

A regular meeting of the Town Board of the Town of Moreau was held on September 14, 2021 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

The meeting was held live as well as broadcast via Zoom.

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The Supervisor called the meeting to order at 7:05 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; Jesse Fish, Water Superintendent; Town Resident: Pat Killian

The Supervisor led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes from August 10, 2021, August 24, 2021 (2 sets) and August 26, 2021 (2 Sets) were presented to the Town Board members prior to the meeting for their review, comment, correction and approval.

The Supervisor stated that the August 24, 2021 minutes would have to be tabled, as there weren't enough members at this meeting, who were present at that meeting, to approve them.

Resolution #2021-269

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, to approve the minutes from August 10, 2021 and August 26, 2021 (2 sets) as prepared.

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

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

SET FUTURE MEETINGS AND WORKSHOPS

Councilmember Donohue asked if they could schedule another Town Board workshop with regard to the draft Solar Law. The Supervisor stated that it would be premature as they were still waiting on information from the Department of Agriculture and Markets. Councilmember Donohue's request was not supported by any of the remaining Councilmembers and therefore no workshop was scheduled.

COVID-19 UPDATE

The Supervisor stated that Governor Hochul, through a special session, allowed for by State Law, the extension of the use of Zoom meetings at the option of the municipality, through January 15, 2022. He stated that the County has made it the option of the Supervisors to attend in person, however, they are

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open to the public. He stated, that it was his intent to keep the Town meetings open to the public and for the Town Board members to be present.

In Saratoga County:

% of Population of those age 12 and over who have received at least one dose: 83.7%
% of Population of those age 18 and over who have received at least one dose: 84.5%
% of Population of those age 65 and over who have received at least one dose: 95.3%
% of Population of those age 12 and over who have had their series complete: 78.7%
% of Population of those age 18 and over who have had their series complete: 79.5%
% of Population of those age 65 and over who have had their series complete: 89.95

The 7-Day Rolling Average Testing Positivity Rate has dropped from the last Town Board meeting to 3.8%.

VACCINE CLINICS:

September 14, 2021: Johnson & Johnson vaccine clinic at the Stewart’s Shop @ 214 Guideboard Road in Halfmoon

September 16, 2021: 1st dose of Moderna vaccine from 1:00 p.m. to 3:00 p.m. St. Michael’s Church, 80 Saratoga Avenue, South Glens Falls

September 17, 2021: 2nd and 3rd dose Pfizer vaccine from 9:30 a.m. to 11:30 a.m. and 1:30 p.m. to 3:30 p.m. at the Saratoga County Public Health building, 6012 County Farm Road, Ballston Spa. The third dose is limited to those who are severely immunocompromised.

Information is provided on the Town’s website. For more information you may reach out to Saratoga County Public Health at 518-584-7460 or to the Supervisor’s office at 518-792-1030 Ext. #6.

COURT

Judge McCabe submitted a request to attend the 111th annual conference of the New York State Magistrates Association from September 26, 2021 through September 29, 2021. The State will reimburse the Town for one night’s stay in the amount of \$257.33 and will compensate Judge McCabe for the mileage. The estimated cost for pre-registration, room and meals is \$589.67.

Resolution #2021-270

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, authorizing Judge McCabe to attend the Annual New York State Magistrates Conference to be held in Niagara Falls from September 26, 2021 through September 29, 2021, in an amount not to exceed \$589.67. The expense will be paid from account A1110.4.

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

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

The Town Justices submitted a request to submit a JCAP Grant Application in the amount of \$7,619.96.

Resolution #2021-271

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A motion was made by Councilmember Hogan and seconded by Councilmember Noonan authorizing the Town Court of the Town of Moreau, to apply for the 2021 JCAP Grant in the amount of \$7,619.95 and authorizing the Supervisor to sign the application.

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

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

CROSSING GUARD

The Supervisor reported that the Town has had an individual who has been filling in as a substitute crossing guard. They've had a crossing guard retire, and recommendation is to hire Adeline Rivers as a part-time crossing guard.

Resolution #2021-272

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, that Adeline Rivers be hired as a Part-time School Crossing guard and be compensated at the rate of \$13.11 per hour, effective September 20, 2021.

The Supervisor noted that she would not need a pre-employment physical as she is already employed by the Town.

