

A regular meeting of the Town Board of the Town of Moreau was held on February 14, 2023, 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; Lisa Sperry, Supervisor's Confidential Secretary; Chris Abrams, Highway Superintendent; Brigid Martin, Town Historian; Karla Buettner, Attorney for the Town; Alex Portal, Reporter for the Post Star; Michael Cucchiara, VP of Business Development for Nextamp; Dominic Tom, Resident

The Supervisor had Town Historian Brigid Martin, who was acting as General Moreau, lead the Pledge of Allegiance, in honor of our namesake's 200th birthday.

APPROVAL OF MINUTES

The minutes from January 5, 2023 and January 10, 2023 were prepared and presented to the Town Board members in advance of the meeting for their review, comment, correction, and approval.

Resolution #2023-80

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to accept the minutes of January 5, 2023 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

Resolution #2023-81

The motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to accept the minutes of January 10, 2023 as prepared.

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

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

A regular meeting of the Town Board of the Town of Moreau was held on February 14, 2023, in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

DOG CONTROL OFFICER CONTRACT

The Supervisor stated that our current Dog Control Officer is interested in moving on but does not want to leave the Town high and dry. He is willing to serve an additional six months under last year's terms. The only thing he has asked is for the Town to provide him with a cell phone, which he will turn in once his services are complete, as he has been using his personal phone.

Resolution #2023-82

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to authorize the Supervisor to sign the Agreement for Dog Control Services for Joshua Vincek, for up to an additional six months, as well as provide a cell phone for his use.

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

The Supervisor mentioned that all the members of the Town Board should have a copy of a request from one of our property owners to supply sewer service to property outside the sewer district. The Supervisor explained that once special counsel had an opportunity to provide a resolution, they would take it up at the next Board meeting.

BAKERS FALLS SOLAR

The Supervisor stated that the Planning Board had approved a request for a project in our Industrial Park. Michael Cucchiara, one of the sponsors of the project, addressed the Board regarding a conservation easement. Michael provided a map showing the proposed plan. They are seeking to shrink the 14.2 acres of conservation easement area to 11.3 acres, which would be 3.1 acres in reduction. The area would be clear cut but allowed to grow back and they will not improve upon it.

Supervisor Kusnierz asked if this issue had been brought before the Planning Board. Mr. Cucchiara stated that it was not, as they had originally focused on an archaeological easement that has been removed. Mr. Cucchiara did clarify, however, that the Planning Board knew the area that they were looking to clear.

Supervisor Kusnierz then asked Counsel to speak on conservation easements. Ms. Buettner stated that the Town is the current beneficiary of the conservation easement, and the Town can change it, if it so decides. They looked and DEC/Army Corps are not part of this. Since they are not involved, it is something that the Town can do if it so chooses.

Supervisor Kusnierz then asked Counsel if the Saratoga County Planning Board would have to be involved. Ms. Buettner stated that she was not sure if County Planning would need to be involved, however they do like to be advised of any clearing that is going to occur. Ms. Buettner asked Mr. Cucchiara if he had spoken with Mike Valentine about that. Mr. Cucchiara stated that they had not, as they were waiting until after they had approval from the Town, so that they could get the project started before March 31st, 2023.

Councilmember VanTassel asked if the situation had to go before our Planning Board again. Ms. Buettner stated that it did not. She then asked Mr. Cucchiara if he had spoken to anyone. Mr. Cucchiara stated that Jim Martin was on the e-mail chain, but he had not heard from him directly. Mr. Cucchiara also stated that he did not have any concerns about Mr. Martin's position. Ms. Buettner stated that it may not have to go before the Planning Board, but a conversation would need to take place with Mr. Martin.

A regular meeting of the Town Board of the Town of Moreau was held on February 14, 2023, in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Ms. Buettner stated that in the end it was a real property issue, and the Town would have to figure out if they wanted to declare it surplus. Mr. Cucchiara stated that it would just be a shifting of the easement lines.

Councilmember Noonan asked what percentage of sunlight they would be missing on the panels without the easement. Mr. Cucchiara indicated that because of the alignment they would have to reduce the size of the system, so there would be a 10-15% reduction in system size and production.

Councilmember VanTassel questioned what the significance of March 31st was. Mr. Cucchiara responded that it was a back clearing date set on the federal level because of the Indiana bat and the Northern Long-Eared bat, and they are waiting on changes to the rules and regulations. The federal government has given them an extension from January 31st, 2023 to March 31st to make those happen. If they do not meet that deadline, they would have to follow the new rules and wait until November.

Councilmember Stewart clarified with Mr. Cucchiara the clearcutting and stumping versus clearcutting and allowed to regrow areas.

Councilmember Noonan asked if Nextamp would be willing to plant any additional vegetation to help the neighbors with sound absorption. Mr. Cucchiara stated that they would be open to concessions to the Town for the transfer of the real property.

Supervisor Kusnierz inquired as to what Nextamp's plans would be if the Town denied their request. Mr. Cucchiara stated that they would have a reduction in size, but they would need to stay and push the setback issue, or there may be an issue with the financing. He also stated that a solution would be combining the three lots, which would then change the setbacks. Doing so would change the start date from 2023 to 2024. Ms. Buettner asked if the LLC owned all three parcels. Mr. Cucchiara stated that they did, therefore merging them would help with the setback issues.

