

A regular meeting of the Town Board of the Town of Moreau was held on March 24, 2009 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, which resulted in the following Town Board Members being present or absent:

Town Board Members Present:

Tom Cumm	Councilman
Bob Prendergast	Councilman
Gina LeClair	Councilwoman
Todd Kusnierz	Councilman
Preston Jenkins	Supervisor

Town Board Members Absent:

None

Also Present: Jeanne Fleury, Town Clerk; Peggy Jenkins, Assessor; Stephen Gram, Recreation Director; Jesse Fish, Water Superintendent; Mike Shaver, Water Superintendent; Joe Patricke, Building Inspector/Code Enforcement Officer (arrived at 7:20 p.m.); Martin D. Auffredou, Attorney for the Town (arrived at 7:20 p.m.); Town Residents Robert Lyons, Joanne Schaefer, Adele Kurtz; Dennis Brobston, President of SEDC (Saratoga Economic Development Corporation), David Cass, Boy Scout Troop 9 Leader and Darcy Miller, Town Highway Employee

Supervisor Jenkins led the Pledge of Allegiance.

MINUTES:

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

March 9, 2009 and March 10, 2009 (2 Sets)

MINUTES – MARCH 9, 2009 – SPECIAL TOWN BOARD MEETING TO INTERVIEW CANDIDATES FOR THE POSITION OF LABORER FOR THE RECREATION DEPARTMENT:

No comments or corrections.

MINUTES – MARCH 10, 2009 – PUBLIC HEARING – LOCAL LAW NO. 2 OF 2009 – OUTDOOR HYDRONIC HEATERS:

Councilman Kusnierz suggested that the minutes reflect what Laurie LaFond's address is, since the other people in attendance were asked to state their name and address for the record.

The Town Clerk advised Councilman Kusnierz that she didn't enter the address, because she doesn't know where Laurie LaFond lives.

Supervisor Jenkins stated that Laurie LaFond isn't a resident of the Town any longer, but she attended the public hearing representing her mother who lives in the Town of Moreau.

A regular meeting of the Town Board of the Town of Moreau was held on March 24, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York. Councilman Cumm stated he would be voting no on the approval of the public hearing minutes, because he didn't feel it was an honest, open meeting since a letter was sent out to people who are on one side of the issue.

MINUTES – MARCH 10, 2009 – REGULAR TOWN BOARD MEETING:

No comments or corrections.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair to approve the minutes of March 9, 2009 as presented.

Roll call vote resulted as follows:

Councilman Cumm	Yes	
Councilman Prendergast		Abstain
Councilwoman LeClair	Yes	
Councilman Kusnierz	Yes	
Supervisor Jenkins	Yes	

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair to approve the minutes from the public hearing held on March 10, 2009 with comments so noted.

Roll call vote resulted as follows:

Councilman Prendergast		Abstain
Councilwoman LeClair	Yes	
Councilman Kusnierz	Yes	
Councilman Cumm	No	
Supervisor Jenkins	Yes	

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair to approve the minutes from the regular meeting held on March 10, 2009 as prepared.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes	
Councilman Kusnierz	Yes	
Councilman Cumm	Yes	
Councilman Prendergast		Abstain
Supervisor Jenkins	Yes	

FUTURE MEETINGS/WORKSHOPS SCHEDULED:

No meetings or workshops were scheduled.

Councilman Kusnierz asked Supervisor Jenkins if he had a chance to follow up with the Governor's Office about our internet situation/cable television.

Supervisor Jenkins said there is a little confusion about that right now. The Governor's Office has part of the paperwork and the USDA has part of the paperwork. There are funds available, but it hasn't been determined how they are going to be distributed and where. This doesn't mean we can't submit an application.

A regular meeting of the Town Board of the Town of Moreau was held on March 24, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Kusnierz said, in the stimulus package the Federal Government has made a provision for New York State of almost \$4 billion for infrastructure and included within the infrastructure is high speed broadband. He asked if the board should do a resolution or letter stating that we are requesting assistance. **[Amended 4/14/09 jf]**

Supervisor Jenkins said all he would have to do is go on-line and apply. He doesn't know the cost so he would have to get together with Time Warner.