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

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

HIGHWAY DEPARTMENT

The Highway Superintendent submitted a request to set aside \$6,500 for the purpose of removing potentially dangerous trees from the Town's right-of-way. There are funds allocated for the purchase in DB5110.457, which has a balance of \$8,000 as of September 1, 2021. The total amount budgeted for this expense was \$8,000. The Highway Superintendent noted that they are currently under contract with Tree Care by Stan Hunt.

Resolution #2021-273

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, authorizing the Highway Superintendent to use \$6,500.00 for the purpose of removing potentially dangerous trees from the Town's right-of-way. The service will be provided under current contract with Tree Care by Stan Hunt and will be paid from account DB5110.457.

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

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

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The Highway Superintendent submitted a request to purchase \$4,000 of crushed stone for various 2021 Town road projects. The total amount budgeted for this expense was \$12,000. The balance in DB5110.493 as of September 1, 2021 is \$5,761.31.

Resolution #2021-274

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, authorizing the purchase of crushed stone in the amount of \$4,000.00. The purchase will be made under Saratoga County Contract #20-PWCSGGS-50R-Crushed Stone, Gravel and Concrete Sand. Availability and cost will determine the supplier. The expense will be paid from account DB5110.493.

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

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

The Supervisor stated that there was a request from Molly White, who lives on Nolan Road, for increased patrols. He stated that he had reached out to the Sheriff's Department. He stated that she is also requesting a reduction in the speed limit for Nolan Road. His office verified that the current speed limit is at 30 mph. He stated that he didn't know how successful the Town would be in getting that lowered, but that it would require a Town Board resolution in order to be submitted. Councilmember Noonan stated that he supports the additional enforcement of the area. The Town Clerk stated, that she believed the State won't go any lower than 30 mph, except under certain circumstances. The Town Board members were in agreement to keep the speed limit at 30 mph for Nolan Road.

The Supervisor reported that the bridge on Fedor Road has been installed. He stated that they paved today and expect to have guard rails up by Thursday or Friday.

STORMWATER MANAGEMENT

Maureen Leerkes, Stormwater Management Officer, submitted a request for she and Matt Dreimiller, Building Inspector, to attend the 2021 North Country Stormwater Conference to be held on October 21, 2021 from 8:00 a.m. to 4:00 p.m. at the Great Escape Lodge in Queensbury. The registration fee is covered by their membership in ISWM MS4 Stormwater Saratoga County. There will be no cost to the Town.

Resolution #2021-275

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, authorizing Maureen Leerkes and Matt Dreimiller to attend the 2021 North Country Stormwater Conference on October 21, 2021 from 8:00 a.m. to 4:00 p.m. at the Great Escape Lodge in Queensbury.

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

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

RECREATION DEPARTMENT

The Recreation Leader submitted correspondence to the Town Board members asking to purchase a dump trailer from a vendor in Cairo, NY. Councilmember Hogan stated that they had initially approved

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the purchase from Brummers Unlimited, but they were unable to get the trailer. He stated that they've located one in Cairo, NY from Trailers, Inc. in the amount of \$9,036.00. They had only budgeted \$7,000.00 for this expense. The Supervisor recommended that they move forward with the purchase.

Resolution #2021-276

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to transfer \$2,036.00 from A7140.4 General Recreation - Contractual to A7140.2 General Recreation – Equipment.

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

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

The following quotes were submitted:

Trailers Inc. 274 Rte. 145 Cairo, NY 12413	\$9,036.00 Currently have 2 in stock
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Brummers Unlimited 4234 State Route 4 Hudson Falls, NY 12839	\$8,615.00 Not currently in stock, may not have any more this year.
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Kloss Equipment 1356 U.S. Route 9 Wilton, NY 12831	No quote
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Resolution #2021-277

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, authorizing the purchase of a dump trailer from Trailers Inc., located in Cairo, New York, at a cost of \$9,036.00. The cost includes a tarp kit and mandatory NYS fees. 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 VanTassel	Absent
Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

Resolution #2021-278

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, to rescind the original resolution #2021-148.

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

Councilmember Hogan	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Absent

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Councilmember Donohue	Aye
Supervisor Kusnierz	Aye

The Recreation Leader submitted a request to declare two pieces of Recreation equipment as surplus. He noted that he would like to put them up for auction. The two items are the 2002 Chevy Silverado, regular cab with plow and a 2007 Troy-Bilt Super Bronco Riding Mower with 42” deck and bagger.

