

A regular meeting of the Town Board of the Town of Moreau was held on January 12, 2021 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 Deputy Town Clerk called the roll.

Town Board Members Present

John Hogan	Councilmember
Kyle Noonan	Councilmember
John Donohue, Jr.	Councilmember
Theodore T. Kusnierz, Jr.	Supervisor

Town Board Members Absent

Alan VanTassel	Councilmember
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Also present: Jill Bennett, Deputy Town Clerk; Karla Buettner, Attorney for the Town.

The Supervisor led the Pledge of Allegiance.

The Supervisor advised everyone that tonight’s Town Board Meeting was able to be televised on Zoom due to the Governor extending Executive Order 202.87, which allows governing bodies to do so.

APPROVAL OF MINUTES

The minutes from December 22, 2020 (2 sets) and January 4, 2021, Organizational Meeting, were prepared and presented to the Town Board members in advance of the meeting for their review, comment, correction and approval.

Resolution #2021-63

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, to approve the Regular Town Board minutes from December 22, 2020, the Audit meeting minutes from December 22, 2020 and the Organizational Meeting minutes from January 4, 2021, as prepared.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Absent
Supervisor Kusnierz	Aye

SET FUTURE MEETINGS AND WORKSHOPS

No future meetings nor workshops were scheduled.

COVID-19 UPDATE

Supervisor Kusnierz announced that he was elected as Chairman to the Board of Supervisors for Saratoga County, during the Saratoga County Organizational meeting held on January 6, 2021. At that meeting he announced his commitment to making COVID response the primary program for 2021. He vowed to provide regular COVID updates to county residents, and to provide more accessibility to County Elected Officials and Leaders for the press and the public. He outlined plans for the Saratoga City Center being a large-scale vaccination point of distribution. The site provides all the necessary requirements for security and proper storage of the vaccine, and it also has accommodations for the safety of those administering vaccinations. Once large quantities of the vaccine become available in Saratoga County, the Saratoga City Center and a dozen and a half sites throughout the county, who have prepared to become point of distribution (POD) sites, will open. Supervisor Kusnierz thanked his colleagues, Supervisor Tara Gaston

A regular meeting of the Town Board of the Town of Moreau was held on January 12, 2021 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

and Supervisor Matt Veitch who worked with the City Center representatives to secure that site as a POD. Supervisor Kusnierz also wanted to thank Sherriff Michael Zurlo and his deputies for their commitment to keep the vaccines and distribution sites safe.

Saratoga County COVID levels as of today:

7,769 Total confirmed cases
53 Deaths
3,384 Active cases
4,332 Recovered
76 Hospitalized
7-day Rolling Average Testing Positivity Rate: 10.2%
New cases in the last 5 days: 653
Total tested to date is: 256,236

Vaccinations are currently being given at the Saratoga County Public Safety Building. The Public Health Department has been working hard making arrangements for vaccines to be given and to-date 9,600 residents in Saratoga County have been vaccinated with at least one dose, and 600 individuals have received the second dose. That means countywide 4.5% of residents have received full or some of the vaccine.

In the Town of Moreau:
309 Total confirmed cases
3 Deaths
164 Active cases
142 Recovered

In the Village of South Glens Falls:
86 Total confirmed cases
0 Deaths
28 Active cases
58 Recovered

SEWER – COMMUNITY DEVELOPMENT BLOCK GRANT

A proposal was presented to Town Board Members back in September 2020 to have the Town engineer seek grants for sewer funding. The State has just started accepting applications for a Community Development Block Grant for funding of 1.2 million dollars. Supervisor Kusnierz is asking the Town Board to allow the Town engineer to submit an application on behalf of the Town of Moreau for that Community Block Grant, at a cost of \$8,000.00 plus expenses for the application and \$5,000.00 plus expenses for the Environmental Review Record. Supervisor Kusnierz believes this is a small investment for the opportunity to receive 1.2 million dollars to put toward the Town's sewer project. The Town engineer is looking for Town Board action now. If we do secure this funding, it will have an enormous impact on the total cost of the sewer project.

Resolution #2021-64

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, allowing the Town Supervisor to sign the engagement letter for the purpose of professional grant writing services as provided on September 3, 2020 by the Laberge Group.

