

A regular meeting of the Town Board of the Town of Moreau was held on September 27, 2022, 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 Deputy Town Clerk called the roll.

Town Board Members Present

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

Town Board Members Absent

None

Also present: Dianne Lewis, Deputy Town Clerk; Karla Buettner, Attorney for the Town; Associate Jeffrey Shapiro, Bartlett, Pontiff, Stewart & Rhodes, P.C.

The Supervisor led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes from September 13, 2022, were prepared and presented to the Town Board members in advance of the meeting for their review, comment, correction, and approval.

Resolution 2022-281

A motion was made by Councilmember Noonan, seconded by Councilmember Stewart, and carried, to accept the minutes of September 13, 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

TOWN CLERK'S OFFICE

The Supervisor reported that the Town Board had received a resignation letter from the Town Clerk, Leeann McCabe, dated September 21, 2022. The Supervisor read the letter aloud.

Dear Mr. Supervisor and Town Board members,

It is with much regret, that I've made the decision to resign from my position as Town Clerk/Receiver of Taxes. Please know that I've taken great care and consideration in making this decision. Although my term won't expire for three more years, I'm finding it too difficult to perform the duties of my position as expected. Sadly, my last day of service will be November 11, 2022.

I feel confident that my Deputy Clerks will be able to perform the functions of this office until the Town Board appoints my replacement.

I'm extremely thankful for the opportunity given to me from my mentor, former Town Clerk Jeanne Fleury. I wouldn't have had this tremendous opportunity if it weren't for her.

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It's been my honor to serve the residents of the Town of Moreau for the last 22 years.

Respectfully Yours,

Leeann McCabe
Town Clerk/Receiver of Taxes

The Supervisor expressed that Mrs. McCabe's institutional knowledge and bright face will be missed and wished her all the best in all future endeavors.

Councilmember Noonan wished Leeann well.

Resolution #2022-282

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to accept Leeann McCabe's resignation date as November 12, 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

HIGHWAY DEPARTMENT

Resolution #2022-283

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to purchase gasoline from Global Montello Group in the amount of \$10,000.00. The funding will come from account DB5142.460.

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 Supervisor referenced an e-mail from the Highway Superintendent regarding the use of a vendor to trade part of the cost of winter sand for leaves and mulch at the Transfer Station. The Supervisor stated that the Board would need a cost per load and suggested that the Highway Committee investigate it further and bring the Deputy Highway Supervisor into the conversation. The challenge is that the compost at the Transfer Station is a Town-Wide asset, not a Transfer Station asset. Councilmember Donohue stated that it was an interesting concept and would be a win-win if something could be worked out. Councilmember Stewart stated that he will get numbers and report back early next month.

RECREATION DEPARTMENT

Resolution #2022-284

A motion was made by Councilmember Donohue, seconded by Councilmember Stewart, and carried, to hire William Noonan as a Part Time Year Round employee for the Recreation Department effective immediately, at a rate of \$13.20 per hour.

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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

Councilmember Noonan stated for the record that Mr. Noonan is not related to him.

Supervisor Kusnierz referenced Recreation Leader Olesheski's request to use funds from HT7180.4, Town-Wide Recreation Capital Projects, for a new roof on the storage shed at the Harry Betar Recreation Park. He suggested instead that money be transferred from A7310.1 Lifeguards, as HT7180.4 is a restricted fund.

A motion was made by Councilmember VanTassel, seconded by Councilmember Stewart, and carried, authorizing a transfer of \$621.46 from A7310.1 Lifeguards to 7140.2 Equipment to cover materials to replace the roof on the shed next to the youth baseball concession stand.

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

Councilmember Stewart suggested a transfer of \$1,000.00 for unforeseen costs, so they can start the work immediately. After discussion, Councilmember VanTassel rescinded his motion.

Resolution #2022-285

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, authorizing a transfer of \$1,000.00 from A7310.1 Lifeguards to 7140.2 Equipment to cover materials to replace the roof on the shed next to the youth baseball concession stand.

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

WATER & SEWER DEPARTMENT

Resolution #2022-286

A motion was made by Councilmember VanTassel, seconded by Councilmember Stewart, and carried, authorizing the purchase of additional Capacity of 100,000 gallons per day from Queensbury in an amount not to exceed \$106,000.00, to be paid pre-audit and from the Consolidated Water District.

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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

TRANSFER STATION

Resolution #2022-287

A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, and carried, authorizing the re-hiring of James Wright as a Part-Time Laborer at a pay rate of \$13.20 per hour.

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

SUPERVISOR ITEMS

The Supervisor reported that his office met with representatives from Marshall & Sterling to discuss Health Insurance options for Town employees for next year. Currently the Town offers a High Deductible HMO through CDPHP, which is a local plan network, and a national network through MVP. All employees who take health insurance through the Town have chosen the CDPHP plan. The recommendation from Marshall & Sterling and Supervisor Kusnierz is to keep the current plans for next year. Rates will go up an estimated 8% in cost to the Town, which would be added to next year's budget.