DENNIS BROBSTON, PRESIDENT OF SEDC:

Dennis Brobston, President of SEDC (Saratoga Economic Development Corporation), was present to discuss the Moreau Industrial Park (MIP) with the Board. He said there has been a lack of movement in the sale of lots in the industrial park. The reasons for this are that the truck route is difficult into the park, the proximity to the Northway is not the best, no rail into the park and to put rail back into the park would cost about \$5 million based on 2007 figures. There is a need for parcels that are ready to go and flex space. Flex space is parcels that allow a certain size building, but can be expanded to accommodate a larger building. There is a lack of lots that are ready to go in Saratoga County. Also, the price the Town has had on the lots hasn't gotten them moving. He suggested that the Board work with SEDC and figure out a way to get companies motivated to site in the park. He asked the Board to consider allowing SEDC to take an option on a couple of the lots along Farnan Road.

A couple of questions were asked of Mr. Brobston and he answered them.

Mr. Brobston asked the Board to think about how the Town can partner with SEDC and maybe the Board would consider sitting down with SEDC and their engineer to discuss layout of the lots, water/sewer, etc.

Mr. Brobston thanked the Board for their time and the Board thanked Mr. Brobston for coming to the meeting.

15 MINUTE PUBLIC COMMENT PERIOD:

Adele Kurtz stated that back in August 2008 there was a resolution passed by the Board authorizing the audio recordings of the Town Board Meetings to be put on the Town's website within three days of the meeting and she asked for an update on the website being developed by Mannix Marketing and where they were at with it.

Councilwoman LeClair responded saying that she gave Mannix Marketing a CD with audio recordings of the Town Meetings on it and within a day or two they should have something ready for the Board to look at and listen to. There is one department that they are waiting on information from to complete the website.

David Cass, Leader of Boy Scout Troop 9, presented the Town Board with a plaque and ribbon from the Wakpominee District in commemoration of their Klondike Derby held at the Harry J. Betar, Jr. Recreational Park in February as a thank you for the Town Board's help in making their event a success.

He also thanked the Recreation Department for their assistance. In the past the Recreation Department has helped the Boy Scouts with their Eagle Scout Projects in the Harry J. Betar, Jr. Recreational Park. They hope to continue working hand in hand with the Town.

A regular meeting of the Town Board of the Town of Moreau was held on March 24, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Supervisor Jenkins thanked Mr. Cass and the Boy Scouts for selecting the Town and the Recreation Park for their projects and helping to enhance the Recreation Park.

Darcy Miller an employee from the Town of Moreau Highway Department and volunteer fireman was present. Mr. Darcy said he responded to a fire call a few weeks ago during working hours. He has since found out that he isn't going to be paid by the Town for that day. He thought it was going to be brought up in executive session at the last couple meetings and it wasn't and then he was told it was going to be discussed tonight in an executive session.

Councilman Kusnierz said he was opposed to him not being paid. He said it wasn't discussed in executive session.

Mr. Miller asked if this is the feeling of the whole Board.

Councilman Prendergast said he wasn't at the last meeting so he was glad Mr. Miller was present tonight.

Supervisor Jenkins said it would be discussed in executive session.

Councilman Kusnierz stated that at the last Planning Board Meeting held on January 26th the 65 lot Schermerhorn Subdivision was on the agenda to be discussed. One of the Planning Board Members brought to the attention of the Chairman of the Planning Board that there was a conflict of interest, because the Town's Engineer was also the engineer for the project and was presenting the proposal and also is part sponsor of the project. So there is a conflict all the way around. When it was brought to the Chair's attention he wanted to hear what they had to say anyway.

Councilman Kusnierz said that was a gross violation of the Town's Ethics Policy and he asked that we refer it to the Ethics panel for review.

Supervisor Jenkins asked Councilman Kusnierz if he was at that meeting and Councilman Kusnierz stated he was not, but he received an e-mail about it and a telephone call.