A regular meeting of the Town Board of the Town of Moreau was held on January 12, 2021 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Absent
Supervisor Kusnierz	Aye

HIGHWAY DEPARTMENT REQUEST

A request has been submitted from the Highway Superintendent to open a PO for rock salt in the amount of \$80,000.00 for the 2021 budget year. This is at a Saratoga County Contract price. The supplier is Morton Salt of Pallantine, IL. This would come from account DB5142.490 which currently has a balance of \$175,000.00 as of January 1, 2021. This is Saratoga County Contract #20-PWS-10R.

Resolution #2021-65

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to open a purchase order for rock salt in the amount of \$80,000.00 with Morton Salt.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Absent
Supervisor Kusnierz	Aye

A second request was made for gasoline. The Highway Superintendent would like to open a purchase order under State Contract pricing with Global Montello Group Corp. located in Waltham, MA in the amount of \$15,000.00, to be paid from account DB5142.460. This account had a balance of \$65,000.00 as of January 1, 2021. The State contract number is PC68456.

Resolution #2021-66

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to open a purchase order for \$15,000.00 for gasoline with Global Montello Group Corp.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Absent
Supervisor Kusnierz	Aye

The third request from the Highway Superintendent was to open a purchase order in the amount of \$25,000.00 for diesel fuel from Sprague Operating Resources located in Portsmouth, NH. This is a State Contract vendor. This would come from account DB5142.460, which had a balance of \$65,000.00 as of January 1, 2021. The State Contract number is PC68214.

Resolution #2021-67

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to open a purchase order in the amount of \$25,000.00 for diesel fuel with Sprague Operating Resources.

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

A regular meeting of the Town Board of the Town of Moreau was held on January 12, 2021 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Absent
Supervisor Kusnierz	Aye

RECREATION DEPARTMENT REQUEST

A request has been submitted from the Rec Leader for additional staff at the Recreation Department. He’s looking for help with the ice rink at the Recreation Park. He recommends re-hiring Myles Hogan and John Millington who have worked at the recreation park previously. He anticipates they would be working 4 to 8 hours per week dependent on the weather. They would be paid \$12.50/hr. which was established at the Organizational Meeting.

Resolution #2021-68

A motion was made by Councilmember Noonan, seconded by Councilmember Donohue and carried, to re-hire Myles Hogan and John Millington to work at the Recreation Park as weather permits, at a wage of \$12.50/hr.

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

Councilmember Hogan	Abstain
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Absent
Supervisor Kusnierz	Aye

ASSESSOR REQUEST

Supervisor Kusnierz asked Karla Buettner, Town Attorney, to explain the Senior Citizens Property Tax Exemption 2021. She explained that the New York State Legislature determined that exemptions on real property that normally had to be renewed yearly would remain the same as was determined for the 2020 tax roll. The governing body, in this case the Town Board, can allow the Assessor to mail exemption renewal requests if she feels there has been a change of primary address, an additional owner added to the deed, a change of owner, or the owner has died.

Supervisor Kusnierz asked the Deputy Clerk to read the resolution.

**TOWN BOARD
TOWN OF MOREAU**

RESOLUTION: SENIOR CITIZENS PROPERTY TAX EXEMPTION 2021

WHEREAS, on December 28, 2020, the New York State Legislature adopted the “COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020” which, among other things, authorized every governing body of an assessing unit and local assessor to extend to the 2021 assessment roll the renewal of the RPTL 467 exemption relating to persons age sixty-five and older received on the 2020 assessment roll without the requirement of a renewal application; and

WHEREAS, the Act further provides that the assessor shall make available renewal applications through postal mail or electronic means to eligible recipients in the event eligible recipients determine that his or her income has changed in a manner that would grant him or her a greater exemption than what was present on the 2020 assessment roll; and

A regular meeting of the Town Board of the Town of Moreau was held on January 12, 2021 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

WHEREAS, the Act further provides that the governing body may adopt a resolution which includes procedures by which the assessor may require a renewal application to be filed when he or she has reason to believe that the owner who qualified for the exemption on the 2020 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, or died; and

WHEREAS, the Town Board of the Town of Moreau, as the governing body of the Town, desires to provide the assessor with the authority to require such a renewal application solely for the reasons identified above;

NOW, THEREFORE, BE IT RESOLVED, that the Assessor of the Town of Moreau has the authority to require a renewal application to be filed when she has reason to believe that an owner who qualified for the exemption on the 2020 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, or died; and

BE IT FURTHER RESOLVED, that in the event the Assessor believes a renewal application is required to be filed as indicated above, she shall send the renewal application through the postal mail or electronic means, if applicable; and

BE IT FURTHER RESOLVED, that eligible recipients are not required to appear in person to file a renewal application.

