

A regular meeting of the Town Board of the Town of Moreau was held on December 8, 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
Theodore T. Kusnierz, Jr.	Supervisor

Town Board Members Absent

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

The Supervisor welcomed everyone and then led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes from November 18, 2020 and November 24, 2020 (2 sets) were prepared and presented to the Town Board prior to the meeting for their review, comment, correction and approval.

Resolution #2020-301

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to approve the minutes from November 18, 2020 and November 24, 2020 (2 sets) as prepared.

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

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

SET FUTURE MEETINGS AND WORKSHOPS

The Supervisor stated that the Town was continuing to work through the easements as part of the sewer project on the Route 9 corridor, as well as some parcels on Bluebird Road. He stated that there are eight or nine outstanding parcels where the Town has been unsuccessful in securing the easements, which has required the Town to take the next step and commence eminent domain proceedings.

The Town Clerk read the following resolution aloud.

WHEREAS, on June 26, 2018 the Town of Moreau Town Board approved the creation of Sewer District No. 1, Ext. No. 5 subject to the approval of the Office of the State Comptroller; and

WHEREAS, on April 9, 2019 the Office of the State Comptroller approved the creation of Sewer District No. 1, Ext. No. 5 at a cost not to exceed \$16,000,000; and

WHEREAS, on May 7, 2019 the prior resolution adopted by the Town Board of the Town of Moreau on June 26, 2018 and subsequently approved by the Office of the State Comptroller on April 9, 2019 was filed in the Saratoga County Clerk's Office, a copy of which is attached hereto and made a part hereof; and

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WHEREAS, in connection with the formation of Sewer District No.1, Ext. No.5 certain sewer mains and other associated infrastructure need to be installed on real property owned by private citizens and located within the geographic boundaries of Sewer District No. 1, Ext. No.5 and as more specifically set forth in the Notice of Public Hearing; and

WHEREAS, in connection with the acquisition of certain easements for the installation of sewer mains and other associated infrastructure required for the formation of Sewer District No.1, Ext. No.5, the Town of Moreau will conduct a public hearing on January 4, 2021 at 7:00 p.m. at the Moreau Town Complex, 351 Reynolds Road, Moreau, New York 12828 in accordance with Section 202 of the Eminent Domain Procedure Law, such public hearing to be held via videoconferencing as permitted by the NYS Open Meetings Law and Executive Order 202.1 and all extensions.

NOW, THEREFORE, IT IS:

RESOLVED, the Town Board of the Town of Moreau will conduct a public hearing on January 4, 2021 at 7:00 p.m. at the Moreau Town Complex, 351 Reynolds Road, Moreau, New York 12828 to describe the purpose for the installation of sewer mains and other associated infrastructure, the proposed location of the sewer mains and other associated infrastructure and whether any other proposed locations exist for the installation of the aforesaid mains and other associated infrastructure; and it is further,

RESOLVED, the Notice of the Public Hearing, a copy of which is attached hereto and made a part hereof, must be published in at least five successive issues of the town's official daily newspaper at least ten but no more than thirty days prior to the scheduled public hearing date of January 4, 2021 and shall be served, either by personal service or certified mail, return receipt requested, to each assessment record billing owner or his or her attorney of record.

Resolution #2020-302

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to adopt the foregoing resolution as read into the record by the Town Clerk.

Councilmember Noonan asked how much area from the road is the Town looking to take. The Supervisor stated that he wasn't sure but that this was a two-fold process. He stated this would be a utility easement and not just a sewer easement, because easements weren't secured for the water lines when the water district was created. He stated that the Town is cleaning everything up with this process. He stated that much of the project will be done by directional drilling, so there won't be a lot of surface area disturbed. He stated that the Town has come to the point, that if the project is to follow the construction schedule, the Town has no choice but to move forward with the eminent domain proceedings. The Supervisor commented that the Town has been paying for all the easements that have been secured. He stated that this Board wanted to work with the landowners and provide fair compensation for the easements, and with the landowners still having access to their property. The Supervisor stated, that just because there's an eminent domain proceeding, doesn't mean that the property owners aren't going to get paid.

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

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

COVID-19 UPDATE

The Supervisor reported from the most recent information he had available.

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At the State level:

Hospitalized Statewide: 4,602
Patients in ICU: 872
Statewide positivity rate: 4.79%
COVID Deaths yesterday: 80

In Saratoga County:

Total confirmed cases: 2,861
Deaths: 25
Active cases: 892
Recovered: 1944
Hospitalized: 15
Seven day rolling average testing positivity rate: 4.6%
New cases in the last seven days: 575
New cases over the weekend: 247
New cases in the last 24 hours: 58

In the Town of Moreau:

Total confirmed cases: 82
Deaths: 1
Active cases: 11
Recovered: 70

In the Village of South Glens Falls:

Total confirmed cases: 32
Deaths: 0
Active cases: 7
Recovered: 25

The Supervisor stated that the Governor has extended his executive order 202.79, which provides for the suspension of the open meetings law requirements for in-person meetings through January 1, 2021.

