

A regular meeting of the Town Board of the Town of Moreau was held on August 27, 2013 in the Town of Moreau Municipal Complex located at 351 Reynolds Road, Moreau, New York.

Supervisor Jenkins called the meeting to order at 7:09 p.m.

The Town Clerk called the roll.

Town Board Members Present

Robert J. Vittengl, Jr.	Councilman
Bob Prendergast	Councilman
Gina LeClair	Councilwoman
Todd Kusnierz	Councilman
Preston Jenkins	Supervisor

Town Board Members Absent

None

Also Present: Jeanne Fleury, Town Clerk; Paul Joseph, Highway Superintendent; Jesse Fish, Water Superintendent; Reed Antis, Town Resident and Planning Board Member; Town Residents: Midge Duxbury, Jim Hooper, Bobbi Spaulding, Bobby Dick, Tom Hutchins, V. Livsey and B. Flamer, and Art Smith

Supervisor Jenkins led the Pledge of Allegiance.

Supervisor Jenkins welcomed everyone to the meeting and asked everyone to turn off or silence all electronic devices.

MINUTES

The following minutes were prepared and distributed to the Town Board in advance of the meeting for their review, comment, correction and approval:

August 13, 2013

MINUTES – AUGUST 13, 2013 – REGULAR TOWN BOARD MEETING

Correction: Page 338 – In the statement made by Councilman Prendergast just above Committee Reports add “& hired” in between the words “appointments” and “in the past”.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to approve the minutes of August 13th as corrected.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

FUTURE MEETINGS/WORKSHOPS SCHEDULED

None

A regular meeting of the Town Board of the Town of Moreau was held on August 27, 2013 in the Town of Moreau Municipal Complex located at 351 Reynolds Road, Moreau, New York.

Councilwoman LeClair stated that she was going to meet sometime with Fort Edward about sharing their property adjacent to the Harry J. Betar Jr. Recreational Park for hiking trails. She will inform the Town Board Members when the meeting is scheduled.

15 MINUTE PUBLIC COMMENT PERIOD

Midge Duxbury thanked the Town Board for their help in getting the property at 15 Woodlawn Avenue cleaned up. She stated that the decking that was in hazardous condition was removed today and the grass was mowed and a fence was put up around the property.

Supervisor Jenkins gave credit to the Building Inspector/Code Enforcement Officer for this action. The owners of the property were ordered to clean it up. He acknowledged that it took way too long.

Midge Duxbury replied yes it did, one year.

Jim Hooper was present to get an answer to his questions that he asked at the meeting on July 23rd. He said he would attend every Town Board Meeting until he gets answers or the Town Board tells him to leave. He said the things that were said at the Planning Board Meeting were inappropriate and he asked the Town Board Members if they listened to the audio of the meeting. He also questioned if it was appropriate to discuss this in executive session as the Town Board did at the July 23rd meeting.

Supervisor Jenkins said that the Town Board had received information on the cost to fix the road in front of his house.

Jim Hooper again explained how he has had two major haulers of horse trailers say that they don't want to enter his property because of the drop off and the danger of being rear-ended by vehicles on Route 197.

Supervisor Jenkins advised that the Town Board was going to be looking at funding options to fix the road, but as for the Planning Board issues, he can't help him. He did read the minutes from the Planning Board Meeting.

Jim Hooper said he was talking about the comment made by the chairman of the Planning Board about slapping the applicant around.

Supervisor Jenkins said he discussed this with the chairman and told him it was not appropriate.

Councilman Prendergast said he thought that he saw a memo in his mailbox from the Supervisor that was addressed to all department heads that addressed this.

Supervisor Jenkins said he did send a memo to all department heads, but he also spoke with the chairman.

Jim Hooper said that at the end of each Planning Board Meeting the chairman always says for someone to try and find a reason to deny the applicant.

Supervisor Jenkins told Jim Hooper that he has a violation on his property so the Town couldn't do anything about it.

