

A regular meeting of the Town Board of the Town of Moreau was held on October 27, 2020 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

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

The Town Clerk called the roll.

Town Board Members Present

John Hogan	Councilmember
Kyle Noonan	Councilmember
John Donohue, Jr.	Councilmember
Alan VanTassel	Councilmember
Theodore T. Kusnierz, Jr.	Supervisor

Town Board Members Absent

None

Also present: Leeann McCabe, Town Clerk; Karla Buettner, Attorney for the Town

The Supervisor led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes from September 29, 2020 (2 sets), October 6, 2020 and October 13, 2020 were prepared and presented to the Town Board prior to the meeting, for their review, comment, correction and approval.

Resolution #2020-268

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to approve the minutes from September 29, 2020 (2 sets), October 6, 2020 and October 13, 2020 as prepared.

Asked if all in favor, the following responses were given:

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Aye
Supervisor Kusnierz	Aye

SET FUTURE MEETINGS AND WORKSHOPS

Resolution 2020-269

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, setting a Public Hearing for the 2021 Preliminary Budget, on November 5, 2020 at 5:30 p.m.

Asked if all in favor, the following responses were given:

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Aye
Supervisor Kusnierz	Aye

No other meetings or workshops were scheduled.

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COVID-19 UPDATE

The Supervisor reported, as of today, at the State level:

The Governor has added California to the New York's COVID travel advisory. None have been removed. The Governor has also indicated that all non-essential or other state travel to and from Massachusetts will be discouraged.

The positive testing rate among the focus areas, where they've seen hot spots in the State, is currently 3.65%.

The New York State positivity rate outside the focused areas is at 1.53%.

The Statewide positivity rate is 1.78%.

There were 15 COVID deaths in the State yesterday.

At the County level:

1,317 reported cases

19 deaths

112 active cases

1,186 total number recovered

7 currently hospitalized

The seven-day rolling average positivity rate for Saratoga County is at 1.08%

Town of Moreau:

57 confirmed cases

1 death

1 active

55 recovered

Village of South Glens Falls:

21 confirmed cases

0 deaths

1 active

20 recovered

The Supervisor stated that he has extended the State of Emergency Declaration, which he signed on October 14, 2020, for an additional 30 days. He stated that the primary reason for this, is if there should be Federal or State dollars available to assist with anything having to do with COVID, the fact that we have an Emergency Declaration in place will make us eligible for some of that funding.

ELECTED OFFICIALS SALARIES

Resolution #2020-270

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan and carried, that the Town of Moreau set the salaries for elected officials for the 2021 budget year as follows:

Supervisor	\$49,271
Council People	\$12,607
Town Justices	\$29,161
Town Clerk	\$47,076
Highway Superintendent	\$60,837

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Asked if all in favor, the following responses were given:

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Aye
Supervisor Kusnierz	Aye

HIGHWAY DEPARTMENT

The Supervisor stated that there was money budgeted for 2020 to do some necessary repairs to a culvert on Fedor Road. The Supervisor recommended that they open a purchase order on that, so they don't have to account for it in next year's budget. In order to do that, they will need a resolution. He stated that they have information from the engineer who is designing the culvert, Contech Engineering Solutions, that they will be charging under State contract pricing.

Resolution #2020-271

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, approving the following resolution as follows:

WHEREAS, the 2020 Adopted Budget included funding for the reconstruction of the Fedor Road Culvert in account DB5112.431;

So be it RESOLVED, that the Town Board approves the Fedor Road Culvert Project in the amount of \$334,560 from Contech Engineered Solutions at State contract pricing.

Asked if all in favor, the following responses were given:

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Aye
Supervisor Kusnierz	Aye

The Supervisor reported that there was a request from the Highway Superintendent, asking for an open purchase order in the amount of \$46,440 for the purchase of rock salt from Morton Salt. The purchases would be made under Saratoga County contract #20-PWS-10R and would be paid from account DB5142.490, which has a balance of \$46,443.04 as of 10/2/2020. The Supervisor recommended they approve an initial \$20,000 so they can do a good job of tracking the expenditures as we move forward. He stated that it should be certainly enough money to cover any storms before the next Town Board meeting. He stated, that if the number needs to be modified, they can do it then. Councilmember Hogan asked how much room the Highway Department had for storage of salt. The Supervisor believed he had enough room to store for up to three storms. But, to answer the question, there wouldn't be enough room to store all the salt being requested. The Highway Superintendent calls for it as needed.

