

A regular meeting of the Town Board of the Town of Moreau was held on February 28, 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 Town Clerk called the roll.

**Town Board Members Present**

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

**Town Board Members Absent**

Mark Stewart	Councilmember
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**Also present:** Brenda Hutter, Town Clerk; Lisa Sperry, Supervisor's Confidential Secretary; Chris Abrams, Highway Superintendent; Karla Buettner, Attorney for the Town; Brigid Martin, Town Historian; Jeff McCabe, Town Justice; John Hogan, Town Justice; Town Residents; Dominic Tom, Maureen Dennis, Jim Aiken; Timothy Surprise, Tom Hutchins, Carly Mankouski, Jeanne Kosloski, Angela Wadsworth; Steven VanGuilder, Moreau EMS; Alex Portal, Reporter for the Post-Star Newspaper

The Supervisor led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

January 31, 2023 – Public Hearing – Moreau Emergency Squad 2023 Contract; and  
January 31, 2023 – Public Hearing – SGF Fire Company 2023 Contract, as prepared and presented to the Town Board members in advance of the meeting for **filing purposes only**.

**HIGHWAY DEPARTMENT**

Request from the Highway Superintendent to open a Purchase Order in the amount of \$8,000, to engage services, when necessary, with Richard Sears Tree Experts. In October of 2022, the Town Board signed a year contract with them for tree and stump removal. There is a clause in the contract to extend for another year if both parties agree.

**Resolution #2023-86**

A motion was made by Councilmember Noonan, seconded by Councilmember VanTassel, and carried, authorizing the Highway Superintendent to open a Purchase Order with Richard Sears Tree Experts, in the amount of \$8,000, for purpose of tree and stump removal town wide.

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

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

Highway Superintendent submitted to the Town Board a Memo regarding the Working Foreman position. Mark Aubrey resigned from this position, effective February 17, 2023, and as a result created a vacancy in which Highway Superintendent has filled by appointing Darcy Miller, effective February 27, 2023. Darcy has been an employee with the Town since 2008 as an MEO and has proven himself to be a team player with an outstanding work ethic.

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**Resolution #2023-87**

A motion was made by Councilmember Noonan . seconded by Councilmember VanTassel, and carried, to approve request made by the Highway Superintendent to open a purchase order with American Rock Salt, in the amount of \$80,000.00 which would be paid from account DB5110.493 which has a current balance of \$14,000.00.

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

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

The Highway Superintendent received two price quotes for the purchase of a new Front-End Wheel Loader. The current Loader is currently being used by the Highway Department and would be sold to the Transfer Station. First quote was from Milton Cat for \$199,839.80, second from United Ag & Turf at \$189,876.00. Those prices would include a trade in value of \$32,175.00 from Caterpillar or \$36,000.00 from John Deere. Highway Superintendent recommended a Purchase/Trade on the John Deere 624 Front End Wheel Loader.

**Resolution #2023-88**

A motion was made by Councilmember Noonan, seconded by Councilmember Donohue, and carried, to approve lease purchase in the amount of \$189,876.00 for a John Deere 624 Front-End Wheel Loader with a trade-in of \$36,000 included. Supervisor Kusnierz inquired on whether or not a letter of intent would be needed for the first available machine. Highway Superintendent responded that the sooner they get letter the better.

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

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

**ASSESSING DEPARTMENT**

The Town Assessor has requested to continue services with GAR Associates LLC. The cost of the proposal, which runs from January 2023-December 2023, is \$47,500 which has been included in the 2023 Town Budget; therefore, no additional monies are needed. GAR Associates LLC aids the Town in equitable property assessments by maintaining the current Equalization Rate of 100%.

**Resolution #2023-89**

A motion was made by Councilmember VanTassel . seconded by Councilmember Noonan, and carried, to approve request made by Town Assessor to continue services with GAR Associates LLC from January 2023-December 2023.

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

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

### **TOWN CLERK'S OFFICE**

Request made by the Town Clerk, to appoint Ellen Buttles as a Full-Time Deputy Clerk/Deputy Receiver of Taxes. Ms. Buttles was initially hired in September of 2021 as a Part-Time Deputy Clerk/Deputy Receiver of Taxes and assists in all aspects of the Town Clerk's office.

### **Resolution #2023-90**

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to change Ellen Buttles' s employment status from Part-Time Deputy Clerk/Deputy Receiver of Taxes to Full-Time status as Deputy Clerk/Deputy Receiver of Taxes with a salary of \$40,425, effective March 6, 2023.

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

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

### **WATER & SEWER DEPARTMENT**

Supervisor Kusnierz stated that there have been several discussions with Town Engineers, Special Counsel, as well as Town Council in relation to drafting an Out of District Sewer Agreement. In order to do so, the Town will need to have an Amendment to the current Agreement. The entity that is specifically requesting the supply of this Sewer service is Schermerhorn Residential Holdings, LP so that they may move forward with construction projects.