Resolution #2021-279

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, declaring the following items as surplus equipment:

2002 Chevy Silverado, regular cab with plow
2007 Troy-Bilt Super Bronco Riding Mower with 42” deck and bagger

Councilmember Noonan asked if there were fees involved for the auction. He stated that if there were, he thought it would be better to just dump the mower off at the recycling center at the Transfer Station. Councilmember Hogan stated that he believed the buyer would pay the fees.

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

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

There was a brief discussion relating to cameras at the Recreation Park. Councilmember Hogan stated that he had seen the quote and told the Recreation Leader they need to cut back. He stated that they’re waiting for more information before this is presented.

WATER DEPARTMENT

The Supervisor reported to the Town Board, that as a result of the impending retirement of the Water Superintendent, his office has been working with Saratoga County Human Resources Department. He stated that this position is classified as competitive, which would normally require the Town to go off the list. He stated that there is currently no active list, which allows the Town to advertise if they choose to and appoint someone provisionally. The Supervisor stated that the Board members should have a copy of the description for Water Superintendent. He suggested that the Town post the position to see what kind of response they receive. He stated that the current Water Superintendent will no longer be available after September 29, 2021. He asked that the personnel committee work to trim the description down so that an ad can be placed. He suggested they list the starting salary at what the current Superintendent is making. Councilmember Noonan stated that it should be based on experience.

Resolution #2021-280

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, authorizing the Town Clerk to advertise for the position of Water Superintendent following the receipt of a draft ad from the personnel committee.

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

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

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The Town Board members had received a memo from the Town Clerk regarding an individual who was looking to have water service at 6 Jacobie Road. The individual had submitted an application for water service. The Clerk explained that there was a pipe that had been run into the house but put in the wrong spot. It was relayed to her that the Town never came back to finish it. After a discussion with the Water Superintendent, the resident was told that she would have to pay the buy-in fee, plus the cost of a meter. The resident paid the fee but returned a few days later asking why she would have to pay the fee. The Supervisor stated that the resident had not been receiving a minimum bill from the time the pipe was put into the home. The Water Superintendent was asked for his opinion. Mr. Fish stated that there were a few instances where apparatus was put into the buildings, but they weren't completely hooked-up and weren't billed. He gave Aqua Falls Pools and the Landmark Motel as examples. He stated that they had the pipe into the buildings and never received a bill. He stated that when Saratoga Olive Oil purchased the building from Aqua Falls, they paid for the buy-in capacity and the cost of a meter. He also stated that 8 Jacobie had a curb stop and paid the buy-in capacity and the cost of a meter. He stated that there were residents in Water District 1 that were refunded their minimum bills but were told that if they wanted water hooked up at a later time, they would have to pay the fee for buy-in capacity and for the cost of a meter.

The Supervisor stated that there should be solace in the fact that she didn't have to pay a minimum bill for all those years. He stated that she's saved money over the 15-year period.

It was the Town Board's position to stay with the policy of charging the fee for buy-in capacity and not take action on her request.

The Supervisor stated that there were some back and forth emails from the Town Clerk in relation to the change in some Federal Laws. Attorney Buettner stated that she didn't know where it came from but stated that they need to look at it first before any action is taken.

TOWN CLERK'S OFFICE

Resolution #2021-281

A motion was made by Councilmember Hogan, seconded by Councilmember Noonan and carried, that Ellen Buttles be hired as a Seasonal Part-time Deputy Town Clerk/Deputy Receiver of Taxes effective September 15, 2021, at a rate of \$20.00 per hour, subject to the successful completion of a background check and pre-employment physical within a 2-week period. The total hours shall not exceed a weekly average of 17.5 per year.

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

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

The Supervisor stated that they had been working off the Civil Service list for the Building Inspector's Clerk position. He stated that they had one outstanding person that they had to hear from, who has now declined an interview. He stated that this now allows the Town to advertise and interview for the position, since there is no active list. He asked that Board members review the applications that have been received and determine who they would like to see interviewed by the personnel committee. Councilmember Noonan asked if they should have the department head review the applications as well and give his input to the personnel committee. The Supervisor stated that he should. Councilmember Donohue stated that they need to get this done as soon as possible.

NEXAMP, INC.