Resolution #2020-272

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan and carried, authorizing an open purchase order for the purchase of rock salt from Morton Salt, under County Contract #20-PWS-10R, in the amount of \$20,000.00. The expenses will be paid from account DB5142.490.

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Asked if all in favor, the following responses were given:

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Aye
Supervisor Kusnierz	Aye

TRANSFER STATION

The Supervisor stated that he had received an email Sunday evening from a resident who had been to our Transfer Station and was charged for a trailer that only contained leaves. He stated, that if the Board recalled, we never charged our residents for leaves and lawn clippings. He stated that it doesn't cost the Town anything to take care of it, it's just compost. When the Town Board amended the types of trailers that would be permitted into the Transfer Station, there was language included in the fee schedule that said they would be charged for that if it was in a trailer. He didn't think it was the Boards intent to do that. The Supervisor read the email he had received aloud. Councilmember Noonan stated that he knew this issue would come up, because there are small dump trailers out there. The Supervisor stated that leaves and grass are composting material and don't require the Town to spend additional funds to grind it and chip it. He stated that it simply goes into the composting area, which eventually has value for our residents. The Supervisor stated that he was okay if we don't charge for leaves for Town residents. The Town Board had a document before them, which clarifies the costs. Councilmember VanTassel stated that the new verbiage makes it very clear. He also agreed that Town residents shouldn't have to pay to dump leaves. Councilmember Noonan didn't think the issue was with the leaf part, rather, they had quite a discussion relating to dump trailers. Councilmember Donohue stated that dump trailers would be charged if dumping brush but would have no charge for leaves and grass clippings. The Supervisor stated that he was correct. Councilmember Hogan was fine with the change and suggested that they just need to make it clear for the employees at the Transfer Station. Attorney Buettner stated that the schedule on the Town's website already has no charge for leaves and clippings. Councilmember VanTassel stated that the schedule on the website was dated October 26th. The Supervisor stated that the document on the website was the one before the Town Board this evening. He stated that they were a little premature in putting it on the website.

Resolution #2020-273

A motion was made by Councilmember VanTassel, seconded by Councilmember Hogan and carried, to adopt the Transfer Station Fee Schedule as drafted for the Town Board on October 26, 2020.

Asked if all in favor, the following responses were given:

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Aye
Supervisor Kusnierz	Aye

Councilmember Noonan felt that the design of the fee schedule could be cleaned up a bit. He commented on bold type vs. non-bold and caps vs. lower case. The Supervisor stated that he was okay with anyone who wants to massage it to be uniform. Councilmember Noonan stated that he would take care of it. The Town Clerk stated that she would have the Supervisor's secretary send him the word document tomorrow.

The Supervisor stated that Mr. Monsour is looking to hire an additional part-time employee for the Transfer Station. Mr. Monsour indicated that there is an individual who has indicated that she would no longer like to work there. She's been helping the Town by providing coverage for lunches and such, but she no longer wishes to do that. The Supervisor encouraged Board members to take a look at the applications. He stated that he just received another one today and commented that Mr. Monsour has

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already been working on it. The Supervisor stated that he would be interviewing that individual at 2:00 p.m. tomorrow. He suggested, that if any Board members would like to meet with him after that, he can see if this person would be willing to stick around. He stated that the Town Board should probably take action at the next Board meeting.

RECREATION DEPARTMENT

The Supervisor stated that he had some good news to report. He had applied, on behalf of the Town, the maximum amount of another grant from Saratoga County. The County Board of Supervisors approved the applications last week. And, because there wasn't enough money there, they've scaled back $\frac{3}{4}$. The full Board passed a resolution that the extra money would come from the Open Space fund, so that all the towns that applied would get the maximum. He stated that it's a \$10,000 grant, just like the one we received last year. He stated that it's a matching grant, so the Town will have to match with in-kind services. He stated that this grant is to be utilized for the multi-use trail that was planned and budgeted for last year and again for 2021. The trail will start off Nolan Road and meander its way to the closed landfill. The Supervisor stated that he has spoken with BOCES and they will get started next week or so. He stated that they've been working down at the Park and have done a phenomenal job and he can't thank them enough.

