

A regular meeting of the Town Board of the Town of Moreau was held on June 25, 2019 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

The Supervisor called the meeting to order at 7:15 p.m.

The Town Clerk called the roll.

Town Board Members Present

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

Town Board Members Absent

John Hogan	Councilman
Gina LeClair	Councilwoman

Also present: Leeann McCabe, Town Clerk; Karla Buettner, Attorney for the Town; Dave Jones, Buildings and Grounds Working Supervisor; Town Residents: Richard Hughes, Dominic Tom and Vince Sporrer; Village Resident: Brigid Martin

The Supervisor led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes from June 11, 2019 and June 14, 2019 were prepared and presented to the Town Board prior to the meeting for their review, comment, correction and approval.

Resolution #2019-257

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, approving the minutes from June 11, 2019 as prepared.

Roll call vote resulted as follows:

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

The Supervisor stated that the minutes from the June 14, 2019 bid opening were received and should be filed.

FUTURE MEETINGS AND WORKSHOPS

A special meeting was scheduled for July 9, 2019 at 6:00 p.m. for the purpose of an executive session to conduct interviews.

FIRE ALARM & SUPPRESSION ANNUAL INSPECTION

The Supervisor stated that the Town Board had approved \$1,575.00 at the last Town Board meeting for semi-annual sprinkler inspections to be done by Professional Fire Protection. They've also presented a separate proposal for annual inspections of the fire alarm suppression system. The Supervisor stated that because we're all set this year, he would recommend that they take this matter up at budget time.

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TURN THE TOWNS TEAL

The Supervisor reported receiving a letter regarding the national awareness for ovarian cancer, Turn the Towns Teal campaign. He read the letter aloud. The campaign starts on or about September 1st and ends September 30th. The web address, to see how the campaign works is as follows: www.turnthetownsteal.org. The Supervisor stated that if the Town wished to participate, he would need authorization to sign the letter.

Resolution #2019-258

A motion was made by Councilman Noonan, seconded by Councilman VanTassel and carried, authorizing the Supervisor to sign the approval to participate in “Turn the Towns Teal”.

Roll call vote resulted as follows:

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

WATER DEPARTMENT

The Supervisor reported that he had met with the Fire Chief of the South Glens Falls Fire Department and had discussions relating to fire hydrants. Prior to the meeting, he had conversations with the Water Superintendent regarding the status of the fire hydrants throughout the Town. The Supervisor reported that nearly all of the Town’s hydrants have national standard threads or storz fittings on them, so that all the fire trucks can hook up to them. He stated that there are eleven that do not and most are located in Water Districts #4 and #3, down by the Industrial Park. He asked Mr. Fish to reach out to a company that can do specialized milling, to do thread adaptors, so that we can get those hydrants up to either the fitting for the storz or the national standard threads. This would make all of the Town’s hydrants accessible to the Fire Company. The Water Superintendent provided a quote from Ferguson Water Works for eleven (11) special thread storz fittings, for a cost of \$2,498.57. The Supervisor’s recommendation was to go ahead with the order.

Resolution #2019-259

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, authorizing the purchase of eleven (11) special storz fittings from Ferguson Water Works at a cost of \$2,498.57. The expense will be paid from both Water District 3 and Water District 4 accounts 8310.4.

Roll call vote resulted as follows:

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

The Supervisor stated that the Fire Chief would like the Town to again move forward with a program that was in place two years ago, which was to convert hydrants over to storz fittings. He stated that the Town was doing about five per year. He stated that he told the Fire Chief that the Town would consider this again at budget time.

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OLD TOWN HALL BUILDING REPAIR

The Supervisor reported that the Town has reached out to several contractors to provide quotes for the repair of the old Town Hall building. He stated that only one quote has been received and that was from Dave Stewart in the amount of \$3,100.00. He stated that Councilwoman LeClair has been working on this and isn't here this evening. He asked the Town Board if they wanted to move forward on this tonight or if they want to continue to get more quotes. Councilman VanTassel stated that he'd like to see the work get done but had some questions. He wondered if the quoted price included prevailing wages and if he provided the Town with insurance. The Supervisor stated that we would have to get more information. This agenda item was tabled until the Town has more information.

