

An Organizational Meeting for the Year 2009 was held by the Town Board of the Town of Moreau on January 5, 2009 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, which resulted in the following Town Board Members being present or absent:

**Town Board Members Present:**

Tom Cumm	Councilman
Bob Prendergast	Councilman
Gina LeClair	Councilwoman
Todd Kusnierz	Councilman
Preston Jenkins	Supervisor

**Town Board Members Absent:**

None

**Also Present:** Jeanne Fleury, Town Clerk

Supervisor Jenkins led the Pledge of Allegiance.

Councilman Cumm asked if they could waive the reading of the resolutions and Supervisor Jenkins said they could if they all agreed with them and as each resolution comes up a council member can make a motion to waive the reading of that resolution.

The Town Clerk read resolution #1 as follows:

1. Resolution setting 2009 salaries for elected officials:

Supervisor	\$45,076.00
Councilpeople (each)	\$10,800.00
Town Justice (each)	\$24,926.00
Town Clerk	\$38,633.00
Highway Superintendent	\$48,472.00

The Town Clerk started reading resolution #2 as follows:

2. Resolution setting the following respective annual salaries (52 Week) or hourly rate, as approved in the 2009 Budget except as otherwise provided under Town Law, Civil Service Law, or other applicable law, rule, or agreement.

A motion was made by Councilman Cumm and seconded by Councilman Prendergast to dispense with the reading of the salaries below:

Wayne A. Bruce: Special Police Officer as needed	\$1,000.00
Jeanne Fleury: Receiver of Taxes and Assessments	\$ 7,519.00
Records Management Officer	\$ 875.00
Registrar of Vital Statistics – [1/2 Birth & Death Certificate Filing	

Fees in accordance with NYS Public

An Organizational Meeting for the Year 2009 was held by the Town Board of the Town of Moreau on January 5, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Health Law-Section 4173(3)]

Margaret Jenkins: Assessor (10/01/07-9/30/13) (FLSA EXEMPT)**	\$43,126.00
Linda Blackburn: Assessment Clerk	\$25,238.00
Helen Potter: Crossing Guard Part-time (Moreau) hour	\$9.60
Mary Wood, Substitute Crossing Guard	\$9.60 hour
John Hayes, Substitute Crossing Guard	\$9.60 hour
Jeffrey Durkee, Substitute Crossing Guard	\$8.81 hour
Joel Nolin, Substitute Crossing Guard	\$8.81 hour
John Helwig, Crossing Guard Part-time (Tanglewood)	\$9.60 hour
Stephen Gram: Recreation Director	\$39,339.00
Frank Joseph Patricke: Building Inspector/Code Enforcement Officer	\$46,092.00
Tom Mann: Assistant Building Inspector/Code Enforcement Officer	\$31,827.00
Code Enforcement Officer (New PT position/17.5 hours a week)	\$15.00 hour
Kathy Perez: Clerk/Receptionist (Building Inspector's Clerk)	\$26,408.00
Theodore Monsour, Cleaner, Part-Time	\$10.05 hour
Francine Thibodeau: Principal Account Clerk/Typist/Bookkeeper \$38,110.00	
Rudolph Klick: Part-Time Account Clerk	\$11.35 hour
Lori Pike: Clerk FT (Court)	\$30,068.00
Colleen Nichols: Clerk FT(Court) \$32,909.00	
Jody Munger – Clerk PT (Court)	\$9.35 hour
Jacqueline Wells – Clerk PT (Court)	\$9.50 hour
Suzanne MacMore – Clerk PT (Court)	\$9.35 hour
Court Officer	\$12.50 hour
Bruce Abare: Laborer (Transfer Station)	\$14.08 hour
Lloyd Jacox: Laborer, PT (Transfer Station)	\$9.00 hour

An Organizational Meeting for the Year 2009 was held by the Town Board of the Town of Moreau on January 5, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Nancy Ryan: Senior Clerk (Transfer Station) \$13.57 hour

