

A regular meeting of the Town Board of the Town of Moreau was held on December 22, 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 Member Absent**

None

**Also present:** Leeann McCabe, Town Clerk; Jeffrey Cruz, Principal Account Clerk; Karla Buettner, Attorney for the Town was present remotely.

The Supervisor led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

The minutes from December 8, 2020 (2 sets) were prepared and presented to the Town Board members in advance of the meeting for their review, comment, correction and approval.

**Resolution #2020-314**

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, to approve the minutes from December 8, 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	Abstain
Supervisor Kusnierz	Aye

**SET FUTURE MEETINGS AND WORKSHOPS**

**Resolution #2020-315**

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, to schedule the 2021 Organizational Meeting for January 4, 2021 at 6:00 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

The Supervisor commented that the Town Board will need to schedule public hearings for the Moreau EMS and South Glens Falls Fire Co. contracts. He suggested that they might be able to do that at the Organizational Meeting.

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### **COVID-19 UPDATE**

The Supervisor gave COVID-19 statistics as follows:

At the State level, as of 6:49 p.m. yesterday:

6,331 Total Hospitalizations  
156,510 Tested yesterday, 9,007 or 5.7% were positive  
1,095 Patients in ICU  
613 of the 1,095 Patients in ICU are intubated  
109 Deaths yesterday  
More than 38,000 doses of vaccine have been administered in New York

At Saratoga County level as of today:

4,307 Total confirmed cases  
31 Deaths  
1,588 Active cases  
2,688 Recovered  
38 Hospitalized  
7-day Rolling Average Testing Positivity Rate: 7.34%  
New cases in the last 7 days: 1,032  
New cases over the weekend: 395  
Total tested to date is approaching 220,000  
Residents to date in isolation or quarantine: 12,232  
Currently in isolation or quarantine: 1,690

In the Town of Moreau:

138 Total confirmed cases  
2 Deaths  
50 Active cases  
86 Recovered

In the Village of South Glens Falls:

52 Total confirmed cases  
0 Deaths  
17 Active cases  
35 Recovered

### **RECLASSIFICATION OF FT CLERK POSITION**

The Supervisor stated that a position had been created for a Full-time Clerk in the Supervisor's office, which entails multiple responsibilities. He stated that the Civil Service department had reached out to the Town and deemed that there was a better classification for this position. Their recommendation is to classify the position as a "Billing Coordinator".

### **Resolution #2020-316**

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan and carried, that the Town Board reclassifies the Full-time Clerk position, currently occupied by Tammy Daley, to Billing Coordinator.

A regular meeting of the Town Board of the Town of Moreau was held on December 22, 2020 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

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

### **MUNICIPAL PANDEMIC PLAN**

The Supervisor stated that the Governor had signed an executive order on Labor Day, which requires all public employers to prepare a pandemic plan. Counsel has prepared a questionnaire form and check list, which includes everything that must be in the plan. She stated that it will need to be completed before she can prepare the document. She asked the Supervisor to get the information back to her by January 8<sup>th</sup> if possible. Once she has the plan completed, she'll present it to the Town Board for review and then it will go to the union by February 4<sup>th</sup>. Once the union reviews the plan and they are all in agreement, the Town Board is required to have the plan ratified by April 1, 2021. The Supervisor asked the Personnel Committee to work with Jeffrey Cruz to come up with answers to the questionnaire.

### **INDUSTRIAL PARK**

The Supervisor stated that the Town owns thirteen parcels in the Town's Industrial Park. As he had stated in prior meetings, there has been interest in some of the parcels and they want to know how much the Town is going to charge for the purchase of the parcels. The Supervisor had stated that it would be prudent to get appraisals on these properties. He stated that the Town has received one appraisal from GAR Associates and that he will be asking the Assessor to secure two more. He stated that they should have all the numbers for the first meeting in January.

### **TRANSFER STATION**

The Supervisor stated that there will be some staffing changes at the Transfer Station toward the end of the year and that the Personnel Committee was going to work up a job description so the Clerk could advertise. He stated that Mr. Monsour has given him a list of his responsibilities, which will be helpful in putting the job description together.

### **RECREATION DEPARTMENT**

The Recreation Leader has completed a purchase request for the rental of 1 Regular Portable Toilet and 1 Handicap Accessible Portable Toilet, for use in the Rec Park from January 1, 2021 through December 31, 2021, including year-round cleaning and restocking. The following quotes were received.

