

A regular meeting of the Town Board of the Town of Moreau was held on December 2, 2014 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

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

The Town Clerk called the roll.

Town Board Members Present

Todd Kusnierz	Councilman
Robert J. Vittengl, Jr.	Councilman
Bob Prendergast	Councilman
Preston L. Jenkins, Jr.	Supervisor

Town Board Members Absent

Gina LeClair	Councilwoman
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Also Present: Leeann McCabe, Town Clerk; Karla Buettner, Attorney for the Town; Pete Corlew, Recreation Department laborer; Reed Antis, Town Resident and Planning Board member; Ted Monsour, Transfer Station Foreman; Jim Greene, Transfer Station laborer; Town Residents: Chris Scarincio, Terry Clarke, Angela Wadsworth, Shannon Wadsworth, Tom and Sandi Speziale, John Teliskey, Paul Henningson, Jim Aiken and Village Resident Paul Wells.

Supervisor Jenkins led the Pledge of Allegiance.

Supervisor Jenkins welcomed everyone to the meeting and asked that all electronic devices be silenced.

APPROVAL OF MINUTES

The minutes of November 6th (2 sets) and November 12th were prepared and distributed to the Town Board in advance of the meeting for the Town Board Members review, comment, correction and approval.

MINUTES NOVEMBER 6TH – PUBLIC HEARING ON 2015 TOWN BUDGET

No comments or corrections

MINUTES NOVEMBER 6TH – SPECIAL MEETING ON 2015 TOWN BUDGET

No comments or corrections

MINUTES NOVEMBER 12TH – REGULAR TOWN BOARD MEETING

No comments or corrections

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to approve the minutes of November 6th (2 sets) and November 12th as prepared.

Roll call vote resulted as follows:

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

SET FUTURE MEETINGS & WORKSHOPS

A regular meeting of the Town Board of the Town of Moreau was held on December 2, 2014 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

There was discussion regarding the sign law workshop that had previously been scheduled for November 19th. The only Town Board member in attendance was Todd Kusnierz. The workshop needs to be rescheduled and it was decided to hold off until sometime in January.

15 MINUTE PUBLIC COMMENT PERIOD

Chris Scarincio was present and addressed his concerns of the Recreation Department and how they handle the scheduling of tournaments. A team had been scheduled for a tournament in 2015 and he stated that South Glens Falls residents and South Glens Falls teams should take priority over non-resident teams. Chris stated that he had to wait for ASA to come out with their schedule, which is usually the end of December or beginning of January, before he could schedule any tournaments with Tim Johnston, the Recreation Maintenance Director. The other team that had already scheduled their tournament had said that the ASA schedule had already come out. Chris stated that Tim should have waited before scheduling the tournaments. Pete Corlew stated that Chris and Tim had a lengthy discussion regarding the matter and had offered that they will check with Chris next time before any tournaments are scheduled. Supervisor Jenkins stated that he would get together with Tim Johnston and Pete Corlew and discuss the matter. Councilman Prendergast stated that he doesn't want to go through all of this again. He asked that they find out when the ASA schedule comes out.

Reed Antis asked Councilman Vittengl about the Beach Building and Councilman Vittengl stated that they were still in limbo. Reed asked if there is time between now and June to get the project done and Councilman Vittengl replied yes, but it would be tight. It's not a complete rebuild. They're waiting on the report from the engineer. Sandy Mahoney is intermedating. Councilman Vittengl also stated that they will try to get all of the work done pro-bono and hopefully will have a plan in place by January.

Reed also asked about the 61 Hudson Street building and if the Town was going to lease the building. Supervisor Jenkins stated that he had no interest in leasing and that this item would be discussed in a later agenda item.

Terry Clarke asked how the Town is making out checking the water lines. Supervisor Jenkins stated that he couldn't discuss this matter because of litigation.

Angela Wadsworth asked Attorney Buettner who she represents and Attorney Buettner replied, the Town. She then asked why there are Zoning Boards if there is a neglect for the codes. She then made several comments regarding a neighbor's house that she feels is in violation of the Town Code and also a complaint made against a Town employee that slandered her name. After some time Supervisor Jenkins told Angela her time was up.

