

A regular meeting of the Town Board of the Town of Moreau was held on May 28, 2019 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

The Supervisor called the meeting to order at 7:00 p.m.

The Town Clerk called the roll.

Town Board Members Present

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

Town Board Members Absent

None

Also present: Leeann McCabe, Town Clerk; Karla Buettner, Attorney for the Town; Paul Joseph, Highway Superintendent; Andrew Percetti and Dave LaMountain, Northeastern Aerial Imaging; Reed Antis, Planning Board member and Town Resident and John Jackowski, Town Resident

The Supervisor led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes from May 6, 2019 and May 14, 2019 were prepared and presented to the Town Board in advance of the meeting for their review, comment, correction and approval.

Resolution #2019-221

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, to approve the minutes of May 6, 2019 as prepared.

Roll call vote resulted as follows:

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

Resolution #2019-222

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, to approve the minutes of May 14, 2019 as prepared.

Roll call vote resulted as follows:

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

SET FUTURE MEETINGS AND WORKSHOPS

None scheduled

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NORTHEASTERN AERIAL IMAGING

Andrew Percetti and Dave LaMountain were present from Northeast Aerial Imaging and gave a short presentation of their services. While setting up the projector, the Supervisor asked how long they were in business and Mr. Percetti replied that they've been in business for a year and a half. They were asked what kind of equipment they have and Mr. Percetti replied that they have 4 or 5 drones. The presentation showed images of current projects taken from an aerial view and it provided their solutions to project management. Mr. Percetti explained the services they provide with regard to mapping and real time imaging. Mr. LaMountain stated that they also provide their services for GIS and marketing tools. At the conclusion of the presentation, the Supervisor asked that they provide the Town with a proposal from a marketing standpoint, within the confines of the sewer district, which could be used on the Town's website to show what's available on the commercial corridor of the Town.

PART-TIME SPECIAL PROJECTS AIDE

The Supervisor reported that this person would work out of the Supervisor's office for a short duration, from now until the middle of August. It had been advertised on the Town's website and there had been only one applicant for the position. He interviewed Emily Jones and recommended that she be hired as a Special Projects Aide at the rate of \$13.50 per hour.

Resolution #2019-223

A motion was made by Councilman VanTassel, seconded by Councilwoman LeClair and carried, to hire Emily Jones as a Part-time Special Projects Aide at a rate of \$13.50 per hour, effective immediately, subject to successful completion of a pre-employment physical and background check within the next two weeks. Some of the duties Ms. Jones would help with would be Payroll, Rec permitting as necessary, Field use and other duties as assigned.

Roll call vote resulted as follows:

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

NYS LIQUOR AUTHORITY PERMIT

The Supervisor reported receiving a request from Muller & Mannix, PLLC, representing Dango's, Inc. stating that they will be applying for a Special Event Permit for the Americade Festival from the NYS Liquor Authority. The request asks that the Town provide a letter to the Liquor Authority advising that they have no objections to the request. The event will be held on June 7th and 8th, 2019 at Fitzgerald's Restaurant, located at 1393 Route 9 in the Town of Moreau.

Resolution #2019-224

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, authorizing the Supervisor to send a letter to the NYS Liquor Authority stating that the Town has no objection to Dango's Inc. request for a Special Event Permit for the Americade Festival from June 7, 2019 through June 8, 2019.

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Roll call vote resulted as follows:

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

HIGHWAY DEPARTMENT

The Highway Superintendent submitted a request to hire Ryan Reynolds to fill the vacant position of Laborer 1.

Resolution #2019-225

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried to hire Ryan Reynolds to the position of Laborer 1 at a rate of \$18.75 per hour (per CSEA contract), effective May 29, 2019, subject to successful completion of a background check and pre-employment physical within two weeks.

Roll call vote resulted as follows:

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

The Supervisor reported receiving documentation from the Highway Superintendent relating to RFP's for the Palmerton Heights pavement project. The Supervisor asked if the Highway Superintendent was looking for approval to advertise the bid opening. Mr. Joseph stated that it had already gone out. The Supervisor asked who helped him prepare the bid documents and he replied that Laberge Group assisted him with the documents. The Supervisor asked what the Highway Superintendent was looking for and he replied that he was letting the Town Board know that the advertisement was sent out and that the Town Clerk should be receiving the proposals. Attorney Buettner asked if the date had been listed on the advertisement and the Highway Superintendent replied that it was. The Supervisor stated that they would need a resolution setting the bid opening date of June 14, 2019.

