

A regular meeting of the Town Board of the Town of Moreau was held on January 24, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Supervisor Jenkins called the meeting to order at 7:00 p.m.

The Town Clerk called the roll.

Town Board Members Present

Robert J. Vittengl, Jr.	Councilman
Gina LeClair	Councilwoman
Todd Kusnierz	Councilman
Preston Jenkins	Supervisor

Town Board Members Absent

Bob Prendergast	Councilman
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Also Present: Jeanne Fleury, Town Clerk; Karla Buettner, Attorney for the Town; Jesse Fish, Water Superintendent; Paul Joseph, Highway Superintendent; Peggy Jenkins, Assessor; Steve Gram, Recreation Director; Dan Styczynski, Director of Pop Warner Football and Dog Control Officer for the Town; Nancy Ryan, Transfer Station Clerk; and David Taube, Post Star Reporter

Supervisor Jenkins led the Pledge of Allegiance.

Supervisor Jenkins welcomed everyone to the meeting and asked that everyone turn off or silence all electronic devices.

MINUTES

The following minutes were prepared and distributed to the Town Board in advance of the meeting for their review, comment, correction and approval:

January 5th (2 Sets), January 10th and January 17th

MINUTES – JANUARY 5, 2012 – PUBLIC HEARING – SOUTH GLENS FALLS FIRE COMPANY CONTRACT FOR YEAR 2012

No comments or corrections.

MINUTES – JANUARY 5, 2012 – PUBLIC HEARING – MOREAU EMERGENCY SQUAD CONTRACT FOR YEAR 2012

No comments or corrections.

MINUTES – JANUARY 10, 2012 – REGULAR TOWN BOARD MEETING

No comments or corrections.

MINUTES – JANUARY 17, 2012 – SPECIAL MEETING TO AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH MOREAU EMERGENCY SQUAD AND TO INTERVIEW ENGINEERS RE: THE NEW PROPOSED MUNICIPAL CENTER

No comments or corrections.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to approve both sets of minutes dated January 5th as prepared.

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Roll call vote resulted as follows:

Councilman Prendergast	Absent
Councilwoman LeClair	Yes
Councilman Kusnierz	Abstain
Councilman Vittengl	Yes
Supervisor Jenkins	Yes

A motion was made by Councilman Vittengl and seconded by Councilman Kusnierz to approve the minutes of January 10th as prepared.

Roll call vote resulted as follows:

Councilwoman LeClair	Abstain
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Absent
Supervisor Jenkins	Yes

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz to approve the minutes of January 17th as prepared.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Absent
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

FUTURE MEETINGS/WORKSHOPS SCHEDULED

The Town Board Month End Audit Meeting was scheduled for January 31st at 7:00 p.m.

15 MINUTE PUBLIC COMMENT PERIOD

Supervisor Jenkins announced that the Moreau Emergency Squad signed the contract with the Town of Moreau in the amount of \$200,000.00. He will be signing the contract at the end of the meeting.

Reed Antis addressed Councilman Kusnierz and asked him if based on his voting record should the taxpayer's of Moreau not be worried about how the Moreau Emergency Squad spends the medical insurance money it receives and the donation money it receives. He said that is what is in question, how that money is spent. He asked Councilman Kusnierz what his position was on this.

Councilman Kusnierz responded saying that he has always been for transparency, fiscal responsibility and conservative fiscal practices. He said that how he views how the taxpayer's should view his position he can't make that call. As a representative of the taxpayers and how he feels about it, there is no doubt in his mind that the monies paid by the taxpayer's for partial funding of the squad are fully accounted for.

Reed Antis asked if the Town Board has any plans to discuss the recreation department. There needs to be a change as to how that department runs.

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Supervisor Jenkins said he plans to schedule a workshop at the next meeting to discuss it.

Reed Antis asked if the board was going to invite organizations such as; Little League, Pop Warner, the soccer clubs and people involved.

Supervisor Jenkins said they would make that decision after they set the meeting. He said they probably should notify the groups with the most interest. He wasn't sure at this point.

Reed Antis stated that the recreational department needs change in a positive way. We need good leadership in that program. He sees a lot of circling around and not a lot of positive direction.

Supervisor Jenkins replied that a lot of people in that group are very frustrated too. The way the current structure is, it is very difficult to get things done. Another possibility would be to have our two council people who serve as liaisons to the recreation commission to be more active and put our director in a position whereby he doesn't have as many bosses. Even though they aren't really bosses they put him in difficult positions sometimes.

Reed Antis asked if the two liaisons from the Town Board are Councilman Vittengl and Councilman Kusnierz and Supervisor Jenkins replied yes.

