

A regular meeting of the Town Board of the Town of Moreau was held on October 27, 2015 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.

Town Board Members Present

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

Town Board Members Absent

None

Also present: Leeann McCabe, Town Clerk; Karla Buettner, Attorney for the Town; Tammy Daley, Deputy Town Clerk; Diane Foster, Deputy Town Clerk; Peggy Jenkins, Assessor; Paul Joseph, Highway Superintendent; Jesse Fish, Water Superintendent; Joe Patricke, Building Inspector/Code Enforcement Officer; Jeff McCabe, Town Justice; Ted Monsour, Transfer Station Laborer; Kathleen Moore, Post Star reporter; Town Residents: Vince Spoorer, Gardner Congdon, Elizabeth Lanfear, Denise Crete, Charlie Granger, Shelly Englert, Reed Antis, Tim Merrill, Jim Rando, Richard & Patricia Hughes, Chris Music, Alan VanTassel, Jim Aiken and Rich Morris.

The Supervisor led the Pledge of Allegiance and then welcomed everyone to the meeting and asked that any electronic devices be silenced or turned off.

APPROVAL OF MINUTES

The minutes from October 7, 2015, October 8, 2015, October 13, 2015, October 15, 2015 and October 20, 2015 were prepared and presented to the Town Board in advance of the meeting for their review, comment, correction and approval.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to approve the minutes from October 7, 2015 as prepared.

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 Councilwoman LeClair and seconded by Councilman Vittengl to approve the minutes from October 8, 2015 as prepared.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilman Kusnierz to approve the minutes from October 13, 2015 as prepared.

Roll call vote resulted as follows:

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

A motion was made by Councilman Vittengl and seconded by Councilman Kusnierz to approve the minutes from October 15, 2015 as prepared.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to approve the minutes from October 20, 2015 as prepared.

Roll call vote resulted as follows:

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

SET FUTURE MEETINGS AND WORKSHOPS

None

Councilman Kusnierz asked why the first 15 minute public comment period had been moved to a 30 minute public comment period at the end of the meeting. The Supervisor stated that there was a long list on the agenda and that the public would still have time to speak at the end of the meeting. The Supervisor asked if anyone had a problem. Councilman Prendergast stated that if people came her to speak, they shouldn't have to stick around and stated that they should speak.

15 MINUTE PUBLIC COMMENT PERIOD

Reed Antis stated that he had looked over the Solar City agreement with the Town and asked if anyone knew how much the Town would be saving. The Supervisor replied that the estimate is \$39,000/year. Mr. Antis asked if anyone had done up a spread sheet to show the savings and asked again what the savings would be he also stated that it will be placed on Town property so there won't be any taxes paid for that parcel. The Supervisor replied again that the estimate we were given is that the savings would be \$39,000/year for twenty years.

Terry Clark addressed the Board with a question as to when taxes are due. The Assessor replied that Town Taxes are due in January. He proceeded to ask the Board if they had all paid their taxes. All of the Board members replied yes except for Councilman Vittengl and his reply was "not yet". Mr. Clark stated that he didn't think you should sit on the Board if you don't pay your taxes. The Supervisor stated that it's not a requirement to sit on the Board and then told Mr. Clark that this wasn't a proper discussion. He stated that it's personal and not a Town issue.

Mr. Hughes asked how long the Zoning Laws have been in place as they are today. Supervisor Jenkins replied since 1989. He asked why the northeast corner of the Town has been zoned urban residential. The Supervisor didn't know why this was zoned that way in 1989 as he wasn't here at the time. Mr. Hughes