RECREATION DEPARTMENT REQUEST

An approval was previously given for the Recreation Program Director to purchase 200 T-shirts for those who are participating in the basketball program at a cost not to exceed \$1,200.00. Sandy had to order additional T-shirts and the billed amount went over the \$1,200.00 by \$30.50.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to increase the approved amount by \$30.50 for basketball T-shirts.

Roll call vote resulted as follows:

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

The Recreation Program Director, has found a company that is willing to provide trophies to those who participated in the basketball program as well as plaques for the coaches at no cost to the Town.

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Supervisor Jenkins didn't know if this would be a bid procedure or an RFP, if not, he didn't have a problem with this if it doesn't cost any extra money.

HIGHWAY DEPARTMENT REQUESTS

Supervisor Jenkins stated that he has a letter from New York Municipal Insurance. Paul Joseph and five **all** of his employees (~~Brian Huntley, Royce Gilligan, Darcy Miller, Chris Abrams and Mark Aubrey~~) participated in NYMIR's program in Risk Management Services and Drive to Survive Program on October 28th and 29th in Lake George, New York. The Town's insurance company is glad to see they participated. **[Amended 12/9/2014 lm]**

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the purchase of a Hammerhead Nozzle & Stainless Sled at a cost of \$1,897.00 which includes shipping, from account #DB5130.2 which has a balance of \$5,075.23 as of November 3, 2014.

Roll call vote resulted as follows:

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

A request was made for 216' of box beam Guide Rail at a cost of \$9,000.00 installed on Sisson Road. This item will be held until the next regular Town Board meeting on December 9th.

A request was made from the Highway Superintendent to purchase (6) LED lights for the intersection of Route 32 and Reservoir Road. Supervisor Jenkins met with the DPW of Saratoga County and they looked at the sight in all directions. He's going to support us with the request at the County. He has to make comments on his report and then it will go to DOT to see if they will do anything else at that intersection. Supervisor Jenkins stated that he's had several people comment to him after the last accident at that intersection.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to purchase (6) LED units at \$150.00 each for a total of \$900.00 plus shipping from account #A3310.498 which has a balance of \$6,401.65 as of November 3, 2014.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the Highway Superintendent to purchase Diesel Fuel from Mirabito Holdings Inc. for the 2014 Budget Year at State Contract for a cost of \$20,000.00. This purchase will be made from account DB5142.460, which has a balance of \$25,307.34.

Roll call vote resulted as follows:

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

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COURT REQUESTS

On October 14, 2014 there was discussion regarding the Court’s JCAP Grant Application. There were no objections to the Supervisor signing the application but there was no formal resolution made which is needed for the submission of the Grant.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast authorizing the Town Supervisor to sign the JCAP Grant Application that was approved on October 14, 2014 and authorizing the submission of the same.

Roll call vote resulted as follows:

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

TRANSFER STATION

Supervisor Jenkins stated that this item will be put on the agenda for the first meeting in January but wanted Councilman Vittengl to give a short presentation. Councilman Vittengl stated that this Company oversees approximately 800 Municipalities with their transfer stations and waste removal. They have all different programs, from colored bags, how to be more efficient, how to create easier egress in and out getting rid of garbage. They reinforce recycling in a big way. They’re based out of the Carolina’s. They would come up and show us what they do and what their good at and then we can decide how to go from there. He stated that it is a fairly complicated field. He’s talked with two different Town’s that use this Company. He was very impressed with the speed that you’re able to get in and out of the landfills and how it flowed and looking at the numbers, how much better they did after a couple years being on the system. There’s not a lot of money changing hands. There’s a program where you would go to a hardware store or grocery store and purchase your garbage bags there by the sleeve. There’s no money that changes hands at the transfer station, you just come in with the garbage. Security cameras can be put in for surveillance. He stated that it’s at least worth listening to and get some ideas. Reed Antis asked what the name of the company was and Councilman Vittengl answered, Waste Zero.