Dan Styczynski, Director of Pop Warner Football, was present to ask the Town Board to allow Pop Warner to take over the Town's flag football program. Two years ago it was turned over to the Town's recreation department. Pop Warner is losing financially. If they don't bring flag football back to Pop Warner then Pop Warner will no longer exist and it has been around for 30 plus years. He said that if they lose Pop Warner he was told by the Capital District Pop Warner that they wouldn't get another charter north of Saratoga. According to Dan; Steve Gram the recreation director and the recreation commission don't have a strong feeling either way.

Supervisor Jenkins said that he had requested that Steve Gram conduct a survey of the parents who have children participating in flag football to find out how they feel about this. He received the survey results today, but doesn't really understand them.

Steve Gram said he called all the parents and ten responded that they wanted to keep the program as is, at the recreation park, with the same fee. He said that some of the coaches suggested they drop kindergarten, because their attention span is not long enough to learn anything skill wise and then raise it to the third grade. If they don't play Pop Warner football while in third grade then they can play in the Town's flag football program instead. The last option was to allow Pop Warner to take the program over. He went on to say that 17 people responded saying that they wanted to keep it at the rec. park, but agreed with the idea of dropping kindergarten and adding third grade and one person responded and said that Pop Warner should take it over. He said that 45 people were surveyed, but only 28 responded.

Supervisor Jenkins asked what the difference in the fee was and Steve Gram replied \$20.00 for the Town program and \$40.00 for the Pop Warner program.

Dan Styczynski stated that the year before they turned the program over to the recreation department Pop Warner had 100 kids playing flag football. They had three flag teams with over 30 kids, two mighty mite teams with over 30 kids, one junior pee wee team with over 35 kids and one pee wee team with 30 kids. This year there are less than 100 kids.

Supervisor Jenkins asked what was included for the \$40.00 registration fee.

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Dan Styczynski replied that they supply a t-shirt, equipment, officials and insurance. He said for the last couple of years they provided the equipment for the Town program. He said he was looking for everybody's support. He said financially, this year Scott Carpenter floated them \$4,000.00. He was into it for \$500.00. At the end of the year there were out of pocket expenses for officials and equipment. He mentioned that they would travel as far as Saratoga and Troy.

Steve Gram said it doesn't matter to him either way, but some of the parents had concern over the traveling.

Councilwoman LeClair asked what the final date for sign up is and Dan replied in one month.

Councilwoman LeClair asked if Pop Warner doesn't get the numbers signing up that they expect will there still be time for our recreation department to take the program back and get it up and running for the season.

Dan said they sign up everybody north of Saratoga not just Moreau. He mentioned the Towns of Fort Edward, Hudson falls, Glens Falls, Queensbury, Lake George. He said last year they left a lot of kids "on the street".

Councilman Kusnierz said he had a concern over the \$40.00 fee. It is twice as much as the Town fee. This issue came up at the last board meeting. He asked why it has to be twice as much as the Town program fee.

Dan replied they provide a t-shirt and the equipment the Town used was theirs.

Councilman Kusnierz said the Town would give the equipment back.

Dan stated that they would have to replace equipment along the way and there is a huge insurance binder.

Councilman Kusnierz asked what the Town could do to keep the registration cost from increasing for the participants.

Dan stated that they lined the fields at the bowl and took care of everything except cut the grass.

Councilman Kusnierz asked Steve Gram if this is normal and Steve Gram said it was in their contract. Their services were in lieu of the fee to use the fields.

Councilman Kusnierz asked if the Town incurred that cost would they be able to keep the registration fee at \$20.00 and Dan said no, not \$20.00. He said that his board may be able to agree to \$30.00. He said they are the cheapest Pop Warner in the area.

Councilman Kusnierz said it would be hard for him to support this request if the registration fee was going up to \$40.00.

Councilman Vittengl asked how many of the kids live in the Town or Village.

Dan replied about 75% to 80%.

Supervisor Jenkins stated that he wanted to hear what Steve Gram has to say about this. He said that maybe the \$30.00 would be okay for one year and then we can see what the impact is.

Steve Gram said he concurred with Supervisor Jenkins. He said to let Pop Warner take over flag football and see what they can do with it. If they don't get the numbers then we can take it back. He did have a concern over the amount of the fee though.

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Supervisor Jenkins asked if the board members were okay with the \$30.00 fee. The only audible response was from Councilman Vittengl when he said he was. No objections were voiced.

Supervisor Jenkins asked that the board be kept up-to-date on this.

HIGHWAY DEPARTMENT REQUESTS

The highway superintendent submitted a request to purchase a telephone system for the new highway garage. He obtained the following quotes:

Av Tel Phone System	\$6,036.21
Tech II	\$6, 260.00
Stored Technology Solutions, Inc.	\$6,846.15
PS Technical Services	\$9,950.00

This purchase would be paid for out of account HH1620.2 that had a balance of \$658,142.26 as of 1/5/12.

The highway superintendent recommends purchasing from Av Tel Phone Systems per their quote of \$6,036.21.

Councilman Kusnierz asked what was included for this price.

Paul Joseph replied a complete system with paging capability into the old garage and tie into the fax, printer, computers and it included the wiring and cabling.

