

A regular meeting of the Town Board of the Town of Moreau was held on November 08, 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
Theodore T. Kusnierz, Jr.	Supervisor

Town Board Members Absent

John Donohue, Jr. Councilmember

Also present: Dianne Lewis, Deputy Town Clerk; Lisa Sperry, Supervisor’s Confidential Secretary; Chris Abrams, Deputy Highway Superintendent; Karla Buettner, Attorney for the Town

The Supervisor led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes from October 20, 2022 were prepared and presented to the Town Board members in advance of the meeting for their review, comment, correction, and approval.

Resolution 2022-311

A motion was made by Councilmember Noonan, seconded by Councilmember Stewart, and carried, to accept the minutes of October 20, 2022 as prepared.

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

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

ADOPT 2023 BUDGET

The Supervisor stated that it is a 9.2 million dollar budget. We did not break the state’s 2% tax cap. We decreased the tax rate 4 1/4% per \$1,000 of assessed value for our residents. No General Fund balance was utilized. Overall use of the fund balance was reduced by 53%.

The following resolution was read aloud by Supervisor Kusnierz:

WHEREAS, the Town Board held a public hearing for the 2023 Preliminary Budget on November 1st, 2022; and

WHEREAS, the public hearing was held in accordance with New York State General Municipal Law;

So be it RESOLVED that the Town Board adopt the 2023 Preliminary Budget as presented at the public hearing.

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Resolution #2022-312

The motion was made by Councilmember Noonan, seconded by Councilmember VanTassel, and carried.

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

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

MOUNTAIN MEDICAL AGREEMENT

The Supervisor stated that we use this company for all pre-employment physicals. We do not use them for DOT physicals or drug testing. There is no change over last year's agreement in costs to the town.

Resolution #2022-313

A motion was made by Councilmember VanTassel, seconded by Councilmember Stewart, and carried, to contract with Mountain Medical for all pre-employment physicals for 2023.

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

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

The following resolution was read aloud by Councilmember Noonan:

WHEREAS, the Town of Moreau engages the services of Mountain Medical for all pre-employment physicals;

SO, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Moreau accept and authorize the Supervisor to sign the contract with Mountain Medical for the period from January 1, 2023 through December 31, 2023.

RETIREE HEALTH INSURANCE

The Supervisor stated that this addresses all our retirees that are 65 and older. Marshall & Sterling, who handles all our Health Insurance, offered a different supplemental plan for those who are enrolled in Medicare. It will offer nearly the exact same coverage but will cost our retirees 64% less. We would be shifting from CDPHP to Humana. The cost they are paying this year is \$328, & the cost under the Humana plan would be \$119.31.

Councilmember Noonan asked which services were different. Supervisor Kusnierz offered a copy of a spreadsheet showing almost identical pricing, with almost all the coverage provided with CDPHP being provided in the Humana plan. There was some discussion amongst the Board regarding coverages, and the consensus was that the new plan was extremely similar but offered a cost savings.

The following resolution was read aloud by Councilmember Stewart:

WHEREAS, the Town of Moreau offers a supplemental Medicare plan for retired employees who are eligible for and enroll in Medicare; and

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WHEREAS, Marshall and Sterling as the Town of Moreau's Health Benefits Administrator has recommended switching to a new Medicare Advantage plan for eligible retirees;

SO, THEREFORE BE IT RESOLVED, that the Town Board accept the following Medicare Advantage plan for eligible retirees for the period of January 1, 2023 through December 31, 2023; Humana Passive PPO Custom Medical with Standard Rx 127; and

SO BE IT FURTHER RESOLVED that the Town of Moreau authorize Marshall & Sterling to contact both CDPHP and Humana to administer these plans on the Town's behalf.

Resolution #2022-314

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

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

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

HIGHWAY DEPARTMENT

The Supervisor stated that the Deputy Highway Superintendent has been interviewing for the position of full time Laborer II. He recommends hiring David Smith, who has been working for the town part time in the positions of Wing Person and Flag Person.

Resolution #2022-315

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to hire David Smith as a full time Laborer II starting Monday, November 14, 2022.

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

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

The Supervisor stated that the Deputy Highway Superintendent would like to open a PO for the purchase of rock salt for the remainder of the 2022 budget year in the amount of \$129,440.68 from account DB5142.490. This would be drawn off County Contract #22-PWS-10R with American Rock Salt Co Inc at an amount of \$62.67 a ton.

Resolution #2022-316

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to open a Purchase Order for the purchase of rock salt for the 2022 budget year.

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

Councilmember Stewart	Aye
Councilmember Noonan	Aye
Councilmember VanTassel	Aye
Councilmember Donohue	Absent

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Supervisor Kusnierz Aye

The Deputy Highway Superintendent stated that he had an inquiry about a crosswalk being installed on the Town roads at the corners of Feeder Dam Rd and Tanglewood Dr where the crossing guards cross the students. He stated that he has the paint but does not have the signs. They would need to be ordered, and he does not know how long that will take.