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asked if there have been any amendments to the zoning since 1989 and the Supervisor replied that he thought there have been some minor ones. Mr. Hughes stated that where he lives, it's one apartment complex after the other. He stated that the lights are so high at one complex that it looks like you're driving by a Walmart. He asked about the complex going in at the corner of Bluebird and Harrison. He stated that one little piece is zoned a PUD. He asked how it went from an M-1 to a PUD. Supervisor Jenkins stated that it was a decision by the majority of the Town Board. He stated that Councilman Kusnierz had voted no to the PUD. Mr. Hughes stated that whole Northeast corner is being taken over by apartments. Councilman Prendergast stated that they tried marketing that area for over twenty years for industrial or light industrial and there were no takers. He stated that they had an option as leaving it as woods or putting it to use for the Town. Mr. Hughes asked why just this corner and aren't there any other places in Town to put apartments. Councilman Prendergast stated that the infrastructure is already there. Mr. Hughes stated that there's a big traffic problem. Supervisor Jenkins stated that property isn't conducive to normal housing because of the water level. He assumes that's why it was zoned that back then, but he doesn't know for sure because he wasn't on the committee.

MR. AND MRS. MERRILL –DISCUSS TRUCK TRAFFIC

Mr. Merrill of 103 Sisson Road was present to discuss the concerns regarding Glens Falls Lehigh Cement's use of Sisson Road to gain access to their property. There was an agreement made back in 2008 to close the gate at the entrance to their property and build a berm to keep the dust and noise down. He has spoken with DEC and they agree that the gate is supposed to be closed. Mr. Merrill stated that the gate is being used and the truck traffic has increased. He stated that the increase traffic is also causing damage to the road. He would like to encourage Lehigh to create a more eastern entrance to the property. Mr. Merrill stated that there are new homes and apartment complexes with more pedestrian traffic, especially children, and no sidewalks. He stated that the truck route through his neighborhood presents a safety hazard to pets and kids. He stated that the gate was supposed to be closed and a berm built.

Denise Crete spoke to the Board and stated that at the time agreements were being made Mr. and Mrs. Merrill weren't happy with how high the berm was going to be. She stated that if it's not as high as it's supposed to be, it won't stop the dust or the traffic. She doesn't think that by closing the gate it would make a difference. She stated that there aren't any children that live on the dead end street. She showed a picture to the Board and stated that the road doesn't look much different from last year and that it's the plows and salt that are causing the damage not the trucks.

Mr. Merrill's suggestion is to move the gate further down and away from the development. He stated that he had spoken with the cement company regarding the matter and initially he was willing to change the gate and now they aren't. Paul Joseph stated that when the road was reopened he spoke to Joe Patricke about it and Joe stated that the Town has no way to keep it closed. Paul stated that the road is scheduled to be re-done next year and it will need reinforcement because of the truck traffic coming out of there. Paul stated that someone had called him from the cement company and asked what they would have to do to put a road further down across from Schermerhorn's new development. Paul told him he would have to go before the Planning Board. He advised him to call Joe Patricke and then was told that he didn't want to go through all the red tape to put in a construction road. Councilman Kusnierz stated that they're not responding to the neighbors and asked the Supervisor to reach out to the cement company. Paul Joseph stated that he was asked by the cement company if they could use the Fenimore Road and Paul told them it wouldn't be recommended due to the curves. Councilman Prendergast asked if there weight limits and Paul replied that there weren't any permanent weight limits. He also stated that weight limits are set by himself and the Town Board. They have paperwork that can be completed to change the limits. Councilman Prendergast suggested assigning a weight limit. Paul Joseph stated that the best solution is to put a new road in away from the housing. Councilman Prendergast agreed that the Supervisor should reach out to the cement company and look at alternate routes for truck traffic and if not, we can put weight limits on the road. The Supervisor thanked Mr. Merrill for his comments.

