

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

Town Board Members Present

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

Town Board Members Absent

None

Also Present: Leeann McCabe, Deputy Town Clerk; Karla Buettner, Attorney for the Town; Pete Corlew, Recreation Department Laborer; Paul Joseph, Highway Superintendent; Jeff McCabe, Town Justice; Jesse Fish, Water Superintendent; Tammy Daley, Deputy Town Clerk; Christina Scanlon, Post Star Reporter; Town Residents Terry Clarke and Angela Wadsworth; Village Residents Rick Daley and Harry Gutheil

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.

APPROVAL OF MINUTES

The minutes of October 22, October 24, October 27 and October 28 (2 sets) were prepared and distributed to the Town Board in advance of the meeting for the Town Board Members review, comment, correction and approval.

MINUTES – October 22, 2014 – BUDGET WORKSHOP

No comments or corrections

MINUTES – October 24, 2014 – BID OPENING ROLL-OFF CONTAINER HAULING

No comments or corrections

MINUTES – October 27, 2014 – BUDGET WORKSHOP

No comments or corrections

MINUTES – October 28, 2014 – TOWN BOARD MONTH END AUDIT MEETING

No comments or corrections

MINUTES – October 28, 2014 – 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 October 22, 2014, October 24, 2014, October 27, 2014 and October 28, 2014 (2 Sets) as prepared.

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Roll call vote resulted as follows:

Councilwoman LeClair	Yes (Abstain from approval of set 10/28/14)
Councilman Kusnierz	Abstain
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

SET FUTURE MEETINGS & WORKSHOPS

None scheduled.

15 MINUTE PUBLIC COMMENT PERIOD

No comments

RECREATION DEPARTMENT REQUESTS

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the purchase of 200 Basketball T-Shirts at a cost of \$5.75 each from Northwind Graphics at a cost not to exceed \$1,200.00.

Roll call vote resulted as follows:

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

HIGHWAY DEPARTMENT REQUESTS

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing a Remanufactured Steering Box for Truck #24 (1995 Mack Tractor Truck) from Camerota Truck Parts at a cost of \$575.00 from account DB5130.492.

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 Vittengl and seconded by Councilwoman LeClair authorizing the purchase of crushed stone covered under County contract #14-PWCSGS-50R at an amount not to exceed \$4,000.00 from account DB5110.493.

Roll call vote resulted as follows:

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

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A request was made for the purchase of (8) New Drive Tires for Truck #11 from Adirondack Tire. Paul Joseph explained that although McCarthy Tire Co. gave the lowest price, Adirondack Tire will give a \$65.00 casing credit per tire which results in a lower price.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the purchase of (8) New Drive Tires for Truck #11 (2009 Mack Tandem Truck), tire size 11R24.5 from Adirondack Tire at a cost not to exceed \$3,355.44 from account DB5130.405.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the purchase of (4) New Drive Tires for Truck #14 (1997 International Tandem Truck) Tire Size 12R22.5 from Adirondack Tire at a cost not to exceed \$1,649.44 from account DB5130.405.

Roll call vote resulted as follows:

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

APPROVAL OF FLAG POLE INSTALLATION

Supervisor Jenkins stated that Saratoga Flag was to install flag poles at the Town Municipal complex but had a problem with the contract. They recommended Craig Winchell, who is willing to do the work per the contract at the quoted price from Saratoga Flag of \$1,284.00.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing Craig Winchell to install flag poles at the Town Municipal complex at a cost of \$1,284.00 to be paid out of account A1620.201.

Roll call vote resulted as follows:

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

DISCUSSION REGARDING THE SALE LISTING FOR 61 HUDSON STREET

Supervisor Jenkins stated that three different realtors had been contacted. Two contacted gave a commission rate of 6% which is a standard rate and Sue Monahan from Realty USA gave the Town a rate of 5%. He asked if the Board wanted to look around more. Councilman Vittengl asked if they had considered a lease for the property. Councilman Kusnierz agreed that they should look into the possibility of a long term lease. This agenda item was left open for discussion and no action was taken.

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EQUIPMENT EXCHANGE

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast authorizing the Highway Superintendent to trade in his 2013 Cat 938 Loader for a new 2015 Cat 938 Loader from Milton Cat in Clifton Park, at no cost to the Town.

