

A regular meeting of the Town Board of the Town of Moreau was held on March 22, 2022 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Town Board Members Present

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

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

Town Board Members Absent

None

Also present: Leeann McCabe, Town Clerk; Karla Buettner, Attorney for the Town; Paul Joseph, Highway Superintendent; Jana DeCamilla, Post Star Reporter; Town Residents: Dominic Tom, Mike Shaver, Brian Lemery, Dave Byrne, Chris Barden, Pat Killian, Ryan Reynolds; Others: Luke Michaels, Tory Hanna

The Supervisor led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes from February 22, 2022 (Regular Meeting) and March 8, 2022 were prepared and presented to the Town Board in advance of the meeting for their review, comment, correction and approval.

Resolution #2022-129

A motion was made by Councilmember VanTassel, seconded by Councilmember Donohue and carried, to approve the minutes of February 22, 2022 (Regular Meeting) as prepared.

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

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

Resolution #2022-130

A motion was made by Councilmember Noonan, seconded by Councilmember Stewart and carried, to approve the minutes of March 8, 2022 as prepared.

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

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

HIGHWAY DEPARTMENT

The Highway Superintendent submitted a request to attend the 2022 NYSATSH Annual Conference from June 6, 2022 through June 8, 2022 at Ithaca College in Ithaca, New York. The Registration fee, if paid by

A regular meeting of the Town Board of the Town of Moreau was held on March 22, 2022 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

May 20, 2022, would be \$110.00 and lodging costs for three nights would be approximately \$525.00, plus meals.

Resolution #2022-131

A motion was made by Councilmember Noonan, seconded by Councilmember Stewart and carried, authorizing the Highway Superintendent to attend the 2022 NYSATSH Annual Conference in Ithaca, New York, from June 6, 2022 through June 8, 2022. The expense will be paid from account A5010.401.

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

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

The Highway Superintendent submitted a request to start the 10 hour, 4-day work schedule on Monday, April 18, 2022 and to continue through Friday, October 21, 2022. He stated in his request that there would be coverage for any situation that may arise and that the Supervisor would be provided with a copy of the weekly Friday work assignments. The Supervisor commented that this is required per the contract approved by the CSEA negotiating unit and adopted by the membership.

Resolution #2022-132

A motion was made by Councilmember VanTassel, seconded by Councilmember Donohue and carried, authorizing a 10-hour, 4-day work schedule for the Highway Department, starting April 18, 2022 and continuing through October 21, 2022.

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

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

The Highway Superintendent provided the following bid amounts for the purchase of a tractor with mowers. The bid opening was conducted on March 4, 2022:

<u>Name of Company</u>	<u>Price with Trade</u>	<u>Price without Trade</u>
Capital Tractor Inc. 1135 State Rte. 29 Greenwich, NY 12834	\$106,888.25	\$121,888.25
Salem Farm Supply 5109 State Route 22 Salem, NY 12865	\$91,937.36	\$119,937.36
Tracey Road 6803 Manlius Center Rd East Syracuse, NY 13057	N/A	\$138,440.00

A regular meeting of the Town Board of the Town of Moreau was held on March 22, 2022 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

United Ag & Turf 3021 State Highway 55 Fultonville, NY 12072	\$99,980.00	\$112,996.94
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The recommendation of the Highway Superintendent was to purchase from Salem Farm supply if the Town Board was in agreement to trade, or, United Ag & Turf if not using the trade. The purchase would be made from account DB5130.2.

Resolution #2022-133

A motion was made by Councilmember Stewart, seconded by Councilmember Donohue and carried, authorizing the purchase of a tractor with mowers from Salem Farm Supply, with the trade of the existing machine, at a purchase price of \$91,937.36. The expense will be paid from account DB5130.2.

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

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

RECREATION DEPARTMENT

The Recreation Leader submitted a request to amend resolution #2022-112 for the purchase of Two (2) Grand Slam Portable Fencing Kits for baseball/softball fields from On Deck Sports, due to an increase in the shipping charges. He asked that shipping charges be approved in an amount not to exceed \$400.00.