Councilman Kusnierz asked how many phones were included and Paul Joseph replied seven and one wireless.

Councilman Kusnierz noted that Av Tel didn't break down their costs like the other proposals.

Paul Joseph said that Stored Technology and Av Tel both submitted quotes on the exact same system.

Councilwoman LeClair asked if the warranties are the same and Paul Joseph replied yes.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the purchase of a telephone system for the new highway garage from Av Tel Phone Systems at a cost not to exceed \$6,036.21.

Councilman Kusnierz said he wasn't going to support this purchase from an entity that provides a flat rate and doesn't break down the cost of each item like the other vendors.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Absent
Councilwoman LeClair	Yes
Councilman Kusnierz	No
Supervisor Jenkins	Yes

Supervisor Jenkins advised that there is a request in for authorization of a change in proposal #1 to the Mechanical Contract #3 with Family Danz Heating & Air Conditioning for the new highway garage in the amount of \$1,380.63 to add zoning to the radiant heating system. This cost covers labor and materials.

Councilman Kusnierz asked if the contractor was doing the work or the highway personnel and the answer was the contractor was.

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Paul Joseph stated that it was on the list of change orders that they were working on.

Councilman Vittengl asked if it was part of the original specifications and the answer was no.

Supervisor Jenkins said there have been several of these change in proposals. We knew that when we went out to bid we were going to be close to what we had to spend so we didn't put a lot of these things in the contract specifications.

Councilman Kusnierz asked how many more were expected.

Supervisor Jenkins said that everything that is anticipated is documented. He said there is \$61,219.22 left to spend on the new building and they hope that when they are done there is money left so they can put in a sprinkler system in the old highway garage.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the change in proposal to the mechanical contract with Family Danz Heating & Air Conditioning in the amount not to exceed \$1,380.63 to install zoning for the radiant heating system in the new highway garage.

Roll call vote resulted as follows:

Councilman Prendergast	Absent
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Supervisor Jenkins	Yes

Supervisor Jenkins advised that there was a request in for a change in proposal #3 to the electrical contract number 2 with TMG in the amount of \$450.00 for labor and materials to install conduit at six exterior doors on the new highway garage.

Councilman Kusnierz asked if wasn't this included in the bid specifications and Paul Joseph replied not that he was aware of.

Supervisor Jenkins said there has been discussion on this before, but no action was taken.

Paul Joseph advised that the conduit would be installed so that they could install electronic door openers and locks at a later time.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the change in proposal #3 to the electrical contract number 2 with TMG for the materials and labor to install conduit at six exterior doors on the new highway garage at a cost not to exceed \$450.00.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Absent
Supervisor Jenkins	Yes

A request was submitted by the highway superintendent to purchase four (4) air hose reels for the new highway garage out of account HH1620.2 that had a balance of \$38,966.00 as of 1/24/12.

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The following quotes were obtained:

J.E. Sawyers	\$494.00 plus shipping
Fastenal	\$1,304.16
Wallace Supply	\$1,480.00 plus shipping
Wellers Auto Parts/NAPA	\$792.00

Councilman Kusnierz stated that since it is a highway garage being built surely this must have been included in the construction costs somewhere.

Paul Joseph replied that somehow it was left out. Crisufelli is doing the air lines now and they need these air hose reels.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the purchase of four (4) air hose reels for the new highway garage from J.E. Sawyer at a cost not to exceed \$494.00 plus shipping.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Absent
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

Councilman Kusnierz referred to bid specifications for the used Gradall that the highway department planned to go out to bid to purchase and asked how much money was budgeted for this purchase and the answer was about \$68,000.00.

Councilman Kusnierz stated that the specifications have been written for one machine only. He said even the year is specified in the specifications.

Paul Joseph stated that he included the wording, "or comparable and 2001 or newer".

Supervisor Jenkins noted that there are a couple of machines that we have been looking at that are off lease from the state.

Councilman Kusnierz stated that he would like to see the specifications rewritten in more general terms. Such as: 4X4 with minimum width and weight. That way we may be able to get a newer machine. The more general the specifications the more bids we may get and maybe a better machine. He noted that we even have the number of hours we are looking for on the machine listed. He stated that he did a quick search of the internet and found one for \$59,000.00 that has 4,400 hours on it and one for even less money that is a 2001 with 10,000 hours on it. The broader the specifications the more bids we may get and then we can sit down and go through them and decide which one meets our needs for the money.

Supervisor Jenkins asked Paul Joseph to rewrite the specifications.

Councilman Vittengl asked if they were going to ask for bids with a trade-in.

Councilman Kusnierz said they could offer it both ways.

RECREATION DEPARTMENT REQUESTS

The recreation director submitted a request to rent one (1) regular portable toilet and one (1) handicapped portable toilet for the year for the recreation park. He obtained the following quote:

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Stone Industries \$195.00 per month plus a fuel charge of \$9.75 per month

The total amount was \$2,457.00 and Steve Gram, Recreation Director, asked for approval to rent these portable toilets for part of the month of April at an additional cost of \$70.00 making the total cost \$2,527.00.