MUNICIPAL PANDEMIC PLAN

The Supervisor stated that the Governor had required all local governments to establish a pandemic plan. He stated that the deadline for having the plan in place, and to provide to the union is February 4, 2021. Municipalities must adopt their plans by April 1, 2021. He stated that the plan is very extensive and would require assistance from a professional to prepare it. He stated that the law firm for the Town has provided a quote to assist the Town with the preparation. He stated that most preparation rates would be from \$8,000 to \$10,000. The Town's firm is willing to put the plan together for \$5,000. Attorney Buettner stated that the plan is roughly twenty pages. She stated that the plan encompasses everything that the Board has been trying to do for the past nine months. She stated that the plan is an offensive approach in the event that something happens next year or the year after. The plan will list who the essential employees will be. It will list the requirements for remote work and will detail how the facilities will be sanitized. She stated that all public employers and schools will have to do this. She stated that they have several clients that they've been preparing the plan for. She stated that this has to be provided to the union by February 4, 2021. They'll review it and then send it back to the Town Board with any comments they may have. The Supervisor commented that towns also had to provide a reopening plan, which is separate from this plan. He stated that they don't have to take action tonight but should in the near future.

Resolution #2020-303

A regular meeting of the Town Board of the Town of Moreau was held on December 8, 2020 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

A motion was made by Councilmember Noonan, seconded by Councilmember Donohue and carried, authorizing an addendum to the contract for legal services to the Town from Bartlett, Pontiff, Stewart and Rhodes, P.C. in the amount of \$5,000.00. The expense will be paid from the legal services account.

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

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

TRANSFER STATION

Councilmember Hogan stated that there was an issue with the sump pump leaking at the Transfer Station and because of the confined space location, they have to get the installer to come back and fix it. The Supervisor's office is to call Galusha's.

Councilmember Hogan also reported that Mr. Monsour is planning on leaving the Transfer Station and that they'll need someone to take over for him. The Supervisor stated that since the hours have gone back to what they used to be, we're in need of someone to oversee the day to day operations. He asked if Councilmember Hogan would like to have an ad run. He stated that he would. The Supervisor stated that this would be a full-time position and asked the Personnel Committee to put together a description for the ad.

Resolution #2020-304

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, authorizing an ad to be run in the Post Star and the Chronicle for a full-time working foreman at the Transfer Station. Salary to be determined based on experience.

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

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

The Supervisor stated that he had spoken with an individual who is interested in this season's leaves and grass clippings at the Transfer Station. The Supervisor stated that the pile is very large and that this would give the Town some breathing room down there. The gentleman stated that he could get a couple 60-yard trucks but would need the Town to load them. Town Board members were in agreement.

The Supervisor stated that there was an individual who resides in the Town, who had called and stopped by his office twice. The gentleman wasn't happy that he was being charged for his F350, 8'x8' box dump truck, to dump brush at the Transfer Station, because he's handicapped. The gentleman stated that if he got out and unloaded the brush himself, he wouldn't have to pay for it but if he pulls the lever and dumps the truck, he has to pay for it, which is \$30.00. He wanted to know why the Town doesn't allow handicapped individuals to dump for free. The Supervisor indicated to the gentleman, that he would bring his complaint to the Town Board. After a brief discussion, the Supervisor referred the matter to the Transfer Station Committee. He stated, that if they want to make changes to the policy, they can bring them to the Town Board at the next regular meeting.

WATER DEPARTMENT

A regular meeting of the Town Board of the Town of Moreau was held on December 8, 2020 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

The Supervisor reported that the Water Superintendent is requesting an upgrade to his water meter reading software along with the purchase of a Toughbook laptop. The program is proprietary and can only be purchased from one vendor, which is Ferguson Waterworks. The Supervisor stated that this purchase will bring the Town into the 21st Century, IT wise. The following quote includes: A meter reading software upgrade, annual hosting, setup and training, a Toughbook laptop with AC adaptor.

Ferguson Waterworks \$10,141.19
612 Pierce Road
Clifton Park, NY 12065

Resolution #2020-305

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, authorizing the purchase of a Toughbook laptop with an AC adaptor from Ferguson Waterworks in the amount of \$10,141.19. The purchase will include meter reading software, annual hosting, setup and training. The expense will be paid from all water accounts 8310.4.

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

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

GRANT COTTAGE

The Supervisor stated that each year the Town budgets for funding to assist Grant Cottage, which is located in the Town of Moreau. He stated that their Executive Director has submitted a voucher in the amount of \$5,500.00, which is the same amount they budgeted for. The Supervisor stated that they need authorization to sign the voucher.

Resolution #2020-306

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, authorizing the Supervisor to sign the voucher for payment to Grant's Cottage in the amount of \$5,500.00.