Resolution #2022-134

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel and carried, to amend Town Board resolution #2022-112, adopted on February 22, 2022, to include a shipping charge not to exceed \$400.00. The total amount of the purchase of two (2) Grand Slam Portable Fencing Kits from On Deck Sports, with shipping, is not to exceed \$2,474.51. The expense will be paid from account A7140.2.

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

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

Resolution #2022-135

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan and carried, to re-hire Chris Rich as a full-time seasonal employee for the Town of Moreau Recreation Department at a rate of \$13.77/hour.

A regular meeting of the Town Board of the Town of Moreau was held on March 22, 2022 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

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

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

Resolution #2022-136

A motion was made by Councilmember VanTassel, seconded by Councilmember Stewart and carried, to set the hours for the Recreation Park from April 1, 2022 through October 31, 2022 to be from 8:00 a.m. to 8:00 p.m., Monday – Sunday, with the Recreation Leader authorized to make adjustments as needed due to severe or inclement weather.

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

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

The Recreation Leader submitted a request for the rental of Two (2) 10-yard dumpsters for Harry Betar Park, with weekly pick-up between April 4, 2022 and November 12, 2022 and, One (1) 2-yard dumpster for the beach, with weekly pick-up between May 23, 2022 and September 17, 2022. The following quotes were provided:

Ace Carting Corp. 10913 NY-149 Fort Ann, NY 12827	\$370.00/30-day billing for 10-yard dumpsters \$55.00/30-day billing for 2-yard dumpsters
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CV Waste Removal 2098 NY-149 Fort Ann, NY 12827	No Quote Provided
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Twin Bridges Waste & Recycling 1626 U.S. 9 Halfmoon, NY 12065	\$450.00/month for 10-yard dumpsters \$80.00/month for 2-yard dumpsters
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Waste Management of NY, LLC 100 Ransier Drive West Seneca, NY 14224	\$440.00/month for 10-yard dumpsters \$118.00/month for 2-yard dumpsters
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The Recreation Leader's recommendation was to stay with Ace Carting and to open two purchase orders. One in the amount of \$2,960.00 from account A7140.4 and one in the amount of \$220.00 from account A7310.4.

Resolution #2022-137

A motion was made by Councilmember Noonan, seconded by Councilmember Stewart and carried, authorizing purchase orders for Ace Carting Corp., one in the amount of \$2,960.00 from account A7140.4, and one in the amount of \$220.00 from account A7310.4.

A regular meeting of the Town Board of the Town of Moreau was held on March 22, 2022 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

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

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

The Recreation Leader submitted a request for a 2022 Turf Management Program for the Harry Betar Recreation Park's athletic fields, which would include fertilization, pesticide (grub control) and herbicide (crab grass control & broadleaf weed killer). The following quotes were provided:

Turf Management Company, Inc. P.O. Box 611 Glens Falls, NY 12801	\$14,821.34 *Can provide over-seeding, if needed, at a rate of \$0.06/sqft *Can provide core aeration at a rate of \$900/4 fields
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Grasshopper Gardens, Inc. P.O. Box 124 Gansevoort, NY 12831	\$19,870.00 *No price listed for over-seeding or aeration
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Toadflax Nursery, LLC 1621 U.S. 9 South Glens Falls, NY 12803	No quote provided
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The recommendation from the Recreation Leader was to use Turf Management again this year.

Resolution #2022-138

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel and carried, to accept the Recreation Leader's recommendation for a 2022 Turf Management Program, with Turf Management Company, Inc. in the amount of \$14,821.34. The expense will be paid from account A7140.4.

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

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

The Recreation Leader submitted a request for the purchase of six (6), 18 Ton loads of Red Diamond infield material. He received a quote from a sole source vender, Hadeka Stone Corp. of \$48.00/ton.

Resolution #2022-139

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel and carried, authorizing the purchase of Six (6), 18 Ton Loads of Red Diamond Baseball/Softball Infield Material from Hadeka Stone Corp. in the amount of \$5,184.00. The expense will be paid from account A7140.4.