Gardner Congdon stated that he had been trying to get information that he believes is public information and that he's been told by the Town Clerk that she has to check with the Board before she can give out the information. He asked why he can't have what he asked for. The Supervisor stated that this was discussed last Thursday. Mr. Congdon stated that he wasn't here last Thursday and that what he wants to see is what was pulled out of the boxes he looked at. He stated they were in the basement and doesn't see what any of

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the documents would have to do with attorney client privilege. He understands if it's ongoing litigation or a personnel matter that the Town would have a right to exclude it. He's looking for simple letters and advice regarding the IDA and the Industrial Park and what the agreement was for the hook-up of the sewer. He stated that the minutes show that there will be a pay in from Schermerhorn and Fran told him that she doesn't have any payments yet. He stated that the tax payers have 2.5 million tied up in the force main for industry only, which was the original purpose. He asked, as a tax payer, is he subsidizing Schermerhorn's apartments because it appears to him that he is. Unless the Town can pass the proper resolution changing the purpose of the force main to residential, then that would be fine with him. He stated the proper people would then be paying for the service. This started with an IDA grant which was a bond and a bank anticipation note for the first 4 years and now it's an interfund transfer and he's trying to find out who's going to pay the 1.2 million since 1996. He asked if Schermerhorn bought that or who paid for that. The Supervisor stated that the tax payers paid for it.

Councilman Kusnierz asked the Town Clerk if she found what Mr. Congdon was looking for and she explained that Mr. Congdon's FOIL asked for "everything on the Moreau Industrial Park" and that there was nothing specific that he had asked for. She stated that she had started to bring up the 8 boxes from the basement and that Pete Corlew happened to be at the Town Hall and helped. She and her Deputies started to go through the boxes to pull out anything confidential or attorney client privilege. She also mentioned that she didn't have to do this right away. She had sent Mr. Congdon a letter stating that his request was received and that within 20 business days would have an answer to his request. Mr. Congdon stated that he wasn't looking for copies, he only wanted to view the information. Mr. Congdon stated that he was told the Town Clerk was going by the advice of the attorney and the Town Clerk stated that she was going by the Freedom of Information laws and that she had to pull out anything that was privileged. Mr. Congdon stated that attorney client privilege is for ongoing attorney client relations. The Town Clerk deferred the question to the attorney for the Town. Karla Buettner stated that the Freedom of Information laws are not solely for attorney client privilege information and the exemption for attorney client is not solely for litigation. Section 87 lists all the exemptions within the Freedom of Information law and that counts whether you are copying the information or letting someone come in to look at it or if you are scanning and emailing it. Mr. Congdon stated that all he wants to do is look at the information and Ms. Buettner replied that the boxes had to be looked at to see if any of the exemptions applied. Mr. Congdon stated that he understood. Mr. Congdon asked if an attorney gave bad advice, the public can't know? He stated that he spoke with Mr. Freeman and he was told something entirely different from what the attorney had just stated. He stated that he would find out what he needs. Mr. Congdon also made a comment that he was right about the logs and asked if she remembered her advice, that it wasn't property and then stated that she found out something different. Attorney Buettner asked the Supervisor if he wanted her to respond to the question. Mr. Congdon stated that the comptroller agreed with him. Councilman Prendergast stated that if a FOIL is made the process will be followed. Mr. Congdon replied that it will be twenty days and the election will be over. He made comment about the tax payers not knowing what the tax rate will be before the election and stated that he always made the public aware.

Elizabeth Lanfear asked if the Town has done anything with the Time Warner contract and wanted to know when the contract is to expire. The Supervisor stated that the contract is open ended unless the Town makes a change. Councilman Kusnierz stated he couldn't give an exact date but thought that is was about 4-6 years ago. The Supervisor stated that this is an agenda item for later in the meeting.

WINTER SAND BIDS

The Supervisor stated that they are rejecting all bids that were received for Winter Sand.

HIGHWAY DEPARTMENT REQUESTS

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast approving a repair to truck #11 a 2009 Mack, in the amount of \$5,220.00. This repair will be paid from account DB5130.405 which has a balance of \$10,117.00.

Roll call vote resulted as follows:

Councilwoman LeClair Yes

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Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair approving the purchase of (2) Tires for the 2002 Caterpillar Loader from Adirondack Tire Center at a cost of \$2,294.00. The purchase price includes mounting and O-rings. The purchase will be paid from account DB5130.405, which has a balance of \$10,117.00 as of October 5, 2015.