Supervisor Kusnierz stated that this is at the request of our Assessor to assist her in doing her job.

Resolution #2021-69

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

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Absent
Supervisor Kusnierz	Aye

MOREAU INDUSTRIAL PARK

Supervisor Kusnierz stated that interest in the lots in the Industrial Park have picked up, so appraisals need to be conducted. The Assessor contacted 3 real estate appraisal companies for their proposals. Supervisor Kusnierz read the proposal from each of the 3 companies out loud.

#1 – Empire State Appraisal Consultants – appraisal for 13 land parcels totaling 68.32 acres at a cost of \$6,800.00. The company is located in Kinderhook, NY.

#2 – Integrated Valuations Real Estate Appraisers & Consultants – appraisal of 13 individual parcels, ranging in size from 0.82 acres to 18.64 acres. A turn-around time of 5 to 7 weeks will be required for the completion of the appraisals. The cost would be \$12,000.00 plus a per hour rate. This company is located in Clifton Park, NY.

#3 – GAR Associates LLC – appraisal of 13 Vacant Industrial Land Parcels with a combined land area of 68.32 acres. Total fee will be \$10,000.00 and will be delivered in 4 weeks. This company is located in Williamsville, NY.

Councilmember Noonan stated that he wouldn't have a problem going with the lowest proposal.

A regular meeting of the Town Board of the Town of Moreau was held on January 12, 2021 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Councilmember Donohue agreed with Councilmember Noonan.

Councilmember Hogan stated that he agreed if it's the same product.

Resolution #2021-70

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, to go with Empire State Appraisal Consultants to do appraisals for parcels at the Moreau Industrial Park and authorizing the Supervisor to sign the contract.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Absent
Supervisor Kusnierz	Aye

US LIGHT ENERGY – ZOOM PRESENTATION

US Light Energy is a community solar project developer located in Latham, New York. They held a Zoom presentation at tonight's Board meeting for PUD consideration for a proposed solar project off Reynolds Road.

The project was presented through Zoom by Mark Richardson, US Light Energy CEO, Mike Fingar, US Light COO, and Chris Koenig from CT Male. They're looking to put in large solar arrays on a portion of 203 acres along Reynolds Road. The unused 92 acres of vacant land would be donated to the Town of Moreau. They have made a plan to transport energy from the solar panels to the National Grid substation located on Butler Road.

Supervisor Kusnierz asked about the maximum amount of solar power that can be transported through the lines to the National Grid substation. Mark Richardson responded that the maximum output is around 10 Megawatts.

Councilmember Noonan stated that he heard the word "community" used several times during the presentation and he's curious what benefits Town residents will see from this project. Mr. Richardson answered, in the very literal sense a community project allows solar companies to share their output with the community. They share with customers located within a utility territory. He stated, that the number of customers within a utility territory that will benefit from this project is around 1,300. He also mentioned that the 92 acres of land, which they would donate to the Town of Moreau, would also be beneficial for the community.

Supervisor Kusnierz reminded everyone this is administrative action that's required by the Town Board in order to refer this project to the Planning Board for review.

Resolution #2021-71

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, to refer the application received from US Light Energy to the Planning Board for necessary review.

Supervisor Kusnierz added, that when this application comes back to the Town Board following Planning Board review, it will be discussed in great detail. He doesn't want there to be a misconception, that actions taken tonight by the Town Board, are giving the stamp of approval on this project. The action taken by the Town Board is simply following procedure. He reassured Town residents that the Board will do the proper vetting before any decision is made.

A regular meeting of the Town Board of the Town of Moreau was held on January 12, 2021 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Ms. Buettner stated that the public will have 2 opportunities to speak on this project. The Planning Board will hold a Public Hearing and the Town Board will hold a separate Public Hearing.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Absent
Supervisor Kusnierz	Aye

SUPERVISOR ITEMS

Supervisor Kusnierz gave the Town Board a heads up regarding a discussion they will have at the next Town Board meeting. Saratoga Planning is requesting that the Town of Moreau endorse a farm conservation project to preserve 77 acres of farmland on Mott Road. Right now, 61% of the land is actively being farmed and this project would stop future development. Of the 77 acres, 23 acres are considered prime soils, 6 acres are of Statewide importance and 41 acres are draining soils. Supervisor Kusnierz stated that the Town Board will need a resolution to endorse this initiative for Saratoga Planning.