The Supervisor stated that the Town's been working with the Palmertown Range Trail Project, which includes the construction of a trail between Saratoga Springs and Moreau Lake State Park, and then eventually through the Palmertown Range. He stated that the Town of Moreau is playing a major role in partnering with them to provide access to some of our property. They've recently received a \$500,000 grant for the design of the trail system. The Supervisor stated that Robert Vittengl was appointed as the liaison and he's done a great job keeping him informed and representing the Town and our interests there. He stated that he had a conversation with Mr. Vittengl yesterday, and it was brought to his attention, that the Town owned parcel at the end of Potter Road, which the Town Highway uses, would be a key parcel, which this project would like to have access to. This means that they would come in and design trails to include use of that parcel. Without it there wouldn't be a public access way to the former Brookfield parcel down the river. He stated that they're trying to open up access to the Hudson River. He stated that this would be an ideal way for our residents, and for those coming in from outside the area that want to take advantage of our recreational trails, to get down to the horseshoe dam. The Supervisor stated that Mr. Vittengl would like to be able to tell this group that the Town Board would support using that property as part of the recreation project. He stated that he could talk to Paul Joseph about what they need to do to use other Town property for some of the dumping he does. The Supervisor thought this would be a win, win for the Town. He stated that he had the opportunity to walk the area with the Open Space Institute and DEC on the 800 acres down by the river. He stated that they very much would like to partner with the Town along with the State for the opportunity of having many miles of trails. He stated that this would tie in nicely. The Supervisor commented, that anything giving us access to the river and the Palmertown Range, gives us access to other communities from the Town of Moreau. He thought this was a great idea. Councilmember Noonan agreed but also stated that as the project moves forward, there will be cars parking in front of the houses down there. He stated that more people are enjoying the outdoors and the cars and traffic are ruining a good thing. He stated that we would have to work to ensure that the neighborhood down there isn't overrun with cars. He also stated that it could be taken care of as it gets closer. He basically wanted to be on record noting his concern. The Supervisor stated that he had a very good point and added that they could work with the County to help with some additional parking if we need to. The Supervisor read from the email he had received and in conclusion stated that it didn't require any action on the part of the Board. He stated that he would reach out to the Open Space Institute and let them know that the Town is supportive. He will also reach out to the Highway Superintendent to make sure his needs are met as well.

The Supervisor stated, that at budget workshops, the Recreation Leader was asked to get quotes for the replacement of the Heston tractor. The Supervisor stated that there was structural damage done to the lower portion of the tractor. He stated that this tractor has had a long and useful life, starting in the Highway Department before ending up in the Recreation Department. He stated that there was money budgeted for this expense in this year's budget. He also commented that there was nothing budgeted for next year. He stated that he had put together some specs for a tractor, which he thought would meet the

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current needs and also be versatile for future needs. He stated, that based on the specs, the Recreation Leader was able to secure four quotes. The Supervisor stated that the specs were as follows: 70HP Tractor with ROPS, 8x8 synchromesh transmission with Forward and Reverse shuttle, 4WD, Category I/II 3pt. hitch, R1 Tires, Loader with 84" bucket and a 2 year new equipment warranty, for either a new tractor or a used tractor with under 200 hours of operation. The Supervisor reported the following quotes as follows:

Emerich Sales & Service 1369 Saratoga Road South Glens Falls, NY 12803	\$35,929.68
Salem Farm Supply, Inc. 5109 State Route 22 Salem, NY 12865	\$37,276.12
United Ag & Turf 11853 State Route 40 Schaghticoke, NY 12154	\$40,337.87
Capital Tractor, Inc. 1135 State Route 29 Greenwich, NY 12834	\$29,300.00
Falls Farm & Garden Equip. Co. Inc. 1115 Dix Avenue Hudson Falls, NY 12839	No Quote