Roll call vote resulted as follows:

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

REPORT FROM GLENS FALLS TRANSPORTATION COUNCIL

Supervisor Jenkins reported that the final report of the Exit 17 Route 9 Transportation land use study has been completed and approved by the Adirondack Glens Falls Transportation Council and it should now be approved by the Town Board. Councilman Kusnierz stated that he would like to see the report and asked when the Board has to have this approval completed. Supervisor Jenkins stated that the Council already adopted the final report and that they are encouraging the Town Board to act on it. It doesn't have to be done right away and stated that he would have his office make copies of the report for each Councilperson.

AUTHORIZATION FOR SUPERVISOR TO SIGN GREATER GF TRANSIT AGREEMENT

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast authorizing the Supervisor to sign the Greater Glens Falls Transit agreement at a cost next year of \$4,596.00, subject to review and approval by the attorney for the Town.

Roll call vote resulted as follows:

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

ACCEPT TOWN CLERK'S LETTER OF RETIREMENT/RESIGNATION

Supervisor Jenkins stated that he had received a letter of resignation from Jeanne Fleury, Town Clerk, effective November 30, 2014. He wanted to make note of her great service and contribution to the Town for over 37 years.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl accepting the resignation of Jeanne Fleury, Town Clerk, effective November 30, 2014 and honoring her for her 37 years of service for the Town of Moreau.

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Roll call resulted as follows:

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

APPOINT TOWN CLERK, RECEIVER OF TAXES AND REGISTRAR EFFECTIVE 12.1.2014

Supervisor Jenkins stated that the Town Clerk's recommendation is to have Leeann McCabe appointed as Town Clerk effective December 1, 2014. She's been with the Town for 14 years and the Town Clerk believes that she can provided the leadership that is needed. He stated that it is up to the Board to decide if they want to go with the Town Clerk's recommendation or let the public know that this position is open and do interviews.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to appoint Leeann McCabe as Town Clerk, Receiver of Taxes and Registrar effective December 1, 2014.

Roll call vote resulted as follows:

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

Councilman Prendergast stated that after the Supervisor accepted Jeanne's resignation the rest of the Board was quiet. He wanted to say that the Board knows, day by day, what Jeanne has meant to them and what she has meant to the people of the Town. Whenever there was a question, Jeanne always had the answers, because she was here so long. She was so good to the people and it was reflected in every election. He stated that we're losing a tremendous asset to this Town. He wishes her luck and that she will be missed.

Supervisor Jenkins stated that over the last seven years, working with Jeanne on a day to day basis, anytime he needed anything she had it. If he needed her to find something, she found it. He stated that he has also worked with Leeann for seven years and she is very dependable. He stated that he felt they should stay with Jeanne's recommendation, she's the best person to determine who should have her position for now. He's happy with the decision and wished her luck.

15 MINUTE PUBLIC COMMENT PERIOD

Angela Wadsworth asked if the Town Board was still going to have an executive session. Supervisor Jenkins replied yes and that there would be a few short items before they talk to her.

A Gentleman in the audience asked if the Exit 17 Route 9 corridor study is available. Supervisor Jenkins stated that they will be available to the public tomorrow. Copies will have to be made.

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Terry Clarke asked if agenda item #15 is referring to Tom Flaherty and also asked if he was the person who inspected the water lines. Supervisor Jenkins stated that he wasn't sure if he was the person who did the inspections. Terry Clarke asked if he had credentials. He asked if he could see them along with his certificate of insurance. Supervisor Jenkins stated that he would look into this and try to have information for him tomorrow.

AUTHORIZE INTERVIEWS FOR DEPUTY TOWN CLERK RECEIVER OF TAXES

The Supervisor directed the Deputy Town Clerk to come back to the Town Board with a recommendation for Deputy Town Clerk, Receiver of Taxes. If the recommendation is before December 1, 2014 the request should come from the present Town Clerk and if the recommendation is after December 1, 2014 it should come from the new Town Clerk.

Angela Wadsworth spoke again about problems she had had with her water hook-up and stated that she hasn't heard anything from her claim. The attorney for the Town explained that a notice of claim would have to have been filed. Councilman Kusnierz asked the Deputy Clerk to research to see if a notice of claim had ever been filed by Angela Wadsworth.

