

A Regular meeting of the Town Board of the Town of Moreau was held on September 26, 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.

Town Board Members Present

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

Also present: Brenda Hutter, Town Clerk; Lisa Sperry, Confidential Secretary to the Supervisor; Chris Abrams, Highway Superintendent; Jeremy Brogan, Recreation Director; Alex Portal, Reporter, Post Star Newspaper; Town Residents: Steven Hutter, Bruce Lant, Brigid Martin, Elizabeth Bennett, and Carly Mankowski.

SEQRA LEAD AGENCY REQUEST

Resolution #2023-276

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to authorize the Town of Moreau Planning Board to act as Lead Agency in the Environmental Assessment of the US Light Energy Planned Unit Development District Project.

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 #2023-277

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to authorize the Town of Moreau Planning Board to act as Lead Agency in the Environmental Assessment of the Cerrone Builders Planned Unit Development District at Jacobie Park Side Farm-Moreau Rec. Road Project.

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

Supervisor Kusnierz summarized a letter that the Town had received from the Commissioner of the Department of Agriculture and Markets. Kusnierz stated that Department of Agriculture and Markets has issued a determination in relation to the final most intent for proposed advance of public funds to fund Sewer District 1, Ext. 5, which is routed through the Saratoga County Agricultural District Number One. Kusnierz read aloud a specific portion of the letter in which the Commissioner stated, "that based on all relevant information before me, I have determined that the proposed action would not have an unreasonably adverse effect on the continuing viability of farm enterprises within the District or State

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environmental plans, policies and objectives". Kusnierz stated that this particular statement is very beneficial for the public to be aware of.

Supervisor Kusnierz stated that the Town Board has received a recommendation from the Town's Engineer, LaBerge Group, as well as from Mike Mooney, Water Superintendent, regarding a change order number 1 for the Moreau Industrial Park Pump Replacement Project. Kusnierz stated that the nature of the change order would be to relocate the existing electrical service panel and communications dialer to the opposite wall to make room for the new oversize pump control cabinet that is being delivered by the pump supplier. Equipment relocation is needed due to the new cabinet being approximately 2 feet wider than the existing pump control cabinet that it replaces. Supervisor Kusnierz stated that the proposed change order would come at an additional cost of \$24,935.17. Councilmember Stewart asked if this change order / additional cost is only due to the spec of new pump that is going in. Kusnierz stated that the additional cost is due to not being able to use the current panel due to the size being unexpectedly larger than what was anticipated. Kusnierz added that the total project cost will still be below the original budgeted amount.

Resolution #2023-278

A motion was made by Councilmember VanTassel, seconded by Councilmember Noonan, and carried, to authorize the Town Supervisor to sign Change Order Number One for Wastewater Pump Replacement.

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

Supervisor Kusnierz stated that at a previous board meeting Jeremy Brogan, Recreation Director, had put in a request to allow two part time employees that currently work in the Rec Department to participate in an internship as a part of a BOCES Program outside of their regular scheduled work hours. Kusnierz stated that the Town currently has an agreement with BOCES, and that Counsel advised that the Town get proof of being additionally insured prior to allowing the two students to start the internship. Councilmember Stewart asked the Rec Director if internships under this program were paid or unpaid. The Rec Director responded that typically they are unpaid.

Resolution #2023-279

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to approve the Town of Moreau to have two students participate in an unpaid internship once the Town receives proof from BOCES as being additionally insured.

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

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CHAMPLAIN HUDSON POWER EXPRESS

Supervisor Kusnierz stated that the Town received correspondence from Champlain Power Hudson Express (“CHPE”). Kusnierz gave a brief summary of what CHPE plans on doing. Kusnierz explained that they intend to construct and operate a buried 1,250-megawatt High Voltage Direct Current electric transmission facility and that they are seeking Right of Way’s under certain Town roads in order to do this. CHPE had originally offered the Town a payment of \$20,000. Kusnierz stated that he suggested to representatives of this company that they pay a little more, adding that the extra revenue could be used by doing some upgrades to the Town boat launch, near the new Trail by Nolan Rd by putting in removable docks so that the Town could open up that area of the Town to boater traffic coming in. CHPE is willing to pay the Town \$25,000 for these Right of Ways. Councilmember VanTassel stated that he fully supports any extra revenue to help finance any upgrades that need to be done by the Trail project. Councilmember Stewart stated that it shows good faith by working with CHPE and that the extra money will be put to good use.