Resolution #2019-226

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, to set a bid opening date of Friday, June 14, 2019, for the Palmerton Heights project.

Roll call vote resulted as follows:

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

The Town Clerk asked if the advertisement had a time listed for the bid opening and the Highway Superintendent replied no. The Supervisor asked what time would be best and the Town Clerk replied that 3:00 p.m. would be best.

Resolution #2019-227

A regular meeting of the Town Board of the Town of Moreau was held on May 28, 2019 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

A motion was made by Councilwoman LeClair, seconded by Councilman Hogan and carried, setting the time for the Palmerton Heights Project bid opening at 3:00 p.m.

Roll call vote resulted as follows:

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

Paul Joseph commented that there are many street lights that are out around the Town and asked that if they're reported to him, he'll get the pole numbers and report them to National Grid. He stated that a 1/3 of Merritt Road has been out since February. The Supervisor asked who he had spoken with at National Grid and Mr. Joseph stated that the information was in his shop. The Supervisor asked that he get the information to his office. The Town Clerk asked to make a quick comment and stated that she had spoken with National Grid herself, following three complaints from a resident, of the street lights being out. She stated, that she was told by National Grid, they were waiting on the Town to decide how they wanted to proceed with LED lighting and now that the Town has made that determination, she thought the repairs would probably start soon.

LOCAL GOVERNMENT EFFICIENCY COMMUNITY REORGANIZATION GRANT

The Town Clerk was asked to read the following resolution aloud:

Resolution #2019-228

**Town of Moreau
Saratoga County**

RESOLUTION AUTHORIZING THE TOWN OF MOREAU SUPERVISOR TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF STATE 2019 LOCAL GOVERNMENT CITIZENS RE-ORGANIZATION EMPOWERMENT GRANT (CREG) REORGANIZATION PLANNING FOR GRANT FUNDS TO SUPPORT COSTS ASSOCIATED WITH THE CONSOLIDATION OF WATER DISTRICTS

WHEREAS, the Town of Moreau Town Board, has determined that it is desirable and in the public interest to act as Lead Applicant to undertake the necessary activities for the submittal of an application under the **Department of State 2019 Local Government Citizens Re-Organization Empowerment Grant (CREG) Planning Program** to be titled, **Town of Moreau Water District Consolidation**, and

WHEREAS, the Town of Moreau Town Board hereby authorizes the Supervisor to submit the grant application, and

WHEREAS, the Supervisor will serve as the Lead Applicant Contact Person to execute all financial and/or administrative processes relating to the grant program; and

WHEREAS, the intent of the proposed project is to provide the Town of Moreau with financial assistance for water district consolidation as services and responsibilities are transferred to the Town of Moreau, and to execute all the steps that will complete the re-organization, and

WHEREAS, the amount of funds to be requested from the **2019 Local Government Citizens Re-Organization Empowerment Grant (CREG) Reorganization Planning Program** are not to exceed \$50,000, and

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WHEREAS, the Town of Moreau hereby commits to providing the 50% local cash match of \$25,000 or less should less funds be expended; and

IT IS HEREBY RESOLVED: that the Town of Moreau is the Lead Applicant in an application for financial assistance under the **2019 Local Government Citizens Re-Organization Empowerment Grant (CREG) Reorganization Planning Program** for a **Town of Moreau Water District Consolidation**.

The foregoing resolution was made by Councilman VanTassel, seconded by Councilwoman LeClair and carried.

The Supervisor stated that the \$50,000.00 a municipality can apply for is a rolling monthly Grant award. If the Town doesn't receive the Grant this month, they can apply next month.

Roll call vote resulted as follows:

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

VILLAGE OF SOUTH GLENS FALLS WATER IMA

The Supervisor asked Counsel to explain what had changed from the original contract. Attorney Buettner stated that NYS Department of Health wanted additional language in the contract with regard to emergencies. The changes that need to be approved are all in Part 1. She stated that everything else remains the same.

Resolution #2019-229

A motion was made by Councilman Noonan, seconded by Councilwoman LeClair and carried, authorizing the Supervisor to sign the Inter-municipal Agreement between the Village of South Glens Falls and the Town of Moreau, which allows the Town of Moreau to provide potable water to the Village of South Glens Falls in the event of an emergency.