Discussion regarding the pre-payment to T.K. Flaherty Associates for inspection services was skipped as the Supervisor stated that they didn't have enough information to proceed.

CONTINUATION OF PUBLIC HEARING ON 2015 PRELIMINARY TOWN BUDGET

Supervisor Jenkins began by stating that there are two primary issues that need to be finalized. The first being a part-time to full-time Clerk position in the Highway Department. The primary difference would be \$16,000 vs. \$50,000 that would include benefits. He stated that the part-time position just doesn't work anymore and stated that he was in favor of making this a full-time position.

Councilman Prendergast stated that this discussion comes up every year. There are good arguments for and against. He doesn't think that he can support this change.

Councilman Kusnierz stated that the difference between part-time and full-time with a benefit package is significantly different. He also stated that once you establish a full time position in the Town, they are never taken away.

Harry Gutheil agreed with Councilman Kusnierz in that if jobs are created they never go away. He also stated that are other ways a phone can be answered. He suggested another part-time employee.

Councilwoman LeClair stated that she was struggling with this decision. It's a huge impact on the budget. She stated that it is a lot more and way beyond phone calls and that this is not an easy decision.

Paul Joseph stated that the Storm Water Management paperwork is two months behind and they are just finalizing paperwork from brush pick-up in the spring. He stated that it's not just answering the phones.

Councilman Kusnierz stated that he's struggling with the expense.

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Supervisor Jenkins stated that the fund balance is down because Harry Gutheil stated that the Town has only budgeted \$40,000 to take on the energy companies and a \$120,000,000.00 hydro facility. This will not buy a defense.

The Building Department was discussed next. They're budget includes an addition of a part-time employee and the purchase of a new vehicle for \$20,000.

Councilman Prendergast stated that he doesn't support these budget items. Councilman Kusnierz stated that fiscal decision should be based on facts. He had asked for a comparison to be done showing how many inspections were done compared to last year. He never received this comparison. He won't support the part-time position or the new vehicle.

Councilman Vittengl stated that there would be additional revenues from penalties that would be coming in as a result of the new code enforcement position. Supervisor Jenkins stated that most problems are handled before they have to go to court. Councilman Vittengl is in favor of the added part-time employee and new vehicle.

Supervisor Jenkins asked if anyone had anything else to discuss. Fran asked if they were going to put the interest earned in the budget. Supervisor Jenkins stated yes, they had discussed this. Fran stated the amount was \$6,000.

Councilman Kusnierz asked Fran about the interfund transfer being based on sales tax. He asked what we were projecting for revenues next year. Supervisor Jenkins replies \$2,850,000.00. It will be up \$15,000 or \$20,000. Councilman Kusnierz asked, when the revenues exceed what was budgeted, what happens with the extra money. Fran stated that she approaches the Board and tells them they they've met the budget and the Board usually puts the extra in Town Outside. He asked if any extra sales tax can ever be sent down to the County after they've voted on it. Fran stated that she didn't think so.

Councilwoman LeClair suggested hiring a second part-time person for the Highway Department instead of creating a full-time position. This would cut the cost by about \$25,000.00. And by cutting the number of hours for the part-time position to one day per week or possibly two mornings per week at the Building Department, this would save about \$7,500.00. With the limited number of hours and miles that this person would be putting on a car, she suggested paying mileage instead of purchasing a new vehicle. It would be about \$1,000 per year vs. the purchase of a new vehicle at a cost of \$20,000.00. This would save overall about \$50,000.00.

Rick Daley stated that he's not against the part-time position becoming full-time at the Highway Department but he would like to know why this person would be getting a \$2.50 raise. Councilman Kusnierz thought it was a 2% raise and asked how they came up with that number. Supervisor Jenkins stated that the Highway Superintendent put in for \$15.00 per hour. Paul Joseph stated that this was about the same as what the other clerks are at now. Councilman Kusnierz asked why we would pay such a substantial increase in the hourly rate. Supervisor Jenkins stated that Maureen has been with the Town for 17 years and that everyone else makes around \$15.00 per hour for clerical positions. Harry Gutheil stated that the Court clerks are under \$11.60 per hour. Supervisor Jenkins stated yes, that they've been here relatively short term.

