

A regular meeting of the Town Board of the Town of Moreau was held on May 14, 2019 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

The Supervisor called the meeting to order at 7:01 p.m.

The Town Clerk called the roll.

Town Board Members Present

Alan VanTassel	Councilman
Gina LeClair	Councilwoman
Kyle Noonan	Councilman
Theodore T. Kusnierz, Jr.	Supervisor

Town Board Members Absent

John Hogan	Councilman
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Also present: Leeann McCabe, Town Clerk; Malcolm O’Hara, Attorney for the Town; Paul Joseph, Highway Superintendent; Jesse Fish, Water Superintendent; Dave Jones, Buildings and Grounds Working Supervisor; Town Residents: David & Dan Cheney, Steve Monn and Dominic Tom

The Supervisor recognized Boy Scouts in attendance of the meeting and asked that they lead the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes from April 30, 2019 (2 sets) were prepared and presented to the Town Board prior to the meeting, for their review, comment, correction and approval.

Resolution #2019-208

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, to approve the minutes of April 30, 2019 (2 sets) as prepared.

Roll call vote resulted as follows:

Councilman Hogan	Absent
Councilman VanTassel	Aye
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

SET FUTURE MEETINGS AND WORKSHOPS

An executive session was scheduled for May 28, 2019 at 6:00 p.m.

A special meeting was scheduled for May 20, 2019 at 3:30 p.m. for the purpose of conducting interviews for play equipment manufacturers/suppliers for the new universal playground.

WATER DEPARTMENT

The Supervisor reported that he had received correspondence that had been directed to the Town Clerk from a Town resident in Water District 1, due to a failure in an expansion tank. He stated that it was the Water Superintendent’s opinion that the tank failed due to exposure to the cold. He looked at the tank himself and agreed with the evaluation of the Water Superintendent. The Supervisor stated that the Town Clerk had sent a response stating that the fees for the replacement tank and water usage were due, however, the resident didn’t agree with the decision and emailed the Supervisor. He responded to the resident by stating that he would bring the issue to the Town Board for discussion. The Supervisor asked the Water Superintendent to give an overview of what happened. Jesse Fish stated that he had received a

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call that there was a leak. He responded to the call and found that the tank had split and called someone in immediately to have it replaced. He stated that it is the responsibility of the Town to keep their equipment in working order, however, there is a section in the Town Code that states the equipment has to be kept from freezing. After looking at the tank, his belief was that the tank froze and split. It did have some rust on it but didn't believe, because of where the rust was located, that it had anything to do with the split. The plumber who replaced the tank believed that the split was due to freezing as well. The Supervisor read the letter that was sent to the resident from the Town Clerk, so the Town Board would have a better picture of what happened. The Supervisor also read the reply from the resident stating that he didn't feel the damage was due to freezing. He also stated in his letter that he had the tank if the Town Board wanted to inspect it. The Supervisor read the Town Clerk's response, which stated that the complaint was reviewed by both the Water Superintendent and the Supervisor and that they both were of the opinion that the damage was due to freezing. The resident then emailed the Supervisor and asked that the matter be brought before the Town Board. The Supervisor asked how the Town Board wanted to proceed. Councilman Noonan asked Mr. Fish how often this happens. Mr. Fish replied "not often" and if the tank were to fail on its own, we would replace it. He commented about another residence where the pipes had frozen and burst. The Town had billed them for the plumber's charges as well as for the water. He stated that the resident didn't dispute the bill. Councilman Noonan was of the opinion that they should follow the Town's policy but did suggest that the Town Board waive any interest or penalty charges. Councilman VanTassel agreed. He stated that there were three people who assessed the problem and all came to the same conclusion that the tank had frozen due to extreme temperatures. The Supervisor had the Water Superintendent elaborate on the unique set-up of the tank. Mr. Fish explained that the house sits on a slab and the original water (well) sits in the front of the home. He stated that there was a little shed over the top of the well. He stated that when the water was brought in by the contractor, when Water District 1 was built, they hooked into the water at the shed, rather than to go into the house and drill a hole in the concrete floor. He stated that the contractor hooked the water up at the shed because that's where the resident wanted it hooked-up. The customer was told, at that time, that he would need to keep the area warm enough from freezing. Councilman VanTassel stated again that he agreed with Councilman Noonan. He stated that there is a policy in place and they have it for a reason. He didn't believe that the circumstances of this case warrant them to deviate from the policy. He stated that the resident should have to pay the fees, however, he also felt that they could waive the penalties. The Supervisor stated that they could be respectful of part of his request by giving him until the next due date to pay for the water and the equipment and waive the penalties and interest if he pays by the next bill.