Resolution #2022-317

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to install a crosswalk at the corner of Feeder Dam Rd and Tanglewood Dr and where the sidewalk ends at Tanglewood Elementary School, near Oakwood Dr.

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

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

RECREATION DEPARTMENT

Resolution #2022-318

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to accept the resignation of Recreation Leader Peter Olesheski Jr effective at 4:00 PM on Sunday, November 27, 2022.

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

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

Resolution #2022-319

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, authorizing the Rec Leader to spend up to \$3,500.00 to purchase shirts/jerseys and trophies for the Winter Basketball 2022-2023 program.

Councilmember Noonan asked if the cost would be covered by registration fees. The Supervisor's Confidential Secretary stated that the fees were \$25 each for K – 2nd grade students, and 3rd – 6th grade students would pay \$35 each.

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

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

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There was discussion regarding a Purchase Request for equipment for the new Kubota X900 side by side. Supervisor Kusnierz asked to refer it to the Rec Committee for review. Councilmember Stewart stated that they will get more quotes and it can be evaluated at the next Town Board Meeting.

Supervisor Kusnierz stated that the Rec Leader had given some recommendations regarding Tournament Fees for 2023. Councilmember Stewart gave a quick characterization of the requested Fee Schedule. The Rec Leader suggested an increase of \$5 per game from \$60 to \$65, which will bring in approximately \$2,500 - \$3,000 in revenue to help cover some of the operating costs. There would also be an update to include a Refuse Fee of \$150 for a one day tournament and \$300 for a two day tournament. The Rec Leader wants to adjust the scoring rubric for locals that is used to give priority for their tournaments as well. It is a point system written out in black and white for all coaches and organizations to see. Councilmember VanTassel stated that he would need to review the scoring matrix but was agreeable to moving forward with the new fee schedule items. The Supervisor expressed that people are leaving large items after tournaments, and this new structure would help offset the costs of disposing of those objects.

Resolution #2022-320

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to update the field-use and include refuse fees for 2023 softball tournaments.

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

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

Councilmember VanTassel asked which department was responsible for updating the schedule. The Supervisor's Confidential Secretary stated that it could be either the Rec Department or the Supervisor's Office. She further asserted that the Supervisor's Office could update it, and then forward it on to the Town Clerk's Office for distribution.

Councilmember Stewart stated that the Rec Committee would like to work with the Supervisor's Office on the new leadership at the Rec Department, as well as review current roles and positions and the wages that go along with them, in the wake of the Rec Leader's resignation.

TOWN CLERK'S OFFICE

The Supervisor prompted that the Town Board needs to appoint a new Town Clerk in the wake of Leeann McCabe's resignation prior to the end of her term. The appointed clerk will fill the position when Mrs. McCabe retires and will have to run in the next election in the fall of 2023 to finish her term. There were two internal applicants. Both were interviewed by the Supervisor. The Supervisor recommends the candidate who has several decades of experience in local government, Brenda LaPierre of 6 Timber Ln in Moreau.

Resolution #2022-321

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to appoint Brenda LaPierre Town Clerk, effective November 14, 2022.

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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	Absent
Supervisor Kusnierz	Aye

WATER AND SEWER DEPARTMENT

The Supervisor reminded the Town Board that we had received a Map, Plan, and Report from the Town's engineers regarding County connection with our sewer. Recently we have received hard numbers from the City of Glens Falls regarding moving forward, especially when we exceed the figures in our current contract. The Town Members should have an electronic copy. The next step in the process is to establish a 202-b hearing regarding an alternative for our sewer discharge, to be more cost effective.

The Deputy Town Clerk read the following resolution out loud:

TOWN OF MOREAU

ORDER FOR PUBLIC HEARING ON THE COST OF IMPROVEMENTS AND/OR THE COST TO RECONSTRUCT EXISTING FACILITIES AND APPURTENANCES FOR THE BENEFIT OF THE MOREAU SEWER DISTRICT NO. 1, EXTENSION 5, IN THE TOWN OF MOREAU, COUNTY OF SARATOGA, STATE OF NEW YORK, PURSUANT TO SECTION 202-b OF THE TOWN LAW OF THE STATE OF NEW YORK

WHEREAS, New York State Town Law Section 202-b establishes that whenever the Town Board shall determine it to be in the public interest, after a public hearing, the Town may construct additional improvements on behalf of a sewer district or other special districts; and

WHEREAS, the Town of Moreau Sewer District No. 1, Extension 5 was created by Town Board Resolution dated April 30, 2019; and

WHEREAS, as part of District formation, the Town was tasked with seeking the purchase of treatment capacity for District 1, Extension 5; and

WHEREAS, as part of multi-year process, the Town evaluated available treatment alternatives; and