This expense would come out of account A7140.4 that had a balance of \$59,887.85 as of 1/20/12.

Steve Gram noted on his quote summary sheet that he contacted IBS Septic and Cook's Septic for quotes and they did not respond.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl authorizing the rental of portable toilets from Stone Industries for one the year for the recreation park at a cost not to exceed \$2,527.00.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Absent
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

WATER DEPARTMENT REQUESTS/AUTHORIZE EMERGENCY REPAIR TO CHECK VALVE AT SEWER PUMP STATION – ROZELL INDUSTRIES

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz authorizing the emergency repair to the check valve at the sewer pump station in the industrial park by Rozell Industries, Inc. at a cost of \$1,520.63 out of account GI8110.4.

Roll call vote resulted as follows:

Councilman Prendergast	Absent
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Supervisor Jenkins	Yes

RESOLUTION TO ACCEPT CHECK/REVENUES FROM COUNTY OF SARATOGA FROM OPEN SPACE GRANT

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz to accept a check in the amount of \$69,503.00 from the County of Saratoga from the Open Space Grant towards the purchase of the property on Fort Edward Road that we purchased from the Diehl Family.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Absent
Supervisor Jenkins	Yes

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PLANNING BOARD ALTERNATE – LETTER OF INTEREST

A letter of interest was received from a resident of the Town to serve on the Planning Board. The Planning Board does not have any vacancies at this time. The individual will be contacted to see if he is interested in serving on the Zoning Board of Appeals instead.

COMMUNITY GARDEN

Councilwoman LeClair submitted to the board members a flyer and application form regarding the community garden. She was asking for board approval to distribute the flyers and make the applications available to the public.

Councilman Kusnierz asked how the community garden was going to be funded.

Supervisor Jenkins stated the board was only being asked to allow the community garden plans to move forward and at some point there may be a funding request, but he doesn't envision a substantial cost and the funding is something the board would decide on at that time.

Councilman Kusnierz stated that the community garden is a fantastic idea, but with any community garden you will find that 99% of them are never funded with taxpayer's money. They are sustained by donations and volunteers, either monetarily or by way of the donation of materials and services. In exchange for the donations a little sign is put out by the garden that identifies who made the donation(s). He said he is not a proponent of using taxpayer's money on it.

Councilwoman LeClair stated that she hopes there will be fundraising and the Moreau Community Center is interested in sending letters out asking for donations of materials i.e., lumber or peat moss. We have topsoil and compost at the transfer station. Once the beds are established all we will probably have to do is bring in a load of compost each year to enhance the beds. After the upfront costs there shouldn't be a lot of expense involved in maintenance.

Councilman Kusnierz referred to the rules and regulations and specifically number one that reads, Moreau or Village Residents and he suggested they change that wording to read, preference will be given to Town of Moreau and Village Residents.

Councilwoman LeClair asked if he would be okay building beds for someone from another Town. The thought behind this was that the Town wouldn't want to support the cost of building beds for out-of-town residents at least at the beginning.

Councilman Kusnierz stated that if it wasn't paid for by taxpayer's dollars then he wouldn't have a problem with it. Our residents should be given preference if there is a limited amount of space.

Supervisor Jenkins said this makes sense. He doesn't think people would travel too far to participate. He thought it was a good idea to say that Town of Moreau Residents will be given preference.

Councilman Kusnierz also suggested that they leave out of the rules and regulations the date for the final planting. There are some short season crops that they may be able to get out of there. He said that as for keeping pets out of the garden beds, we do have dogs in the park and we can't expect owner's of the gardens to keep other people's pets out.

Councilwoman LeClair stated that she would hope they would keep them out of there. She wouldn't want to eat lettuce after a dog has been through it.

Supervisor Jenkins told Councilwoman LeClair that it appears she can move forward on the community garden.

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COMMITTEE REPORTS

Councilwoman LeClair reported on the Riverfront Project. She is waiting to hear from the state. The state is waiting on paperwork from DEC and EPA that the state attorneys have to review to release use of the land and then they will be dealing with the General Electric, Niagara Mohawk and possibly the Archaeological Conservancy.

15 MINUTE PUBLIC COMMENT PERIOD

None

Councilwoman LeClair stated that there are a couple of people retiring from the transfer station and she asked Nancy Ryan and Councilman Vittengl if they could meet with her at 8:00 a.m. Thursday to discuss the transfer station.

