

A regular meeting of the Town Board of the Town of Moreau was held on January 8, 2013 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

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

The Town Clerk called the roll.

**Town Board Members Present**

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

**Town Board Members Absent**

Bob Prendergast                      Councilman

**Also Present:** Jeanne Fleury, Town Clerk; Karla Buettner, Attorney for the Town; Jamie Munks, Post Star Reporter; Jeremy Tripp, Recreation Department Laborer entered the meeting at 7:18 p.m.; Alexander Lieb and Stacey Sabiani from New York Light Energy entered the meeting around 7:20 p.m.

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:

December 27<sup>th</sup> (3 Sets)

**MINUTES – DECEMBER 27, 2012 – MONTH-END AUDIT MEETING 6:35 P.M.**

No comments or corrections.

**MINUTES – DECEMBER 27, 2012 – PUBLIC HEARING RE: SOUTH GLENS FALLS FIRE COMPANY CONTRACT FOR 2013 – 7:03 P.M.**

No comments or corrections.

**MINUTES – DECEMBER 27, 2012 – REGULAR TOWN BOARD MEETING – 7:10 P.M.**

Correction: Page 599 – 2<sup>nd</sup> line from top of page – change account code TS8160.4 to TS8160.2

A motion was made by Councilwoman LeClair and seconded by Supervisor Jenkins to approve all three sets of minutes dated December 27<sup>th</sup> with the above correction so noted.

Roll call vote resulted as follows:

Councilman Vittengl	Abstain
Councilman Prendergast	Absent

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes

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Supervisor Jenkins                      Yes

**FUTURE MEETINGS/WORKSHOPS SCHEDULED**

A Public Hearing on the Moreau Emergency Squad Contract for the Year 2013 is scheduled for January 10<sup>th</sup> at 6:45 p.m. The Town Board agreed to schedule a special meeting at 7:00 p.m. on January 10<sup>th</sup> to consider and possibly approve a contract with the Moreau Emergency Squad.

**15 MINUTE PUBLIC COMMENT PERIOD**

No comments.

**HIGHWAY DEPARTMENT REQUESTS**

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the purchase of diesel fuel for the highway department from Global Montello Group at a cost not to exceed \$20,000.00 under State Contract #PC65528 out of account DB5142.460.

Roll call vote resulted as follows:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the purchase of gasoline for the highway department from G.A. Bove at a cost not to exceed \$10,000.00 under State Contract #PC64747 out of account DB5142.460.

Roll call vote resulted as follows:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the repair that was done on an emergency basis to truck #6 a 2000 Ford F-550 in the highway department by Saunders Transmission at a cost of \$3,244.19 out of account DB5130.405.

Roll call vote resulted as follows:

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

Councilman Kusnierz asked if any board member was contacted before the repair to the truck was made as he did not receive a phone call. The other board members acknowledged that they had not received a call either.

Councilman Kusnierz stated that in the minutes of the organizational meeting there is a resolution authorizing emergency repairs to highway equipment not to exceed \$3,000.00 (Town Clerk's Note: the resolution in the minutes from the organizational meeting reads \$1,000.00 not \$3,000.00). He said at the very least the two

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board members serving on the highway committee should have received a phone call. The board members were in agreement with this statement.

**RECREATION DEPARTMENT REQUESTS**

None

**WATER DEPARTMENT REQUESTS**

None

**MOREAU EMERGENCY SQUAD CONTRACT**

This agenda item was to set a special meeting of the Town Board for January 10<sup>th</sup> at 7:00 p.m. to discuss and possibly approve a contract with the Moreau Emergency Squad for the year 2013. The special meeting was scheduled at the beginning of this meeting.

**VACANCY ON PLANNING BOARD – POSSIBLE APPOINTMENT**

A vacancy exists on the Planning Board that was created when member Chris Barden resigned. The position was advertised and no applications were received.

Supervisor Jenkins stated that Reed Antis and Linda Riggi are currently serving as alternate members on the Planning Board and both have been actively participating in meetings of the Planning Board and both are equally qualified to serve as regular members of the Planning Board. He said that nobody on the Planning Board nor the Building Inspector have opined on which alternate they would prefer to have serve as a regular member. He further stated that Reed Antis goes above and beyond serving his community and he would vote to appoint Reed Antis as a regular member on the Planning Board.