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

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

PART-TIME CODE ENFORCEMENT OFFICER

The Supervisor reported receiving only one application for the position of Part-time Code Enforcement Officer. He asked if the Personnel Committee wanted to interview this individual. If so, they can get dates to his office and they'll set up an interview time.

MEDICARE REIMBURSEMENT

Resolution #2020-307

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried,

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WHEREAS, the Town board has authorized the partial reimbursement of Medicare for eligible retirees on the Medicare Advantage health plan; and

WHEREAS, retiree Michael Montgomery enrolled in the Medicare Advantage plan on December 1, 2020;

So be it RESOLVED, that the Town Board hereby authorizes Medicare Reimbursement payments for Michael Montgomery in the amount of \$289.20 quarterly.

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

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

SUPERVISOR'S ITEMS

The Supervisor stated that he has asked and will be submitting Deputy Supervisor Kyle Noonan's name as our representative on the Saratoga County Youth Board. He stated that each town appoints a member annually. The Supervisor thanked Councilmember Noonan for taking on the responsibility.

The Supervisor stated that he had a flyer for the 2021 annual meeting of the Association of Towns. He stated that the annual meeting will be held virtual from February 14-17, 2021. He stated that he has the information if any Town employees or elected officials would like to see it.

The Supervisor received a request from George Reynolds asking that the signs at the intersection of Route 32 and Route 197 be raised. The Supervisor stated that the sign is only at about six feet and they're normally at ten to twelve feet, depending on the type of sign. He thought it was because there have been so many accidents at this intersection and the sign keeps getting knocked down. When they put it back up, it keeps getting shorter. The Supervisor stated, that typically the Town is responsible for road signage where it leads to a State highway, however, this intersection involves two State highways. He stated that he reached out to the Saratoga County DOT resident engineer. He'll take a look at the signs and make the request to have them installed appropriately.

The Supervisor received a copy of the Capital Region Memories book, which was provided by the Historical Society of the Town of Moreau and Village of South Glens Falls. The Supervisor read the letter from the President of the Historical Society, Nancy Purinton, which accompanied the book. The Supervisor thanked the Society on behalf of the Town Board and the residents of the Town. He stated that the book will be in his office for a little while, should anyone wish to look at it. After that, it will be turned over to the Town Historian to be catalogued.

The Supervisor stated that there was discussion at the last Town Board meeting regarding an interested party who was willing to take sand from the Rec Park. He stated that he has another interested party and suggested, that if the Town Board still wants to move forward, to put together an RFP to see what kind of interest they can get. As part of the RFP, he suggested verbiage about doing a survey to lay out the second bowl. He stated that they don't want to make this a mining project, it's a Rec project. He stated that he had spoken with the engineer for the Town and was told that if the Town were building something, it wouldn't be considered a mining operation. He asked the Board members if they wanted to do an RFP, and if so, they can have Counsel work on it. Councilmember Hogan asked if part of the project could include the trucks coming in off Fort Edward Road instead of having to use Jan Avenue. He stated that they need a different access point. Attorney Buettner asked if he was suggesting a permanent access and not just a construction access. Councilmember Hogan replied yes. Councilmember Noonan agreed with Councilmember Hogan and stated that he would be interested in getting costs to construct a second bowl. He also commented that one developer's needs wouldn't be enough to remove all the sand needed to

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create a bowl. The Supervisor commented that the bowl wouldn't have to be the same depth as the original bowl. It could be six feet deep, as long as there's a bank as a bleacher for the spectators. He also stated that it would be a public safety factor to have another point of egress. Councilmember Donohue stated that he's in favor of expanding recreational offerings, however, he wanted to make sure that the Town is proceeding properly and suggested that they make sure Counsel has looked at everything before they begin. The Supervisor asked Attorney Buettner if she had everything she needed to proceed and stated that he could assist her. Attorney Buettner stated that the RFP turned into more than just the removal of sand. The Supervisor suggested that they have separate parts to the RFP. He then suggested that they start by having the Recreation Committee review the topographical maps to see where they think the bowl should be placed and where the road would go. Attorney Buettner stated that she would get in touch with the Recreation Committee members within the next few days.

COMMITTEE REPORTS

Councilmember Hogan stated that the last pour of concrete for the Universal Playground should be done on Thursday. He stated that Parkitects will want to do a test after they're done.

Councilmember Donohue stated that the Playground idea started with two young men, Nolan Jacox and Logan Mahoney. He stated that Sandy Mahoney then brought their idea to the Town Board and followed it through. He thanked those mentioned as well as Carrie Woerner, the Recreation staff and everyone else involved. Councilmember Noonan suggested that they have the two young men in attendance when the Playground is opened.

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, to adjourn to executive session at 8:03 p.m. to discuss an unnamed employee's work history.

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

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

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

The Town Board left executive session at 8:25 p.m. with the Supervisor reporting that there was no action taken in executive session.

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to close the meeting for the evening at 8:25 p.m.

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

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

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
Town Clerk