Supervisor Jenkins explained that there has been another 8% drop in revenues this year. It has been going down that way for the last three years. There was an increase in employee benefits within the last two years that really ate into the revenues. We are going to show a deficit of about \$11,000.00 on a cash basis and since we have to report this as an enterprise fund we have to charge depreciation. The two employees at the transfer station will be retiring within the next couple of months. They are the only full-time employees down there and this would be a good time for the board to consider cutting hours and days of operation at the transfer station. If we raise fees then we will lose even more revenues. We have to consider this also, because this is a fund that is supported by user fees and not taxpayer's dollars. We have to talk to the county about the county recycling center and if they plan to continue that operation and if so for how long. That is what the transfer station committee is going to look at. The meeting on this will be Thursday at 8:00 a.m. at the transfer station.

SUPERVISOR'S ITEMS

A request was received from Joe Patricke, Building Inspector/Code Enforcement Officer, for Duane Miller, Assistant Building Inspector/Code Enforcement Officer, to attend a certification training class February 22nd through the 24th and for all necessary mileage and meals to be a proper town charge, but not to exceed \$200.00.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Absent
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz authorizing the payment of \$11,000.00 to the Historical Society out of account A7520.4 per their budget request that was approved in the 2012 Town Budget.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Absent
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

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Supervisor Jenkins stated that at the last Town Board Meeting the Town Clerk requested funds in the amount of \$293.65 a year for an off-site, on-line backup of data from her computer network server and Attorney Buettner was going to review the contract. He asked Attorney Buettner if she had any problem with the language in the contract.

Attorney Buettner said she had concerns with the hold harmless, indemnification and insurance issues that were in the contract. She originally thought that the data was going to be removed from the Town Hall and stored off-site and she found out that this was not the case and only a copy of the data was going to be stored off-site. Therefore, the opinion she submitted to the Town Board is not applicable. The Town Clerk is going to retain full control as outlined in Town Law. She suggested that the liability clauses be removed and indemnification and hold harmless language be included. She doesn't know if BAS will agree to this, but she would feel better and the state comptroller will feel better about it if this language is in it.

Councilman Kusnierz said he thought she had concerns about the personally identifiable information and Attorney Buettner said this was correct.

Councilman Kusnierz said they could do a resolution subject to legal counsel's review and approval of the contract.

Supervisor Jenkins said this could be done.

Councilman Kusnierz made a motion authorizing the Town Clerk to sign an agreement letter with Business Automations Systems to provide Tier 2 Bronze Service as outlined in the documents as provided by the Town Clerk at a cost of \$293.65 per year, which will be paid quarterly at \$73.41 out of account A1410.4 subject to legal counsel's review of the agreement and approval of the agreement.

The motion was seconded by Councilwoman LeClair.

Roll call vote resulted as follows:

Councilman Prendergast	Absent
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Supervisor Jenkins	Yes

Supervisor Jenkins asked for a motion and second to go into executive session at 8:20 p.m. to discuss an issue with an insurance carrier about some damages to Town property for which we haven't agreed on a settlement amount yet, discuss an Article 7 tax assessment case with Stone Bridge and to conduct a second round of interviews with engineers regarding the new proposed municipal center.

David Taube, Post Star Reporter, asked if the interviews would be out of the executive session and part of the public session.

Supervisor Jenkins replied that they were still negotiating a lot of issues that were critical between the parties so they were going to do this in executive session. There is one board member missing tonight so the board wouldn't be voting on this tonight.

David Taube asked what the grounds were for discussing that part in executive session.

Supervisor Jenkins replied that there was going to be some negotiations over price and until we have a final contract it is very private.

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David Taube stated that he thinks that would be public and the Post Star would be interested in sitting in on that portion of the discussion. He doesn't see anything in the Open Meetings Law whereby proposed RFP's are able to be exempt from the public portion.

Supervisor Jenkins stated that it is not an RFP it is a bid situation.

Attorney Buettner stated that under the Open Meetings Law proposed contracts with the Town can be discussed in executive session.

David Taube asked her to show him that, because he doesn't see it as an exemption under the law.

Attorney Buettner stated that she didn't have the executive law with her, but proposed contracts are listed in the law.

David Taube said he had a copy of the law with him if she wanted to point it out to him.

Supervisor Jenkins stated that he just discussed this with Councilman Kusnierz and he thinks that since we have bid prices already and they aren't going to change then we can hold the interviews in open session. He said the problem is that we have one engineering firm coming in at 8:30 and another at 9:15 and we don't want the second party to be walking in on the meeting with the first party when negotiations are going on and they were talking about critical issues. He said there was no reason why the outcome of the interviews couldn't be disclosed in the paper tomorrow. He said they weren't going to vote tonight, but he doesn't have a problem doing it in open session.

Attorney Buettner stated that it was up to the board. However, it is legal to hold the discussions in executive session, but if the board wants the public involved then that is up to the board.

Supervisor Jenkins said he didn't have a problem doing it in open session and it might be good to get a little press coverage on what they were doing. He agreed with what Councilman Kusnierz said. He asked Councilwoman LeClair and Councilman Vittengl if they had a problem interviewing the two engineering firms in open session and they acknowledged that they did not.