Helen Potter: Clerk, PT (Transfer Station) \$10.30 hour

Flo Carpenter: Clerk, PT (Transfer Station) \$9.00 hour

Andre Leroux: Laborer, Substitute, as needed (Transfer Station) \$11.40 hour

Earl Ruff: Laborer, Substitute, as needed (Transfer Station) \$11.40 hour

Myron Shaver III: Water Superintendent/Dist. I \$ 1,429.00

Water Superintendent/Dist. II \$13,806.00

Water Superintendent/Dist. III \$ 2,379.00

Water Superintendent/Dist. IV

\$10,474.00

Water Superintendent/Dist. V \$ 1,429.00

Water Superintendent/Dist. VI \$16,663.00

Sewer District I Superintendent/GI \$ 1,429.00

Total \$47,609.00

Water Department Assistant Laborer (New Position in 2009) \$26,615.00

Earl Ruff: Deputy Water/Sewer Department Superintendent as Needed \$16.00 hour

Jesse Fish: Water Department Laborer as Needed \$16.00 hour

Water Meter Readers:

Andre Leroux 10.36 hour

Maria Jennings 10.10 hour

Karen Hotmer 9.84 hour

Rudolph Klick 9.84 hour

Linda Blackburn 9.53 hour

Jesse Fish 9.84 hour

Flo Carpenter 9.00 hour

Mike Laney: Recreation Working Foreman \$18.13 hour

Roderick Haff: Laborer \$12.36 hour

Lloyd Jacox: Laborer, PT \$9.00 hour

Maureen Leerkes: Clerk, PT (Highway Department) \$11.00 hour

Highway Clerk: PT New Position for 2009 – 17.5 hours per week \$9.00 hour

Records Clerk, PT – as needed \$1,000.00

Royce Pixley, Laborer \$10.50 hour

Councilman Kusnierz noted that the hourly rate for Jesse Fish as Water Department Laborer (As Needed) was \$16.00 per hour and this is significantly higher than the hourly rate for other

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laborers. He asked why this was and how it came about.

Supervisor Jenkins replied that this is the rate he has been paid in the past. It is an as needed position. He may only work one or two hours on a given day. He also has to be licensed.

Roll call vote to dispense with the reading of the names and salaries/hourly rates resulted as follows:

Councilman Cumm	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Supervisor Jenkins	Yes

The Town Clerk read the following resolutions #3 through #11 as follows:

3. Supervisor's, At Will, Appointments:

Budget Officer: (Supervisor)(unpaid)

Teresa McGuire: Confidential Secretary/Assistant Bookkeeper Annual Salary  
(52-Weeks): (FLSA EXEMPT)\*\* \$28,377.00

Deputy Supervisor: Councilwoman Gina LeClair (Unpaid)

Supervisor's Committee Appointments:

Building & Grounds	Councilman Cumm Councilman Prendergast
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Cable TV	Councilman Kusnierz Councilwoman LeClair
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Cemetery	Councilman Prendergast Councilman Kusnierz
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Highway	Councilman Cumm Councilwoman LeClair
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Insurance	Councilman Kusnierz Councilman Prendergast
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Mosquito Control	Councilman Prendergast Councilman Kusnierz
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Personnel & Employee Benefits	Councilman Cumm Councilman Prendergast
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Recreation	Councilman Kusnierz Councilwoman LeClair
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Reval	Councilwoman LeClair Councilman Cumm
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An Organizational Meeting for the Year 2009 was held by the Town Board of the Town of Moreau on January 5, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

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|-----------------------------------|-------------------------------------------------------------------------------------|
| Transfer Station/Landfill         | Councilman Cumm<br>Councilwoman LeClair                                             |
| Water 1, 2, 3, 4, 5 & 6 & Sewer 1 | Councilman Prendergast<br>Councilman Cumm                                           |
| Crandall Library Liaison          | Councilman Kusnierz                                                                 |
| Fire Company Liaison              | Councilwoman LeClair                                                                |
| Moreau Community Center Liaison   | Councilwoman LeClair<br>Councilman Cumm                                             |
| Local Water Front Revitalization  | Councilwoman LeClair                                                                |
| Industrial Park                   | Supervisor Jenkins<br>Councilwoman LeClair<br>Councilman Kusnierz (Name Added – See |
- Below)
- |                |                                           |
|----------------|-------------------------------------------|
| Zoning Liaison | Councilman Cumm<br>Councilman Prendergast |
|----------------|-------------------------------------------|
4. Town Clerk's, At Will, Appointments:
 

