

A regular meeting of the Town Board of the Town of Moreau was held on November 12, 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; Kathleen Moore, Post Star Reporter; Reed Antis, Planning Board member; John Donohue, Councilman Elect; Town Residents: Amy & Quinn Noonan and Sherry Rivers

The Supervisor led the Pledge of Allegiance.

The Supervisor stated that the public hearing had remained open so that they could research the appropriateness of where they had placed the road striping. He stated that they were correct where it was placed and that there were no changes to the budget. He asked for a motion to close the public hearing.

Resolution #2019-401

A motion was made by Councilman Hogan, seconded by Councilwoman LeClair and carried, to close the public hearing on the 2020 Preliminary Budget at 7:02 p.m.

Asked if all in favor, the following responses were given:

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

APPROVAL OF MINUTES

The minutes from October 23, 2019, October 28, 2019 and October 29, 2019 (month-end meeting) were prepared and presented to the Town Board prior to the meeting, for their review, comment, correction and approval.

Resolution #2019-402

A motion was made by Councilman VanTassel, seconded by Councilman Hogan and carried, to approve the minutes from October 23, 2019, October 28, 2019 and October 29, 2019 (month-end meeting) as prepared.

A regular meeting of the Town Board of the Town of Moreau was held on November 12, 2019 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Asked if all in favor, the following responses were given:

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

SET FUTURE MEETINGS AND WORKSHOPS

No meetings scheduled.

ADOPT 2020 BUDGET

Resolution #2019-403

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, to adopt the 2020 Preliminary Budget as presented at the public hearing.

Asked if all in favor, the following responses were given:

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

HIGHWAY DEPARTMENT

The Highway Superintendent had submitted a request for the replacement of a shorted out electrical line and breaker in his shop area. He commented that the short was due to the condensation. The Supervisor asked if his department had reached out to him regarding the request. Mr. Joseph replied that he had contacted seven different people and only two came to look at the work. Only one person provided a quote and two others were too busy to get the work done in the time frame requested. There was a brief discussion as to whether or not they should approve the request. Councilman VanTassel stated that he could get a couple electricians to provide quotes by the end of the week. The request was tabled.

Resolution 2019-404

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, authorizing an open purchase order for rock salt, for the 2019-2020 season, from Morton Salt in the amount of \$32,000.00. The expense will be paid from account DB5142.490, which has a balance of \$32,965.61 as of October 5, 2019. The purchase is being made under County Contract #18-PWS-10R.

Asked if all in favor, the following responses were given:

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

Resolution #2019-405

A motion was made by Councilman VanTassel, seconded by Councilman Hogan and carried, setting a bid opening date for the HVAC repair at the Town Highway Garage, for December 3, 2019 at 2:00 p.m.

A regular meeting of the Town Board of the Town of Moreau was held on November 12, 2019 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Asked if all in favor, the following responses were given:

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

Resolution #2019-406

A motion was made by Councilman VanTassel, seconded by Councilwoman LeClair and carried, authorizing the Supervisor to sign the HVAC contract with MH Professional Engineering, PLLC.

Asked if all in favor, the following responses were given:

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

TOWN COMPUTERS

The Supervisor commented that the computers at the Town Hall are outdated and will no longer be supported after December 31, 2019. He stated that there are budgeted monies through the economic development fund, which they will be utilizing to update all Town computers. This will include new IT infrastructure, (2) Wireless Access Points, (2) Switches, (3) Security Appliances, (3) Security Suites, (1) Laptop, (15) Desktop computers, (1) Docking Station and (3) Monitors. The Supervisor stated that they received a price under State contract and the Board was polled so they could get the order in. He stated that they need to memorialize the purchase.

Resolution #2019-407

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, memorializing a polling of the Town Board for the purchase of the above-mentioned IT infrastructure, under state contract through CDW Government, 75 Remittance Dr., Ste. 1515, Chicago, IL 60675, at a cost of \$18,035.00 (plus incidental expenses). The expenses will be paid from each department's equipment accounts. Any additional funding will come from account A6460.4, which has a balance of \$32,331.53 as of October 31, 2019.

Councilwoman LeClair thanked Councilman VanTassel for all the time and effort he put into this project.

Asked if all in favor, the following responses were given:

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

WASTE HAULING CONTRACT

The Supervisor stated that the current waste hauling contract is due to expire at the end of the year.

Resolution #2019-408

A regular meeting of the Town Board of the Town of Moreau was held on November 12, 2019 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

A motion was made by Councilman VanTassel, seconded by Councilman Hogan and carried, setting a bid opening date for Waste Hauling services (starting January 1, 2020) for December 6, 2019 at 2:00 p.m.