A motion was made by Councilman Kusnierz and seconded by Councilwoman LeClair to go into executive session at 8:25 p.m. to discuss an issue with an insurance carrier about some damages to Town property for which we haven't agreed on a settlement amount yet and to discuss an Article 7 tax assessment case regarding Stone Bridge.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Absent
Supervisor Jenkins	Yes

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

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz to close the executive session and reopen the regular session at 8:35 p.m.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Absent
Councilwoman LeClair	Yes

A regular meeting of the Town Board of the Town of Moreau was held on January 24, 2012 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

No action was taken in the executive session.

A motion was made by Councilwoman LeClair and seconded by Councilman Kusnierz to accept an insurance offer in the amount of \$3,823.04 for repair to a guard rail on Jan Avenue.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Vittengl	Yes
Councilman Prendergast	Absent
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

The Town Board invited the LA Group into the meeting to discuss their engineering proposal regarding the new proposed municipal complex. Representatives from the LA Group were Jim Martin, Dave Miller and on speaker phone was Mike Phinney.

The LA Group used a power point presentation to show the board one of their projects that they completed, which was the AIM building.

Supervisor Jenkins asked if the \$189 per square foot for the cost of the structure was the completed cost or will there be other costs. He asked if it included the parking areas.

LA Group advised that the \$189 per square foot included the building and site work combined and included the excavating and paving. It does not include soft costs or engineering design, legal expenses, insurance or furniture. The soft costs could run around \$100,000.00 plus from the information they have been given so far.

Supervisor Jenkins asked what the time line was from start to finish. He asked if they started in 30 days when would they go out to bid.

Mike Phinney replied that the time line would be driven by the client. The project could be done quickly or comfortably. The minimum amount of time it would take to complete the project is four to five months and the maximum amount of time it could take is eight to nine months. It all depends on the permitting process and the planning review process that is unless this process is waived out of courtesy, because it is a Town project. They gutted and redid the entire first floor of the Sagamore in 6 ½ months and that included construction.

Councilman Kusnierz asked if they discussed the price with Mike at all and Jim Martin replied that they did and they were able to sharpen their pencils and they could reduce their proposal by \$22,000.00 without a reduction in services. This equated to \$2,000.00 off Phase 1 and \$20,000.00 off Phase 2.

Councilman Kusnierz asked if this meant their proposal would now be \$162,000.00 and the answer was yes.

Jim Martin said this was a project the Town would have to live with for 30 or 40 years and you don't want these things overdone and a Taj Mahal, but on the other hand you want the most value for the money the Town will be expending. It is a fine line and they understand this, but they want to build in as much quality and character as possible. To some extent these buildings are representative of the community and an icon so to speak. Not that it has to be overdone, but that isn't to say you can't achieve certain look and quality.

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Dave Miller stated that they teamed with Phinney Design on the AIM building and Jim Martin added that they were the team in terms of interior design, space utilization, architecture and exterior design.

Dave Miller stated that the site has the ability to be scaled back a little. You don't need curbs around all your paved areas. Those are the elements where you can cut back from the site perspective and still maintain the functionality and not cut yourself short on quality and the overall look of the project. The building is first and foremost and the site just has to function well. At least the pieces you build are built on quality so they last and always with the mind of thinking what the expansion can be and value added elements later and making sure you don't back yourself into a corner whereby you can't add things later.

Supervisor Jenkins said he wasn't sure if the LA Group was provided or not with information about the plan to have a 3,000 square foot basement for a combination of storage and utility area. He didn't think it said this in the basic plan. He said we don't necessarily need 3,000 square feet.

Councilman Kusnierz stated that one of the issues with the current Town Hall is the records storage area. It is vital that the Town Clerk's Office have access to records. He asked if they would pay close attention to this to make sure the specific role of the Town Clerk is met and make sure we have adequate space now and for the next ten years out.

Mike Phinney explained that the AIM building doesn't have a basement. They have an attic area that is accessed via a four foot wide staircase. The flooring in the attic has heavy duty trussing. He said they could help the Town analyze the cost benefit to putting in a 3,000 square foot basement vs. an attic. As for growth down the road this would be allotted for in how the building is situated on the site, orientation, location of roadways on the site. The first thing they would do if hired by the Town would be to review the program and sit down with the Town and see what works and doesn't work and what things need to be changed. Then they would suggest some cost saving measures.

Councilman Kusnierz stated that during the interview process one firm pointed out that there are some rooms in the design that are much larger than required. He asked Mike Phinney if he saw areas in the plan where space wasn't being adequately used.

Mike Phinney said he couldn't make that judgment without sitting down with the Town and going over the surveys that the department heads completed and determining where there were inaccuracies in the plans and then interpret how that affects the finished space. There is a lot of circulation space inside the building and a lot of space used to get from one space to another that he saw from his initial review of the plan. In general you want that space to be as efficient as possible. However, there is a lot of good thought process that has gone into the drawing so we wouldn't want to throw that all out.