Deputy Town Clerk and Receiver of Taxes: Leeann McCabe	
Annual Salary (52-Weeks):	\$24,601.00
Deputy Town Clerk and Receiver of Taxes: Barbara Porter	
Annual Salary (52-Weeks):	\$26,385.00
Deputy Registrar of Vital Statistics: Barbara Porter	
(1/2 of Birth & Death Certificate filing Fees paid to Registrar in accordance with NYS	
Public Health Law-Section 4173(3)	
Sub-Registrar of Vital Statistics: Leeann McCabe (Receive and file Birth and Death	
Certificates only. No compensation)	
  5. Highway Superintendent's Appointments:
 

Deputy Highway Superintendent: Michael Montgomery (Per CSEA Contract)
  6. Resolution setting non-employee compensation per annum of \$1,000 for Mary Antis as Town Historian.
  7. Resolution setting stipend for Planning Board Members at \$40.00 per meeting for each of the six members, \$50.00 per meeting for the Chairperson.
  8. Resolution setting stipend for Planning Board Secretary at an amount not to exceed \$65.00 per meeting.
  9. Resolution setting stipend for Zoning Board of Appeals Members at \$40.00 per

An Organizational Meeting for the Year 2009 was held by the Town Board of the Town of Moreau on January 5, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

meeting for each of the four members and \$50.00 per meeting for the Chairperson.

10. Resolution setting stipend for Zoning Board of Appeals Secretary at an amount not to exceed \$65.00 per meeting.
11. Resolution setting stipend for Board of Assessment Review Members at an amount not to exceed \$70.00 per meeting.

Councilman Kusnierz noted on the list of committee appointments that the Supervisor is listed as a member of the Industrial Park Committee along with Councilwoman LeClair. He stated under the **Public Officer's Law** the Town Supervisor is Ex Officio of all committees. He asked Supervisor Jenkins if this meant that under Industrial Park Committee there is room for another Town Board Member to serve. **[Amended 1/13/09 by Councilman Kusnierz. He stated that what he said was Public Officer's Law or Town Law. It is actually Town Law.]**

Supervisor Jenkins stated he did it this way, because the former Supervisor had this committee set up this way. He asked Councilman Kusnierz if he wanted to serve on the committee and Councilman Kusnierz said he would.

No objection was raised to **Councilman Kusnierz** serving on the **Industrial Park Committee**

And his name was **added to** the list.

The Town Clerk read the following resolutions #12 through #16:

12. Resolution authorizing the Supervisor to sign the following contracts and make payment in the amounts and terms stated in the contracts.

Civic Center of Moreau, Inc.  
Bartlett, Pontiff, Stewart & Rhodes, P.C.  
Ed Robbins, Dog Control Services

13. Resolution instructing the Supervisor to extend the loan to the Town Clerk the sum of \$200.00 for one year for the purpose of making Change and petty cash and the Receiver of Taxes \$250.00 for the purpose of making change.
14. Resolution authorizing the Town Clerk the right to accept bingo and games of chance licenses and amendments and the authority to approve same.
15. Resolution requiring all purchases \$500.00 and over for all departments be made with properly approved purchase orders, and that all purchases that may exceed \$500.00 be competitively priced and not purchased without prior Town Board Approval, except purchases relating to repairs and maintenance expenses to equipment and facilities may be purchased without prior Town Board approval up to \$1,000.00.
16. Resolution designating the Evergreen Bank a division of TD Banknorth NA of Glens Falls and Glens Falls National Bank and Trust as depositories for town monies.

The Town Clerk noted that Fran Thibodeau asked if the board wanted to include NBT Bank in this resolution.

Supervisor Jenkins stated he didn't have a problem adding them and there were no objections

An Organizational Meeting for the Year 2009 was held by the Town Board of the Town of Moreau on January 5, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

raised by any of the other board members and NBT Bank was added to the resolution.

Resolution #16 will read as follows:

16. Resolution designating the Evergreen Bank a division of TD Banknorth NA of Glens Falls, Glens Falls National Bank and Trust and NBT Bank as depositories for town monies.

Councilman Prendergast stated he would excuse himself from this discussion since he has a Relative that works for NBT Bank.

Councilman Cumm asked if he could get a list of where the Town's deposits are now and Supervisor Jenkins stated yes. He said right now almost all of our deposits are at TD Banknorth and secured by a letter of credit.

Councilman Cumm said there isn't anything in Glens Falls National then?

