOWN BOARD
TOWN OF MOREAU**

SUBJECT: EXTENSION NO. 4 OF SEWER DISTRICT NO. 1, MAP, PLAN AND REPORT AND PUBLIC HEARING

WHEREAS, the Town Board of the Town of Moreau (“Town Board”) has received a map showing the boundaries of a proposed extension to Sewer District No. 1 within the Town of Moreau, to be

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known as Extension No. 4 of Sewer District No. 1 (“Extension No. 4”), a general plan to serve said Extension No. 4, and a report of the proposed method of operation thereof (“Map, Plan and Report”); and

WHEREAS, said Map, Plan and Report, including an estimate of the cost, were prepared by Environmental Design Partnership (“EDP”), competent engineers duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof, including estimate of cost; and

WHEREAS, the boundaries of said Extension No. 4 are described in **Exhibit A** attached hereto and incorporated herein; and

WHEREAS, the improvements proposed for said Extension No. 4 consist of the construction of a pump station that bisects the two property parts, a 6-inch form main, and any furnishing, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, all as more fully described in the Map, Plan and Report hereinbefore described; and

WHEREAS, the Town Board has reviewed the Map, Plan and Report and has further determined that it is appropriate to schedule a public hearing on the formation of Extension No. 4;

NOW, THEREFORE, BE IT RESOLVED that:

1. The Supervisor is authorized to execute the Order and Notice of Public Hearing scheduling a public hearing on the formation of the proposed Extension No. 4 of Sewer District No. 1; and

2. A public hearing is scheduled for January 27, 2015 at 6:15 p.m.;

and

3. The Town Clerk is authorized to publish the aforementioned Order and Notice of Public Hearing once in the Glens Falls Post Star newspaper, post the Order and Notice of Public Hearing in the town office building. Such publication shall occur not less than 10 days no more than 20 days prior to the public hearing. In addition, the Town Clerk is authorized to post the Order and Notice of Public Hearing on the Town’s website.

Motion: Councilman Vittengl
Second: Councilman Prendergast

Roll Call:

Councilman Vittengl	Yes
Councilman Prendergast	Yes

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Councilwoman LeClair	Absent
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

I hereby certify that this Resolution was duly adopted by the Town Board of the Town Moreau at a special meeting of the Town Board conducted on January 13, 2015.

Leeann McCabe, Town Clerk
Town of Moreau

380090

15 MINTUE PUBLIC COMMENT PERIOD

Supervisor Jenkins wanted to remind everyone that there will be a five minute limit to speaking and asked that conversations be made to the Town Board and not to other members of the audience.

Donna Jacobie presented and passed out to the Town Board Members copies of documents relating to a recorded survey from 1980 of the Moreau Recreation Road.

Councilman Kusnierz stated that there was an agenda item to hire a surveyor to perform a survey of Moreau Recreation Road that was tabled pending more information and that at a following meeting, that he wasn't able to attend, the Town Board approved the survey work to be done. He didn't see any additional information as to why the survey needed to be done. He asked what information was utilized to make this decision. Supervisor Jenkins directed the question to Paul Joseph as he thought the survey was needed to correct a problem his department was having with the road. Paul stated that last year there was an issue with bales of hay being in the way of his plow trucks but that he spoke with Melvin and they were moved. He was told by Councilman Vittengl that the survey needed to be done in order to widen the road. Councilman Vittengl stated that there was a head-on crash at the entrance to the road and they are looking into the feasibility of having two lanes out and one lane in for safety purposes. Councilman Kusnierz asked what new information was received. Supervisor Jenkins stated that there has been no new information. The last he knew, the matter had been tabled. He stated that Mr. Rourke has not been hired. Councilman Kusnierz asked if the survey request is from the Highway Department or from the Town Board. Paul Joseph stated that he didn't request a survey.

Angela Wadsworth asked if the road would be left alone. Supervisor Jenkins stated that as far as he knows it will be. It was his understanding that they've decided not to do the survey.

Terry Clark spoke with regard to a FOIL request he had submitted regarding the cost for the restoration to Larry Sweet's property. He was given a figure from the Town Clerk and asked if Casale should be footing the bill. He mentioned that he has an H50 meeting scheduled for tomorrow. Attorney Buettner stated it was scheduled for 8:30 and if Terry doesn't show up, there will be motions to dismiss. Terry stated that he would be there.