Councilman Vittengl asked about the basement area.

Mike Phinney stated that building a 3,000 square foot basement vs. utilizing attic space would be a lot more expensive. He discussed the AIM building attic area.

Councilman Kusnierz stated that we have to protect vital records. We have to have fireproofing and the basement area would lend itself more to that and you would have to build that in to the attic area. There would be concerns over the roof leaking and water damage to the records. Knowing this he asked if it was still true that it would be more expensive to build a basement vs. using the attic for storage.

Mike Phinney said they would still have to create a fire separation between the floor of the attic and the ceiling of the main floor. If you want a three hour fire rating enclosure for records then that could be achieved more easily in the basement area.

Supervisor Jenkins noted that the 3,000 square feet is just a number that we used, because apparently anything over that we would need to install an elevator. He said we really don't know what we need for square footage.

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Dave Miller asked if there has been any geo tech work done on the site to determine if there is a high water table. That is going to be a determining factor right out of the gate as to whether or not there is going to be a basement.

Supervisor Jenkins said we haven't done testing on the site, but a little east of the site the soil doesn't absorb the water well. If you look at the Saratoga County soil maps for the site it looks good. The basement is dry in the current building on the site.

Dave Miller said they would suggest soil probing and geo tech work for not only the building, but septic and storm water.

Jim Martin said they prepared for this meeting some alternative designs for how the building orientation could occur and the building orientation can be functional in terms of how alternative energy is used, whether it be passively or actively. Actively would be with solar panels and passively would be just how the building sits on the site.

Dave Miller showed diagrams of projects they have completed and a diagram of the Town's site showing how the building could be flipped 90 degrees to get the potential of solar energy from the southern exposure and to make it more prominent to Route 197 rather than being hidden back in the woods and to control costs. They said they would take into account the long term development on the site, not only with the building, but with the septic layout and storm water management and the development of a trail system down the road. They would also take into consideration the parking area; drop off area and handicapped accessibility so the area is utilized efficiently and cost effectively and how to make it work without a driveway all around the building. There is a group in their office that has been involved in state and national veteran's cemeteries all over the country and have taken on small memorials to full blown veteran's cemeteries. They are very familiar with the seriousness of this type of theme and how to integrate it into the project. He also mentioned the layout of a flag pole assembly. He said they put their thoughts on paper in order to respond to the RFP and give the board some ideas that they have at this early stage.

Jim Martin closed by saying that he would be the project liaison. It is a project they would love to take on and work with the Town of Moreau.

Mike Phinney gave closing statements.

Jim Mitchell and Ethan Hall met with the Town Board next at 9:12 p.m.

Supervisor Jenkins explained to Jim Mitchell and Ethan Hall that they discussed at their first interview the square footage and other concepts of the project and how it may come in under budget so we would be able to do other things. He said the conceptual design that was done by Leal was for a rectangular building and they did this for cost savings purposes. However, the board thinks they would like a building with a little more character. He asked them if they felt that there would be enough money to give the building some character.

Ethan Hall stated that there are several entryways set up around the building and canopies would break up the roof line. The more corners there are and a foundation would add to the cost. Every time they add a bump out to the building it would drive up the cost. He said some of these things could be done as an "add alternate" along the design route. That way we would get the basic building cost and then we could add on pieces and gain a wish list as we go along and see where our money is at.

Councilman Kusnierz stated that when other firms work with their clients they give three different levels of construction, ultra conservative, moderate or high end. It seems to be standard operating procedure through the project. He asked if this was something their firm would do as well or would they get all the details ironed out at the beginning as much as possible and then rely on the client to come to them and say we want to do this differently and you need to give us options.

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Ethan Hall stated that there would be a known budget and they would figure into that all the furnishings and site costs that go along with it. They would have to work towards that end line.

Supervisor Jenkins stated that the furnishing costs may be an alternate. It would be nice to have a complete package, but we may have to end up using a lot of the furnishings we have now.

Councilman Kusnierz said he would rather build a larger shell with twenty five years of growth rather than have something that is really nice today, with really nice furnishings, but in ten years we will be looking at expansion.

Supervisor Jenkins said the Town Clerk, Jeanne Fleury, had written the board a memo outlining some serious questions that she has about whether or not the space will be adequate. He said she may not be here for the next 30 years and then maybe she will, but she cares enough about this Town that when she eventually retires she wants the people who replace her to have adequate facilities. She had a lot of good comments through the whole process, but at the same time we have constant pressure on costs. He said that in general he is happy to a certain extent with the design that Leal Construction came up with, but at the same time it is limited, so what they sent out to everybody was pretty limited.

Ethan Hall said it was a good place to start.