Roll call vote resulted as follows:

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

WATER DISTRICT NO. 2 – CELLULAR LEASE

The Supervisor stated that the cell tower lease with AT&T will expire in 24 months. He stated that the Town has been in contact with them to negotiate a new contract. Attorney Buettner gave a recap of how the communications have transpired. She stated that AT&T had reached out to the Town in the fall of 2018 to begin negotiations for a reduction in the lease amount. They were told that the Town would get back in touch with them in 2019. She stated that there is a new person handling the negotiations with new deadlines and a new request. At present the Town receives \$37,000.00 annually. Attorney Buettner stated, that the amount is well above what they pay any other municipality and they are asking to have the lease reduced to a \$20,000 range. Attorney Buettner stated that she had provided information to the Town Board today. She stated that right now AT&T is looking to see if the Town wants to continue a contractual relationship with them. If the Town decides they don't want AT&T to maintain a cell on their water tower, it would take them a few years to find a new site and to make the necessary plans to move the

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cell tower. Attorney Buettner stated that she had provided the Town Board with a new contract, with a new option and a new price. Supervisor Kusnierz asked that this agenda item be tabled so they could have discussion in executive session.

SEWER DISTRICT 1 EXTENSION 5 – BOND COUNSEL

The Supervisor stated that he had a proposal from Bartlett, Pontiff, Stewart and Rhodes, P.C. to be the Town's Bond Counsel with respect to Sewer District 1 Extension 5. Attorney Buettner stated that the fee in the agreement is the fee that is already paid by the Town and that EFC just needed a separate agreement. The Supervisor read the entire agreement and stated that there needed to be a resolution authorizing him to sign the agreement.

Resolution #2019-230

A motion was made by Councilman Noonan, seconded by Councilwoman LeClair and carried, authorizing the Supervisor to sign the Bond Counsel agreement to engage the services of Bartlett, Pontiff, Stewart and Rhodes, P.C.

Roll call vote resulted as follows:

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

ASSESSMENT SERVICES

Resolution #2019-231

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, authorizing the Supervisor to sign a Professional Service Agreement with GAR Associates LLC, to provide Assessment Support Services to the Town of Moreau.

Roll call vote resulted as follows:

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

PRIVILEGE OF THE FLOOR

John Jackowski of 34 Grey Fox Drive presented before the Town Board and explained a problem he was having with water issues. He stated that when he moved into his home, the well casing was at 11' and it is now at 5'. He stated that he had notified DOT and was told that they may need more help. He wanted to know if there was a plan or an update the Town could provide. He also stated that if the water persists, it will eventually affect his leach field and septic system.

Mr. Jackowski also commented on the Route 9 Sewer project with regard to traffic problems.

The Supervisor replied to Mr. Jackowski by stating he has had ongoing conversations with NYSDOT and they're aware of the situation. He stated that he had met with the working foreman and they looked at the culvert, which runs underneath Route 197. They've been trying to find the opening on the southern side of the culvert. He had a follow-up conversation with DOT the following day and was told that there is water flowing through the culvert. He was told that a work crew would be coming sometime this week, however,

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he didn't know what the work entailed. He did comment that the equipment they need is shared throughout the State, so they have to wait until the equipment they need is available. There were a few questions asked by Mr. Jackowski relating to the culvert that the Supervisor didn't have the answers to.

The Supervisor commented that he had been approached by some of the residents along Route 197, asking when the State would be cleaning out driveway culverts. He was informed by NYSDOT, that the maintenance of driveway culverts are the responsibility of the property owners.

SUPERVISOR'S ITEMS

The Supervisor congratulated Cameron Woodard on the completion of his Eagle Scout Project. He read the letter that had been sent to Mr. Woodard on May 23, 2019, which commended him on his workmanship of a covered book station. The letter stated that his work exceeded the Town's expectations and that we are very grateful to be the recipient of his project. The Town of Moreau appreciates all his hard work and thanks him for his service to the community.

The Supervisor reported that the Town of Moreau has received its portion of the recycling grant in the amount of \$35,000.00.

The Supervisor commented on a story that was in the Post Star Newspaper regarding storz fittings for the Town's fire hydrants. He had a suggestion from Candy Funk of Reservoir Road, that the fire hydrants be color coded for the fitting that's on the hydrant, so the Fire Dept. knows what fitting to use as they arrive on the scene. Councilman Hogan stated that the Fire Protection agency recommended that they be color coded based on the pressure of the hydrant. The Supervisor stated that it was a very expensive program. He suggested that he would rather have a color code based on the fitting.