Elizabeth Lanfear asked if, regarding the Jacobie property, there would be no further action. Supervisor Jenkins stated that he hasn't read the deed but is not unhappy with the road. She stated that she is more concerned about the right turn at the end of the road that only one car can pass at a time and would like the Town to look into this. She stated that she has asked numerous times for a Master Plan for the Park. The entire property needs to be looked at and a plan made with a list of things that can be done.

Elizabeth also spoke regarding the Recreation Program Director position and asked who gives information to the Program Director to let her know what's going on. She stated that it's hard to step in and not have guidance. There was no information on the Town's website regarding the wrestling program and old programs that should have come off. She asked who was in charge of the website and who was overseeing the programs. She asked the Supervisor if he could give her any information and he replied

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“no” but that there was a member of the Recreation Committee that might be able to answer her questions. Councilman Vittengl stated that the position of Recreation Director has been broken down into two parts. A Maintenance Director and a Program Director. She asked who was in charge of making sure that information is put on the website. For parents that have nine to five jobs, the Town isn’t accessible to them. They need to rely on the website for information. Councilman Vittengl stated that he would look into that for her. She would like some answers by the next meeting.

Councilman Kusnierz stated to Ms. Lanfear, that regarding the question of the Town Board’s position on the Moreau Recreation Road, he is a supporter of property rights and wouldn’t support eminent domain proceedings to take property from a homeowner if an amicable agreement can’t be reached with a property owner.

Supervisor Jenkins stated that in order to widen the end of Recreation Road, the fencing for the softball field would have to be moved back. He stated that they would work with the Recreation Department to see how feasible this project might be and how much it would cost.

Angela Wadsworth spoke regarding an article in the Post Star Newspaper about the recently passed Local Law 2 of 2014 “Best Value Methodology” for choosing contractors and referred to a portion of the article that quoted Councilman Vittengl stating the measurement was brought up because of complaints about a recent water line in which the low bid contractor has been accused of shady workmanship. She stated that’s why Mr. Clark has been at the meetings because he’s very upset that his basement flooded out.

Angela then spoke regarding meeting minutes and stated that when she looks at the transcripts she’s either not listed or when she is listed, her transcripts have changed. She asked again for the Town Board to purchase a “dragon” for the Town Clerk that will record and transcribe the minutes. She was upset that a conversation she had with Councilman Kusnierz got changed around in the minutes. She was referring to her neighbor’s leach field in the conversation and not her own as was typed in the minutes.

Angela stated that the Supervisor made a comment to the Attorney for the Town at the last meeting about her and she didn’t think that was fair. She stated that it wasn’t professional for him to slander her.

Angela asked Jesse Fish the Water Superintendent where the materials were bought from. He stated that he had no idea. Councilman Kusnierz reminded Ms. Wadsworth that conversations need to be directed to the Town Board and not other members of the audience. Angela stated that she witnessed Mr. Fish buy her pipes from Lowe’s and give them to Casale to install them. Jesse Fish stated that she was a liar.

Angela stated that the Supervisor made mention, regarding the Sheriff’s station, that there was no mold in the building yet she had two articles from the Post Star that refer to mold problems. Supervisor Jenkins told her to talk to the people that did the work over there and they will tell you that there wasn’t any mold.

Dave Parrish of 1015 Route 9 spoke regarding a petition signed by several residents, that he had given the Town Board back in September of 2013 regarding the need for water. He stated that nothing has changed and that the water down there is still contaminated and they’ve heard nothing back from the Town. He asked if they could get a water district. He’s aware that money will be allocated to the three Townships from the prison closure and wants to make sure that the money doesn’t cross over the Northway before their water problem is taken care of. Supervisor Jenkins stated that he wasn’t sure that money could be used for water as he thought it was earmarked for economic development. He stated that Empire State Development will be involved in that. Mr. Parrish asked about the feasibility study that Tim Burley was to do. Supervisor Jenkins stated that he did a quick study. He didn’t think that we had a project that we qualified for because of the cost and number of users available. Mr. Parrish stated that if the water is contaminated, then the State can test it and then the State can give them a grant. He stated that according to the Congresswoman he spoke with, there is grant money available. Supervisor Jenkins stated that there is zero grant money for the Town, there’s only money available to loan. Mr. Parrish stated that they can’t sell their houses because of the water. Mr. Parrish asked for the courtesy of someone getting back to the 108 people that signed the petition. Attorney Buettner asked the Supervisor if she could address Mr. Parrish and then explained to Mr. Parrish that in order to form a water district not only do you need a petition but the petition needs to have certain things in it. You also have to have an engineering report