The Supervisor read the following Resolution aloud:

RESOLUTION CHAMPLAIN HUDSON POWER EXPRESS AGREEMENT

WHEREAS, CHPE intends to construct and operate a buried 1,250 megawatt High Voltage Direct Current electric transmission facility consisting of two solid-state cables and related equipment and appurtenances (“Project”) pursuant to the Certificate of Environmental Capability and Public Need granted to Champlain Hudson Power Express (“CHPE”) by the New York State Public Service Commission (“PSC”) on April 20, 2013 (as amended from time to time, the “Certificate”), the Project’s Environmental Management and Construction Plan (as amended from time to time, “EM&CP”) to be approved by the PSC in due course, and other permits and authorizations to conduct certain related activities, including Project construction and Project restoration activities as provided for herein (collectively, “Project Activities”); and

WHEREAS, on May 12, 2020, the Town Board of the Town of Moreau (the “Board”) pursuant to a Resolution, granted its consent, pursuant to Section 11 of the New York State Transportation Corporations Law, to CHPE’s proposed routing of the Project over certain municipal property (the “Resolution”); and

WHEREAS, in order to accomplish Project Activities within the Town, CHPE needs to install and operate buried Project cables in, across, and under certain Town roads known as Clark Road, Mott Road, and Mill Site Road; and

WHEREAS, the Town seeks assurances from CHPE that CHPE will pay and/or otherwise indemnify the Town for any damage to the Affected Roadways and any access roads, streets, or other public infrastructure used or traversed by CHPE or its contractors to access the work site for installation of the cable in and under the Affected Roadways and/or arising from or related to Project construction, maintenance, and occupancy activities; and

WHEREAS, CHPE has agreed to pay the Town of Moreau the amount of Twenty-Five Thousand and NO/100 Dollars (\$25,000.00) as consideration for the rights granted by the Town;

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NOW, THEREFORE,

BE IT RESOLVED, that the Town hereby grants CHPE the right to lay down, construct and maintain wires, conductors, conduits and other fixtures in and under the Affected Roadway in the Town in accordance with the provisions of an Agreement for the life of the CHPE project; and be it further

RESOLVED, that the attorney for the Town is authorized to review and revise an Agreement with CHPE setting forth the rights and responsibilities of the parties; and be it further

RESOLVED, that the Supervisor and attorney for the Town are hereby authorized to prepare and execute any and all documents necessary to effectuate the purposes set forth in the Resolution.

Resolution #2023-280

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to approve the foregoing resolution as read into the record by the Town Supervisor.

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

DOG CONTROL

Supervisor Kusnierz stated that the Board will need an executive session to go over this agenda item.

SUPERVISOR ITEMS

Supervisor Kusnierz briefly discussed the possibility of the Town receiving a donation of 48 acres. Saratoga Plan would like to use it for recreational use and that it's landlocked parcel that is contiguous to Town lands that we already own along the river, some refer to as "Potters Park". Kusnierz stated that this would add to the land holdings that the Town has acquired over the years and that he was hoping to have the necessary paperwork available for tonight's Board meeting, however Council for representatives of the Lake George Land Trust Room (donator) is still in the process of working out details with the Town's attorney.

A request came in late this afternoon from Matt Dreimiller, Town of Moreau Building Inspector, to attend the 18th Annual North Country Stormwater Tradeshow & Conference on October 19, 2023, from 8:30 am – 4:30 pm at the Great Escape Lodge in Queensbury. The fee will be covered by Saratoga County.

Resolution #2023-281

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to approve Matt Dreimiller, Building Inspector, to attend the North Country Stormwater Tradeshow & Conference on October 19, 2023, from 8:30 am – 4:30 pm at the Great Escape Lodge in Queensbury NY at no cost to the Town.

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

Supervisor Kusnierz read aloud a letter that was received from Meredith Mathias, Planning Board Member resigning from her position with an effective date of December 31, 2023. Supervisor Kusnierz thanked her for her hard work and dedication while in the position of Planning Board member. Councilmember Noonan also thanked her for her service, adding that her leaving will be a loss to our community.

Resolution #2023-282

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to accept the resignation of Meredith Mathias as a Planning Board member effective December 31, 2023.

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 Kusnierz stated that on September 15th, the Town had received a check from the State Comptroller's Office for State Aid to municipalities in the amount of \$45,230.

Supervisor Kusnierz gave a brief update on a building that the Saratoga County Board of Supervisors has been working on. It will be built at the Saratoga County Fairgrounds and will have a Veteran's Hall of Fame and will be utilized as a place for public events.

EXECUTIVE SESSION

A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, and carried, to adjourn for an executive session at 7:32 p.m. to discuss an unnamed individual who is currently under contract with the Town work history and performance and to discuss a change to the CSEA Contract for health insurance purposes.

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 Board returned from executive session at 8:00 p.m., with the Supervisor noting that no action was taken during this session.

OTHER BUSINESS

The 2024 Budget Workshops were scheduled for Thursday, October 5, 2023, at 5:00 pm, and October 11, 2023, at 6:00 pm.

A Regular meeting of the Town Board of the Town of Moreau was held on September 26, 2023, in the Town of Moreau Municipal building, 351 Reynolds Road, Moreau, New York.

Councilmember Stewart stated that the Town of Halfmoon donated all the posts and fencing to the Town's Recreation Department for the field that the Town has been redoing.

PRIVILEGE OF THE FLOOR

No member of the public wished to be heard.

A motion was made by Councilmember Noonan, seconded by Councilmember Stewart, and carried, to close the meeting for the evening at 8:05 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,

Respectively submitted,

Brenda Hutter
Town Clerk