The Supervisor stated that a representative from Capital Tractor met with Pete Olesheski and he took them over to look at the tractor to see if there was any value in it for a possible trade. He stated that Capital Tractor indicated that they would be willing to offer some money for a trade. He stated that they offered \$1,700.00, which would bring the cost down to \$27,600.00. He stated that he didn't know where the Board stood on this but thought it would be good to make the purchase from the 2020 adopted budget. Councilmember VanTassel stated that he was okay with the purchase, however, there isn't enough money in the account to purchase it. The Supervisor stated that before they could purchase, it would require an interfund transfer. He stated that it would be paid from account A7140.2, which has a current balance of \$3,229.85. He further stated that they would need to transfer funds from A7310.1, which is the Youth Programs – Beach – Personal Services. The Supervisor stated they didn't open the beach this year, and some of the payroll, which is about \$40,000.00 to \$42,000.00, could be used to offset this purchase. Councilmember Donohue acknowledged that Mr. Olesheski had submitted the request. However, he spoke with Mr. Olesheski and he told him that this tractor is probably more than what he needs at the Park. He was told that with a smaller tractor, he could hook-up a lawn mower. Councilmember Donohue stated that maybe bigger isn't better. He suggested that this tractor might not fit his needs. The Supervisor stated that those concerns were brought to his attention this morning. He stated that he believed that the staff at the Park has a tractor in mind and stated, that for what that tractor can do, it's very expensive, compared to what this tractor can do. The Supervisor stated that Mr. Olesheski was concerned about using equipment and wanted to buy a tractor that you could use a snowblower with. He wanted to use it to blow off the skating rink. The Supervisor told him that it wasn't a good use of personnel to spend several hours on a small tractor with a snowblower, when you could spend a little bit more money and get a tractor that's a whole lot more versatile and has a seven foot blade, which can scrape an ice skating rink in no time at all. He stated that it would push the snow up and out of the rink and then the personnel that was operating the tractor can go do something else. He also stated by having it specked for a category I/II 3-point hitch, it opens up the number of types of implements it can add. You could add a backhoe to the category I/II 3-point hitch. He stated that it's a lot easier to hook up and a lot faster. He stated that the lowest price tractor has the skid steer quick attachment on the front, which means it can attach to anything that attaches on a skid steer. The Supervisor stated, that after his conversation with Mr. Olesheski, he thought it was a good idea to go this route. Councilmember Donohue stated that he understood. The Supervisor also commented that the Town is looking to add to their recreational land resources and will require larger sized equipment. He stated that it also puts the Town on the road to

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having the necessary equipment to do all the things that arise. The Board members were in agreement to purchase the tractor. The Supervisor stated that in order to make the purchase, they needed to do a budget transfer first.

Resolution #2020-274

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, that \$27,600.00 be transferred from A7310.1 – Youth Programs/Beach-Personal Services and \$27,600.00 be transferred to A7140.2 – Playgrounds & Recreation – Equipment For the purchase of a tractor at the recreation park.

Asked if all in favor, the following responses were given:

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Aye
Supervisor Kusnierz	Aye

Resolution #2020-275

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, authorizing the purchase of the specked tractor as provided by Capital Tractor, Inc., out of Greenwich, NY, in an amount not to exceed \$27,600.00. The expense will be paid from account A7140.2.

Asked if all in favor, the following responses were given:

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Aye
Supervisor Kusnierz	Aye

SALES TAX

The Supervisor stated, as they put the budget together, they looked very carefully at sales tax, because much of the budget for the Town of Moreau is predicated on how well we do with sales tax. In the end, the budget that will be presented to the public is estimating sales tax that is based on information from the County as well. This will put the Town’s anticipated sales tax for 2021 at a 2011 figure. The Supervisor stated, that in 2011, the Town received 2.549 million dollars in sales tax. Last year the Town received just under 3.3 million dollars. He stated, that historically, the Town has sent some of their excess sales tax back to the County. One year they sent back \$800,000. Back in 2011, they only sent \$200,000 to the County. He stated, that unfortunately, there’s no guarantee that we’re going to get the additional sales tax this year. The Supervisor stated that they have to decide tonight if they are going to send sales tax back to the County, so they can meet their deadline. He stated, that he was hopeful during budget discussions, that they might possibly be able to send around \$200,000. He heard that the County’s occupancy tax, which is a bellwether for how many people are coming into our area and spending money, is year to date down 76%. He stated that the people aren’t coming like they used to. He suggested that from what he’s heard from the experts, the sales tax revenue for 2021 won’t be what the Town is used to. The Supervisor stated, that if there isn’t a good probability of having extra sales tax, that they don’t commit to sending additional sales tax to the County. He stated, that if they do send money, and the sales tax doesn’t come in, they’ll have to take money from fund balance and that would defeat the purpose of what they’re using the excess sales tax for. The Supervisor added that the Town of Moreau is the only town in the County that has been sending excess sales tax back to the County. All the Town Board members were in agreement with the Supervisor’s thoughts. The Supervisor stated that this won’t require action from the Town Board. He’ll let the County know that they aren’t sending any money back.