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that supports the creation of the district. Mr. Parrish asked if it was up to the homeowner's to do this and Attorney Buettner replied yes, if the homeowner's are petitioning.

TRANSFER STATION PRESENTATION – WASTE ZERO

Wayne Long – Director of Sales, from Waste Zero gave a presentation of his company that has been in business for 24 years. Their goal is to cut trash in half in the United States. They've partnered with over 900 communities in the United States primarily in the Northeast. He stated that the best way to reduce trash and to cut cost, is by using a "Bag based, pay as you go program". This is a more effective way to collect fees. His company handles the manufacturing of the bags and distributes them to local retail stores for them to sell to those who use the Transfer Station.

Councilman Prendergast asked if the intent to reduce trash is by increasing recycling. Mr. Long replied that if the consumer has to pay for a bag, there's a financial incentive to recycle. If you don't recycle, you have to pay for more bags. Councilman Prendergast stated that Mr. Long is assuming that the residents don't already recycle and Mr. Long replied that they would recycle more.

Councilman Kusnierz stated that one of the dynamics he didn't see presented in the financial plan that they didn't take into account is competition within the community. The Town is not solely responsible for the trash in the community. We have independent haulers that pick up roadside and we also have in the southern portion of the Town a Landfill where you can take anything without sorting it. Councilman Kusnierz asked what the incentive would be to use the Town's Transfer Station when you can dump anything at a lesser cost. Another gentleman stated that for \$25.00 per month, all he has to do is wheel his garbage cans down to the side of the road and it's done. Mr. Long stated that he knows they'll reduce the solid waste by 44%. He stated that means your hauler is tipping less. He stated that the haulers pay \$54.00 per ton and if they cut the waste in half, their tipping fees would go down, which would then reduce the homeowner's fees for garbage disposal. Mr. Long answered Councilman Kusnierz question next and stated that yes they could go somewhere else if they truly wanted to. But if it's a convenience issue or a Town Ordinance issue, his feeling is that they won't want to.

Councilman Vittengl stated that what he noticed is the convenience. You don't have to stop at a booth to wait and pay. Mr. Long agreed that once you've purchased your bags, you've paid the fee.

Ted Monsour asked how long it would take to educate the public and Mr. Long replied that there is a 90 day start up time that is critical for program to be successful.

Paul Joseph asked if the Town takes mattresses, chairs and such, will the Town still have to pay for someone in the booth to collect the fees. The answer that Mr. Long gave was yes.

Terry Clark asked what their take was and Mr. Long replied 15% of bag fees. The other 85% goes into a fiduciary account.

Mr. Monsour asked how many different size bags would there be and Mr. Long replied that it would be customized but typically there are three options.

Pete Lemery stated that Waste Zero makes their money by selling bags. He works with haulers and has never seen fees decreased if tipping fees go down. Mr. Long stated that it has been proven to reduce the flat fees.

Councilman Prendergast stated that his main concern is that we offer residents a lower costs than the competition. Going to the Transfer Station isn't fun, he does it because it costs less. His biggest concern is that this program doesn't raise the cost one penny and if it does, he won't support the program.

JACOB SWEET – EAGLE PROJECT

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A proposed Eagle Scout project was presented to the Town Board from Jacob Sweet. The project proposed would map all of the graves of those buried in Griswold Cemetery. Councilman Prendergast asked if Reed Antis would be overseeing the project. Reed answered that he would be helping.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl approving Jacob Sweet's Eagle Scout Project.