WHEREAS, the evaluation of treatment alternatives concluded that the most cost-effective treatment option can be accessed from Saratoga County Sewer District No. 1, and requires the construction of a sanitary sewer forcemain connection to the Saratoga County system; and

WHEREAS, an engineering report was developed for the County Forcemain Connection (hereinafter referred to as a Map and Plan) and has been prepared in such manner and in such detail as is required by Section 202-b of the Town Law of the State of New York relating to the cost of improvements and/or the cost to reconstruct existing facilities and appurtenances for the benefit of Sewer District No. 1, Extension 5, in the Town of Moreau, County of Saratoga, State of New York; and

WHEREAS, said Map and Plan was prepared by Laberge Group, competent engineers, duly licensed by the State of New York, showing the cost of improvements and/or the cost to reconstruct existing facilities and appurtenances for the benefit of Sewer District No. 1, Extension 5; and

WHEREAS, said Map and Plan describing said improvements and/or reconstruction is on file in the Town Clerk's Office for public inspection; and

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WHEREAS, the proposed improvements will connect the newly constructed pump station on Route 9 to the County collection system for a cost of approximately \$5,200,000 as described within the Map and Plan; and

WHEREAS, by resolution dated June 26, 2018 the Town Board authorized financing of improvements required for District 1, Extension 5 at the maximum cost of \$16,000,000; and

WHEREAS, the District 1, Extension 5 construction project is nearing completion and significantly under budget; and

WHEREAS, because the District 1, Extension 5 will be completed under budget, the improvements contemplated with this Section 202-b proceeding will be completed without exceeding the previously authorized financing limit of \$16,000,000; and

WHEREAS, approval of the New York State Comptroller is not required inasmuch as the real property in the Town of Moreau Sewer District No. 1, Extension 5 is not wholly or partly located within the Adirondack Park.

NOW, it is hereby **ORDERED**, that the Town Board of the Town of Moreau shall meet and hold a public hearing at the Town of Moreau Town Hall, 351 Reynolds Road, Moreau, New York 12828, in said Town, on the 29th day of November, 2022, at 6:30 p.m., local time, to consider the proposed improvements and to hear all persons interested in the subject thereof as is required or authorized by law.

Resolution #2022-322

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to approve the foregoing resolution.

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

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

The Town Attorney stated that there was not a Town Board Meeting scheduled for the 29th. The Supervisor stated that they will discuss that during Other Business.

The Supervisor affirmed that New Castle plans on installing the water main for the VanBuren project on November 15th.

The Supervisor stated that we received correspondence from the new owners of Bluebird Terrace, known as Feederdam LLC. The bills for this property went to the wrong address, but their other bills went to the right address. It is unclear if the error was at the County or Town level. The Water Supervisor questioned why we needed a Board Resolution to credit the account. The Supervisor's Confidential Secretary stated that it is because we are returning fees. The recommendation is to approve a refund of \$191.61 in late fees paid.

Resolution #2022-323

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to reimburse Feederdam LLC for late fees paid on their water accounts.

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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	Absent
Supervisor Kusnierz	Aye

SUPERVISOR ITEMS

The Supervisor stated that he didn't have any items to discuss at this time.

COMMITTEE REPORTS

Councilmember VanTassel reported for the Technology Committee that Jeffrey Cruz, Principal Account Clerk, had informed them that the laptops for the Town Board had been delivered and the Board members just had to pick them up. He thanked Jeffrey and Lisa in the Supervisor's Office for all their help.

The Supervisor stated that the Transfer Station is moving in the wrong direction when it comes to profit and loss. Since the beginning of January, we are at a 30% loss in revenue. We have brought in \$41,294 through September vs \$58,000 last year. The County subsidizes us \$35,000 for our recycling efforts. We must make sure that we do a great job looking at the pulls and making sure that they are as full as possible, as we pay the same price no matter how full they are. Councilmember Stewart stated that Mike Hastings at the Transfer Station had some ideas and had spoken with some other towns about ways to remedy that.

EXECUTIVE SESSION

The Supervisor stated that there was no need for an executive session at this time.

OTHER BUSINESS

The Supervisor commented that there is a request from his office to postpone the next Town Board Meeting to give them more time to complete the vouchers and reports for the Audit Meeting.

Resolution #2022-324

A motion was made by Councilmember Stewart, seconded by Councilmember VanTassel, and carried, to change the date for the next Town Board meeting to November 29th, with the month-end meeting beginning at 6:50 PM and the regular meeting starting at 7:00 PM.

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

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

PRIVILEGE OF THE FLOOR

There were no members of the public wishing to be heard.

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to close the meeting for the evening at 7:47 p.m.

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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	Absent
Supervisor Kusnierz	Aye

Meeting adjourned.

Respectfully submitted,



Dianne Lewis
Deputy Town Clerk