Supervisor Kusnierz thanked Mr. Cucchiara for his presentation and stated that the Board will keep him informed of their decision. Mr. Cucchiara thanked the Board and stated that his company would be willing to do whatever they could to help this project move forward.

SUPERVISOR ITEMS

The Supervisor indicated that the Saratoga County Board of Supervisors held a special meeting where they enacted Local Law 3-2023 on Tuesday, February 7, 2023 in response to a new state law. The law will allow for a 10% reduction in Real Property Taxes for volunteer firefighters and ambulance workers, with certain stipulations. There will be a Public Hearing regarding the local law on Wednesday, February 15, 2023 at 4:30 p.m. at Saratoga County. Any member of the public wishing to address the County Board can do so then; before their next meeting later this month.

The Supervisor acknowledged that the County held a press conference on September 07, 2022, regarding the unveiling of a near real-time Substance Abuse Surveillance Dashboard. The County has had remarkable success in its fight against the scourge of opioid abuse, but substance abuse is still a problem in our communities. The purpose of the dashboard is to help public health, mental health, law enforcement, and community partners with more comprehensive prevention, education, treatment, and response services. This continues the County's effort to address this growing issue. The County received \$884,000.00 in opioid settlement monies. There is another settlement coming later this month, and the County believes that the total over the life of these settlements could be millions of dollars. The funding will help with this issue.

The Supervisor reported that mortgage receipts from the Saratoga County Treasurer were \$17,461.00 for the month of January 2023. This shows a softening in the housing market. That number is down from last year. The Town of Moreau got 90% of the funds, and the Village of South Glens Falls got 10%.

A regular meeting of the Town Board of the Town of Moreau was held on February 14, 2023, in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

EXECUTIVE SESSION

The Supervisor stated that there was no need for an executive session at this time. Neither Counsel nor any other member of the Town Board needed one, either.

OTHER BUSINESS

Councilmember Donohue addressed the Board regarding the Town newsletter. Mr. Donohue felt that the Board should have had input on the contents of the newsletter, instead of the Supervisor choosing the content. Councilmember Donohue stated that residents reached out to him with concerns that the newsletter read more like a campaign ad for the Supervisor in an election year and stated all his accomplishments. Councilmember VanTassel retorted that the newsletter was a topic in Town Board meetings prior to it getting sent out. The newsletter was also a topic in budget meetings for two years in a row so that funds were allocated for it. Councilmember Donohue reiterated that his issue was about the content of the newsletter and the Board not having any input. Councilmember VanTassel responded that the article did not speak about the Supervisor, but the Board's actions. Councilmember Donohue doubled down that the appearance was that the newsletter came from the Supervisor when it should have come from the Town Board. Councilmember Noonan mentioned that he was informed by the residents that he ran into that they appreciated the newsletter and recognized that it was from the Board as a whole. He also stated that the current discussion felt more like a personal attack on the Supervisor. Supervisor Kusnierz chose to respond. He stated that he used the word "I" three times in the newsletter. Everything else referenced "the Town," which means the Town Board. The Supervisor also clarified that Councilmember Donohue is using the Board meeting to do his politicking, instead of focusing on creating policy because it is an election year. The Supervisor also acknowledged that the second half of the newsletter pertains to happenings at the County level and clarified that he would be the only member of the Board involved in those actions.

Councilmember VanTassel wanted to let the Board know that he reached out to the Chief of the Fire Department to speak to him regarding their comments at the last meeting, as he is their liaison. He will keep the Board updated on any communication.

Councilmember Stewart let the Board know that we did get our side by side in, and there is one part that must be added. He also wanted to let everyone know that he will not be able to attend the next Board meeting and will have someone cover the Recreation Department for him. He also stated that he will be available by phone or e-mail. Supervisor Kusnierz thanked Councilmember Stewart for making sure that the Rec had a RTV down there this season. Since the price estimates were over what the Board approved, they would not have had that equipment without Councilmember Stewart's help. Councilmember Noonan also thanked Councilmember Stewart for substituting as our Rec Leader currently and stated that the job is up on our website. Councilmember Noonan further stated that we need to get that position filled as soon as possible.

Councilmember Donohue stated that he attended the South Glens Falls Chamber of Commerce meeting the prior evening. The Village is looking for the Town to co-sponsor the summer concert series. The Supervisor responded that he had also spoken to the Village Mayor regarding the same and stated that his door was always open for him.

PRIVILEGE OF THE FLOOR

Dominic Tom, a resident of Cedar Ln, spoke regarding a drug bust the previous week on Redmond Rd. Mr. Tom states that it has historically been a problem. The neighbors are aware of it, and they have spoken with law enforcement. He heard that there are upwards of twenty such crack houses in the Town of Moreau and Village of South Glens Falls. Mr. Tom feels that the Town should be acting. The City of Cohoes, for example, has had their Building Inspector close the building after such a drug bust because it was unfit for human habitation. Supervisor Kusnierz stated that we have a member of law enforcement on the Board, and he has a good working relationship with Sherriff Zurlo. The sheriff is limited in the information he can share, but he does an excellent job keeping the Supervisor abreast of what is going on in the community.

A regular meeting of the Town Board of the Town of Moreau was held on February 14, 2023, in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

No other member of the public wished to address the Board.

A motion was made by Councilmember Noonan, seconded by Councilmember VanTassel, and carried, to close the meeting for the evening at 7:49 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