Roll call vote resulted as follows:

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

RECREATION DEPARTMENT REQUESTS

The Recreation Department is requesting authorization of the purchase of a used KubotaD722 Diesel Engine from Diesel Repower at a cost of \$1,560.00 that was approved verbally on January 7, 2015. This item was a budgeted item for \$2,000.00 The mechanical work will be done by BOCES at no cost.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast authorizing the purchase of a Kobota D722 Diesel Engine from Diesel Repower at a cost of \$1,560.00.

Roll call vote resulted as follows:

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

There is a request from the Recreation Program Director to advertise for Lifeguard Positions.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast authorizing the Recreation Program Director to run an Ad in April for Lifeguard Positions and to have the employment opportunity be placed on the Town's Website now.

Roll call vote resulted as follows:

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

HIGHWAY DEPARTMENT REQUESTS

None.

WATER DEPARTMENT REQUESTS

Supervisor Jenkins asked if Jesse wanted to make a comment about what had been said earlier in the meeting. Jesse stated that he has never bought anything and given it to Casale. He stated that all the materials used by Casale was sent here from Vellano Brothers.

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AUTHORIZATION FOR SUPERVISOR TO SIGN CONTRACTS WITH SOUTH GLENS FALLS FIRE COMPANY AND MOREAU EMERGENCY SQUAD

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast authorizing the Supervisor to sign the 2015 contract with the Moreau Emergency Squad on behalf of the Town as approved by the Attorney for the Town.

Roll call vote resulted as follows:

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

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast authorizing the Supervisor to sign the 2015 contract with the South Glens Falls Fire Company on behalf of the Town as approved by the Attorney for the Town.

Roll call vote resulted as follows:

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

APPROVE RATE SCHEDULE FOR GARRY ROBINSON, P.E.

Supervisor Jenkins stated that Garry Robinson, P.E. had submitted his 2015 rate schedule and that there was no change from last year.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl approving the 2015 Rate Schedule from Garry Robinson, P.E.

Roll call vote resulted as follows:

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

BUILDING USE PERMIT APPLICATION

Supervisor Jenkins stated that everyone had received a copy of the proposed application. It was decided to table this agenda item until the next regular Town Board, which will give the Board Members time to look over the application.

LETTER OF SUPPORT FOR TOWN OF GREENWICH GRANT APPLICATION

There was no objection to the Supervisor sending a letter of support for the Town of Greenwich's grant application from the American Battlefield Protection Program.

15 MINUTE PUBLIC COMMENT PERIOD

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Reed Antis stated that there was overtime in the Water Department last year on weekends and asked if there is still overtime this year on weekends and is the Town Board comfortable with that. Supervisor Jenkins stated that for the most part they don't schedule overtime but it does happen. Reed asked Councilman Kusnierz if he had concerns about this as he had concerns last year. Councilman Kusnierz stated that he's made his position known on record. He stated that he did question at budget time why there was a significant amount of overtime. He also stated that at subsequent meetings it was indicated that there were certain requirements and certifications needed to do the work that required overtime. He's since learned that this is not the case.

Mr. Antis asked if the Town was done selling water to the Village. Supervisor Jenkins stated that the last he knew, we were still supplying the water. Reed asked if the Town was buying excess water from the County. Supervisor Jenkins stated "no" just what was on the contract.

Mr. Antis asked what the status was on the old Town Hall. Supervisor Jenkins stated that there are four to five interests. The Town has shown the building and there is one person who is quite interested.

Mr. Antis asked about the Sand Bar Beach project. Councilman Vittengl stated that they're still working on it and that nothing has been drawn up yet to review. They're also working with some volunteers to help with the project.

Mr. Antis asked when Tim Burley would report on the water assets. Councilman Prendergast stated that the last time he talked with Tim before Christmas, he thought Tim wanted to meet with the Water Committee one more time before he brought it to the Board. They've been waiting for Councilwoman LeClair to come back. He stated that at this point, the meeting should be scheduled. Supervisor Jenkins stated that he would get a date set.

Mr. Antis asked about the audits for Moreau Emergency Squad and asked if they are going to be doing audits more often. He also asked if the next one has been scheduled. Supervisor Jenkins stated that they are scheduling a meeting with the group that did the audit and they will submit a report to the Emergency Squad. The plans are to do one or two more but requiring a second outside audit is a lot of money. He thinks the Town can do as much as anyone else did. There's an element of confidence in what they've seen and they're going to work together to keep everybody happy.