A regular meeting of the Town Board of the Town of Moreau was held on September 14, 2021 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

The Supervisor stated that the Town Board has an item that needs to be addressed in relation to a formal notice that was received from Nexamp, Inc., with their project located from 10-15 Electric Drive in the Town of Moreau. He stated that the Town has to let them know, as they are going through the Planning Board approval process, whether they want to enter into a Payment in lieu of Taxes agreement (PILOT). The recommendation from the Assessor and from Counsel is that it would be in the best interest of the Town to do so. If the Board is in agreement, they would need a resolution authorizing the Supervisor to sign the PILOT letter. The Supervisor read the letter aloud. He asked Counsel to explain to the Board why the Town is unable to receive full taxes from this entity. Attorney Buettner stated that RPTL 487 exempts the increase in property value for solar projects. She stated, that unless you opt out, they're exempt. She stated that this subsection does allow the Town to require them to enter into a PILOT agreement. They have to notify the Town within 60 days of their intent to put the project in and ask the Town if they want to enter into a PILOT agreement, and the Town has 60 days to respond. She stated, that once the Town has a separate PILOT law for solar, which is in the current draft Solar Law, this won't have to be done. The law will already be telling people that they have to enter into a PILOT agreement. She also stated that the PILOT is just for the Town and not for the School. She stated that they would have their own PILOT agreement. She stated that if the Town doesn't send this letter, they can't have a PILOT agreement.

Resolution #2021-282

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, authorizing the Supervisor to sign the letter to Nexamp, Inc. with the Town's intent to enter into a PILOT agreement.

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

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

The Supervisor stated that he had also received correspondence from Nexamp, Inc. regarding an easement. He stated that he hadn't had time to review it yet. Attorney Buettner stated that she hasn't reviewed it either. She stated that it was a utility easement and a decommissioning plan and that the decommissioning plan has already gone through the Planning Board. She stated that it has been reviewed by the Town Engineer and she presumes that this is as a result of all that. She stated that she will take a look at the document and work with Jim Martin.

59-61 HUDSON STREET

The Supervisor stated that the buyer is anxious to wrap up the sale but that a few issues have come up. He stated that the Town actually owns more property than they were aware of. It was discovered, following a survey, that the Town owned an additional 7 1/2 feet, which includes a swing set and a shed. He stated that it's an issue they have to work with. He stated that there is a more significant issue, in that it was discovered, that there is an underground petroleum tank. He stated that his office has sent out requests for proposals for remediation of the tank and to remove it before the sale.

ZONING BOARD ADMINISTRATOR

The Supervisor stated that they had to do a change order for the Zoning Administrator, for going over the not to exceed amount in the contract. He stated that the Town Board is okay with him going over because the Planning Board is now meeting twice per month requiring more hours on his end.

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Resolution #2021-283

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, authorizing the Supervisor to sign the Addendum to Contract/Change Order with the Zoning Administrator in the amount of \$1,770.00.

The Supervisor read the description of services to be provided in the addendum.

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

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

The Supervisor stated that they need to discuss next year’s agreement. He stated that the Town Board gave him the authority to extend the current contract for an additional year. The Zoning Administrator did have a request for a minor change to the contract under Compensation, Article 2, Section A. He read the section of the previous contract. His request was to change the wording for the hours worked over 10/week. Attorney Buettner stated that she wanted to review the contract before they make any changes. The Supervisor stated that he would have his Secretary scan the document and get it over to Attorney Buettner for review.

ROAD DEDICATION – SANDY BOULEVARD

The Supervisor stated that there is a property owner who is anxious to have the Town accept the road dedication because they can’t move in without it. He asked Counsel if the Town has everything they need to move forward. She replied that they did. The Town Clerk read the following resolution into the record:

TOWN BOARD

TOWN OF MOREAU

SUBJECT: RESOLUTION ACCEPTING DEED TO SANDY BOULEVARD FOR DEDICATION AND WATER SUPPLY AND DISTRIBUTION SYSTEM

WHEREAS Cerrone Builders, Inc. has offered a deed to the Town of Moreau to dedicate Sandy Boulevard, located in the Wood Creek Estates Subdivision, as more particularly described in a survey map entitled “Map of A Portion of Lands of Cerrone Builders, Inc. To Be Conveyed to Town of Moreau for Highway Purposes”, dated May 7, 2021, and