Roll call vote resulted as follows:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl approving the purchase of Diesel Fuel – 2015 Budget Year from Mirabito Holdings, Inc. at a price of \$20,000.00. This is under a State Contract #PC66705 and will be paid from account DB5142.460, which has a balance of \$62,080.11 as of October 5, 2015.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the Highway Superintendent to contract with Town & Country Bridge and Rail to reline culvert pipe on Birch Drive for an amount not to exceed \$9,324.00. County Contract #14 –PWPPC-44R lists Town & Country Bridge and Rail as a contractor for this process. This is a 2015 budgeted item and will be paid from account DB5110.497 which has a balance of \$21,538.88 as of October 13, 2015.

Roll call vote resulted as follows:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast authorizing the Highway Superintendent to contract with Town & Country Bridge and Rail to reline culvert pipe on Sisson Road for an amount not to exceed \$9,324.00. County Contract #14 –PWPPC-44R lists Town & Country Bridge and Rail as a contractor for this process. This is a 2015 budgeted item and will be paid from account DB5110.497 which has a balance of \$21,538.88 as of October 13, 2015.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Yes

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Supervisor Jenkins Yes

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to engage the services of Gerard Associates Consulting Engineers, P.C. at a cost not to exceed \$3,000.00 to provide engineering services to investigate condensation issues at the Town of Moreau Highway Garage.

Roll call vote resulted as follows:

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

The Highway Superintendent sent out RFP's for winter sand and the following prices were received:

Charles Friedman Excavating:	\$5.55/Ton-Ft. Ann pit
Town of Ballston:	\$4.00/Yard (1 yard=approximately 1.3 tons)
Cranesville Aggregate:	\$6.25/Ton-Gansevoort pit

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast authorizing the purchase of Winter Sand – 2015 Budget Year from the Town of Ballston at a price of \$4.00 per yard. This will be paid from account DB5142.491, which has a balance of \$13,000.00 as of October 5, 2015.

Roll call vote resulted as follows:

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

TRANSFER STATION REQUESTS

The Town Board received a request from the Transfer Station to increase the price of tires from \$2.00 to \$5.00 for tires under 16 inches and \$3.00 to \$10.00 for tires over 17 inches. Councilman Kusnierz asked where we take the tires and it was replied that they go into the open top container and Waste Management picks them up. Councilman Kusnierz asked how it's costing the Town more to get rid of the tires. Councilman Prendergast stated that nothing shows him that we're losing money and if we're not losing money, he's not in favor of raising the prices. He didn't see the need.

The Transfer Station had made a request at a previous Town Board meeting to purchase 2 Dumpster Guard kits. The Board had asked Ted Monsour to get prices for a permanent structure. Mr. Monsour is presenting the Board tonight with a price to build a pavilion over the open-top container at a cost of \$6,750.00 vs. a Dumpster Guard kit at a cost of \$2,272.00. This would keep the rain and snow out of the container. The Supervisor stated that this is a budget item and that there is no money appropriated for this purchase. He stated that the Board can think about this and can act on November 5th. He stated that there's not enough information right now and asked that Ted meet with him tomorrow to go over the information that he has.

RECREATION DEPARTMENT REQUESTS

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast authorizing the Highway Department to complete the drainage repair at the Recreation Park at a cost of \$3,000.00. This repair includes materials and equipment and will be paid from account HP7180.4.

Roll call vote resulted as follows:

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

The Recreation Department is requesting to purchase a Hydro Field Rake and in order for this purchase to be made an increase in appropriations would be necessary. Councilman Kusnierz asked what the value of the rake they're using now is. Councilwoman LeClair was told that they wouldn't get anything for a trade in and that they'll use it until the life is gone. He asked if we were using capital funding for this purchase. Councilman Vittengl stated that the one they're using is 15 years old.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast to increase appropriations by \$3,150.00 to HP7180.2 Recreation Capital Project-Administration-Equipment. An increase in 2015 Appropriations is necessary if the Moreau Town Board approves the purchase of a Hydro Rake from John Deere in the amount of \$15,025.00.