Stone Industries 4305 Route 50 Saratoga Springs, NY 12866	\$248/28 Day Billing Cycle = \$3,153.14/year
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Mountain Top Portable Toilets & Septic Service PO Box 405 West Sand Lake, NY 12196	\$248/28 Day Billing Cycle = \$3,153.14/year
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Bargain Porta Potty Rental 1714 Union St. #2 Schenectady, NY 12309	No Quote
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The recommendation of the Recreation Leader was to use Stone Industries, as the Town has used them in the past with no issues. He also commented that they are a local company that will come weekly to do maintenance.

A regular meeting of the Town Board of the Town of Moreau was held on December 22, 2020 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

**Resolution #2020-317**

A motion was made by Councilmember VanTassel, seconded by Councilmember Hogan and carried, to engage the services of Stone Industries for the rental of 1 Regular Portable Toilet and 1 Handicap Accessible Portable Toilet for use in the Rec Park from January 1, 2021 through December 31, 2021, at a cost of \$3,153.14 per year. The expense will be paid from account A7140.4.

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

**RECREATION LAND PURCHASE**

- Phase I – Environmental Site Assessment

The Supervisor stated that the Town is in the process of purchasing approximately 50 acres of property that's contiguous to the Recreation Park. The Town did its due diligence by seeking to have a Phase I Environmental Site Assessment done. He stated that there were no surprises, in that there is the GE plume in the groundwater underneath, which prohibits the landowner from accessing or using that water. He also stated that there's municipal water in our Park, so that wouldn't be a problem. The Supervisor stated that they first need to memorialize the engagement of the firm that performed the ESA, which cost \$1,750.00. He stated that the Town Board members had the proposal from VanVleet, PLLC. The Supervisor stated that they did a great job pushing the Town to the front of the line, with all the other work they had. He stated that they knew the Town was under a time constraint as part of the requirements of the seller. The Supervisor had polled the Town Board and they were in agreement to move forward with the ESA.

**Resolution #2020-318**

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, authorizing the payment of \$1,750.00 for a Phase I Environmental Site Assessment from VanVleet, PLLC. The expense will be paid from account A7140.4.

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 stated that he had a copy of the assessment in his office if anyone wanted to view it. Attorney Buettner stated, that if any members of the public wish to see it, she should be contacted first because there was a clause in the report stating that it was confidential.

- Title Report

The Supervisor stated that the second item for discussion regarding the purchase is the title report, which has been shared with the Town Board members. Attorney Buettner stated that the title report shows there may be more property that the seller owns, than what was included in the contract. She stated that it needs to be looked into and that the title company is happy to accept those parcels out. She suggested that there may be a need for an executive session to determine if the Town wants to include those parcels, or if the Town wants to do something with the purchase price. The Supervisor stated that there's a discrepancy with acreage from what's on file in the Assessor's office and what the deed says. He stated that it's going to

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be a little bit less acreage when they make the amendment to the deed. He stated it's going to be less than what they originally thought they were buying. Councilmember Noonan made a recommendation to the Supervisor to see if the seller would be willing to deduct the cost of the survey as a fair compromise. Attorney Buettner stated that she could bring this up to the seller's attorney. She stated that they've received two quotes for surveys and one outstanding that hasn't been received back yet. She stated that they'll have to engage a surveyor and they're out about a month due to the snow. The Supervisor stated that the Board will be meeting again for the Organizational Meeting and suggested that if they receive the third quote, it can be acted on at that meeting. Attorney Buettner stated that the contract was supposed to be done at the end of the year. She stated that there is an extension of time to get the survey done, which can be done tomorrow. She stated that the Town Board needs to decide if they're willing to go forward with the contract based on the Phase I. All Town Board members were in agreement to move forward. The Supervisor stated that the seller's attorney will have to allow the Town more time to get the survey completed in order to move forward. Attorney Buettner stated that he was correct and that they could reach out to her tomorrow. The Supervisor stated that Attorney Buettner has the cost of two of the quotes for surveys, which can be provided to the seller's attorney, to see if they would be amenable to a reduction in the cost of the sale price. Attorney Buettner stated that she would provide the information to the seller's attorney.