The Supervisor commented that the sprinkler system was tested today by charging it with 100 lbs. of air pressure. If there are no issues, tomorrow it will be charged with 200 lbs. of water pressure. He stated if there are no issues with that, the system will be turned back on.

The Supervisor reported that the Town's request to DOT for a speed limit reduction on Redmond Road has been denied.

The Supervisor received notification from Charter Communications dated May 24, 2019, which stated that on or around May 24th, they will cease its broadcast of the Hill Song network channel.

The Supervisor stated, that at budget time, as they've done in the past, money was allocated for an advertisement to be placed in the booklet for the Glens Falls Symphony. This year the Town allocated \$220.00 for the advertisement. He stated that the Town has updated its picture for the advertisement which reads "The Town of Moreau extends its best wishes to the Glens Falls Symphony for a great 2019-2020 Season!" If the Town pays for the ad before June 20, 2019, there will be a 10% discount.

Resolution #2019-232

A motion was made by Councilman VanTassel, seconded by Councilwoman LeClair and carried, authorizing the Supervisor to pay the bill for an advertisement in the Glens Falls Symphony booklet for an amount not to exceed \$220.00.

Roll call vote resulted as follows:

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

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COMMITTEE REPORTS

Councilman VanTassel stated that Councilman Hogan, Dave Jones and he met with the folks from the Pow Wow. He stated that the meeting was productive, with conversation relating to concerns the Town has and concerns that they have. The meeting was designed to put some structure around the event. He commented that the event has grown over the years and for the benefit of future Boards, they hope to have something documented and structured. They covered a variety of items, which include: parking, electrical usage, water usage, code of conduct, dates, hours and the scope of the event. He stated that they wanted to have more information on the vendors that are coming in, making sure that they're licensed and insured. They discussed some possible revenue sharing. The Town isn't intending to make money, however, they have to staff the Park during the event, for large numbers of people that will be coming in during the second and third shifts. They would like to get through one year with a structured plan and then sit down afterwards to see what might need to be corrected. Dave Jones produced a map, which had been given to the Board members this evening. An electronic version will be sent to the Pow Wow group as well. The map will let them know where the Town will allow them to be and it lets the staff know where they're supposed to be. Councilman VanTassel stated that the Town needs to have some oversight of the comings and goings of everyone involved. He stated that the Pow Wow group has produced a code of conduct flyer, which will be handed out to all of their participants. This will be done through their registration process. He stated that they will be charging a fee of \$15.00 per day to hook-up to the electrical. He stated that they used an estimate of those who would use power and suggested that the money should cover the payroll expense. He stated that they will have different color registration tags for those who want just power or just water and for those who want both. This will be helpful to the employees, knowing who should be using water, power and where they should be. There will be a single point of contact established. They will meet with Dave Jones one week before the event for a final walk through and that's when they'll share the recreation phone number to be used. Councilman VanTassel stated that he thought this will be a good, clean, fun event with framework moving forward. He hopes to have all the final documentation ready for the next Town Board meeting.

Councilman VanTassel stated that in conjunction with the IT discovery, which is in motion, they need to do a complete assessment for all of the Town's interconnect (phones, internet) and to do a cost analysis. He stated that the Town has received 3 quotes from vendors who would perform this service. He stated that he has a relationship with a person who will perform this task at no cost. The Town Clerk was asked to send copies of all local, long distance and internet bills to John Volk. They will then look into the possibility of consolidation of interconnect services.

Councilman VanTassel stated that the Town's antivirus subscription is due to expire soon. They're waiting on a proposal from P.S. Technical Service, which will include the cost of the antivirus. He stated that they may have to move on this quickly by polling the Board members. The Town Clerk stated that the protection is due to expire in two days.

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, to adjourn to executive session at 8:03 p.m. for the purpose of contract negotiations with AT&T.

Roll call vote resulted as follows:

Councilman Hogan	Aye
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 Councilwoman LeClair, seconded by Councilman Noonan and carried, to close the executive session at 8:14 p.m. with no action taken and to resume the regular session.

Roll call vote resulted as follows:

A regular meeting of the Town Board of the Town of Moreau was held on May 28, 2019 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

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

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, to close the meeting for the evening at 8:14 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
Town Clerk