Councilman Kusnierz stated that the project should lend itself to not only the character of our community, but the residents. This is going to become the focal point of our Town. Right now our identity is kind of melded with the Village of South Glens Falls, because the Town Hall is currently within the Village of South Glens Falls. This is going to be a whole new endeavor for us and set us apart from the Village of South Glens Falls. At the same time we understand there is a cost that goes with that so it is going to be a balance.

Supervisor Jenkins said he has no problem with the furniture we have now. He said he is very comfortable in his office, which is in the basement and there is a lot of square footage. He said the building department's three offices combined are about the size of his office. The Town Clerk's office and Assessor's office is rather cramped. He said it is important that we get as much space as possible and we have enough room. We don't need new furniture. We can acquire things as we go along. It is going to be a community building that everybody can be proud of without it being something that people will say we wasted money on.

Ethan Hall stated that the court offices are in a worse position than the rest of the Town Hall. He said they are in a very non-functional building. This layout takes all of their concerns that they were looking at addressing in the other building and brings all those items together.

Supervisor Jenkins stated that four years ago the board discussed converting that building into court offices and not one board member thought it was the right thing to do.

Ethan Hall said they looked at it and tried to make it work, but it didn't meet the Town's needs. He said he thought it would have met the needs of the Town Court only, but not what the Town is looking at doing now.

Supervisor Jenkins stated that what it would have cost it didn't make sense. He said if the Town hadn't bought that building then the Town wouldn't have gotten the land from the county in the land swap. In spite of some people complaining about that we wouldn't have gotten the 10 ½ acres from the county and it is property that is along a state highway.

Ethan Hall said that was right and it has municipal water and services and it is a very valuable piece of property.

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Councilman Vittengl asked what they would change in the plans so it would work out better, whether it would be with energy efficiency, utilizing some of the terrain there or basement area.

Ethan Hall said there is some exposure on the site. It is a great piece of property for the openness that it provides. There doesn't appear to be any issues site wise that will be insurmountable. There are some grading issues there and change in elevations from front to back.

Jim Mitchell said there is a ten foot change in grade on the property and they have to be careful, because they are going to use the site beyond what is needed for a Town Hall. There is fill that will have to be brought in and by the time they do that there may not be enough money for a basement.

Councilman Vittengl asked if there is any way to tie in an egress to the fire department property.

Ethan Hall and Jim Mitchell said that was something they could look into. There is a property in between that is owned by another individual.

Councilman Kusnierz said this was true, but we may be able to negotiate a right-of-way for \$1.00 with the property owner. Similar to what we have in place with the Village of South Glens Falls with the beach area.

Supervisor Jenkins asked what it would do to the cost if we utilized the existing building on the site for a meeting room and built off that building for the municipal building.

Ethan Hall asked if he was talking about making it an L shaped building and Supervisor Jenkins said yes. Ethan Hall said anytime you alter the roof line it will add valley lines and they add cost. He would think about larger overhangs to help with shade in the summertime to lower energy costs. He said do they want to look at an Adirondack theme with log pillars holding up the entryway, do they want a post & beam design for the entryway or do they want to mimic the current Town Hall entryway with big marble like columns. They make marble like enclosures that go around steel posts and they are relatively inexpensive. There are no guidelines for elevation at this point.

Councilman Vittengl asked if we will go after NYSERDA grants.

Ethan Hall said that would add to the time line.

Supervisor Jenkins stated that there is a great southwest exposure available on the site. There are companies that will install solar panels and you just make monthly payments.

Ethan Hall said there is significant payback with solar energy.

Councilman Kusnierz asked what the cost per square foot would be for a 12,000 square foot building.

Jim Mitchell stated that it couldn't be built for less than \$150.00 per square foot.

Ethan Hall concurred. He said the \$150.00 per square foot is just for the building. It does not include site work and there is a fair amount of site work that would have to be done and you would have to pay prevailing wage.

Jim Mitchell said on the high end it could run \$175.00 per square foot, which he said equates to \$2.1 million just for the building. He said there was \$200,000.00 worth of site work on the highway garage just for materials. The highway department provided the labor. If the Town had gone to bid on the site work for the highway garage it would have cost between \$350,000.00 to \$400,000.00. If the highway department can provide the labor for the site work on the municipal center project then it would save a lot of money, but there will still be a lot of money in materials for the site work.

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Supervisor Jenkins stated that in addition to having enough space, he wants a building that the Town can be proud of. He has very little concern over equipment and furniture. The equipment we have now works. As for the furnishings, there may be a few things we have to add, but most of it can be done during the normal budget process each year. His concern is the final project. He doesn't want the public to accuse the board of building a beautiful temple rather than an office building.

Ethan Hall stated that there are things that can be done to the outside of the building that doesn't cost much money. As an example he said they could mix stone and stucco at not much of cost increase.

Brief discussion followed.

The board thanked Ethan Hall and Jim Mitchell for their time.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to adjourn the meeting at 9:35 p.m.

Councilman Vittengl	Yes
Councilman Prendergast	Absent
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury
Town Clerk