WHEREAS, the Highway Superintendent and the Engineer for the Town have recommended acceptance of Sandy Boulevard for dedication for highway purposes, and

WHEREAS, pursuant to Moreau Town Code §124-17, Cerrone Builders, Inc. delivered to the Attorney for the Town a Warranty Deed with Lien Covenant, conveying Sandy Boulevard to the Town; and

WHEREAS, pursuant to Moreau Town Code §124-17(1), Cerrone Builders, Inc. also delivered a Bond in the amount projected by the Letter of Credit Estimate as well as an Affidavit affirming the installation of the top coat of Sandy Boulevard; and

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WHEREAS, Sandy Boulevard has already been improved as a street or highway, in accordance with the standards and specifications for a town highway within the Town of Moreau, and in conformance with applicable regulations and requirements and provisions of state law pertinent thereto; and

WHEREAS, Cerrone Builders, Inc. has complied with all submission of all of the required documents contained in Moreau Town Code §124-17, including the providing of a Title Insurance Policy naming the Town of Moreau as the insured party; and

WHEREAS, Cerrone Builders, Inc. has provided the Attorney for the Town a Bill of Sale for the water supply and distribution system installed as Part of Phase II construction of Sandy Boulevard as part of Wood Creek Estates Subdivision;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board, on behalf of the Town, does hereby consent to the order of the Highway Superintendent laying out the said streets and does hereby accept the deed of dedication on the said roads, to be known as Sandy Boulevard; and it is further

RESOLVED, that the Supervisor is hereby authorized and directed to execute any and all necessary documents to effectuate the dedication, and it is further

RESOLVED, that the Town Board accepts the Bill of Sale for the water supply and distribution system installed as Part of Phase II construction of Sandy Boulevard as part of Wood Creek Estates Subdivision; and it is further

RESOLVED, that the Town Clerk and/or Attorney for the Town is directed to record the deed in the Saratoga County Clerk's Office.

Resolution #2021-284

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.

Roll call vote resulted as follows:

	Aye	Nay	Absent
Councilmember Donohue	X		
Councilmember Hogan	X		
Councilmember Noonan	X		
Councilmember Van Tassel			X
Supervisor Kusnierz	X		

SUPERVISOR'S ITEMS

The Supervisor stated that there was an interest from US Light Energy to enter into a power purchase agreement for the Town's electric needs. He didn't know if the Board wanted him to do anything with the request at this time or wait until they know where they're going with solar. He stated that they would be willing to come to a Town Board meeting and make a presentation. Councilmember Noonan stated that he didn't know anything about it. The Supervisor stated that he would ask them to do a thumb nail sketch and provide it to the Board. He can then decide whether or not to put it on the agenda for a future meeting.

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The Supervisor reported that the local Historian will have a booth at the Moreau Community Center Block Party, to be held on September 25, 2021. She will highlight some of the projects she's been working on and at no charge to the Town.

The Supervisor received correspondence from the Saratoga County Emergency Services Coordinator regarding the emergency declaration for Tropical Storm Henri. He stated, that if the Town has any expenses in relation to the storm, they are eligible to apply.

COMMITTEE REPORTS

Councilmember Hogan stated that there is a Town resident who was upset over the fee that was charged for him using his trailer at the Transfer Station. He didn't feel that he should be charged. He only has one trailer and it's over 16 feet long. The gentleman asked that the Town either charge everybody or not charge anybody or change the wording to say "anything that will fit in a 9' x 12' trailer" vs. having a 9' by 12' description. The Supervisor stated that this wasn't a new discussion. He stated there was an intent to having the limit in place. He stated that it was the Town Board's decision that the whole Town shouldn't be responsible for someone who has more than the average person coming in. He thought that the provision they put in place was the best solution. Councilmember Donohue stated that he wasn't sure what the answer would be. He stated that it wasn't a one size fits all situation and that they had set it up the best they could. Councilmember Noonan stated, that once they have someone in the position of a managerial role, that person might be able to give consideration to these types of situations.

It was the Town Board's position to leave the fee schedule as is.

Councilmember Donohue stated that the roof over the compactor has been completed and it looks great. He also stated that they'll need to look at a used loader at budget time. He stated that it's rusted out and he wouldn't personally get in it. Councilmember Hogan agreed that it's something that needs to be done at budget time.