Asked if all in favor, the following responses were given:

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

WATER DEPARTMENT

The Supervisor stated, that at the last Town Board meeting, they had tabled a request from one of the Town's water department employees, as they needed additional information. The Town Board learned that the gas expense submitted was for use of a Town vehicle and not his own personal vehicle. The other expenses were for tolls and meals. The Supervisor commented that they have no cap on the cost of meals at present and asked that the personnel committee look at setting a cap.

Resolution #2019-409

A motion was made by Councilman Hogan, seconded by Councilwoman LeClair and carried, authorizing payment of a voucher in the amount of \$123.49 submitted by a water department employee for travel expenses incurred by attending an educational class.

Asked if all in favor, the following responses were given:

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

RECREATION DEPARTMENT

The Supervisor stated that there was a request to purchase stockade fencing to replace the rotten fencing around Griswold Cemetery. He had asked the Recreation Leader to obtain quotes using an alternate type of fencing.

The following quotes were received for the purchase of 18 sections of treated split rail fence:

Home Depot, Inc. 2455 Paces Ferry Rd., SE Atlanta, GA	\$677.07
Curtis Lumber Co., Inc. 460 Big Bay Rd. Queensbury, NY	\$599.55
Lowes 1000 Lowe's Boulevard Mooresville, NC 28117	\$731.90

The recommendation was to purchase from Curtis Lumber.

A regular meeting of the Town Board of the Town of Moreau was held on November 12, 2019 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Resolution #2019-410

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, authorizing the purchase of 18 sections of treated split rail fence from Curtis Lumber at a cost of \$599.55. The expense will be paid from account A8810.4, which has a balance of \$3,221.64 as of 10/31/19.

Asked if all in favor, the following responses were given:

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

MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

The Supervisor stated that he has a draft resolution but that some of the language needs to be verified. He asked that this agenda item be tabled for this evening.

SEWER

The first topic to discuss was a resolution authorizing the Town to submit an application to the Department of State Local Government CREG re-organization planning for grant funds. The Supervisor stated that Laberge Group had prepared the grant application but in order to submit, they need a formal resolution.

The Town Clerk read the following resolution aloud:

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 SEWER 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 Sewer 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 sewer 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

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

A regular meeting of the Town Board of the Town of Moreau was held on November 12, 2019 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

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 Sewer District Consolidation.

Resolution #2019-411

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, approving the foregoing resolution as read into the record by the Town Clerk.

Asked if all in favor, the following responses were given:

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

The next topic of discussion under Sewer is a resolution permitting an addendum to the map, plan and report of extension number 5 of Sewer District 1.

The Supervisor stated that the engineers were asked to look at all avenues to reduce the cost of the project. He stated that they have a proposal, which will reduce the cost significantly, but to do the work, it will require an addendum to the map, plan and report.

The Town Clerk read the following resolution aloud:

**RESOLUTION
TOWN BOARD
TOWN OF MOREAU**

SUBJECT: RESOLUTION PERMITTING ADDENDUM TO MAP, PLAN AND REPORT OF EXTENSION NO. 5 OF SEWER DISTRICT NO. 1 WITHIN THE TOWN OF MOREAU

WHEREAS, by resolution dated June 26, 2018, the Town Board approved the establishment of Extension No. 5 of Sewer District No. 1 including the boundaries thereof as set forth in the May 2018 Map, Plan and Report of Extension No. 5 of Sewer District No. 1, and authorized the construction of the necessary infrastructure and sewer improvements; and

WHEREAS, pursuant to the resolution, the establishment of Extension No. 5 of Sewer District No. 1 was subject to a mandatory referendum to be held on August 27, 2018; and

WHEREAS, the mandatory referendum was duly held on August 27, 2018, at the Moreau Town Complex from noon until 8:00 p.m. and the question answered in the affirmative by the majority of the eligible voters who cast a ballot; and

WHEREAS, by Final Order dated August 28, 2018, the Town Board established Extension 5 of Sewer District No. 1 in the Town of Moreau subject to permission from the Office of the State Comptroller; and

WHEREAS, by Resolution dated April 30, 2019, the Town Board established Extension No. 5 of Sewer District No. 1 of the Town of Moreau; and

WHEREAS, as a result of the timing in obtaining permission from the State Comptroller, the project schedule has been delayed, complicating plans to start construction during early spring 2020; and

A regular meeting of the Town Board of the Town of Moreau was held on November 12, 2019 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

WHEREAS, in evaluating the options to offset construction cost escalation caused by the schedule change and review of additional information, an addendum to the Rt. 9 Sewer District Map, Plan and Report has been created, which demonstrates a reduction in the total cost of the project;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby approves the addendum to be included in the Map, Plan and Report; and be it further

RESOLVED, that the Town Board hereby authorizes and directs Laberge Group to move forward with construction documents consistent with the addendum and Map, Plan and Report.