Harry stated that Ron Belisle had been with the Town for quite a few years.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to close the public hearing on the Preliminary Town Budget.

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Roll call vote resulted as follows:

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

Supervisor Jenkins stated that he's not sure where everyone stands on the Highway position. Councilman Kusnierz stated that he would go with an additional 10 hours at \$10.00 per hour. Supervisor Jenkins stated that they would just stay with the part-time position of 19 hours per week and asked if everyone was ok with that. There were no objections.

Supervisor Jenkins asked what they are going to do with the part-time code enforcement position. He stated that there is an advantage to having the position but they can't afford it right now. He stated that if that's where they're at than that's where they're at. If they can cut the amount of fund balance they're using this year, it will help overall.

Supervisor Jenkins asked for a motion to eliminate the part-time position for a code enforcement officer for the Building Department and to eliminate the purchase of a new vehicle. Also, to leave the Highway Department Clerk position at 19 hours per week and to increase the interest revenues based on Fran's calculations. They will use these savings to reduce the fund balance used.

Councilwoman LeClair discussed a budget item to repair a culvert on Birch Drive that's due to runoff problems. The Councilwoman stated that the taxpayers shouldn't have to pay for something that was caused by someone else. Supervisor Jenkins asked if she wanted to remove this item from the budget. She stated that she's willing to leave it in as long as the Town won't spend it until we get reimbursed from the person who's causing the problem. She stated that the runoff is affecting the neighbors and is running across their lawns and it's starting to fill in the Town's drainage area. Supervisor Jenkins stated that they'll leave the appropriation where it is but don't spend it unless they have the revenues.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to adopt the 2015 Budget as prepared with the elimination of a part-time code enforcement officer; the elimination of a Building Department new vehicle; keeping the Highway Department Clerk position at 19 hours per week; add interest revenues to the budget based on Fran's figures and to use the amount saved by reducing the fund balance used.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	No
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

COMMITTEE REPORTS

A regular meeting of the Town Board of the Town of Moreau was held on November 12, 2014 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York

Councilwoman LeClair reported that she had attended the Saratoga County Fire Advisory presentation on October 25th. She learned a lot about the Fire Department and the needs for the County. It was a great presentation.

She also reported that Tim Johnston has spoken with Randy Weeks from BOCES about the floor in the new building that will be for storage. Randy stated that was something that BOCES could do and Tim is currently obtaining prices for concrete and is trying to stay within the \$35,000 cap for bidding.

Councilwoman LeClair had mentioned before that she would like to see some sort of recognition for Veterans at the new Town Hall Municipal Complex. As she thought about this, she wondered why they would put it here when they have a spot at the Recreation Park. There's an area near the bowl that's raised up and that is surrounded by Pines and Oaks. It's very open and you can see this spot from many of the fields throughout the park. She's not asking for any money from the Park Reserve fund that they get from builders. She would just like to look into making this a nice area and to dedicate it to our Veterans. She's not really sure what they would do at this point and asked if anyone would have a problem with this. There were no objections.

Councilwoman LeClair reported that she had a discussion with Ms. Speziale regarding a composter she uses for her chickens. The composter works and it reduces the smell. She thought that before they move ahead with getting the code written, this is something they should think about.

Karla Buettner stated that she has heard nothing from anybody on the Board with respect to the language of the law and if they want to move forward, they need to let her know.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to adjourn to executive session at 8:40 p.m. to discuss legal issues regarding a culvert repair on Clark Road; Meeting with Angela Wadsworth regarding an employee of the Town and to discuss a potential piece of property and enter into negotiations with an unnamed seller.

Roll call vote resulted as follows:

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

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

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to adjourn the executive session and re-open the regular meeting at 10:02 .m.

Roll call vote resulted as follows:

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

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No action was taken in the executive session.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to approve a payment of \$6,604.78 to Gallo Construction for work on the Clark Road culvert based on the final application certification submitted to the Town.

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 Vittengl and seconded by Councilman Prendergast to adjourn the regular meeting for the evening at 10;03 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
 Leeann McCabe
 Deputy Town Clerk