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

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

A regular meeting of the Town Board of the Town of Moreau was held on March 22, 2022 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

The Supervisor stated that there had been a brief discussion regarding the community garden at the last Town Board meeting. Councilmember Stewart stated that the Recreation Leader had submitted two proposals for the location of the garden. The first was to locate behind the old Sheriff's substation and the second was to locate at the site of the previous garden, next to the maintenance building at the Recreation Park. He stated, in speaking with the Town Supervisor, that the helicopter pad would only be about 25 yards away from the garden if it were sited at the Annex building. Councilmember Stewart's recommendation was to have the garden at the Recreation Park. He stated that he would hate to see people donate all their time and have their plants damaged from a helicopter landing. The Supervisor stated that the Recreation Department would be working with Warren County Master Gardener Shellie Wise and that all funds used for the creation of the garden would be raised through grants and community fundraising. He stated that they increased revenues at the audit meeting this evening for funds they've received. At present, the Town has received: \$500.00 grant from Common Roots Foundation; \$1,070.00 in direct donations (SeedMoney Challenge); \$200.00 grant from SeedMoney; and \$900.00 grant from Stewart's Community Giving. Councilmember VanTassel agreed with Councilmember Stewart's recommendation.

Resolution #2022-140

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel and carried, to put the Community Garden at proposed site #2 – Betar Park, next to the Maintenance Building, and to have the Recreation staff start working on the raised beds. And to authorize the Department Head to expend the \$2,470.00 that he has access to from the grant money.

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

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

TOWN CLERK'S OFFICE

Resolution #2022-141

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

That the Town Board acknowledges that the required examination of the Town Clerk's financial records for the year ended December 31, 2021 has been completed.

So be it FURTHER RESOLVED:

That the Town Board accepts and approves the report of this examination.

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

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

LANDFILL MONITORING CONTRACT

Resolution #2022-142

A regular meeting of the Town Board of the Town of Moreau was held on March 22, 2022 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

A motion was made by Councilmember Noonan, seconded by Councilmember Stewart and carried, authorizing the Supervisor to enter into an agreement with C.T. Male Associates Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C. for the purpose of landfill monitoring services for the 2022 year, in the amount of \$10,591.55.

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

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

WATER DEPARTMENT

The Supervisor stated that the Water Superintendent had provided some actionable items for this evening's meeting, some of which relate to fees relating to the consolidation of the water districts. The first item was the Water Superintendent noticing that there was an error in the wording on the Water Rate Fee Schedule and that it should be clarified how they handle the cost of larger meters. The recommendation from the Water Superintendent was to change the wording as follows:

FURNISH AND INSPECT WATER METER UNDER 1-INCH IN DIAMETER	\$375.00
METER INSPECTION FEE FOR METERS 1-INCH IN DIAMETER AND OVER	\$ 75.00

Add for clarification:

METERS 1-INCH IN DIAMETER AND OVER SHALL BE PURCHASED FROM THE TOWN AT THE ACTUAL COST OF THE METER, PLUS INSPECTION FEES AND ASSOCIATED PARTS.

Resolution #2022-143

A motion was made by Councilmember Noonan, seconded by Councilmember VanTassel and carried, authorizing the changes to the Water Fee Schedule as recommended by the Water Superintendent.

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

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

The Supervisor stated, that when they did the water consolidation, they discovered there were three areas in the Town, that were included in the water district, that did not have direct access to the water line. He listed: the private end of Jackson Road, 199-220 Fort Edward Road and VanBuren Street from Harrison Avenue to the Town line. After reviewing with the Water Superintendent and the Water Committee, they've come up with the recommendation that these properties not be charged for EDU's, since they don't have access to the water system. If the water infrastructure is extended at any time past those properties, the fee would then be applicable. The Supervisor provided a detail of the properties in question.

Resolution #2022-144

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan and carried, removing the following 11 parcels on Jackson Road from paying the EDU charge, beginning with the 2022 water billing. If the water lines are extended past any of these properties, the EDU fee would then become applicable,

A regular meeting of the Town Board of the Town of Moreau was held on March 22, 2022 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

- #1. 49.-1-62 17 Jackson Road
- #2. 49.-1-64 19 Jackson Road
- #3. 49.-1-61.1 19 1/2 Jackson Road
- #4. 49.-1-60 36 Jackson Road
- #5. 49.-1-48 21 Jackson Road
- #6. 49.-1-47 23 Jackson Road
- #7. 49.-1-46 25 Jackson Road
- #8. 49.-1-45 27 Jackson Road
- #9. 49.-1-44 29 Jackson Road
- #10. 49.-1-72 31 Jackson Road
- #11. 49.-1-67 33 Jackson Road

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

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

Resolution #2022-145

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan and carried, removing the following 7 parcels on Fort Edward Road from paying the EDU charge, beginning with the 2022 water billing. If the water lines are extended past any of these properties, the EDU fee would then become applicable.