Resolution #2019-209

A motion was made by Councilman VanTassel, seconded by Councilwoman LeClair and carried, to waive any penalty and interest charges for the above mentioned Water District 1 account, as long as the fees for water and equipment are paid before the next billing cycle.

Roll call vote resulted as follows:

Councilman Hogan	Absent
Councilman VanTassel	Aye
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

The Supervisor reported on water meters that have been failing and asked the Water Superintendent to give a brief synopsis. Mr. Fish stated that some of the radio read meters that were installed over the past 5-6 years are dying early. He stated that the batteries are dying before their 10 year full replacement warranty. Master Meter just found out that there's a glitch in the software of certain numbered meters, which is draining the batteries sooner than what they should be. Mr. Fish stated that they've had to replace some of these meters and have had to purchase more meters to replace the stock. Master Meter has offered to replace all of the meters that haven't been replaced yet at no charge. The meters that the Town already replaced, Master Meter has offered to charge the Town \$30.00 for 20 meters for a total of \$600.00. He stated that it would cover some of their loss. Mr. Fish stated that it would save the Town almost \$4,000.00 because the meters are around \$200.00 apiece. Mr. Fish stated that they will also give

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the Town 30 replacements at a time and the Town will have 60 days to replace them. Master Meter has a list of all the serial numbers of the meters that are bad. Mr. Fish stated that Master Meter has an agreement that will need to be signed for the 20 replacement meters, which states that the Town will be invoiced for the difference in the cost of the meter (\$159.26), if the Town doesn't return the 20 Interpreter registers within 60 days from the date of the cross shipment.

Resolution #2019-210

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, authorizing the Supervisor to sign the proposal as outlined in Master Meter's May 8, 2019 correspondence to the Town of Moreau as follows: Master Meter will sell the Town of Moreau 20, B12-A21-A01-0101A-1 BL 5/8 x 3/4 LF/CI USG 3G PL to replace existing failing Interpreter registers @ \$30.00 EA, which will include a new full warranty on the meter body and the continuation of the original register warranty. If the Town of Moreau does not return the 20 Interpreter registers within 60 days from the date of cross shipment, the Town of Moreau will be invoiced for the difference of \$159.26.

Roll call vote resulted as follows:

Councilman Hogan	Absent
Councilman VanTassel	Aye
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

The Supervisor reported that the Water Superintendent had received correspondence from the Fire Chief with regard to the Bluebird Road fire hydrants. He stated that the issue has been brought before the Town Board in the past. He stated that Councilman Hogan, Jesse Fish and himself had gone down to Bluebird Road for a demonstration from the Fire Co. on the water flows from the fire hydrants. He stated that it was discovered that there are at least 12 hydrants along Bluebird Road that don't have stortz fittings, which are required in order for the Fire Co. to hook into the hydrants. The Supervisor stated that there had been Town Board discussion on this in the past and at the time he asked if the Fire Co. had an adaptor that could be used to hook up to the hydrants. He stated, that he was told by the Fire Co., that they didn't know where it was. He stated that he knew the adaptor was pretty expensive. Mr. Fish stated that you would have to remove the nozzle and the fitting the Fire Co. is looking for comes with a nozzle attached to it. He stated that they're about \$400 - \$500 apiece. The Supervisor stated that there was poor oversight when the original installation occurred. He stated that the easiest fix is to find an adaptor. He suggested that he could reach out to the Fire Chief. Mr. Fish stated that they would like to have all the fittings the same, so wherever they go, they can hook up as quickly as possible. The Supervisor stated that there is \$8,841.00 in the equipment account for Water District 4. He stated that they need to discuss this further at budget time but for right now, there needs to be a quick solution. Mr. Fish was asked if he would speak to the Fire Co. Mr. Fish stated that they are going to want the stortz fittings. Supervisor Kusnierz stated that it would be a long term fix but for now, they need a short term fix. The Supervisor asked Mr. Fish to have a conversation with the Fire Co. and if he needs to be included, he'd be happy to.

RECREATION DEPARTMENT

The Supervisor congratulated the recreation staff for the good job they did to install two new sets of bleachers located behind Field A in the Quads.

The Supervisor stated that BOCES has started clearing at the Park for the Universal Playground. He stated that he hoped they would have time to look at the river trail before school is out.

The Supervisor had mentioned earlier in the meeting that he had sent out a letter stating that the Town is interested in interviewing play equipment manufacturers/suppliers for the new Universal Playground.