### **LOCAL AND LONG-DISTANCE TELECOMMUNICATIONS UPGRADE**

The Supervisor stated that the IT Committee has been active in looking for ways to streamline and be more efficient with some of these key services and looking at ways the Town can save money. He asked Councilmember VanTassel if he would update the Town Board on his findings. Councilmember VanTassel stated that there has been a crew of people working on this including some vendors. He stated that there are a lot of moving pieces to this. The first being the local and long-distance interconnect that the Town has in each of its locations. Right now, the Town has eight different accounts spread across four different vendors. He stated, that working with Jeffrey Cruz, they were able to compile all the existing costs and then went to a couple carriers to ask for competitive pricing. Spectrum came back as a vendor that could supply service to all the Town's locations. He stated that there would be some build out that they're willing to cover. Spectrum came back with pricing that would provide for one consolidated bill, which is about \$45.00 less than what the Town is paying now. He stated that there would be more services with this plan as well. More local and long-distance at all locations and twice the bandwidth or internet speed that the Town presently has. It will also give us internet in locations that don't have it at present. He stated that this would now allow the Town to take advantage of the present Avaya phone system and to use it as it's designed to be used. He stated that when taxpayers call in to the Town Hall, they hear a greeting that's very long, which directs some to hang up and dial other numbers. He stated that could all be gone and if someone wanted an outside number, they would be able to connect through the system by simply picking the number. He stated that this would be a better service provided to the taxpayers. Councilmember VanTassel stated that the phone system was installed in 2014 and hasn't been upgraded. He stated that it was several versions behind. He stated that part of the proposal is to get the software current, which also has security patch updates. He stated, that the real value comes out of the ongoing desire to try to do things in all the remote locations, such as timeclocks and/or cameras. He stated that if the Town had internet at these locations, they could move forward with these desires if they chose to, with payroll systems including timeclocks. He stated, that at the beginning of the year, there were upgrades to the operating systems and the addition of firewalls to the Town Hall and remote locations, so we could start to add some security to the remote locations for data. He stated that to date this can't be done because nothing is interconnected. This would allow us to interconnect as if there were one network. The Supervisor stated that there was money budgeted for this in the 2020 fiscal year. He asked Councilmember VanTassel if he had a recommendation for the Town Board to move forward. Councilmember VanTassel stated that the IT Committee's recommendation is to engage or have a consideration to engage Spectrum to provide the services that they've proposed. The other recommendation is to install the appropriate hardware and software to upgrade the phone system. He stated that the Court is on a very old phone system and has a desire to get on the Town's phone system. He stated that this will allow that to happen. Councilmember VanTassel stated that there is a proposal from the Town's IT vendor, Storedtech. The product being proposed is under State contract for both Avaya and Spectrum. He stated that there is also a proposal from Spectrum. He stated that it's the IT Committee's recommendation to move forward with those initiatives.

A regular meeting of the Town Board of the Town of Moreau was held on December 22, 2020 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

**Resolution #2020-319**

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, to engage the services of Spectrum and Storedtech for the services recommended by the IT Committee, as outlined in the proposals submitted.

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

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

The Supervisor thanked Councilmember VanTassel. He stated that it was long overdue and very time consuming. Councilmember VanTassel wanted to thank Jeffrey Cruz and the account reps. He stated that they were the ones that did all the work.

**SUPERVISOR'S ITEMS**

**Resolution #2020-320**

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, authorizing a purchase order for rock salt in the amount of \$20,000.00 from Morton Salt. The purchase will be made under State contract and will be paid from account DB5142.490.

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 on the latest sales tax numbers that were out today for the County and the Town. He stated that year-to-date, for the December distribution, the County is down just over \$5,000,000.00. He stated that this is a 4.69% reduction from the previous year, which had been \$106,900,000.00. At the Town level our numbers are down 6.71%. He stated that this month the Town will be receiving \$239,178.00 and the total for 2020 will be just over \$2,600,000.00. This means that the Town is down \$182,635.00 year-to-date.

The Supervisor stated that he had received an update on 61 Hudson Street from the Town's Real Estate Broker today. He wanted to let the Town know that he had shown the property to a local developer, and that the individual on behalf of the company, will get back to the Town shortly after the holidays. He stated that there will also be another showing next week. The Supervisor stated that he would update the Town Board once he receives information.