- #1. 50.-3-16.3 207 Fort Edward Road
- #2. 50.-2-70 214 Fort Edward Road
- #3. 50.-3-16.2 205 Fort Edward Road
- #4. 50.-2-69 210 Fort Edward Road
- #5. 50.-3-16.1 203 Fort Edward Road
- #6. 50.-3-17 201 Fort Edward Road
- #7. 50.-3-18 199 Fort Edward Road

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

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

Resolution #2022-146

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan and carried, removing the following 6 parcels on VanBuren Street from paying the EDU charge, beginning with the 2022 water billing. If the water lines are extended past any of these properties, the EDU fee would then become applicable,

- #1. 37.3-1-12 28 VanBuren Street
- #2. 37.3-1-9 26 VanBuren Street
- #3. 37.-1-31.2 20 VanBuren Street
- #4. 37.3-1-17 18 VanBuren Street
- #5. 37.3-1-1 16 VanBuren Street
- #6. 37.3-1-7 22 VanBuren Street

A regular meeting of the Town Board of the Town of Moreau was held on March 22, 2022 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

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

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

Resolution #2022-147

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan and carried, to remove the following 18 parcels from having to pay an EDU charge for the reason stated, beginning with the 2022 water billing.

#1.	49.50-2-41	41 Merritt Road	No road frontage
#2.	37.3-1-5.13	69 Harrison Avenue	26' wide
#3.	49.84-1-41.1	19 Jamaica Avenue	No road frontage
#4.	63.19-1-21.2	380 Reynolds Road	Side yard
#5.	63.2-2-38.2	222 Reservoir Road	Landlocked
#6.	49.59-2-17.1	Washington Road	Landlocked
#7.	49.59-2-18	Washington Road	Landlocked
#8.	50.69-1-21.2	7 Parson Avenue	No frontage
#9.	63.2-2-16	175 Reservoir Road	No frontage
#10.	63.2-2-37	175 Reservoir Road	No frontage
#11.	64.-1-2	123-129 Reservoir Road	Not in Water District
#12.	50.-2-39.2	163 Ft. Edward Road	Not in Water District
#13.	50.10-1-12	19 Winterberry Lane	Retention Basin
#14.	50.10-1-1	49 Winterberry Lane	Retention Basin
#15.	50.1-1-45	16 Grover Avenue Rear	No frontage
#16.	63.2-1-27	1524 Route 9	Private Road
#17.	63.2-2-32	1526 Route 9	Private Road
#18.	49.51-1-5	63 Merritt Road	Landlocked

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

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

The Supervisor reported that there was an individual at 1568 Route 9 that paid for a water service in April 2021. The service had not been carried out. The Water Superintendent reached out to the property owner to see if he wanted a refund and he was agreeable.

Resolution #2022-148 [Rescinded by Town Board Resolution 4/26/2022 lm]

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan and carried, authorizing a refund to William Freitag in the amount of \$4,300.00, which was paid to the Town on April 22, 2021.

A regular meeting of the Town Board of the Town of Moreau was held on March 22, 2022 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

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

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

The Supervisor stated that there was discussion at the last Board meeting regarding minimum usage and minimum billing. Attorney Buettner stated that there were concerns raised at the last meeting with respect to the fact that the resolution passed by the Town Board on January 25, 2022 stated that 36,000 gallons annually would be billed. It was split at 18,000 semi-annual, which the resolution didn't state. She stated that they did some research into that, to see if that would have changed the bills and ultimately the resolution is fine. She stated that the concern is with the notice and that residents didn't feel that they received the proper notice that this was going to happen. She stated that a notice went out, either before or with the bills, that this is what was going to happen. If you're billed semi-annually, you'll be billed 18,000 gallons for the first half and then 18,000 gallons the second half. She stated that there is no legal reason to amend the resolution to add those extra words, however, she advised that they could amend the January 25, 2022 resolution to add language that indicates, if billed semi-annually 18,000 gallons per billing cycle. She stated that it's not necessary and the original resolution was fine, and notice was properly given but if the Town Board wants to, they can amend the resolution. The Supervisor stated that the long-term goal is to have quarterly billing when they have the proper software and he would like to get it straightened out tonight.