HIGHWAY DEPARTMENT

Resolution #2019-260

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, authorizing an open purchase order for the purchase of gasoline, under State Contract #PC68456, from Global Montello Group in the amount of \$10,000.00. The expense will be paid from account DB5142.460.

Roll call vote resulted as follows:

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

Resolution #2019-261

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, authorizing an open purchase order for the purchase of diesel fuel, under State Contract #PC68214, from Sprague Operating Resources in the amount of \$20,000.00. The expense will be paid from account DB5142.460.

Roll call vote resulted as follows:

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

The Supervisor reported that the bid opening that was received and filed had two quotes but because the amounts were over a certain amount, the project has to go out to a formal bid. Attorney Buettner stated that the prices were lower than County contract and over the threshold which requires that the Town go out to bid. She stated that if you aren't using a County or State contract price, you have to go out to bid for public works projects over \$35,000.00. The Supervisor commented that along with the two proposals, there was an additional proposal taped to the door of the Highway Garage. He stated that he didn't know why it was presented that way. It was suggested that the Town Board reject all proposals that were received and go out to bid for the project.

Resolution #2019-262

A motion was made by Councilman Noonan, seconded by Councilman VanTassel and carried, to reject all RFP's that were received for the Palmerton Heights project.

Roll call vote resulted as follows:

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

The Supervisor asked Attorney Buettner if she would prepare the bid documents for the project. She stated that she would work with the Highway Superintendent.

ADOPTION OF NYS ELECTION DAY VOTING POLICY

The Supervisor stated that an Election Day Voting policy was passed by the State Legislature and signed by the Governor, in relation to providing time off for employees to vote on Election Day (General Elections or Primaries). To conform with State Law, the Town will have to adopt a resolution.

The following resolution was read aloud by the Town Clerk:

RESOLUTION TOWN BOARD

WHEREAS, the adopted 2019-2020 New York State Budget includes a provision enacting Election Law §3-110 of the State of New York which requires all employers in the State to allow an employee who is a registered voter such time off from work as will enable him or her to vote in any election, up to three working hours, without loss of pay; and

WHEREAS, Election Law §3-110 further provides that an employee shall be allowed time off for voting only at the beginning or end of his or her working shift, as the employer may designate, unless otherwise mutually agreed; and

WHEREAS, the Town of Moreau desires to adopt a new Election Day Voting Policy in conformance with Election Law §3-110;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Moreau hereby adopts the attached Election Day Voting Policy, and be it further

RESOLVED, that the Supervisor's Office shall distribute copies of the new Election Day Voting Policy to all Town employees.

A motion was made by Councilman Noonan and seconded by Councilman VanTassel and carried, to adopt the foregoing resolution as read into the record by the Town Clerk.

Roll call vote resulted as follows:

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

ROAD CLOSURE REQUEST

The Supervisor reported receiving a request for a road closure at the end of Daffodil Drive for a graduation party on July 6th.

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Resolution #2019-264

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, approving the request to close 22 Daffodil Drive, for the time specified, on July 6, 2019.

Roll call vote resulted as follows:

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

BOARD OF ASSESSMENT REVIEW

The Supervisor read a letter from the Town’s Assessor stating that she had received notice from Andrew Husarik that he would be resigning from his position on the Board of Assessment Review. He will be staying until the end of the calendar term for the Board of Assessment Review, which is September 30, 2019.

Resolution #2019-265

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, accepting the resignation of Andrew Husarik from his position on the Board of Assessment Review, effective October 1, 2019.

Roll call vote resulted as follows:

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

PRIVILEGE OF THE FLOOR

Mr. Hughes asked about the property that the Town purchased from Lehigh Cement and what it would be used for. The Supervisor replied that it was going to be used for a sewer master meter. Attorney Buettner explained that the City of Glens Falls has built a master meter vault on the property that is owned by the Town.