Councilman Kusnierz stated that he thinks this is a good idea but was only provided the specs for 1 machine. This request was tabled until the next Town Board meeting.

EXCESS SALES TAX

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the 2015 Excess Sales Tax to be put into the Town Outside Fund.

Roll call vote resulted as follows:

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

RESOLUTION SETTING ELECTED OFFICIALS SALARIES

The Supervisor read the proposed salaries for elected officials as follows and stated that the salaries are the same as in 2015.

Council people	\$11,300 each
Town Justices	\$26,939 each
Town Supervisor	\$45,076
Highway Superintendent	\$53,497
Town Clerk	\$42,638

A motion was made by Councilman Kusnierz and seconded by Councilman Vittengl setting the 2016 Salaries for elected officials as follows:

Council people (4)	\$11,300 each
Town Justices (2)	\$26,939 each
Town Supervisor	\$45,076
Highway Superintendent	\$53,497
Town Clerk	\$42,638

Councilman Prendergast wanted to state that he feels elected officials other than Council people should be getting a raise. He doesn't believe that just because you're elected to a position that it relinquishes anything anyone else gets. They have bills to pay and have families. He felt they were entitled to the same 2% raise that everyone else is getting. Councilwoman LeClair agreed with Councilman Prendergast.

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Councilman Kusnierz stated that being an elected official is a noble position. He considers it a privilege to serve the public. He does it for the contribution to the community not the money. He stated that elected officials should be equal across the board. Either they get raises or they don't.

A gentleman from the audience questioned performance standards and how the Town is moving forward.

The Supervisor needed to correct the salaries first stated as they were given to him incorrectly. He stated the salaries for elected officials are as follows:

Council people (4)	\$11,300 each
Town Justices (2)	\$27,478 each
Town Supervisor	\$45,076
Highway Superintendent	\$54,567
Town Clerk	\$43,491

Supervisor Jenkins stated that in the tentative budget he had given each elected official other than Council people a 2% raise but the budget had to be reduced. By cutting the salaries of the elected officials, it saved over \$3,000.00. Nobody felt that they shouldn't get a raise. But at this point where they are right now, he feels they should stay the same. He stated that this vote could be separate from the salaries for Council people.

Gardner Congdon stated that there should be more attention paid to the lower paid employees.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl setting the 2016 Salaries for Council people (4) @ \$11,300.00 and Supervisor @ \$45,076.00.

Roll call vote resulted as follows:

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

A motion was made by Supervisor Jenkins setting the salaries for Town Justice (2) @ \$27,478.00, Town Clerk @ \$43,491.00 and Highway Superintendent @ \$54,567.00, which are the same as the 2015 Salaries.

Roll call vote resulted as follows:

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

The motion failed.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast setting the salaries for Town Justice (2) @ \$28,028.00, Town Clerk @ \$44,361.00 and Highway Superintendent @ \$55,658.00, which is a 2% increase over 2015 salaries.

Roll call vote resulted as follows:

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

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The motion failed.

A motion was made by Councilman Kusnierz and seconded by Councilman Vittengl setting the salaries for Town Justice (2) @ \$27,478.00, Town Clerk @ \$43,491.00 and Highway Superintendent @ \$54,567.00, same as fiscal year 2015.

Roll call vote resulted as follows:

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

RESOLUTION TO SEND SALES TAX TO THE COUNTY

Supervisor Jenkins stated that there is 2.9 million in sales tax revenues. \$2,000,000 to go to the Highway, \$400,000.00 to Town Outside, \$100,000.00 to General Fund and \$400,000.00 to Saratoga County to be applied as a credit against the Saratoga County Real Property Tax Levy.

Councilman Kusnierz asked that an additional \$200,000.00 be added to the amount already mentioned to go to the County to lower the County tax rate.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair authorizing \$600,000.00 in sales tax revenue to be sent back to Saratoga County to be applied as a credit against the Saratoga County Real Property Tax Levy.