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The Supervisor stated that Dave Jones had done price comparisons for paper and trash products, which are to be used in the Town Park. He compared with three different vendors, with the lowest being W.B. Mason. His recommendation was to place the Recreation Department on the W.B. Mason account for the purchase of all paper and trash product needs.

Resolution #2019-211

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, approving WB Mason as the preferred vendor for the purchase of all paper and trash products for the Recreation Park.

Roll call vote resulted as follows:

Councilman Hogan	Absent
Councilman VanTassel	Aye
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

Councilman VanTassel stated that the beach will be opening on May 25, 2019. The Town Board will need to decide what to do with the hours. He asked if they wanted the beach open full-time or to follow past practice and open only on weekends until school is out. The Board was in agreement to go with past practice. Councilman VanTassel stated that he would let Sandy know.

Councilman VanTassel also stated that the Recreation Director has some programs that she's trying to put together. She's looking for direction from the Board to move forward or not. He asked that the Board make a decision no later than May 28th, so they can get the information out to the schools. The Town Board was in agreement to allow the Recreation Director to push the program out to the schools and once she has a count, to bring the numbers back to the Board for the purchase of jerseys.

SARATOGA COUNTY ECONOMIC OPPORTUNITY COUNCIL PROCLAMATION

The Supervisor stated that one of his rolls as Town Supervisor is to sit on the Board of Directors of this organization. He was honored to present a proclamation last year and will be doing so again this year. The Town Clerk read the following proclamation aloud:

Proclamation

WHEREAS, in 1964, President Lyndon Johnson created the Economic Opportunity Act which contributed to the creation of Community Action Agencies to address poverty in local communities, and

WHEREAS, since 1965, the Saratoga County Economic Opportunity Council has been dedicated to helping our struggling neighbors meet their most basic needs and get on the path to financial security, and

WHEREAS, the Saratoga County Economic Opportunity Council has built a strong network of programs and resources that address the wide range of challenges low-income families face including hunger, housing, child care, and language barriers, and

WHEREAS, the Saratoga County Economic Opportunity Council is an agency committed to providing opportunities for individuals and families to achieve self-sufficiency, and

WHEREAS, the Saratoga County Economic Opportunity Council is an advocate for promoting healthy, thriving families and caring communities, and

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WHEREAS, the Saratoga County Economic Opportunity Council offers valuable support to women, infants and children via their WIC program, providing supplemental foods, health care referrals, and nutrition education, and

WHEREAS, the Saratoga County Economic Opportunity Council has established an Emergency Food Pantry, a Community Lunch Program and many more programs for our community, and

WHEREAS, the Town of Moreau would like to recognize the importance of community partnerships and congratulate Green & Healthy Homes Initiative, AIM Services, Inc. and Saratoga-Wilton Elks Lodge #161 for their outstanding efforts and making a difference in our community,

NOW, THEREFORE, BE IT RESOLVED, that the Moreau Town Board hereby proclaims May 2019, as community Action Month, and that the Saratoga County Economic Opportunity Council be recognized for their work as the designated Community Action Agency for their efforts to address poverty in our community.

Resolution #2019-212

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, approving the Proclamation for the Saratoga County Economic Opportunity Council as read into the record by the Town Clerk.

Roll call vote resulted as follows:

Councilman Hogan	Absent
Councilman VanTassel	Aye
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

PART-TIME SPECIAL PROJECT AIDE

The Supervisor stated that he included this on the agenda for discussion. He stated that he would like to create this position on a temporary basis for either a recent college graduate or a high school student. This person would work out of the Supervisor's office who can assist the Confidential Secretary or the Part-time Recreation Director. He stated that there was money budgeted for a position with benefits but since the year is halfway over, instead of hiring someone full-time, he'd like to get someone in there on a part-time basis to see how it helps the work load. He stated that Councilman VanTassel had met with some of the staff regarding IT concerns and thought this person might be helpful in putting together some information that needs to be assembled, as part of the duty. He stated that they would advertise on the Town's website. He didn't think it needed to be advertised in the newspaper as the position would only be from May through August. He'd like to put it on the website to see what they get for applications and report back to the Board for action on it. The Board members were in agreement with the Supervisor's request.

PRIVILEGE OF THE FLOOR

Dominic Tom addressed the Town Board with suggestions. His first suggestion was to explore the feasibility to have National Grid bury the power lines along Route 9.

He also commented on the need for a light at Butler Road and Route 9 and stated that he had contacted the Supervisor late last summer. He stated that he hadn't heard back on the matter.

Mr. Tom also asked to talk about his past comments on his request for a partial property tax exemption. He stated that he had written and verbally requested the exemption but hasn't heard back from anyone. He wonders where it stands and whether there will be any consideration for the exemption.