Jim Hooper said he wasn't sure what violation he was talking about and Supervisor Jenkins said the trailer that was on his property was placed there without a permit.

Discussion followed between Attorney Buettner and Jim Hooper and Attorney Buettner stated that the Town Board cannot make a recommendation to the Planning Board unless allowed by law to do so.

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Jim Hooper spoke about the Pilot Project that was proposed a few years back on Route 9 and comments Supervisor Jenkins made about the project.

Councilman Kusnierz stated that the Town Board had prices for a temporary fix to the road in front of Jim Hooper's property in the amount of \$3,100.00 vs. a long-term fix in the amount of \$6,900.00. He felt it should have been taken care of at the August 13th Town Board Meeting. If Paul can find money in his budget then the road should be fixed for the \$3,100.00.

Supervisor Jenkins stated that the Highway Contingency Fund (DB1990.4) has money in it.

Jim Hooper said that he offered to take the road from the Town if the town would help him find a cost effective use of his property.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair authorizing the expenditure of \$3,100.00 out of account DB1990.4 that as of August 6th had a balance of \$50,000.00 for a quick repair using stone and asphalt of Old Route 197.

Councilman Prendergast told Jim Hooper that if this is approved then he doesn't want there to be any further discussion about handing the road over to Jim Hooper. He has heard on more than one occasion where Mr. Hooper would like to own the road.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Supervisor Jenkins	Yes

Reed Antis asked about the culvert project and Supervisor Jenkins replied.

HIGHWAY DEPARTMENT REQUESTS

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the purchase of \$5,000.00 worth of crushed stone under Saratoga County Contract #13-PWCS-5R out of account DB5110.493 to use on various drywell and drainage projects.

[Note: The availability and cost of material will determine which supplier the highway superintendent will purchase the stone from.]

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

Discussion followed on confined space training. The training will be at no cost if the Town of Moreau adopts a policy regarding confined space training. Attorney Buettner was asked to draft a policy.

RECREATION DEPARTMENT REQUESTS

None

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WATER DEPARTMENT REQUESTS

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to hire Jen Miller as Water Meter Reader at \$12.00 per hour on a part-time, on-call basis, as needed.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

AGRICULTURAL WATER RATE

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz to adopt a rate of \$2.18 per 1,000 gallons of water used above and beyond the minimum in Water Districts 1, 2 and 6.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

CONCESSION BUILDING REMODEL/EXPANSION BIDS

Ethan Hall prepared drawings and a bid document for the expansion/remodel of the concession building at the Harry J. Betar Jr. Recreational Park for the Town Board to consider going out to bid on.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast authorizing the bid documents to be let out to bid.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Supervisor Jenkins	Yes

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to amend the prior motion to include the bid opening date and time of September 20, 2013 at 2:00 p.m.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

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TRANSFER STATION ROOF REPAIR

The following quotes were received for the repair to the roof on the Transfer Station building:

Bartlett Enterprises	\$5,660.00
Rich Aluminum	\$7,354.00
Washburn Construction	\$7,331.00

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to accept the quote from Bartlett Enterprises in the amount of \$5,660.00.

Roll call vote resulted as follows:

Councilman Kusnierz Yes
 Councilman Vittengl Yes
 Councilman Prendergast Yes
 Councilwoman LeClair Yes
 Supervisor Jenkins Yes

SECURITY SYSTEM QUOTES

The following quotes were received for a security system for the new municipal center. They were discussed at a previous meeting and action was put on hold until further information could be obtained regarding the lowest quote from Foresight Electronics. The information was obtained and it was on the agenda for approval again.

NY Fire & Signal	\$9,151.00
Foresight Electronics	\$4,946.52
Time Warner	They do not do commercial

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to accept the quote from Foresight Electronics in the amount of \$4,946.52.

Roll call vote resulted as follows:

Councilman Vittengl Yes
 Councilman Prendergast Yes
 Councilwoman LeClair Yes
 Councilman Kusnierz Yes
 Supervisor Jenkins Yes

An open house in the new municipal complex was set for Saturday, September 7th, from 1:00 p.m. until 4:00 p.m.