Roll call vote resulted as follows:

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

SPEED LIMIT REDUCTION – BLUEBIRD ROAD

An email was received from a resident on Bluebird Road asking for a reduction in the speed limit from Fort Edward Road to Hudson Falls Road. The Supervisor stated that this has been done before but it can be submitted again. He stated that this doesn't need Board resolution and asked the Town Clerk to complete the form.

PURCHASE NEW TOILETS

A motion was made by Councilman Kusnierz and seconded by Councilman Prendergast authorizing the purchase of two toilets at a cost of \$640.22 to increase the water volume. A verbal authorization was obtained and in order to ratify this purchase a formal resolution is needed.

Roll call vote resulted as follows:

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

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C2ae PROPOSAL FOR MODIFICATION TO SEWER DISTRICT MAP PLAN AND REPORT – SEWER DISTRICT #1

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to engage the services of C2ae for engineering services to assist the Town with modifications of Sewer District Map Plan and Report for Sewer District #1. The fee for the services will be \$4,200.00 plus the cost for meetings and mileage for an estimated total cost of \$8,600.00.

Roll call vote resulted as follows:

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

REMOTE TELEMETRY UNIT-AQUALOGICS

Councilman Kusnierz stated that this purchase had been approved back in 2012 and he wasn't sure what happened. The Supervisor stated that since this has already been approved, they can do the transfer now and it will stay in the same account.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing an increase in appropriations by \$15,400.00 to GI8110.2 - Sewer District #1 – Administration –Equipment

Roll call vote resulted as follows:

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

PURCHASE PARTITION WALL FOR MEN'S ROOM

Supervisor Jenkins stated that a partition is needed in the public men's room for more privacy. The cost would be \$600 to \$1,000. The Town would install this themselves.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the purchase of a partition wall for the men's room at a cost not to exceed \$1,000.00

Roll call vote resulted as follows:

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

HIRE LISA OSTRANDER – REALTY USA – 61 HUDSON STREET

Councilwoman LeClair asked what happened to the For Sale by Owner. The Supervisor replied that nobody has the time to work on it. He stated that Lisa Ostrander had given the Town a discounted rate to list this property and that she was the only one that gave information previously. The Town Board had been polled on this matter and a formal resolution is needed to ratify this authorization. He stated that she's already been working on this.

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A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast to engage the services of Lisa Ostrander – Realty USA – to list the Town property located at 61 Hudson Street.

Roll call vote resulted as follows:

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

REQUEST FOR HIGH SPEED INTERNET

A letter was sent to the Supervisor and Town Board members requesting high speed internet. The Supervisor stated that there wasn't much the Town could do but make another request to Time Warner. Councilman Kusnierz stated that the reason the Board hasn't moved forward on a contract is because it's very difficult to deal with Time Warner. The Town has limited items to negotiate. He also stated that in this day and age, everyone in this Town should have access. He doesn't have it and because it's a mile down the road, it's cost prohibitive. With new technologies, there's now competition with Dish Network and others. He also stated that high speed internet is the 911 of the age. Supervisor Jenkins stated that he will try to schedule a meeting to speak with Time Warner. A gentleman asked how many businesses or homes this would serve and the Supervisor replied a couple hundred. He stated that they're spread out and you have to have so many within a one mile limit by the rules of the Public Service Commission and this is what protects them.

RESOLUTION FOR COURT JCAP

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the Court to submit their JCAP Grant application and also authorizing the Supervisor to sign.

Roll call vote resulted as follows:

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

CARBON MONOXIDE DETECTORS

The Supervisor stated that information was received that the new code states you have to have (1) hard wired carbon monoxide detector per furnace. Councilman Kusnierz stated that this code wasn't in place when the Town Hall was originally built but that the Town would have to comply by June of next year. This item was tabled until they have more price information.