Supervisor Jenkins said he would schedule something.

Councilman Kusnierz said it is in the minutes from the Planning Board Meeting held January 26th and read from same. He said the minutes are on-line.

Councilman Prendergast asked if they could go back to Mr. Miller's concern.

Councilman Prendergast said he didn't see how it was an executive session matter.

Attorney Auffredou said that from the little he has heard at this meeting it isn't an executive session item.

Supervisor Jenkins said it was. We have a union contract with people who work for highway. We are talking about making a policy decision involving employees under a union contract. The employee was working for the Highway Department and was called out on a fire call. The concern the Board had was that we have other volunteers that serve on other issues and this is creating a policy change that maybe shouldn't be. We respect the fact that they are volunteers, but if they have sick days, vacation days available we have no problem with them using those days. It would open up our entire force of almost 50 full-time people to that same situation, which he isn't sure we want to do. They did have this discussion, it wasn't in executive session. It wasn't voted on.

A regular meeting of the Town Board of the Town of Moreau was held on March 24, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York. Councilman Prendergast stated it has nothing to do with the present union contract. It is an issue that we either ignore or address it somehow.

Attorney Auffredou asked if it has to do with the employment history/performance of a particular unnamed employee or union negotiations or possible union grievance or arbitration. Then he said that even if it does he isn't sure it qualifies for executive session. If it has something to do with policy he wasn't ready to tell the Board they could go into executive session.

Councilman Kusnierz stated that it isn't a proposed policy. It was an extenuating circumstance. We have an employee of our Highway Department who is a member of another Town's volunteer fire company who responded late afternoon to a fire call and was on the scene until the next day that ran into his regularly assigned work day. When the next payroll came around the question arose how he would account for those hours. He was polled by the Supervisor's Office on how he wanted to handle this. It was his feeling that we aren't setting policy. This was an issue that came up ~~to~~ **through** nobody's fault it was an "act of god". If he had a fire he would want him there as a volunteer to put out the fire and we would pay him down the road. Then a memo was sent to the impacted individual telling him he had to use sick time. **[Amended 4/14/09 jf]**

Supervisor Jenkins added that the memo read sick time, personal time or vacation time.

Councilman Cumm stated the fire chief from Fort Edward sent a memo to the Town Board specifying the time the individual was at the fire.

Councilman Kusnierz stated they wouldn't be setting policy it would be an executive decision.

Supervisor Jenkins asked Attorney Auffredou if he thought they were setting policy.

Councilman Prendergast stated he wanted to support it, but we need to set up parameters.

Attorney Auffredou stated that at some point the Board would have to. Any decision the Board makes has to be applied fairly across the board should it come up again. It is possible it could happen again.

Councilman Kusnierz stated he is troubled that essentially we are penalizing a member of our volunteer community for providing a badly needed service.

Supervisor Jenkins said he has no problem with that, but at the same time an individual took time off to work the marathon dance and they used personal or vacation time. We don't have a policy and we need one.

Councilman Prendergast asked if this situation has to be treated differently since the person is a union member.

Attorney Auffredou stated it isn't a term or condition of employment. This individual chooses to do a service and this Board has to figure out how they want to compensate or react to this service. It isn't an item for mandatory negotiation.

Councilman Cumm said he would like to call Wilton and find out what their policy is.

Supervisor Jenkins said he wanted to put it on hold for now and take time to consider it.

Mike Shaver addressed the Board and said he could clear this up right now. He has been a volunteer fire fighter for 38 years. He suggested the Board contact FASNY. He believes that it is a State Law that a municipality has to pay a volunteer fireman if they go to a fire.

A regular meeting of the Town Board of the Town of Moreau was held on March 24, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York. Councilman Kusnierz said it is not State Law. There have been bills to do that, but it is not State Law. If you are an employee of the New York State Senate and a member of a volunteer service and called to respond and miss work you are entitled to record up to seven hours on your time card as working time.

Supervisor Jenkins said he would put it on the agenda for the next meeting. In the meantime, maybe they could come up with a description for a policy that everybody was comfortable with.