The Supervisor stated that the voters spoke on the creation of the district and the Town sought all the necessary approvals. Unfortunately the final approval that the Town needed was from the Office of the State Comptroller. He stated that it took a long time to get the approval and it set the Town back in timing and additional costs. The Town Board had asked the engineers to look at possible ways to reduce the cost of the overall project to help counter the anticipated increase in costs for the construction of the District. The report that was put together by Laberge Group will reduce the cost of the project by approximately \$1,000,000, by minimizing trench excavation costs, restoration costs and right-of-way requirements. The Supervisor thought this was a prudent thing to do, since it's the residents in the District that will have to pay for it.

Resolution #2019-412

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, approving the foregoing resolution as read into the record by the Town Clerk.

Asked if all in favor, the following responses were given:

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

The third thing the Supervisor had to discuss under sewer is a contract addendum from Laberge Group for professional services related to additional services for the design and construction phase services for Sewer District 1 Extension 5.

Resolution #2019-413

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, authorizing the Supervisor to sign contract addendum #2018107-00 with Laberge Group, for additional professional services related to Sewer District 1 Ext. 5.

Asked if all in favor, the following responses were given:

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

A regular meeting of the Town Board of the Town of Moreau was held on November 12, 2019 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

PRIVILEGE OF THE FLOOR

Reed Antis addressed the Town Board first, stating that he hoped the Supervisor would explain what the electrical problem was at the Highway Garage. Regarding the fencing at Griswold Cemetery, he thought it should be placed on the west side as well as the north side per State regulations. Mr. Antis had a question about the general fund never getting reimbursed for the first sewer district. Mr. Antis asked the Supervisor to be more explanatory regarding the change in the construction costs for the sewer extension project.

The Supervisor stated, regarding the Highway Garage, that they've been experiencing shortages. Probably as a result of not being a weather tight building. They've had rain, sleet and snow and it's impacting the ability to power the welder. He stated, regarding cemeteries, the Town is working within the confines of the budget and abiding by State law, as far as how they treat the abandoned cemeteries that have been taken over by the Town. He also stated that this administration has spent more money on cemeteries than any other administration. The Supervisor stated that he wouldn't debate the general fund, other than to say that he and the Town Board are working diligently to get tenants into the Industrial Park. He stated that there are a lot of exciting things going on and people that are interested are the right kind of people that bring jobs to the area. He stated that those jobs equate to revenue in the community. The Supervisor stated, regarding the question about the change in the sewer costs, that he had already explained it in detail.

John Donohue – Councilman Elect - addressed the Board next. He spoke in opposition of the Budget Officer taking a stipend for the position. He stated that when you seek office, you know what the responsibilities are and what the compensation will be. He didn't think that this Supervisor should be compensated for the position just because the former Supervisor didn't do his job. Mr. Donohue also stated that the electrical problem at the highway garage needs to get fixed right away. He stated that there were comments made about not getting three quotes and he found it interesting that when they worked on something that wasn't quite as important as far as urgency, they were able to go through the process very quick. He referred to the trees and shrubs for the Town Hall. He stated that things should be put in order of urgency. He stated that if Mr. Joseph had tried to get prices, the work should be done.

The Supervisor responded by stating that the budget was adopted this evening. He stated that the public hearing had remained opened until tonight's meeting and commented that Mr. Donohue hadn't expressed any concerns. He also stated that he didn't believe Mr. Donohue had attended any of the workshops, but as Councilman Elect, he has the opportunity to work on the budget next year. He stated that he looks forward to his comments at that time.

Councilwoman LeClair stated that she dealt with several different people with regard to the trees and shrubs. They had to consider the costs for delivery and planting of the trees as well as the warrantees. She stated that they had three bids and it took over a month to make a determination of which company to use, based on the differences in the quotes.

The Supervisor stated that they wouldn't have had to expend the funding for the landscaping if two administrations ago hadn't clear cut the entire parcel. He stated that this Board has corrected a lot of issues due to the lack of oversight by previous administrations. He stated that the last thing they will have to take care of out of the 2020 budget is the Highway Garage roof. He stated that this Board is looking forward to moving on in a positive direction and to expend funds on things that move the Town forward instead of having to correct the inefficiencies of the past.