15 MINUTE PUBLIC COMMENT PERIOD

Vince Spoorer wanted to be clear and asked what the projected sales tax revenues are for 2015 and the Supervisor replied \$2.9 million. He asked how much the Town will be giving back to the County and Councilman Prendergast replied \$600,000.00 and that last year it was \$400,000.00 and \$800,000.00 in years before that. Supervisor Jenkins stated that it had been \$400,000.00 before and Councilman Prendergast agreed and stated that it has gone back and forth. Mr. Spoorer stated that by putting in a standard percentage, this would be the fairest. Supervisor Jenkins stated that what it boils down to is what you believe you need for the future. He stated that if it's split down the middle and stay with that then you can measure the County and the Town. Mr. Spoorer asked if the State mandates that the Town and County share the sales tax. Supervisor Jenkins stated that there are 16 Counties in the State that don't

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give any sales tax back to the Counties. With the rest the amounts vary. The Supervisor told Mr. Spoorer that he could have a copy of the page that shows this information and that it is also on the internet.

Mr. Congdon stated that it would be helpful if they knew what the difference in the rate would be. So if someone had a \$400,000 assessment, what that would mean to them. He stated that there's a lot of confusion on this. He also stated that the gentleman doesn't understand that the Village gets their own sales tax by the same formula that the Town Outside gets their sales tax. Mr. Congdon expressed his opinion on the tax rates.

Rich Morris spoke regarding the money that was transferred into the General Fund from the tree cutting at the end of Nolan Road. He asked if that money will go back to Water District 2. Supervisor Jenkins replied that most likely it will but they will need to determine what portion of trees that were cut, were in Water District 2. He stated that there are records.

Gardner Congdon asked if there is a cost for this and the Supervisor replied yes that it would require someone to come in and mark it up. Supervisor Jenkins stated that the Board is going to do what's right. The Supervisor stated that he lives in Water District 2 and that the Board isn't trying to hurt anybody. Mr. Congdon stated that wasn't the case until he brought it up and the Supervisor replied that he wasn't aware of it. There was discussion between the Supervisor and Mr. Congdon relating to the contract and the flagging of the lots.

Mr. Morris made comment that he was disgusted with what happened with the tree cutting. He stated that in his opinion the estimated value of the trees is much more than what was paid. He stated that he spoke with Councilman Vittengl last fall and asked if they were going to cut all the premium oaks that were marked. He stated that Mr. Vittengl's reply was that he had seen it himself and that he wasn't going to let that happen. Mr. Morris told Councilman Vittengl that was a lie and that every tree was taken. Mr. Morris stated that the beauty of the peninsula has been wrecked. He stated that he had offered to help and Councilman Vittengl never reached out to him. He stated that now he's upset about it because you can never get it back. This was an asset to the Town that you can't get back.

Terry Clark made comment about his lawsuit with the Town of Moreau. He stated that he sued the Town and that the Town is suing Casale. Attorney Buettner stated that there are counter claims in the lawsuit. Mr. Clark stated that if the Town had just admitted that the contractor had messed up there wouldn't have been a lawsuit. He stated that the Town Board members have their heads in the sand. He stated that there were rumors out there on Councilman Vittengl. Supervisor Jenkins stated that we aren't going to talk about personal issues. Mr. Clark stated that he won't back down when he's right and stated that "you" will be embarrassed.

COMMITTEE REPORTS

None

SUPERVISOR'S ITEMS

None

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adjourn to executive session at 9:10 p.m. to discuss the litigation regarding the Highway Garage and Town Hall Buildings.

Joe Patricke was invited into the executive session.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes

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Supervisor Jenkins Yes

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

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to adjourn the executive session and re-open the regular meeting at 10:00 p.m.

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 Councilwoman LeClair and seconded by Councilman Prendergast to hire Rick Boucher to perform hydro static testing on the fire suppression system at a rate of \$150 per hour, per person not to exceed \$1,500.00.

Roll call vote resulted as follows:

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

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to adjourn the regular meeting for the evening at 10:12 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
Town Clerk

The above minutes are not intended to be a complete transcript, only a summary. To hear the complete audio of the meeting, you may visit the Town's website at: www.townofmoreau.org

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