Resolution #2022-149

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel and carried, to clarify the Town Board Resolution #2022-77 on January 25, 2022, that all Consolidated Water District Accounts will be billed an Annual Capital Charge of \$56.00 per EDU, which will be billed on a pro-rated basis each billing cycle as follows:

Semi-Annual Billing - \$28.00 per EDU, each billing cycle

Quarterly Billing - \$14.00 per EDU, each billing cycle

Monthly Billing - \$4.67 per EDU, each month

Additionally, all Consolidated Water District Accounts that have infrastructure in front of their property, will pay a minimum usage charge each billing cycle as follows:

Semi-Annual Billing - \$46.80 (based on 18,000 gallons at a rate of \$2.60/1,000 gallons)

Quarterly Billing - \$23.40 (based on 9,000 gallons at a rate of \$2.60/1,000 gallons)

Monthly Billing - \$7.80 (based on 3,000 gallons at a rate of \$2.60/1,000 gallons)

Any usage above the minimum for any billing cycle will be charged a rate of \$2.60/1,000 gallons.

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

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

COURT

A regular meeting of the Town Board of the Town of Moreau was held on March 22, 2022 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Resolution #2022-150

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

That the Town Board acknowledges that the required examination of the Town Court's financial records for the year ended December 31, 2021 has been completed.

So be it FURTHER RESOLVED:

That the Town Board accepts and approves the report of this examination.

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

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

The Court submitted a request to purchased 2 Fireproof File Cabinets through the JCAP funds and provided the following quotes:

WB Mason Glens Falls, NY	\$1,499.00
Staples Queensbury, NY	\$1,649.99
Office Supply Online	\$1,837.99

The recommendation from the Court was to purchase from WB Mason and for the expense to be paid from the JCAP account.

Resolution #2022-151

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan and carried, authorizing the purchase of Two (2) Fireproof File Cabinets from WB Mason at a cost of \$2,998.00. The expense will be paid from the JCAP account.

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

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

The Court submitted a request to purchase Two (2) Fellows Commercial Paper Shredders, Model FEL4680001 and provided the following quotes:

A regular meeting of the Town Board of the Town of Moreau was held on March 22, 2022 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Staples \$407.99
Queensbury, NY

Office Supply \$451.08
Online

WB Mason \$369.99
Glens Falls, NY

The recommendation of the Court was to purchase from WB Mason.

Resolution #2022-152

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan and carried, authorizing the purchase of Two (2) Fellows Commercial Paper Shredders, model FEL4680001 from WB Mason at a cost of \$739.98. The expense will be paid from the JCAP account.

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

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

SUPERVISOR ITEMS

The Supervisor reported that he had received correspondence from Saratoga County Soil and Water Conservation District stating that they'll be taking registrations for their Spring tire recycling. He stated that you must be a Saratoga County resident to participate. The drop off date is May 26, 2022 from 4:00 p.m. to 5:30 p.m. The fee is \$5.00 per tire with or without rims. The drop off location is behind Ballston Town Hall, 366 Charlton Road, Ballston Spa, NY. Registration can be done on-line through the Saratoga County Soil and Water website. They can be reached at 518-885-6900 Monday-Friday 8:00 a.m. to 4:00 p.m. The registration deadline is May 24, 2022.

The Supervisor reported that he had received correspondence from Mike Cucchiara in relation to the Baker's Falls Solar. The Supervisor read the correspondence aloud. In summary, the correspondence indicated that Bakers Falls Solar had received word from the Town's Highway Superintendent that the road design they proposed access outside the Moreau Industrial Park is acceptable and that they are waiting on a final letter from him to confirm. They understand that Counsel is working on the PILOT. Lastly, they expect to have approvals from National Grid regarding the right-of-way across the power lines next month. They stated that the project is moving forward to seek Planning Board approval. The correspondence asked for feedback as to how to proceed regarding the decommissioning and bond language. They asked if they would need to appear before the Town Board regarding the decommissioning agreement or if it could be handled administratively. They asked if the Town Board needed to give their approval, as they would like to submit to the Planning Board for the April 18, 2022 meeting. Attorney Buettner stated that she was working with the Assessor to put together the PILOT. She stated that there was no reason for them to come back to the Town Board for the bond or decommissioning. She stated that she hadn't seen any information on the easement yet.