HIGHWAY DEPARTMENT REQUESTS:

A motion was made by Councilman Cumm and seconded by Councilman Prendergast authorizing the Highway Superintendent to attend the 2009 Highway School at Ithaca College in Ithaca, New York, June 1st through June 3rd and for the \$90.00 registration fee and all and necessary expenses to be a proper Town charge and authorizing a cash advance in the amount of \$500.00 to cover travel, meals and lodging.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilman Cumm authorizing the advertising of a "Notice to Bidders" for the removal of trees and stumps and to send out Request for Bids to tree services.

Roll call vote resulted as follows:

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

RECREATION DEPARTMENT REQUESTS:

At a previous meeting of the Town Board the Recreation Department was authorized to purchase a new copier at a cost of \$750.00. Since that meeting the Town Court has offered to give the Recreation Department a copier they no longer need and have replaced with a new one. It was noted that since we are not purchasing a new copier now from Electronic Office Products we owe them \$169.95 for repair to the old copier in the Recreation Department. Electronic Office Products was willing to waive this charge if we purchased a new copier from them.

Councilwoman LeClair suggested that Steve Gram contact Electronic Office Products and asked them if they would be willing to keep the old copier, fix it and sell it in lieu of the \$169.95 that the Town owes them for repairs or at least lower the amount we owe them.

At a meeting held by the Town Board on March 10th the Town Board authorized the hiring of Bruce Siergiey as a full-time Recreation Laborer at \$12.00 per hour and authorized him to start work on April 1st subject to successful completion of a pre-employment physical. The Recreation Director would now like Bruce to start as soon as possible.

A regular meeting of the Town Board of the Town of Moreau was held on March 24, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York. A motion was made by Councilman Prendergast and seconded by Councilman Cumm authorizing Bruce Siergiey to commence work March 25th as full-time Recreation Laborer assuming he successfully completed his pre-employment physical.

Roll call vote resulted as follows:

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

Steve Gram, Recreation Director, stated that Terry McGuire sent the contract for Adirondack Avalanche in the amount of \$500.00 for a tournament on the weekend of 4th of July to Attorney Auffredou for review. Steve Gram said he didn't have a copy of the contract and none of the Board Members had a copy. The Supervisor needed authorization to sign the contract. It was decided that since no one had a copy and the Board hadn't reviewed it then they weren't prepared to approve it at this meeting.

Councilman Kusnierz asked where the \$500.00 figure came from and Steve Gram said that is the amount that was previously approved by the Board for tournaments.

Three quotes were obtained for two screens 72" x 47" with aluminum frames with stationary frame at top with sliders in lower portion for the quad building as follows:

Adirondack Glass Co., Inc.	\$ 869.54
Jim's Glass Service	\$1,187.34
Allerdice Glass & Mirror	No price quoted

The Recreation Director is recommending accepting the quote from Adirondack Glass Co. Inc. and the purchase will come from HP7180.2.

Councilman Kusnierz asked why he only had two quotes. Steve Gram replied that Allerdice was contacted and they didn't respond. These are the only three vendors who have screens this size. Councilman Kusnierz mentioned this, because at the last meeting they talked about not stopping at two quotes.

A motion was made by Councilman Cumm and seconded Councilman Prendergast to accept the quote from Adirondack Glass Co., Inc. in the amount not to exceed \$869.54 for two screens for the quad building.

Roll call vote resulted as follows:

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

There was brief discussion on the electrical for the quad building. A price was received to do the electrical of \$500.00, but nothing in writing. The Board asked Steve Gram to get it in writing and submit it to the Board for their Month-End Audit Meeting on March 26th.

A regular meeting of the Town Board of the Town of Moreau was held on March 24, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

The Recreation Director expressed a need for a full-time, seasonal, laborer for the Recreation Department as soon as possible. Discussion followed on this request.

The Recreation Director asked the Personnel Committee to go through the applications that were received and make a recommendation to the Board.

Councilman Kusnierz said he would like to see this position advertised on the Town's website.