Dave Rogge stated that at the last meeting they discussed being able to bring in longer brush to the Transfer Station. Supervisor Jenkins stated that he's not ready to act on this based on what the Highway Superintendent said last week. Councilman Kusnierz asked if the length was the issue. Dave stated that to cut brush into three foot lengths is a lot of work. He also thought that the person doing the chipping might want the brush longer. Councilman Kusnierz doesn't have a problem with the lengths. Councilman Prendergast doesn't have a problem as long as it doesn't affect the Town Highway Department brush pick up or the chipping at the Transfer Station. He asked Dave how long would he like the brush. Dave replied that a three inch limb wouldn't be any longer than ten feet and that his truck has an eight foot box. Supervisor Jenkins' only issue is that it might be an issue for the Highway Department. They're the ones that will have to pick it up. He wanted to hear from the Highway Department and asked Paul Joseph if it's possible to go to five foot lengths. It's no more work for the Highway Department for brush that's brought to the Transfer Station. Dave stated that they could have two sets of rules. One for the brush that's brought to the Transfer Station and one for the spring pick-up by the Highway Department.

Supervisor Jenkins stated that the rest of the Board didn't have a problem with the request so he would be agreeable to it as well.

Helen Glen stated that the Moreau Emergency Squad was investigated by the Office of the Attorney General of New York State last year and they came through the investigation in good shape. She wanted to make the public aware of this.

COMMITTEE REPORTS

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Councilman Kusnierz stated, regarding Cable TV and Internet, that the Town Board may have received an email from Morgan Hamilton put in their boxes. He's looking for high speed internet access on West River Road. If they don't have the email, they should see something shortly.

SUPERVISOR'S ITEMS

Supervisor Jenkins stated that he had one item and that was a contract with Saratoga County for us watching over the recycling center for an annual compensation of \$35,000.00. We may have some additional payroll for Fridays and Saturdays. There are a couple clauses in the language of the contract that Attorney Buettner needs to clarify. Supervisor Jenkins asked for approval to sign the contract based on the recommendation of Attorney Buettner. Supervisor Jenkins stated that this would have to be acted on at the County next Wednesday. Councilman Kusnierz asked if the Board was copied as he didn't see that he had one. He would like to see a copy before it gets signed. Supervisor Jenkins has a marked up copy of the contract with some issues. Attorney Buettner stated that the contract states that the Town will take over the management and oversight but doesn't define management and oversight and states that the Town would be in default if it doesn't do the management and oversight. This needs to be defined. Councilman Kusnierz asked if the County was getting out of recycling. Supervisor Jenkins replied that there are five centers and the County is shutting down four of them. Councilman Vittengl asked if we would be hiring the County employees or starting fresh. Supervisor Jenkins replied that we wouldn't be hiring any employees. We would be using our own. There may be some increased staffing on Saturdays. Supervisor Jenkins stated that all we have to do is observe. He stated that we could move the booth out closer. The County is looking to start this in February through December 2016. Attorney Buettner stated the Town can get out of the contract at any time. There was mention in the contract that the Town would do work on the buildings and Supervisor Jenkins stated that we would do maintenance only. Supervisor Jenkins stated that the County would get all the revenues from the recycling. He also stated that he would copy the Board but asked that they approve it so that the County could act on it. Councilman Prendergast mentioned that the Town doesn't own the buildings for the recycling, only the land. Attorney Buettner stated that she just sent all the Board members her memo with the contract. Supervisor Jenkins asked for verbal approval from the Board and then it can be acted on at the next regular meeting.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to adjourn to executive session to discuss an Article 7 regarding David Barnes at 8:58 p.m.

Roll call vote resulted as follows:

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

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

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to adjourn the executive session and re-open the regular meeting at 9:13 p.m.

Roll call vote resulted as follows:

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

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to engage the services of D.L. Palmer Appraisal Services at an amount not to exceed \$3,000.00 for a court ready appraisal regarding Article 7 litigation against David Barnes.

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Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adjourn the regular meeting for the evening at 9:16 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
Town Clerk

The above minutes are not intended to be a complete transcript of the meeting, only a summary. To hear the entire meeting, you may visit the Town's website at: www.townofmoreau.org

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