Mr. Hughes asked how much the bid was, for the repair of the old Town Hall building. The Supervisor replied \$3,100.00. Mr. Hughes asked if the Town has ever had an architect look at the building, inside and out, to see what it would cost to rehab it. The Supervisor stated that it has not been looked at, however, it is the Town’s intent to have a professional look at it and see what would be involved to get it ADA compliant, based on possible uses that they’re looking at. He stated that it will be discussed at budget time. He stated that there isn’t money budgeted for an overhaul of the building because the Town doesn’t know if they will be moving forward with utilizing the building or if they will be selling it. The Supervisor stated, that personally, based on conversations he had with a government entity, he would like the Town to maintain it. He stated that it was a great benefit to the residents. Mr. Hughes stated that the reason the Town moved to the new building was because the old one was falling apart. He questioned why now, the Town wants to go back and spend a lot of money to fix it. He asked how many people would work there. The Supervisor didn’t know but stated if the entity agrees to utilize the building, regardless of how many people work there, it will have a huge positive benefit to the community.

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Brigid Martin asked the Supervisor if he had received any complaints of “Duck Itch” from the Sand Bar Beach. She stated that a mom had told her that her son was infested from playing on the shore. She stated that the woman had taken the baby to three different doctors. The Supervisor stated that he hadn’t received anything relating to that issue. He stated, that based on the information Ms. Martin provided, it sounded serious and that the Town would look into it. Councilman VanTassel stated that he had spoken with one of the lifeguards at the beach last night and asked her how the goose situation was this year. It was reported to him that this year is better than any other year. He also stated that the Town would look into the problem.

Dominic Tom, Cedar Lane, stated that the Town is prosperous and will be experiencing more growth. He suggested that the Town make the Supervisor’s job a full-time position or hire a Town manager. He also suggested that the Town contract with an experienced grant researcher/writer. He stated that there are a lot of projects that are going to be going on. He also suggested, that if the Town doesn’t utilize a full-time manager, they could use a full-time Human Resources manager. Mr. Tom also suggested that the Town have a privilege of the floor at the top of the agenda for those who wish to speak about something that’s on the agenda. He stated, especially if it’s something that is going to be voted on. Mr. Tom suggested, regarding the fire hydrants, that the Town research to see if the developers or land owners of the faulty hydrants could pay for suitable hydrants themselves. Mr. Tom made a suggestion relating to the Route 9 corridor. He stated that DOT could be contacted and to alleviate the traffic problems, go with four lanes in certain areas. He also stated, that if National Grid has to be contacted to move the utility lines, it would be a good time to have them buried at the same time. He stated that they may cover the expense.

The Supervisor stated, that under Election Law, elected officials have no set hours. The Supervisor stated that he does more than that and with the amount of progress that the Town has had in a short period of time, this administration is twenty fold over previous administrations. He stated, that this doesn’t happen working part-time. He stated that he likes to do it and likes to solve problems. He stated that he’s been doing this his whole life for a larger electorate. He stated that he considers this to be a full-time job.

The Supervisor stated, regarding traffic, he is a member of the Adirondack-Glens Falls Transportation Council. They have periodic policy meetings with representatives from various communities, DOT and County DPW’s and at the last meeting held last week, the Exit 17 traffic issue was an agenda item. He stated that he and the Mayor were both there and commented on suggestions and possible solutions. He stated that DOT is looking at comments that they’ve made. He stated that it comes down to funding and what their priorities are. He stated that there is an intent to re-work Exit 17, however, he doesn’t know what it will look like. He stated that they are accepting input from community leaders.

The Supervisor responded to Mr. Tom’s suggestion on having a privilege of the floor at the beginning of meetings. He stated that he has been on previous Boards with the privilege of the floor being held at the beginning of the agenda and found that not a lot of work gets done. He stated that the purpose of Town Board meetings is primarily the legislative responsibilities of the Town. He stated that he and the Board members are all available by email or you can stop into his office and make an appointment to meet with him. He stated that they do take comments into consideration when they take up issues. He stated, that at this time, he would like to keep the privilege of the floor where it’s located unless there is a circumstance that it should be moved up.