New York State DOT provided an update on the emergency bridge repairs, which required road closures, on Route 4 over the Hudson River between Greenwich and Northumberland. It was determined that additional work was required, which forced an extension of the road closure. Their plan is to have everything completed and the bridge re-opened by January 25, 2021.

The Supervisor received a heartfelt Thank You from the friends of the Ulysses S. Grant Cottage. The cottage, located in the Town of Moreau, is where former President Grant wrote his memoirs. The Town of Moreau helps support preservation efforts at the cottage in the amount of \$5,500.00 annually.

A notice was received from Crandall Library, that due to the rise in COVID-19 cases, they've changed to curbside services only starting January 2, 2021. Curbside services will be Tuesdays and Thursdays from 9:00 a.m. to 4:30 p.m., Wednesdays from 10:00 a.m. to 6:00 p.m. and Fridays from 10:00 a.m. to 4:30 p.m.

COMMITTEE REPORTS

Councilmember Noonan spoke to Nick Bodkin from the Village of South Glens Falls regarding the Intermunicipal Water Agreement between the Village of South Glens Falls and the Town of Moreau. Mr. Bodkin stated that discussions will be starting soon. Councilmember Noonan stated the Village is still trying to arrange their own source for water and thought that the usage from the Town would be significantly less.

Councilmember Hogan reported that the ice rink is open and people are using it.

Councilmember Donohue stated that there are concerns with the number of people in and out of the booth at the Transfer Station, due to COVID. The heavy traffic is due to the time clock being in the booth. He feels that getting WIFI and putting in electronic time tracking will help. He is going to talk to Ted Monsour to see how they can minimize the number of people in the booth at one time.

Supervisor Kusnierz reported that leaves and debris were removed from the Transfer Station to allow more room.

Resolution #2021-72

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to adjourn to executive session at 8:17 p.m. to discuss terms of a land sale and to discuss a potential settlement.

A regular meeting of the Town Board of the Town of Moreau was held on January 12, 2021 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Absent
Supervisor Kusnierz	Aye

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

Resolution #2021-73

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to return from Executive Session at 8:27 p.m., with no action taken in executive session.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Absent
Supervisor Kusnierz	Aye

Supervisor Kusnierz stated that there were two items discussed in executive session that the Board needs to take action on. The first item is in relation to the land purchase, that Town Board members agreed to, which would expand the recreational land holdings off from Fort Edward Road. That would require a survey as part of the process, to insure the Town is looking to get what they agreed to in the purchase. We received two quotes; the first one is in the amount of \$7,000.00 from Russ Howard and the second quote is in the range of \$10,000.00 to \$12,000.00 from VanDusen and Steves, with the caveat that it could be as high as \$14,000.00 to 15,000.00 should prevailing wages be required.

Resolution #2021-74

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, to use Russ Howard to survey land off Fort Edward Road for purchase by the Town of Moreau.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Absent
Supervisor Kusnierz	Aye

The second item discussed was a litigation settlement. Supervisor Kusnierz asked Ms. Buettner to give a brief overview of the case. She stated that there was a lawsuit brought against the Town for personal injury 5 years ago. The case was handled by insurance and a settlement was agreed to a nominal amount of \$1,500.00, payable by the insurance carrier.

Resolution #2021-75

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, to approve the settlement agreement and tender nominal payment from insurance. The settlement is for Coulter vs. Town of Moreau, Commercial Paving, Michaels Group, Gary Robinson P.E. and Environmental Design Partnership.

A regular meeting of the Town Board of the Town of Moreau was held on January 12, 2021 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Absent
Supervisor Kusnierz	Aye

Supervisor Kusnierz asked if there were any Board members that had any other business to discuss at this time.

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried to adjourn the meeting for the evening at 8:35 p.m.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Absent
Supervisor Kusnierz	Aye

Meeting adjourned.

Respectfully,

Jill Bennett
Deputy Town Clerk