Supervisor Jenkins said they pay about 1 ½% less in interest than TD Banknorth right now.

Councilman Cumm asked where the CD's were and Supervisor Jenkins replied they are in our Investment account until the rates go up.

Councilman Prendergast went back to resolution #15 the portion that reads "purchases relating to repairs and maintenance expenses to equipment and facilities may be purchased without prior Town Board approval up to \$1,000.00".

Supervisor Jenkins stated this was changed to \$1,000.00 last year. Mainly for the Highway Department. He stated they could change it to \$500.00.

It was the consensus of the board to change resolution #15 and it will read as follows:

15. Resolution requiring all purchases \$500.00 and over for all departments be made with properly approved purchase orders, and that all purchases that may exceed \$500.00 be competitively priced and not purchased without prior Town Board Approval, except purchases relating to repairs and maintenance expenses to equipment and facilities may

be purchased without prior Town Board approval up to \$500.00.

The Town Clerk read resolutions #17 and #18 as follows:

17. Resolution designating the Glens Falls Post Star Newspaper as the official newspaper to be used for all legal advertising.
18. Resolution setting forth the following employee policies (not applicable to elected officials or those employees covered under CSEA contract), and defining "full-time" as any permanent employee working twenty (20) hours per week or more on a regular, continuing basis and "part-time" as any permanent employee working less than twenty (20) hours per week on a regular basis:

Vacations: Full-time employees will earn vacation leave upon the completion of the employee's anniversary date of employment following:

1-5 years of service = 2 weeks vacation

6-10 years of service = 3 weeks vacation

An Organizational Meeting for the Year 2009 was held by the Town Board of the Town of Moreau on January 5, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

11-19 years of service = 4 weeks vacation

20 + years of service = 5 weeks vacation

Vacations: Full-time employees hired on or after 1/1/07 will earn vacation leave upon the completion of the employee's anniversary date of employment following:

1 – 5 years of service = 2 weeks vacation

6 – 12 years of service = 3 weeks vacation

13 and forward years of service = 4 weeks vacation

Vacation credits may not be accumulated from one year to the next, unless otherwise approved by the Town Board and unused vacation time will not be paid in cash. Vacation schedules shall be approved in advance by each department head. The department head will notify the Town Supervisor of all vacation schedules approved for all employees in their department. All department head's should request approval of their vacation schedule in advance by the Town Supervisor. Grand fathered Part-Time employees hired prior to January 1, 2005 will be eligible for same vacation schedule with "week" being the same as that employee's work week.

Sick Days: All employees after six months of continuous service shall be entitled to one (1) day of paid sick leave for each month of service commencing from the first day of employment. Unused sick leave may be accumulated but cannot be paid in cash at any time. Any employees calling off sick shall notify their department head. The department head will in turn notify the Town Supervisor. A department head calling off sick shall notify the Town Supervisor.

Personal Days: All full-time employees shall be entitled to four (4) personal days per year; grand fathered part-time hired prior to January 1, 2005 shall be entitled

to two (2) per year. If an employee fails to use his/her personal days, all unused days shall be added to the employee's accumulated sick leave.

Bereavement Leave: All full-time employees shall be entitled to three (3) days bereavement leave for a death in the immediate family (including nieces and nephews and brother-in-law and sister-in-laws).

Employee Leave Records: All employees will be responsible for maintaining an accurate, on-going, accounting of his/her used and unused leave time on forms provided by the town. These forms shall be submitted (with written approval of department heads) to the Supervisor's Office bi-weekly.

Holidays: All permanent full-time employees shall be granted thirteen (13) paid holidays. Grand fathered Part-time employees hired prior to January 1, 2005 will be eligible for the following Holidays schedule with "holiday" being the same as employee's work day:

New Year's Day  
President's Day  
Thanksgiving Day  
Fourth of July

Veteran's Day  
Memorial Day  
Day after Thanksgiving  
Christmas Day



An Organizational Meeting for the Year 2009 was held by the Town Board of the Town of Moreau on January 5, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Labor Day	Floater
Columbus Day	Good Friday
Martin Luther King Day	

If a holiday falls on a Saturday, the day of observance shall be the previous Friday. If a holiday falls on a Sunday, the day of observance shall be the following Monday. Unused holidays cannot be carried over to next year.