SUPERVISOR’S ITEMS

The Supervisor stated that Apex Solar has installed the charging station on the east side of the Town Hall building. He stated that the proper breaker panel needs to be installed before it can be used.

The Supervisor read a card that was received from a retiree, Mike Montgomery, which thanked himself and the Town Board for their support during his tenure at the Highway Department. The letter stated that the proclamation signed by the Town Board was very professional and that his retirement party would be a special memory. Mr. Montgomery stated in his letter that it has been an honor to work for a growing and amazing community. He stated that he gives his best to the Town and the Town Board.

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The Supervisor received correspondence from Charter Communications stating that on or around July 15, 2019, Video On Demand title-in-guide channels for Movies on Demand will no longer be available on the channel line-up serving our community.

The Supervisor received a forwarded email from the part-time Recreation Director, from Cathy Allen, NYSPHSAA Softball Coordinator, which thanked Dave Jones and Sandy Mahoney for everything they've done for the softball organization over the past years. The letter stated that they are great people to work with and thanked them for all that they've done. She asked that the letter be passed along to the Town Board and any staff members.

The Supervisor received a request from Rick Leonelli to see if the Town Board would be interested in getting an insurance review. The Supervisor stated that he could invite him to a Town Board meeting to give a short presentation explaining what he would do or he can meet with the Insurance Committee. The Town Board was in agreement that he should come to a Town Board meeting.

The Supervisor stated that the Town received a notice from the Department of Labor regarding a former employee who left on her own volition, who is making a claim against the Town for unemployment insurance benefits. He stated that this person left the Town to take a job closer to home and greater pay. He suggested that the information be provided to Counsel, in order to follow up with opposition to the notice.

The Supervisor stated that he had a letter from NYS DOT regarding bridge repairs on Butler Road over I-87. He read from a letter that stated the contractor is tentatively scheduled to begin work on Wednesday, June 26, 2019 and that it will take approximately three months to complete. No night work is anticipated for this project – work will be progressed during daytime hours, with alternating one-way traffic over the bridge controlled by a temporary signal system.

COMMITTEE REPORTS

None

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, to close the meeting for the evening at 8:00 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
Town Clerk

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ELECTION DAY VOTING POLICY

Election Law §3-110 of the State of New York authorizes all registered voters to take off as much time from his or her employment that will enable him or her to vote in any election, up to three (3) hours, without loss of pay.

If an employee requires working time off to vote, the employee shall notify his or her Department Head not less than two working days before the day of the election that he or she requires time off to vote in accordance with the provisions of Election Law §3-110(2) of the State of New York. Such notification must be in writing and may be submitted by email. In the case of employees who work Monday through Friday, notification must be received by the Department Head no later than noon on the Friday prior to the Election. Failure to timely comply with the notification provisions of this paragraph shall result in the automatic disapproval of the employee's request for time off.

The employee shall be allowed time off for voting only at the beginning or end of his or her working shift pursuant to the provisions of Election Law §3-110(3). In order to ensure proper department staffing, the Department Head shall have the discretion to designate which employees may take time off at the beginning of his or her shift and which employees may take off at the end of his or her shift, taking into account the preference of the employee. The employee's time off should be limited to the time needed to enable him or her to vote at their designated election district polling place. The Town reserves the right to investigate and confirm the amount of time needed to enable each employee to vote at their designated polling place, and the Town shall have the right to credit any time taken off in excess of such time that would enable the employee to vote against the employee's accrual time.

Not less than ten working days before every election, each Department Head shall post conspicuously in his or her Department where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of Election Law §3-110 and this Policy. Such notice shall be kept posted until the close of the polls on Election Day.

This Policy shall apply only to Town employees who are registered to vote.