SURVEY OF RECREATION ROAD

Supervisor Jenkins stated that there are a lot of problems. A survey was done on the Recreation Road when it was initially built. It was done by Bill Rourke. At the time there were no markers put in place. They just staked out the road and when the road was put in place the stakes were removed. This request is to have Bill Rourke take the previous survey and install stakes at a cost of \$850.00. Supervisor Jenkins stated that he has all the plans to do this. Councilman Prendergast stated that he wasn’t aware there was a problem. Supervisor Jenkins stated that the problem is the influx the other land owner does to the property. He has stockpiles in the right-of-ways. This work is being requested to clear up some of these problems. Councilman Vittengl stated that there was a head-on crash there this year. What they’re trying to do is get this staked out so that they can come up with a design and hopefully get approval to improve that egress for the future. Councilman Prendergast stated that this is a step of a several step process. The first step is to stake it out. The second step is to push everybody back away from the stakes. Then to redesign the entrance from Route 32. He stated that the bottom line is to redo that whole roadway and that’s where we’re headed if this gets started. Supervisor Jenkins stated that this could be put on hold until there’s a real plan.

INTEGRYS CONTRACT

The contract for Integrys (The Town’s Electricity supplier) is due to expire on December 29th. They are offering a price of \$7.295 per kilowatt hour. This is a better price than National Grid. To extend the

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contract for two years at this price would be a substantial savings to the Town. If we don't sign a new contract, we'll be back with National Grid.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast authorizing the Supervisor to sign a contract with Integrys pending review of the contract by the Town Attorney.

Roll call vote resulted as follows:

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

ADIRONDACK/GLENS FALLS TRANSPORTATION COUNCIL

During its October 15th meeting, the Adirondack/Glens Falls Transportation Council Policy Committee voted to adopt the Exit 17/Route 9 Transportation and Land Use Study. The Town of Moreau was encouraged to take similar municipal action to convey Town support of the study's recommendations.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to approve the plan of the Adirondack/Glens Falls Transportation Council as adopted.

Roll call vote resulted as follows:

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

SET PUBLIC HEARING TO CONSIDER LOCAL LAW #2 OF 2014 "BEST VALUE METHODOLOGY FOR PURCHASE AND PUBLIC WORKS CONTRACTS"

A public hearing to consider Local Law #2 of 2014 "Best Value Methodology for Purchase and Public Works Contracts" was set for December 23, 2014 at 6:15 p.m.

SET PUBLIC HEARING TO CONSIDER LOCAL LAW #3 OF 2014 "KEEPING OF POULTRY"

A public hearing to consider Local Law #3 of 2014 "Keeping of Poultry" was set for January 21, 2015 at 6:00 p.m.

REGISTRAR APPOINTMENT

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl appointing Tammy Daley as Deputy Registrar of Vital Statistics.

Roll call vote resulted as follows:

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

APPOINTMENT OF DEPUTY TOWN CLERK/RECEIVER OF TAXES

A regular meeting of the Town Board of the Town of Moreau was held on December 2, 2014 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to appoint Diane Foster as Deputy Town Clerk/Receiver of Taxes at an annual salary of \$26,000 pending successful completion of a pre-employment physical.

Roll call vote resulted as follows:

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

RAGNAR RELAY

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast approving Ragnar Events to conduct a relay race in the Town of Moreau on September 25 and 26, 2015.

Roll call vote resulted as follows:

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

RFP-AUD PREPARATION/LANDFILL CLOSURE FINANCIAL ASSURANCE

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the Principal Account clerk to send out RFP's for AUD Preparation/Landfill Closure Financial Assurance.

Roll call vote resulted as follows:

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

RFP COMPUTER SERVICES

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to have RFP's sent out for Computer Services Maintenance.

Roll call vote resulted as follows:

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

RFP FOR ENGINEER TO MONITOR LANDFILL CLOSURE

Supervisor Jenkins asked if the Board wanted to send out RFP's for engineering to monitor the Landfill Closure or to contract again with CT Male. Councilman Prendergast stated that we should stay with CT Male. Supervisor Jenkins stated that it's a great price overall for what they do. There were no objections to staying with CT Male.

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15 PUBLIC COMMENT PERIOD

Jim Greene, Transfer Station laborer asked if there is to be a possible takeover of the Recycling Center. Supervisor Jenkins stated that the Town will be taking it over and get paid to just observe. He hasn't seen the contract yet. We won't be responsible for anything other than to just observe what's going on. He has a meeting with Buildings and Grounds at the County next Monday and they'll be finalizing the contracts. They're preference is probably going to be County Waste to haul off the containers. They'll handle that and we'll just observe what's going on. Jim Greene asked if the Town was planning on hiring any more employees to handle this. He stated that one person can't handle all of this at once. You can't be in four places at the same time. Supervisor Jenkins stated that nothing has been approved yet. The decisions will be made by the County.