The Supervisor stated that they need to do that in conjunction with a capital project, for when they need to replace the compactor.

Councilmember Donohue stated that the wood-chipper is coming next week and that the Highway Department will haul away the debris.

Councilmember Donohue stated that Mr. Hastings has looked at the numbers for the month and that they may have to increase the fees for the 20-yard open top container. The Supervisor stated, that when you increase the fees, even just a little, you start seeing debris on the sides of the roads. He did say that they need to make sure they charge what's necessary.

Councilmember Hogan stated that he noticed Fedor Road got paved as well as the drive into Mr. Hooper's house. He stated that the plows should be safe, and Mr. Hooper should be happy.

Councilmember Noonan stated, as the Zoning liaison, he's received a call from a resident who stated that the Town should have better control over temporary signs, so that the Town is aware of what's being put out. The Supervisor stated that you can't block freedom of speech. He stated that a municipality can institute a fee for the signs but there's no way to enforce the local ordinance. Attorney Buettner stated that you can't constitutionally restrict the content on a sign. She stated that they can do a local law to change the sign law. Councilmember Hogan stated that they were talking about the "Unmask our Children" signs. Councilmember Noonan thought that the people who questioned it, wanted the Town to be aware of who put them up. Attorney Buettner stated that they can't put signs on someone else's property, and you can't put them in the public right-of-way without permission. Councilmember Noonan stated that he would reach out to the person who inquired about the signs.

A motion was made by Councilmember Noonan, seconded by Councilmember Hogan and carried, to adjourn to executive session at 8:40 p.m. to receive an update on a pending litigation matter with the Town.

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

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

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

The Town Board returned from executive session at 8:57 p.m. The Supervisor noted that there was no action taken in executive session.

Councilmember Donohue asked about the ARPA funds that the Town received. The Supervisor stated that the Association of Towns has put out a publication that explains the parameters of what the funds can be used for. He stated that they could use the funds for costs associated with COVID-19 and for infrastructure, such as water, sewer and roads. He stated that there were people that were paid while staying home during COVID and that they would use some of the funds to reimburse those accounts. He stated that the Town was originally supposed to get 2.3 million and it was reduced to 1.2 million. He stated that they would receive half this year and half next.

Councilmember Donohue asked how the negotiations were going on sewer capacity. The Supervisor stated that he had spoken with the Town's engineer yesterday. As part of the consolidation project, the Town needs to state that they agree to pay a certain amount for capacity as part of the application process. He stated that the City wants to revert back to a higher amount, which is in their proposed contract (\$6.00/1,000). The Supervisor stated that he has had conversations with the County also, to go south with the infrastructure. He stated that the Town will need to decide if they want to use the funding that's built into the sewer project now, to buy capacity from Glens Falls, or use it toward running sewer south. He thought that the Town of Wilton might be willing to put up a third of the cost. He stated that it will all depend on what they end up with through the City.

PRIVILEGE OF THE FLOOR

Pat Killian addressed the Town Board. He stated that he had some questions and if the Board members were to answer, that would be great. He asked if any of the members of the Board had spoken to Agriculture & Markets with regard to solar, and if they had, who did they speak to. The Supervisor stated that he had spoken with the Commissioner on solar but not regarding Mr. Killian's project. He asked if the other Board members were able to speak to the Commissioner if they wanted to. Councilmember Noonan stated that they could, but he hadn't. Mr. Killian stated, that at the last Town Board meeting, they discussed an overlay district. He asked the Supervisor, how in his mind that would work. The Supervisor stated that he didn't know enough about the overlay but thought that it would be pretty challenging. Mr. Killian stated that the Town wanted to hear back from the residents of the Town regarding prime farm soil. He asked how that had any weight as far as what happens in the community. He stated that people had written letters saying whether they were for the solar or against it. He asked if we had the letters. The Supervisor stated that it was a part of the testimony. Mr. Killian asked if he could submit a FOIL request for the documents. The Town Clerk stated that the documents were on the Town's website and that he didn't need to FOIL them.

A regular meeting of the Town Board of the Town of Moreau was held on September 14, 2021 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York.

A motion was made by Councilmember Donohue, seconded by Councilmember Noonan and carried, to close the meeting for the evening at 9:07 p.m.

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

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

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
Town Clerk