The Supervisor stated that he had received correspondence from NYS DOT regarding I-87 resurfacing from Exit 16 to the Town of Wilton at the Hudson River. The project ID number is 1722.71. The correspondence states that the design of the project has begun and will include resurfacing of I87 and replacement of large signs. They expect construction to be done in the 2023 construction season. The project will not require any ramp paving or detours and no work will be done during the racetrack season or during Americade.

A regular meeting of the Town Board of the Town of Moreau was held on March 22, 2022 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

COMMITTEE REPORTS

Councilmember VanTassel stated, that with the heightened needs around security, the phishing campaign will be beefed up.

Councilmember Noonan stated that he and Councilmember VanTassel have interviewed someone for the Billing Coordinator position and have passed the name over to the Supervisor’s office. The Supervisor stated that he will be interviewing the individual tomorrow.

Councilmember Donohue stated that he had spoken with Mike Hastings today and that they’ll need to start looking at getting some of the compost out of the landfill. He suggested that the Town may want to put out RFP’s to have someone haul it away.

Councilmember Donohue stated that he’s looking to schedule a solar workshop and is waiting to hear back from NYSERDA and Ag & Markets with dates. He asked if any Board members have dates that they wouldn’t be available to please let him know as soon as possible.

Councilmember VanTassel stated that they’re working their way through the Civil Service list for the Water Department Clerk position. He stated that they have one more person they’re waiting on. The Supervisor stated that they can advertise after that.

Councilmember Stewart stated that he wanted to table the request for a new hire at the Highway Department and re-visit it in the summer. He also stated that they’re looking to see if they can handle the repair of the roof at the beach house in-house.

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel and carried, to adjourn to executive session at 8:16 p.m. to discuss the work history of an unnamed employee of the Town, which the Highway Superintendent was invited to attend. Following that discussion, they will also discuss contract negotiations for the sale of a property in the Industrial Park to a prospective tenant; and to receive an update on contract negotiations in relation to the sale of 61 Hudson Street.

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

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

The Town Clerk did not sit in on the executive session. The Highway Superintendent attended executive session for the discussion on the work history of a Town employee.

The Highway Superintendent left executive session and it resumed to discuss the other matters.

The Town Board returned from executive session at 8:45 p.m. with the Supervisor noting that no action was taken in executive session.

Resolution #2022-153

Attorney Buettner read the following resolution aloud:

SUBJECT: RESOLUTION DECLARING TOWN PROPERTY SURPLUS

A regular meeting of the Town Board of the Town of Moreau was held on March 22, 2022 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

WHEREAS, the Town of Moreau owns real property known as 1 Electric Drive, known also as Lot 17, more particularly identified as tax map parcel number 50.-4-17 located within the Moreau Industrial Park in the Town of Moreau, and

WHEREAS, it is no longer necessary for the Town to retain the property;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby finds the property described herein to be surplus property.

A motion was made by Councilmember Noonan, seconded by Councilmember Donohue and carried, to adopt the following resolution as read into the record by Attorney Buettner.

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

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

OTHER BUSINESS

None

PRIVILEGE OF THE FLOOR

Brian Lemery addressed the Town Board first by stating that he was one of the parcel owners on Jackson Road. He thanked the Town Board for removing the 11 parcels. He stated that there was another individual who owns adjoining parcels, Fred Whipple, who was not included in the removed parcels. Mr. Lemery spoke on his behalf, asking if he could be included. He asked the Board members to refer to their maps. Mr. Lemery stated that there are two parcels at the top that have blacktop and he understood that he would most likely get charged for those. Mr. Lemery also asked if everyone who has been removed from the billing would be provided with a letter and the Supervisor replied that his office would be sending out letters for every parcel named in tonight's resolutions.