SUPERVISOR'S ITEMS

The Supervisor stated that the Board had received a report from Dave Jones this afternoon, regarding an incident that happened at the Recreation Park, as a result of the first snowfall of the year. At some time between 4:30 p.m. on November 11th and 6:30 a.m. today, someone was doing donuts in the Park and hit and damaged the fence. He stated that with the damage that the Park sustained, the individual forgot to

A regular meeting of the Town Board of the Town of Moreau was held on November 12, 2019 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

take his license plate. He stated that there is enough information for the matter to be investigated. He commented that it was extremely helpful to have a retired Deputy Sheriff on staff at the Park.

The Supervisor stated, that as Supervisor, he's a member of the Upper Hudson Regional Revitalization Plan, which is looking at a regional approach to sewer. He stated that they received a report from CBM Smith, who had done modeling regarding all the different municipalities that are contained within the region. He stated that there are four different scenarios based on build out. He stated that he has the information available in his office if anyone would like to see it. He stated that he had made them aware, that with a prospective tenant at the Park, that the Town would need a significant amount of capacity, if they were to locate there. He stated that this is something that is being taken into consideration.

The Supervisor reported that there will be a presentation on November 20, 2019 from 5:30 p.m. to 7:00 p.m. in the South Glens Falls Sr. High LGI room. The presentation will be given by Patty Kilgore and is titled "Right Under Your Nose". Parents will tour a mock teen bedroom for clues to determine whether their child might be experimenting with or using drugs or alcohol.

COMMITTEE REPORTS

Councilman Hogan reported on the status of the Transfer Station compactor roof repair. He stated that he had reached out to Dave Stewart to have him give prices for a metal roof and a shingled roof to go along with the prices that had already been obtained. There was a price from Fred Bartlett for metal and shingles and from S.O.C. Contracting for shingles only. He stated that the roof will need repair in the near future but doesn't have to be right now. He stated that he wasn't sure it should be done right now. He learned that when you're installing metal roofing it should be above 60 degrees. Councilman Hogan recited the following quotes that were provided:

Dave Stewart	\$2,900.00 with shingles or metal
Fred Bartlett	\$2,310.00 with shingles and \$3,745.00 for metal
S.O.C. Contracting	\$2,800.00 with shingles

He stated that they'll need to decide whether they want to go with shingles or metal. He stated that if they want to go with shingles, he recommended Fred Bartlett and if they want to go with metal, he recommended Dave Stewart. He also stated that Dave Stewart isn't available until spring. The Supervisor stated that they'll hold everything until spring and that he would have his office contact those who provided quotes to see if they'll hold their prices until spring. Councilman Hogan stated that Dave Stewart has already informed him that he would hold his prices.

Councilman Hogan stated that he didn't know where they were at with the pump tank at the Transfer Station. He stated that there's an alarm system that goes with the tank. He stated that it's a collection tank for the fluids that come from the compactor. He stated that apparently it's full but no alarm went off because of an electrical issue. He stated that he asked Ted Monsour to get the tank pumped first and then they can go from there. He gave him a couple names and thought that Stone Industries had submitted some paperwork. Councilman Hogan thought something needed to be signed and asked if this had been done. Supervisor Kusnierz stated that he didn't have the paperwork but would check into it and when they find it, they'll get it right out. Councilman Hogan stated that once it's been pumped, they'll need to get the alarm repaired. Supervisor Kusnierz stated that Stone Industries could do the work.

A motion was made by Councilwoman LeClair, seconded by Councilman Noonan and carried, to adjourn to executive session at 7:45 p.m. to discuss the work performance of an unnamed employee or employees and to receive a litigation update.

A regular meeting of the Town Board of the Town of Moreau was held on November 12, 2019 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Asked if all in favor, the following responses were given:

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 Councilman Hogan, seconded by Councilman Noonan and carried, to close the executive session at 8:12 p.m. with no action taken in executive session and to resume the regular session.

Asked if all in favor, the following responses were given:

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

Resolution #2019-414

A motion was made by Councilman VanTassel, seconded by Councilman Noonan and carried, approving the settlement of the Crisafulli litigation and authorizing the Supervisor to sign the agreement.

Asked if all in favor, the following responses were given:

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 Hogan and carried, to close the meeting for the evening at 8:13 p.m.

Asked if all in favor, the following responses were given:

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

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
Town Clerk