Councilman Kusnierz noted that at the March 10th Town Board Meeting a motion was made and seconded to allocate \$11,100.00 towards the dugouts and fencing at the quad in the Rec. Park. He asked Attorney Auffredou if we are within the parameters of the General Municipal Law \$10,000.00 threshold.

Attorney Auffredou replied that the purchase of goods/services cannot exceed \$10,000.00 without going out to bid.

Supervisor Jenkins asked Attorney Auffredou to check on this, because he thought there were different levels.

Councilman Kusnierz stated that purchase contracts can't exceed \$10,000.00 and public works contracts can't exceed \$20,000.00.

Attorney Auffredou said he would check on this.

WATER DEPARTMENT REQUEST:

The Water Superintendent requested permission to purchase a new truck for the Water Department. He submitted the following quotes:

F250 Ford – 4 Wheel Drive – Pick Up with Plow

Van Bortel Ford 7325 Route 96 Victor, NY	State Contract Price	\$24,030.75
Carmody Ford Route 29 Greenwich, NY		\$26,322.00

\$25,000.00 was allocated in the budget for this purchase. The Water Superintendent recommended purchasing the truck under State Contract from Van Bortel Ford at a cost of \$24,030.75. The truck comes with a plow according to the Water Superintendent.

Councilman Cumm asked the Water Superintendent if he checked with Vittengl Ford for a price and Mike Shaver replied that he did and they didn't quote.

A motion was made by Councilman Prendergast and seconded by Councilman Cumm authorizing the purchase of a F250 Ford Pick Up, Four Wheel Drive with Plow from Van Bortel Ford at the state contract price of \$24,030.75.

Roll call vote resulted as follows:

Councilman Cumm	Yes
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A regular meeting of the Town Board of the Town of Moreau was held on March 24, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

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

TOWN CLERK’S REQUEST:

The Town Clerk requested permission to purchase four (4) desktop computers for the Town Clerk’s Office and one server for the Town Hall. The following quotes were obtained:

Dell	Server	\$2,435.31
	Four Desktop Computers	\$714.66 each for a total of \$2,858.64
Hewlett Packard	Server	\$4,916.01
	Four Desktop Computers	\$849.96 each for a total of \$3,399.84
Seneca Data	Server	\$1,851.00
	Four Desktop Computers	\$699.00 each for a total of \$2,796.00

The Town Clerk asked the Town Board to authorize the purchase of four desktop computers and one server up to the budgeted amount. When Wade Sherman returns from vacation she will have him look over the quotes and then select the lowest quote that meets the Town’s needs. She didn’t want to wait until the next Town Board Meeting on April 14th in fear that the price from Dell will increase.

Supervisor Jenkins suggested that the Board approve the purchase from Dell contingent upon the fact that we get a final decision from Wade that this is what we need, because there is a big difference in price on the server between Dell and Seneca Data.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the purchase of four computers and a server from Dell per their quote contingent upon Wade Sherman reviewing the quotes and agreeing that the Dell system is the one to go with.

Roll call vote resulted as follows:

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

WATER DISTRICT 7 AGREEMENT:

A motion was made by Councilman Prendergast and seconded by Councilman Cumm authorizing the Supervisor to sign an amendment to the contract with Bartlett, Pontiff, Stewart & Rhodes for legal services to be provided by Martin D. Auffredou, Esq. Involving the Water District 7 DWSRF Project.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes Based on Representation by Attorney Auffredou
Councilman Cumm	Yes

A regular meeting of the Town Board of the Town of Moreau was held on March 24, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Prendergast
Supervisor Jenkins

Yes

Yes

CHAZEN CONTRACT:

Supervisor Jenkins recalled for the Town Board that Chazen had quoted \$25,300.00 to work with the Town on re-zoning and the Town Board wanted them to reduce the quote to \$23,000.00 or do the Quality Communities Program Study. They weren't willing to do that. The Board approved those two figures, but we don't have a complete understanding with Chazen. They came back and said they would agree to the \$23,000.00 but they would eliminate task #3, which was attendance at a Town Board Workshop. We don't technically have a contractual arrangement with them or an understanding between parties.