Dave Byrne, 10 Doe Run, addressed the Town Board next. He stated, that at the last Town Board meeting, there was a comment that solar only affects a few. He gave some comments.

- #1. Solar helps prevent pollution from emissions.
- #2. With the rising costs of inflation, community solar can help reduce household expenses by 10%. This helps many and not just a few.
- #3. Solar projects generate revenue for the Town through a PILOT.
- #4. Property owners benefit by generating revenue and keeping their farms in the family.
- #5. Creates local jobs.
- #6. It protects farmland by stewarding the soils on the site.

He stated that there's about 3,900 acres in the Town that are actively being farmed, however, there are only about four projects that can be possible on a community scale level. He stated that it equates to about 100 acres.

Tory Hanna, 48 Pomeroy Avenue, Pittsfield, Ma. addressed the Town Board. He first gave out some literature to the Town Board members. He stated that he works for Davis Hill Development, who are providers of solar and batteries. They're working on the project at 81 Old West Road. He explained that they own about 150 assets in the northeast that total 100 megawatts. The Old West Road is only a 5-megawatt project. He suggested permanent pathways for the future.

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- #1. An overlay district.
- #2. Dual use scenario – Agriculture and Solar.

He commented that PILOT agreements are pretty substantial to the community, with long term tax revenues.

He stated that community solar projects can also be done by a host community agreement. Mr. Hanna's time expired. He stated that he had left his contact info if any of the Board members had questions.

Luke Michaels from Michaels Group Homes addressed the Town Board. He stated, at the December meeting, a moratorium had been passed for residential development, where the Town Board could consider waivers or variances to projects that were held up in the moratorium. He stated that he had called the Town and asked for the process but didn't hear back on how to apply. He stated that he then wrote the Town Board a letter on February 4, 2022 and wondered if it had been received. There was a reply of yes. He stated that he was anxious to talk about the variance process as well as the status of the moratorium and possible zoning changes. He did state that he was glad to see those things moving forward. He stated that it appeared there would be an agreement in place with Saratoga County Sewer, which there could be some cost savings. He stated that he ran some numbers from the Map, Plan and Report, and with a tax rate of \$6.74 per \$1,000 of assessed value, \$74.77 per acre, \$4.61/1,000 gallons, and \$1.22 per \$1,000 of assessed value for operation and maintenance, would come to approximately \$3,598.00 per year on a \$400,000.00 home. He stated that these figures were important for the Town Board to know as they move forward with the moratorium. On the two sites they have right now, one had preliminary approval, in which they were approved to have septic. He stated that the soils in Moreau are perfectly acceptable to septic systems. He stated, that to bring sewer, it would cost approximately \$15,000.00 per lot. He then asked when the sewer would be available to hook into.

The Supervisor stated, in relation to his correspondence to the Town, that they can do a referral to the Planning Board but from a realistic standpoint, they expect to be setting a public hearing for a new sewer ordinance at the next Town Board meeting. He stated that Mr. Michaels would know the actions of the Town Board before going through the process of a variance. Mr. Michaels asked if they would be able to give input and the Supervisor replied that anyone would be able to provide comment for a local law. With regard to Mr. Michaels examples of costs, he stated that he was not taking into consideration any additional grant funding the Town might receive. The Supervisor also commented that the Town has been unsuccessful in coming up with a contract with the City of Glens Falls that will benefit the rate payers, which is why the Town has decided to go south. He stated, that if the Town doesn't receive any more funding, it would save the rate payers approximately \$60,000.00 per year by going south. The Supervisor stated that they hope to have phase II done by 2023. Mr. Michaels asked that they leave the projects out that are already ready to go today.

Chris Barden, 148 Washburn Road, addressed the Town Board. He encouraged the Town Board to continue to move forward on having discussions for a viable solar law that honors the spirit of protecting the farmland. He stated that there needs to be a compromise that honors property rights and to be able to use the property that they're lucky enough to have. He encouraged the Town to find a solution.

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan and carried, to close the meeting for the evening at 9:03 p.m.

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

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

A regular meeting of the Town Board of the Town of Moreau was held on March 22, 2022 in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Meeting adjourned.

Respectfully submitted,

Leeann McCabe
Town Clerk