Councilman Kusnierz asked if both alternate members reside outside the Village of South Glens Falls and the answer was yes.

Councilwoman LeClair concurred with Supervisor Jenkins. She stated that both Reed and Linda have done an excellent job as alternates. She added that Reed has been very involved in the Conservation Committee and the Cemetery Committee and she would vote to appoint him as a regular member.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to appoint Reed Antis as a regular member of the Planning Board for a seven year term that will expire on 12/31/2019 and he will fill the vacancy created by the resignation of Chris Barden.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Absent
Councilwoman LeClair	Yes

Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

**CHANGE ORDERS FOR NEW MUNICIPAL COMPLEX**

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing a change order from Crisafulli Bros. Plumbing and Heating Contractors in the amount of a negative \$9,852.00 (-\$9,852.00) off the contract price for the new municipal complex to supply and install PVC Domestic Piping in lieu of copper piping and PVC Sanitary Piping in lieu of cast iron piping.

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Roll call vote resulted as follows:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing a change order from CDE Electric, Inc. in the amount of an additional \$1,404.00 to the contract price for the new municipal complex to furnish and install three additional floor boxes as per revised drawing E-103 dated 11/27/12 and furnish and install three additional receptacles and one additional circuit as per revised drawing E-103 dated 11/27/12.

Roll call vote resulted as follows:

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

**FARMLAND PROTECTION PLAN GRANT COMMITTEE – APPOINT JOHN ARNOLD, TODD KUSNIERZ, AND GINA LECLAIR**

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to appoint John Arnold to the Farmland Protection Plan Grant Committee.

Roll call vote resulted as follows:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to appoint Todd Kusnierz to the Farmland Protection Plan Grant Committee.

Roll call vote resulted as follows:

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

A motion was made by Councilman Kusnierz and seconded by Councilman Vittengl to appoint Gina LeClair to the Farmland Protection Plan Grant Committee.

Roll call vote resulted as follows:

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

Councilman Kusnierz stated that if someone active in farming becomes interested in serving on the committee then he would be willing to step down and allow that person to serve on the committee.

### **NEW YORK LIGHT ENERGY**

Alexander Lieb, Chief Executive Officer, and Stacey Sabiani, Client Relationship Manager, for New York Light Energy gave a presentation to the Town Board about their company, which offers a solar energy solution and in particular they are proposing the installation of solar arrays on the site of the new municipal complex as an alternate energy solution.

Mr. Lieb gave a little background about his company and explained how his product works and the savings he anticipates the Town would see in energy costs.

Mr. Lieb proposed to put in the solar arrays at no cost to the Town of Moreau and he would receive in exchange the tax credits and depreciation and one half of the Town's energy savings. His company would own and maintain the system for 20 years. At the end of the 20 years they would either, remove the system, renegotiate a contract with the Town or sell the system to the Town. They would also have to be allowed access to the Town's internet so they could remotely monitor and maintain their solar system. They would also request that any and all permit fees required for the installation of the system be waived for them. They would be willing to put a fence around the arrays if the Town required it. If the solar arrays are damaged by vandals the Town would be under no obligation whatsoever to repair or replace the arrays. The largest system he can put up is a 50 kw system. The Town would incur a flat fee each month even if the system doesn't produce electricity due to the weather or at nighttime.

Following questions from the board that were answered by Mr. Lieb, the board thanked both Mr. Lieb and Ms. Sabiani for their time and presentation.

Mr. Lieb asked for copies of the Town's electric bills and was told he would be supplied with them.

### **RUBBLE/GRAVEL FOR ACCESS ROAD AND PARKING LOT OF NEW MUNICIPAL COMPLEX**

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the purchase and delivery of 1,400 tons rubble/gravel for the parking areas and access road for the new municipal complex at a cost not to exceed \$16,100.00 out of account HC1620.

Roll call vote resulted as follows:

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

### **15 MINUTE PUBLIC COMMENT PERIOD**

No comments.