Councilman Kusnierz said that the resolution was for either or. He asked if they started already and Supervisor Jenkins said yes.

Attorney Auffredou stated that as a matter of law if the Town wanted that to consider that to be the contract they could. It is a writing signed by them, the party to be charged. To Councilman Kusnierz's point do we have somebody working, as far as the party to be charged is concerned, they have a binding contract against them with the Town, but the Town hasn't accepted it yet. Their binding contract doesn't bind the Town, but it binds Chazen.

Supervisor Jenkins stated that at this point he suggested the Board not do anything. He we are talking about one meeting of the Town Board and possibly a difference of \$2,300.00 and it doesn't make a lot of sense to him. He didn't think they would charge that much for one meeting. That part of the scope isn't a \$2,300.00 item. We have two Board Members on the Re-Zoning Committee and participating so he didn't see how much they would be able to accomplish by their attending.

Councilman Prendergast said we can always call them if we need a meeting with them.

Councilman Kusnierz asked if there was a signed agreement with them and the answer was no.

Supervisor Jenkins said they could always negotiate the cost to have them attend a meeting if it was needed.

Attorney Auffredou stated his recommendation and preference, was for the Town to have a standard contract with them as they would with any other consultant and attach the work plan as "Schedule A".

Supervisor Jenkins said he would get that contract over to Attorney Auffredou for review.

INSURANCE – REQUEST FOR PROPOSALS:

Supervisor Jenkins met with our insurance brokers. He asked if the Board wanted to send out Request for Proposal's (RFP's) for insurance coverage for the Town.

Following brief discussion it was decided that we should send out a Request for Proposals. It is only good business to do this periodically.

SARATOGA ECONOMIC DEVELOPMENT CORPORATION (SEDC) DINNER:

A regular meeting of the Town Board of the Town of Moreau was held on March 24, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York. A motion was made by Councilman Prendergast and seconded by Councilman Cumm authorizing the purchase of five tickets to the SEDC Dinner May 6th at the Saratoga City Center at a total cost of \$375.00.

Roll call vote resulted as follows:

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

15 MINUTE PUBLIC COMMENT PERIOD:

No comments.

COMMITTEE REPORTS:

Councilman Cumm reported that the Highway Department’s Johnson Sweeper is back from repair.

He also mentioned that he has two quotes for the mulching of brush and removal from the Transfer Station and he is waiting on a third quote.

He also noted that an appointment needs to be made to the Zoning Board of Appeals to fill a vacancy.

Supervisor Jenkins said he was going to address this under Supervisor’s items.

Councilman Prendergast received a call from the new Water Superintendent regarding a problem with the backhoe and an emergency repair was needed. He wanted to inform the Board of this, because they may see a voucher in for audit on Thursday. The muffler needed repair and it is a dealer item only. The cost was about \$600.00.

Councilman Cumm reported that the Re-Zoning Committee met and they went over zoning maps and made some minor changes to recommend.

Councilman Prendergast added that they discussed density and set backs.

Joe Patricke stated they came up with a proposed new use schedule.

Councilman Prendergast asked when the next meeting was and the response was April 1st at 6:00 p.m.

SUPERVISOR’S ITEMS:

Supervisor Jenkins mentioned the vacancy on the Zoning Board. Four applications have been received. He asked for the Personnel Committee and Joe Patricke to review them and make a recommendation.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to approve the following increase in appropriations:

Increase appropriations by \$130,000.00 in HP7180.2 – Recreation Capital Project – Administration – Equipment and \$4,000.00 in HP7180.4 – Recreation Capital Project –

A regular meeting of the Town Board of the Town of Moreau was held on March 24, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.
Administration – Contractual to complete capital improvements at the Harry Betar Recreation Park.

Councilman Kusnierz asked Supervisor Jenkins why they were taking money out of the fund balance.