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SUPERVISOR'S ITEMS

The Supervisor stated that he wanted to make the public and Town Board members aware that he has the final application for the Champlain Hudson Power Express maps in his office if anyone would like to take a look at it. He stated that there's no action needed on the part of the Town Board. The Supervisor gave the case number from the Public Service Commission as: 10-T-1039

The Supervisor stated that there is interest in the Town's Industrial Park. He stated that there are entities who wish to purchase some of the Town's lots, however, they want to know how much the lots are. He stated that they are companies from other counties that want to come into our Industrial Park. He commented that some of the principals of the companies were born and raised here in the Town of Moreau. The Supervisor asked Counsel how to establish the sale prices. He asked if the Town needed to get an appraisal. Attorney Buettner stated that the Town should get restricted appraisals and declare the properties as surplus. The Supervisor asked Counsel if they had to be declared surplus, if they were constructed for the purpose of Industrial growth? Attorney Buettner stated that there's a way you can do it without declaring surplus by saying that you don't intend to use them anymore. The Supervisor stated that they'll work on that moving forward and asked the Board members if they were all in agreement. There was no opposition to having the parcels appraised. The Supervisor stated that he would work with the Town Attorney on this.

The Supervisor stated that he had received a call from the Saratoga County-NYS Department of Transportation resident engineer to make us aware that the Town of Moreau will be utilized as a pilot program for the use of a brine mixture on key sections of some of our highways. They include three sections: Route 32 to Route 197; all of Route 197 from Route 9 into Fort Edward; Route 9 up to the Village of South Glens Falls. He stated that there would be signage out this winter. They'll be looking to compare if the brine solution they use, works better than granulated salt. He stated that the goal of the program is to minimize the sodium footprint. He stated that they should be sending him more information and that he would pass it along to the Board members.

COMMITTEE REPORTS

Councilmember VanTassel stated that Councilmember Noonan and he had gone through half of the interviews for the Clerk position and invites have gone out to the other half. He stated that they'll be done with the first round soon and will make a recommendation for final interviews. The Supervisor stated that his office really wants that spot filled as soon as possible. Councilmember VanTassel asked if there would be any reservations, with the final candidates meeting with the other employees. The Supervisor stated that it was important and that those employees would have to work with this person. It was asked if any of the other Board members wanted to interview these final candidates. Councilmember Hogan stated that he was okay with a recommendation. The Supervisor asked the Board members to present those they wished to be interviewed if they hadn't already. He asked that their lists be given to the personnel committee. Once the list is compiled, anyone wishing to meet one on one can do so and if not, they can go from there.

Councilmember Donohue asked if there were any takers for the Code Enforcement position. The Supervisor replied that there were no applications and thought that the list from the County had expired. He stated that he would check with the County to see if there's a current list and if not, they can do a job posting. He stated that they can start their own interviews and go from there. He asked, if the list has expired, does the Board want to post the position in the Post Star. Councilmember VanTassel suggested the website, social media and Zip Recruiter. The Supervisor asked Counsel if a resolution was needed and she replied that it was.

Resolution #2020-276

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan and carried, that should the Saratoga County Civil Service list for Part-time Code Enforcement Officer be expired, the Town Clerk is authorized to advertise the job posting as is customary.

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Councilmember Noonan stated that he was aware the Town paid approximately \$20.25 per hour for about 18 hours per week. He asked if that was something they would stick with. The Supervisor stated that the position was in the budget for between \$20 and \$25 per hour. Jeffrey Cruz stated that they budgeted \$20.25 per hour. The Supervisor stated that they could possibly adjust the figure within the budget.

Asked if all in favor, the following responses were given:

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Aye
Supervisor Kusnierz	Aye

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to close the meeting for the evening at 8:07 p.m.

Asked if all in favor, the following responses were given:

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember Donohue	Aye
Councilmember VanTassel	Aye
Supervisor Kusnierz	Aye

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
Town Clerk