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### **COMMITTEE REPORTS**

Councilwoman LeClair reported that she spoke with Nick at the School and he seemed eager to utilize some of the grant money the school district received on outdoor recreational activities. She hopes to meet with him again in the next few weeks to come up with some specific ideas.

**Councilwoman LeClair reported on information received about a grant that may be available through the New York State Recreation and Park Society. From the information obtained, it appears that they will write the grant and the grant has to do with helping to fight childhood obesity. They need to know the Number of Youths served by our agency that are pre-school anytime of the day and the number of Youths served age 6 to 14 in afternoon programs. It seems to be a grant that is a tie-in with the one we are working with the school district on. It is about getting kids outside and moving and helping them with healthy eating and helping to prevent childhood obesity. In the information that was received by the Town it reads that the Town should analyze the data. It doesn't matter if one of the Town's estimates is off a little as they will annualize it. They will draft the grant, proof the grant and submit it. There was nothing that indicated any cost to the Town.**

**Councilwoman LeClair stated that she would like to move forward with this grant. She said that she would copy the board on the information and she would see what else she could find out about the grant. It is something that we need to move quick on.**

**No objections were raised by the Town Board Members.**

**[WORDING ADDED 1/10/13 AT REQUEST OF COUNCILWOMAN LECLAIR – JF]**

### **SUPERVISOR'S ITEMS**

Supervisor Jenkins reported that there is still money available through NYSERDA towards the purchase of a more energy efficient photocopier. Electronic Office Products has proposed the sale of a Toshiba photocopier to the Town in the amount of \$5,162.00 minus the NYSERDA grant/rebate money of \$3,871.50 for a total cost to the Town of \$1,295.00.

Supervisor Jenkins said he would like to file an application to try and get this grant/rebate from NYSERDA and if we are awarded the funding then the Town would purchase the copier. He added that no other vendor has come to him with this kind of deal.

Councilman Kusnierz asked what account the photocopier would be purchased out of and Supervisor Jenkins replied that there is \$5,500.00 budgeted for 2013 in account A1220.2.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the supervisor to apply for a grant/rebate through NYSERDA and if the grant/rebate is awarded to the Town then the supervisor is authorized to purchase the photocopier from Electronic Office Products at a total cost to the Town not to exceed \$1,295.00.

Roll call vote resulted as follows:

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

Supervisor Jenkins stated that the South Glens Falls Fire Company submitted a list of equipment that they need and the cost would be \$89,505.00. Supervisor Jenkins stated that this list of equipment was included in the

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budget request submitted by the Fire Company and at the time the cost estimated was \$87,000.00. He stated that the Town is not able to legally help them purchase this equipment now that the Town's 2013 Budget has already been established. He will advise the Fire Company that they should submit their request early in the budget process for the 2014 budget so the board can consider it before the 2014 budget is adopted.

Joe Patricke submitted a request to attend the Saratoga County Planning/Zoning Conference on January 30<sup>th</sup> in Saratoga Springs and for the registration fee of \$60.00 to be a proper town charge.

Supervisor Jenkins stated that normally some of the Planning Board Members and Zoning Board Members ask for permission to attend and he suspects that some of the members will be submitting requests to attend this year.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing Joe Patricke and any Planning Board Member or Zoning Board Member to attend the Saratoga County Planning/Zoning Conference and for the \$60.00 registration fee per person to be a proper town charge.

Roll call vote resulted as follows:

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

Supervisor Jenkins stated that at the first meeting in February the board members should consider whether or not they want to fund the Friends of Grant's Cottage per their request for the project they are working on. He said the board could re-appropriate funds from the 2012 budget in the amount of \$4,875.00 the fund balance in the Celebrations account A7550.4 as of 12/31/12.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to adjourn to executive session at 8:34 p.m. to discuss the employment history/performance of unnamed employees.

Roll call vote resulted as follows:

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

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

A motion was made by Councilman Vittengl and seconded by Councilman Kusnierz to adjourn the executive session at 9:29 p.m. and re-open the regular meeting.

Roll call vote resulted as follows:

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

No action was taken in or as the result of the executive session.

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A motion was made by Councilman Vittengl and seconded by Councilman Kusnierz to adjourn the regular meeting at 9:32 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury  
Town Clerk