### **Resolution #2023-91**

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, authorizing Supervisor Kusnierz to execute Amendment No. 1 to Agreement to Supply Sewer Service to property outside of Sewer District.

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

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

### **SUPERVISOR ITEMS**

Supervisor received a Press Release regarding the 46<sup>th</sup> Annual South High Marathon Dance, that is being held on Friday, March 3<sup>rd</sup> and Saturday March 4<sup>th</sup>. Correspondence included a list of beneficiaries that the student committee had selected for the SHMD 2023, as well as an invitation for Supervisor Kusnierz to speak during this event.

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Correspondence was received from the President of “Bikeatoga”, a volunteer-run bicycle recycling program designed to repair used bikes and get them back on the streets. Letter was in regard to workshops that will be held at 241 Broadway, Rear Entrance in Saratoga Springs. Days and hours are Tuesdays from 6pm to 8pm, Thursdays 5pm to 8pm, and Saturdays from 9am to Noon. During this time visitors can stop in for bike maintenance, donate bikes or parts, or to adopt a bicycle. Bikes and maintenance are free or pay as you please. Further information can be found on their website [www.bikeatoga.org](http://www.bikeatoga.org) as well as ours. Flyer has been posted in the Town of Moreau Municipal Complex Building.

### **EXECUTIVE SESSION**

The Supervisor stated that he will need a brief Executive Session to discuss an unnamed Town employee’s work history and performance.

A motion was made by Councilmember Noonan, seconded by Councilmember VanTassel, and carried, to break for Executive Session at 7:16 p.m.

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

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

The Town Board returned from executive session at 7:25 p.m., with the Supervisor noting that no action was taken in executive session.

No action was taken in Executive Session.

### **TOWN COURT OFFICE**

A resignation letter dated January 26, 2023, was submitted by Ella McFadden, who was initially hired as a Part-Time Clerk in the Court, stating that she has made other long-term plans that would not allow her to take the position. Supervisor noted that on January 10, 2023, Resolution #2023-65, the acceptance to hire her was made.

### **Resolution #2023-92**

A motion was made by Councilmember Noonan, seconded by Councilmember VanTassel, and carried , to accept the resignation of Ella McFadden.

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

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

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**Resolution #2023-93**

A motion was made by Councilmember Noonan, seconded by Councilmember VanTassel, and carried , to hire Kara Gutowski as a Court Clerk for the Town Court at a rate/salary of \$40,425, subject to the successful completion of a background check and pre-employment physical within a 2-week period.

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

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

Town Justices requested that an extension be made to continue to have Jennifer Miller work as a Part-Time Court Clerk through June 13, 2023.

**Resolution #2023-94**

A motion was made by Councilmember Noonan, seconded by Councilmember VanTassel, and carried , to have an extension made of an initial Resolution #2022-350 to have Jennifer Miller continue working as a Part-Time Court Clerk through June 13, 2023.

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

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

**OTHER BUSINESS**

Councilmember Noonan was approached by a resident regarding a course clean-up day which is done by volunteers, asking to use of a Pavilion at no fee.

**Resolution #2023-95**

A motion was made by Councilmember Noonan, seconded by Councilmember VanTassel, and carried , to have the Town waive the fee for use of a Pavilion for a Course clean up day that will occur sometime in April.

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

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

**PRIVILEGE OF THE FLOOR**

Town Resident, Angela Wadsworth spoke about having her property surveyed on her own expense, had concerns regarding not having anyone from Code Enforcement Office return her calls, and also asked whether or not it is legal to be reassessed for the last 9 years, once every year.

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Brigid Martin wanted to let Board know that the Folklife Center is having its 30<sup>th</sup> Anniversary Festival featuring live music, storytelling, dance folk art & food demonstrations at the Crandall Public Library, City Park in Glens Falls NY on Tuesday, July 25, 2023. Supervisor Kusnierz told her that the Town would post this information on town's website.

Resident Dominic Tom criticized the Town Historian's private social media account, claiming that she is a shill to the Supervisor and Biochar, insinuating that she's a public relations flack. He mentioned that she recently auctioned off a ticket to the South High Dance Marathon on her personal Facebook page to the highest bidder. He preceded to say that he finds it unconscionable to take free tickets and put them up for auction, regardless of where that money goes. Supervisor Kusnierz responded with what a fabulous job that the South High Dance Marathon does for the community and contrary to what has been said, there is a limited of number of tickets per families and individuals. If an individual with an extra ticket decides to put it up for auction to highest bidder for the benefit of SHMD, more power to them.

### **MOTION TO ADJOURN**

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to close the meeting for the evening at 7:53 p.m.

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

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

Meeting adjourned,

Respectfully submitted,

Brenda Hutter  
Town Clerk