GRISWOLD CEMETERY BURIAL REQUEST

Marjorie Johnson is planning her funeral and burial arrangements and requested permission to be buried in the Griswold Cemetery when the time comes, in her family's plot.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair authorizing Marjorie Johnson to be buried in her family's plot in Griswold Cemetery.

Roll call vote resulted as follows:

Councilman Prendergast Yes

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Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Supervisor Jenkins	Yes

SOUTH GLENS FALLS FIRE COMPANY BELL JAR

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to approve the Bell Jar License for the South Glens Falls Fire Company.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Supervisor Jenkins	Yes

BID OPENING CLARK ROAD CULVERT PROJECT FEMA REPAIR

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to adopt the following resolution:

WHEREAS, at a regular meeting of the Town Board of the Town of Moreau held on November 16, 2012, the Town Board authorized the award to CFI Contracting, Inc. for the repair and/or replacement of certain culverts located on Clark Road in the Town of Moreau (the "Project"); and

WHEREAS, it has subsequently become known that CFI Contracting, Inc. did not incorporate all the necessary specifications of work in its bid proposal for the Project; and

WHEREAS, as a result of the above, CFI Contracting, Inc.'s Bid proposal for the Project did not meet the specifications required to complete the work; and

WHEREAS, the Town Board has determined that the specifications of work that were omitted in CFI's bids were clearly set forth in the bidding specifications, and are material and cannot be waived, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby rescind the Resolution dated November 16, 2012, awarding the bid for the Project to CFI Contracting, Inc., effective immediately, and

BE IT FURTHER RESOLVED, that the project be re-advertised and rebid and hereby authorizes the Town Clerk to re-advertise the bid, and

BE IT FURTHER RESOLVED, that the bids will be opened at 10:00 a.m. on September 18, 2013 at the Town of Moreau Municipal Complex, 351 Reynolds Road in the Town of Moreau, New York.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

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ENGINEERING AGREEMENT TIM BURLEY C2AE EFC APPLICATION

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz authorizing the Supervisor to sign an agreement with Tim Burley of C2AE for engineering services relating to the filing of an application through the EFC at no cost to the Town for the Route 9 Sewer District that is proposed.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

HOLIDAY PARADE

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast authorizing the expenditure of \$250.00 from the Celebrations Account to co-sponsor a band for the Holiday Parade.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Supervisor Jenkins	Yes

15 MINUTE PUBLIC COMMENT PERIOD

Art Smith who lives at 12 Wynnefield Drive was present to ask the Board for help with an issue he has involving a tree that is in danger of falling that is located out behind his house in the woods and on someone else's property. If the tree falls it will hit his house.

Supervisor Jenkins asked Mr. Smith to give him the information in writing and his telephone number and he will see if the building department can help him maybe from a public safety standpoint. He wasn't sure if the Town could help him legally since the tree is on private property.

Reed Antis asked if anything was being done about illegal dumping in the Town. He was speaking about an area in the industrial park.

Supervisor Jenkins explained how the Town has tried to prosecute people in the past for illegal dumping, but the cases have been thrown out, because it couldn't be proven who actually dumped the garbage. He said he would see what could be done about it.

COMMITTEE REPORTS

Councilwoman LeClair reported that she has met with Amy Alfonso the new Recreation Director and she is going to try to work with the schools about grant money and programs.

SUPERVISOR'S ITEMS

Discussion followed on a proposal from Tim Burley for him to do an Asset Management Plan for the Town's water districts.

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A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the Supervisor to sign a contract with Tim Burley of C2AE for an Asset Management Plan for the Town's water districts per his proposed price of \$8,000.00.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the Supervisor to order signs for the new Town of Moreau Municipal Complex at a cost not to exceed \$3,310.00.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adjourn the meeting at 8:17 p.m.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilman Vittengl	Yes
Councilman Kusnierz	Yes
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury
Town Clerk