The Supervisor stated that the Dog Control Officers Inspection Report, which is done by New York State Agriculture and Markets, was completed on December 8<sup>th</sup> and was satisfactory.

The Supervisor stated that he had received the Annual Post Closure Monitoring Report from C.T. Male Associates. There were two damaged gas vents on the surface of the landfill that need to be repaired. They were broken off at the ground surface and are laying down. There was also an animal burrow adjacent to the gas bench E5-E. It was recommended that the burrow be filled by back filling. The Supervisor made Ted Monsour aware of the discovery.

A regular meeting of the Town Board of the Town of Moreau was held on December 22, 2020 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

The Supervisor wanted to make everyone aware, that following the recent snowstorm, his office received multiple calls for assistance from residents in White Birch Estates. They had serious concerns about emergency vehicles not being able to get into the park that hadn't been plowed. He stated that 911 Emergency Services were getting many calls for carbon monoxide detectors going off. The Supervisor also received a call from the Fire Chief, who was concerned because they couldn't get their vehicles into the Park. With support from the Town Board, it was agreed to allow Town personnel to go in and plow the main roads. Prior to going in, the Town attorney drafted a hold harmless agreement that protected the Town and specified that it was a one-time only on behalf of the Highway Department. He stated that the agreement was signed, and it was taken care of. The Supervisor stated that this was done after the Highway personnel had been up since 3:30 a.m. that same day. On behalf of the Town Board, the Supervisor expressed their appreciation for the Highway Department's willingness to go in and help the residents of the Town, who were in desperate need of having their roads plowed.

The Supervisor stated that the Town Board had received a petition, which was received from residents on Old West Road. He stated that there were approximately fifteen signatures from those who were concerned with the truck traffic. The Supervisor stated that he wasn't sure who compiled the information for the background on the truck traffic. He stated, that the petition reported, that there are 175 trucks per day that travel the road. The Supervisor stated that the number is less than that and stated that it was closer to 120 trucks per day. He stated, according to a report, that east bound is 35 trucks per day and west bound is 142 trucks per day. He stated that the Town Board did review the report from the survey data, which came out in September. The Supervisor stated that the petitioners are looking for the Town to ban heavy truck travel on the road because of dust and debris left in their path along with the noise that's created by the vehicles. The petition also stated that the truck traffic was affecting their quality of life. Councilmember Donohue stated that he would like to do more research and maybe get some relief for these people. He stated that he would like to put this off until he gets more data and additional information. He suggested that it could be an agenda item for the first of the year. He stated that maybe they can come up with a solution because he understands where these people are coming from. Councilmember Donohue asked the Supervisor if it was okay for him to reach out to Aaron from the Transportation Council again. The Supervisor stated yes and then stated that there was a copy of the report on the Town's website. He continued to say that this was a challenging issue, because if they constrict the traffic in one area, it will go somewhere else, either in our Town or other towns. The Supervisor suggested that the Highway Committee look into the matter.

### **COMMITTEE REPORTS**

Councilmember VanTassel stated that he would get together with Councilmember Noonan to do a phone screening of one of the applicants for Code Enforcement Officer.

The Supervisor stated that he was remiss under the COVID update to advise that the Town Hall is closed to the public until further notice. He stated that the Town Board thought it was a prudent thing to do due to the circumstances, especially with the COVID numbers rising. He stated, that in order to protect the safety of the public and the employees, the Town Hall will remain closed until things turn around.

Councilmember Hogan reported that the concrete work is done at the playground. He stated that it was tested and everything is working properly. He also reported on the Town's ice rink. He stated that it was laid out and filled with water. It started to freeze and then it snowed. The ice isn't strong enough to hold the equipment, so as of right now, there is no ice rink.

Councilmember Donohue stated that he and Councilmember Hogan had met with a representative from Upstate Insurance. He stated that they've asked to review the Town's documents. The Supervisor stated that he had received the request and has signed off on it.

The Supervisor thanked everyone for their help in 2020. He stated that it was a great year under the circumstances for the Town of Moreau. He stated that there was a lot accomplished in many different areas of the Town. He stated, that even though they had a challenge with the reduced revenue in sales tax, the Town met the needs of the community and the residents. He stated that the Town continues to move

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forward in key areas. He wished everyone a happy holiday and stated that he would see everyone at the organizational meeting in January.

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to close the meeting for the evening at 7:50 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