Resolution #2022-288

A motion was made by Councilmember VanTassel, seconded by Councilmember Stewart, and carried, to keep the same health plans for next year.

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 Supervisor stated that the purchase of laptops for Board Members, which were approved at the last Town Board meeting did not include the cost of professional services with StoredTech. The additional cost given was \$1,820.00. Jeffrey Cruz contacted StoredTech to ask for a reduction.

Resolution #2022-289

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to authorize up to \$1,820.00 to be paid to StoredTech for professional services.

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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 Supervisor stated that his office has put a lot of time into getting our Building Department fees more current. They will get a copy of the current spreadsheet. He stated that information has been received from additional towns for comparison. The Supervisor would like the Board to review the information and get any recommendations to his office before the next board meeting so that we may possibly adopt a new fee schedule before the budget process.

COMMITTEE REPORTS

Councilmember Donohue reported on the Transfer Station. The highway department is fixing the potholes down there. The doors that they put in for the recycling need to be fixed so that they are safer. They are currently the kind that lift & should be the type that slide. Pete Olesheski & Mike Hastings are going to brainstorm to come up with a fix and do it in house. Supervisor Kusnierz suggested we change the spacing and maybe heighten the cones as people are changing lanes and driving off with the cones under their cars. Councilmember Donohue stated that Mike has been speaking with O'Connor Construction as they are interested in the mulch. We're waiting for a call back to find out what they're willing to pay for it. The money would go into the General Fund and would offset the cost of the grinding.

Councilmember Stewart brought up the memo from Highway Superintendent Joseph regarding the "Call-In, As Needed" rate for the Highway Department. Supervisor Kusnierz stated that this will be discussed during the upcoming budget workshops.

Councilmember Donohue stated that he ran into State Representative Carrie Woerner recently, and he asked if her office had any funds they could contribute toward our Recreation plans. Ms. Woerner told him to get a proposal together and send it to her office. Supervisor Kusnierz stated that she has been very easy to work with in the past and has helped with the sewer infrastructure as well.

EXECUTIVE SESSION

A motion was made by Councilmember VanTassel, seconded by Councilmember Donohue, and carried, to adjourn to executive session at 7:33 p.m. to review existing and pending litigation.

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

The Town Board returned from executive session at 8:01 p.m., with the Supervisor noting that no action was taken in executive session.

OTHER BUSINESS

Supervisor Kusnierz stated that he would like to schedule two budget workshops for the week of October 3rd and asked if everyone was available on Wednesday October 5th and Thursday October 6th from 5:00 to

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6:30. They will schedule groups to come in for 15 – 20 minutes to discuss their needs and schedule additional workshops if needed.

Resolution #2022-290

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to schedule budget workshops for Wednesday October 5th and Thursday October 6th from 5:00 to 6:30 p.m.

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 #2022-291

Whereas bids for Van Buren Street Water Main Extension were received on September 6, 2022; and

Whereas, the Consulting Engineers, Laberge Engineering & Consulting Group Ltd, have submitted their report relative to their analysis of bids.

Whereas the Engineer’s recommendation was contingent on the Town’s ability to obtain a utility easement from 81 Harrison Avenue (Tax ID 37.3-1-6).

Now, therefore, be it resolved that the recommendation of said Engineers be hereby accepted, approved, and adopted; and

Be it further resolved that the Town Attorney is hereby directed to secure the final utility easement.

Be it further resolved that the Van Buren Street Water Main Extension be hereby awarded to New Castle Paving, LLC, 1 Madison Street, Suite 100, Troy NY 12180 in the amount of \$110,000:

The motion was made by Councilmember Donohue, seconded by Councilmember Stewart, and carried.

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

OTHER BUSINESS

Councilmember Donohue brought up the fact that the Town does not have a Solar Law on the books. He thinks it may be a good idea to pick up where they left off. Councilmember Donohue asked for a consensus to move forward. Councilmember Noonan stated that there is a law in the books regarding solar power in the Industrial Park. Councilmember Donohue specified that he was aware, but that law is not what he was referring to. Councilmember Stewart stated that he would be willing to meet to discuss it again. Councilmember Noonan detailed that he had no interest in discussing Tier 3. Councilmember VanTassel stated that he would be open to putting a law on the books but inquired as to the process. Councilmember Donohue suggested another workshop, however stated that all tiers should be discussed as it needs to be comprehensive. Councilmember Noonan quantified that if it was “all or nothing”, he wasn’t interested at this time. No workshops were scheduled.

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PRIVILEGE OF THE FLOOR

No members of the public wished to be heard.

A motion was made by Councilmember Noonan, seconded by Councilmember Donohue, and carried, to close the meeting for the evening at 8:16 p.m.

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

Meeting adjourned.

Respectfully submitted,

Dianne Lewis
Deputy Town Clerk