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Mr. Tom spoke about the old Stanley's Motel and suggested that before it's torn down, the Town make sure that asbestos testing is done and also testing for lead paint. He also commented that the Building Department still hasn't responded to his two month old request to see the tickets that were issued to the New Jersey couple who owns the property.

The Supervisor responded to some of the questions. First by stating that he could reach out to National Grid to see about burying the cables, however, he stated that it would be very costly and the District doesn't have the money to pay for it. He did say that there was Economic Development funding available through a fund that National Grid has. He stated that he would look into it.

The Supervisor commented about the light at Spier Falls Road. He stated that he had a conversation with DOT and there's talk of an Interstate Exit 17 redesign with traffic lights. He stated that it's something that might be done around the same time that the sewer is brought in.

The Supervisor stated that the Town Board had directed Counsel to look into the Real Property Tax Exemption and bring information back to the Board so they can make an informed decision.

Regarding the old Stanley's Motel, the Supervisor stated that the Town will be following all the requirements within the State and Local Code for demolition and any necessary testing.

Regarding violations, the Supervisor stated that it would require a FOIL request.

Steven Monn of 155 Hatchery Road addressed the Town Board regarding the issue of the hydrants. He stated that if his understanding were correct, the Fire Co. can't connect to these hydrants without an adaptor. He asked if there was any obligation on the Town's part to notify the residents along that stretch, that there is less than optimal coverage in the event of a fire.

SUPERVISOR'S ITEMS

The Supervisor stated that he wanted to congratulate and commend two Town employees that have ranked in the top 10 of their graduating class at South High, demonstrating that the Town does hire the best and the brightest. Benjamin Sperry, son of Dennis and Lisa Sperry, who is ranked #3 in his class will be attending Rochester Institute of Technology to study engineering. Henry Rubin, son of Joel and Katie Rubin, who is ranked #10 in his class will be attending Binghamton University to study psychology. The Supervisor congratulated both.

The Supervisor updated the Town Board on the Fire Suppression system. He stated that it's coming along nicely and if things go as planned, they're hopeful it will be completed within two weeks. They will perform air testing and hydrostatic testing when the work is completed.

The Supervisor stated that the Highway Superintendent was made aware from the County that they will be unable to perform road striping due to a shortage of the yellow paint that's made in China. There was an explosion in the warehouse that manufactures the pigment.

The Supervisor commented that he was copied on a letter from the South Glens Falls CSD to Donna Nichols, Executive Director of the Moreau Community Center, that the Board of Education authorized the agreement between the South Glens Falls CSD and the Moreau Community Center for the use of a Harrison Ave. Elementary School bus for the Camp Moreau program. The program begins July 1, 2019 and will conclude August 23, 2019.

COMMITTEE REPORTS

Councilman VanTassel gave an update on his IT meeting. He stated that he had met with some of the department heads along with PS Technical Services. He stated that the meeting was productive. There was discussion that all of the computers that have Windows 7 will no longer be supported as of January 2020 and that they'll have to deal with that. He stated that they're looking into automated payroll, which will require remote time clocks and network connectivity, which is lacking. He stated that PS Technical Serv.

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is doing some discovery to understand the network technology across the Town as well as a complete audit of the hardware and they're in the process of giving a proposal to provide Managed Services. He stated that he wants to address security awareness training and suggested that there be a policy in the Town's handbook. He stated that Jeff Cruz will be working with the team to do a cost analysis, with the possibility of reducing the costs.

A motion was made by Councilman VanTassel, seconded by Councilwoman LeClair and carried, to adjourn to executive session at 8:03 p.m. for the purpose of receiving an update from Counsel on tax certiorari cases, to receive an update on a contract between the Village of South Glens Falls and the Town of Moreau for the sale of water and to discuss an unnamed person(s) who either works for the Town of Moreau or has worked for the Town of Moreau in the past.

Roll call vote resulted as follows:

Councilman Hogan	Absent
Councilman VanTassel	Aye
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

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

A motion was made by Councilman Noonan, seconded by Councilman VanTassel, and carried to adjourn the executive session at 8:36 p.m. and return to the regular session with no action taken in executive session.

Roll call vote resulted as follows:

Councilman Hogan	Absent
Councilman VanTassel	Aye
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, to close the meeting for the evening at 8:36 p.m.

Roll call vote resulted as follows:

Councilman Hogan	Absent
Councilman VanTassel	Aye
Councilwoman LeClair	Aye
Councilman Noonan	Aye
Supervisor Kusnierz	Aye

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
Town Clerk