Supervisor Jenkins stated that this was fund balance from capital project fund. We don't have any appropriations established for this account. From this point on, now that we have this in there, if we were to spend \$50,000.00 on fencing we would have to pass a resolution subject to permissive referendum, because it is a capital project fund. We didn't do that in the past. These are restricted funds from income generated. This is just to set up the appropriation account.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to increase appropriations by \$22,000.00 in DB9060.8 – Highway – Employee Benefits – Medical Insurance due to an employee status change and a budget shortage.

Roll call vote resulted as follows:

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

The account clerk submitted a request for transfers. The first one was for \$5,400.00 from VI9730.0 – Water District 6 – Debt Service – Principal BAN into VI8310.409 – Water District 6 – Administration – Contracts for a 2008 expense.

This transfer was tabled. Further information was needed.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair approving a transfer in the amount of \$10,000.00 from B1990.4 – Town Outside Village – Special Item – Contingent Account into B8540.4 – Town Outside Village – Drainage – Contractual for a 2009 expense.

Supervisor Jenkins advised that this is for additional expenses relating to the “storm water situation”.

Roll call vote resulted as follows:

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

A regular meeting of the Town Board of the Town of Moreau was held on March 24, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Supervisor Jenkins reported that (Municipal Electric/Gas Alliance) MEGA may be able to save the Town between 6% and 7% in gas and electric bills. They will review our accounts and report to

us what we can save. The Board Members acknowledged that they were okay with the Supervisor completing a form on the internet that will authorize them to look at our National Grid Accounts and tell us what our savings will be. At that time we can then opt in or out of the program. There is no cost to have them do this.

Supervisor Jenkins stated that he had an item that didn't make the agenda so he wasn't asking for approval at this meeting, but he wanted the Board to be aware that Joe Patricke is requesting authorization to purchase a lateral filing cabinet for the Building Inspector's Office. He obtained three quotes. Joe Patricke said there isn't any hurry about this so it will be on the agenda for April 14th.

Councilman Cumm asked if they could approve it at the audit meeting and Supervisor Jenkins said they could approve it at this meeting if the Board wanted to.

Councilman Prendergast said he just got the information tonight, but he did look it over and he didn't have a problem approving it at this meeting.

Councilman Kusnierz made a motion authorizing the purchase of a lateral filing cabinet from W. B Mason for the Building Inspector's Office at a cost not to exceed \$506.29. Motion was seconded by Councilwoman LeClair.

Roll call vote resulted as follows:

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

Brief discussion followed on testing the methane gas coming from the landfill. It has been determined so far that there is enough to generate electric for the Highway Department and Water Tank. Other than the cost for the testing there wouldn't be any cost to the Town.

It was the consensus that we should get a price to test the methane.

Supervisor Jenkins updated the Board on the Route 9 sewer preliminary figures.

There is an estimate of 6.1 miles of sewer lines that would run from the Northway to Bluebird Road. The estimated cost is \$5.4 million and it could be funded by a \$3.5 million grant and \$1.9 million in zero %, 30 year loan. There is an estimated 345 EDU's at an estimated cost of \$357.49. There is a good chance for funding for this. Tim Burley will be filing by August 1st.

Supervisor Jenkins stated he would put on the agenda for the next meeting a RFP for design of a future expansion of the highway garage. There is money in A5132.411 in the amount of \$25,000.00 for engineering. He asked the Board to think about this for the next meeting.

Councilman Cumm stated that back in 2003 C. T. Male prepared a preliminary report on a Phase 1 remediation of the old highway garage site on William Street and he asked the Board to consider re-opening this report for review. That site is a viable piece of real estate.

A regular meeting of the Town Board of the Town of Moreau was held on March 24, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

There being no further business to discuss, a motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to adjourn to executive session at 8:47 p.m. to discuss an Article 7 with National Grid, Confidential Lawyer/Client privileged information and personnel regarding a potential temporary position in the Rec. Park.

Roll call vote resulted as follows:

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

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

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to adjourn the executive session and re-open the regular meeting at 9:20 p.m.

Roll call vote resulted as follows:

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

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

A motion was made by Councilman Prendergast and seconded by Councilman Cumm to adjourn the regular meeting at 9:20 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury
Town Clerk