Shannon Wadsworth spoke on behalf of her mother, Angela Wadsworth. She stated that her mother has been dealing with all of her issues with her neighbor for over 7 years. Supervisor Jenkins stated that he has spent hours speaking with Angela. Angela spoke as well about code enforcement issues. Councilman Kusnierz stated that there's a difference between caring and being able to rectify situations. He doesn't see any avenue that will bring satisfaction to her. He stated that if she's upset with her Assessment she can asked to have it reviewed by the Assessor or she can grieve it. She stated that her attorney was supposed to grieve it for her and didn't. Councilman Kusnierz asked if she would allow someone from the Building Department to come out and look at her septic. She stated that they could if her attorney is present. She was then asked again if the Assistant Building inspector could come out with someone from the Department of Health without her attorney present and that Councilman Kusnierz has no problem contacting the DOH. She agreed but stated the best time to look at the septic is in the spring. Councilman Kusnierz then stated that she should speak with legal counsel. Angela stated that she was advised to sue, but didn't want to hurt anyone. Councilman Kusnierz stated that there is no action the Town Board can take to fix her problems. They have no control over it.

Reed Antis asked about the Riverfront Park project. Attorney Buettner stated that it's moving forward and that she's working with the State and with the easements.

He then asked about Power Company Assessments. He stated that we got them to agree to a certain level of assessment 5 years ago and asked if they want to lower it again. Attorney Buettner stated yes. He asked if the Board is going to hold this line this time. Supervisor Jenkins stated that they would hold the line.

SUPERVISOR'S ITEMS

Supervisor Jenkins wanted to discuss the sale of the 61 Hudson Street property. He's talked with a lot of people and doesn't know how to approach this. If he were doing this as a homeowner, he would just pick a realtor. He stated that we need to end up in multiple listing whatever we do. He'll pursue this with a couple different organizations to see how to proceed with this. He stated that they could come up with an RFP and send it out to some of the larger Real Estate Companies.

An email was received from Paul Joseph regarding the drainage at the Town Hall Complex. He stated that he's waiting on the Town Board to approve to spend the monies that were transferred on October 14. At that meeting all that was done was the transfer, it wasn't approved to be spent. There also wasn't enough transferred to cover the cost for the labor of the Highway Department. He also stated that at this time nothing has been done and that their permit with the State ran out back in September. No signs have been ordered to meet State specs and the asphalt plant will be closing. He stated that they can do the drainage to keep the Sheriff's from flooding out, and they can stone their entrance, and that will probably be it for this year if approved. Then next spring get to the rest of it, widening the driveway and installing culver, retention ponds and drywells. He also stated that he's been trying to do this project since the fall of 2013. First they were waiting on engineers and then there wasn't any money.

Supervisor Jenkins stated that we're probably beyond the time frame to do the project anyway. Councilman Kusnierz asked if they could utilize the culvert from the Sheriff's entrance, pull it out and link it with the one to the Town Hall entrance and make one entrance that's wider so that the Sheriffs have to

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come in through the Town Hall entrance. Supervisor Jenkins stated that was part of the plan. He stated that we had approval from the State to do the project but we didn't have the funding to do it. Only for the materials. The Supervisor thought that maybe they could at least get the drywells done, it's too late for any paving. He'll check with Paul Joseph.

Terry Clarke asked if the State plow trucks are supposed to be using the Town's front parking lot as a turn around. Supervisor Jenkins stated that they shouldn't be and that he would look into the matter.

Terry also made mention that the lights at the Town Hall weren't working at night. It was explained that when there is a power outage it throws off the timers and it has been reset.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to adjourn to executive session at 8:50 p.m. to discuss negotiations with a Company that wants to use one of our towers for satellite reception and to discuss negotiations with Finch Co. regarding property along the river.

Roll call vote resulted as follows:

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

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

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adjourn the executive session and re-open the regular meeting at 9:12 p.m.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adjourn the regular meeting for the evening at 9:13 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,



Leeann McCabe
Town Clerk

The complete audio of this meeting can be heard on the Town's website: www.townofmoreau.org