Employee Benefits: All full-time, year-round, employees (see definition) and their eligible dependents will be entitled to receive the following benefits:

- NYS Employees' Retirement Plan (unused sick leave may be converted as additional service credit upon retirement).
- NYS Disability Insurance.
- Saratoga County Self-Insurance Plan (Workman's Compensation).

Insurance Benefits:

All full-time, year-round, employees (see definition) and their eligible dependents will be entitled to receive medical, prescription, optical and dental insurance benefits pursuant to programs approved by the Town Board and continue to pay the same percentage they are currently paying. The health insurance benefits listed above are not applicable to those receiving the insurance buy-out. Those covered under the CSEA Contract will be covered as in their contract.

The above insurance benefits will also be extended to full-time elected officials

and grand fathered part-time elected officials. Unless the Town Board designates a probationary "waiting period" at the time of hire, these benefits will become effective within a thirty (30) day period after the day of employment.

Health insurance benefits coverage will be extended to surviving spouses and dependents, who are covered by town health insurance, through to the end of the month following the date of death of current or retired town employees.

Councilman Kusnierz referred to the portion of resolution #18 that read as follows:

"The above insurance benefits will also be extended to full-time elected officials."

Councilman Kusnierz stated that there isn't any such thing as a "full-time elected official". Elected Officials don't have any set hours. He asked if the board wanted to spell out who is entitled to the benefits. The other issue is one he has opposed and that is two sets of benefits for two sitting justices. One is grand-fathered and one is not. It is discriminatory and it should be the same for both. He didn't know which way the board wanted to go.

Supervisor Jenkins stated at this point he didn't think they should take the benefits away. The question is do we want to let the other justice come onto the towns insurance and if he did it would be a buy-out anyway, because he has insurance through the village.

Supervisor Jenkins stated they could spell out Town Supervisor, Town Clerk and Highway

An Organizational Meeting for the Year 2009 was held by the Town Board of the Town of Moreau on January 5, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.  
Superintendent.

It was the consensus of the board to change a portion of resolution #18 read as follows:

The above insurance benefits will also be extended to the Town Supervisor, Town Clerk and Highway Superintendent and grand fathered part-time elected officials. Unless the Town Board designates a probationary "waiting period" at the time of hire, these benefits will become effective within a thirty (30) day period after the day of employment.

The Town Clerk read resolution #19 through #21 as follows:

19. Resolution authorizing the reimbursement to Town Officials and Employees who use their own Vehicles for Town Business and setting that rate at the rate set by the Internal Revenue Service and also requires that all elected and appointed officials gain Town Board approval prior to attending a conference or seminar, if expenses for same are to be a town charge.
20. Resolution designating the Supervisor as the representative from the Town to attend the Annual Business Session of the Association of Towns of the State of New York, to be held in New York City, on February 15-18, 2009 and to cast the vote of the aforesaid Town, pursuant to Sect. 66 of Article III of the Constitution and By-Laws of said Association and in the absence of the Supervisor, the Deputy Supervisor is designated to cast the vote of

said Town and in the absence of the Deputy Supervisor any member of the Town Board may cast the vote.

21. Resolution designating TD Banknorth Insurance Group as the insurance broker of record for commercial package policy and umbrella, including general liability, public official's liability, auto, fire, inland marine and Town Officers and Employees Bonds currently in effect.

Supervisor Jenkins referred to resolution #21 and stated that last year it was discussed that we didn't review the insurance rates two years before and that maybe we should do that in 2009. The policies expire sometime this year and we may want to get some prices.

Councilman Prendergast suggested adding the wording "for the term of the policies" to the resolution and no objection was raised to this suggestion.

Resolution #21 will read as follows:

21. Resolution designating TD Banknorth Insurance Group for the term of our current policy as the insurance broker of record for commercial package policy and umbrella, including general liability, public official's liability, auto, fire, inland marine and Town Officers and Employees Bonds currently in effect.

The Town Clerk read resolutions #22 through #25 as follows:

22. Resolution authorizing the Town Clerk to collect all water and sewer rents and receive all applications and fees for taps in Water District I, II, III, IV, V, VI and Sewer District I.
23. Resolution authorizing and accepting as the official undertaking the following bonds for Town Officers and Employees:

An Organizational Meeting for the Year 2009 was held by the Town Board of the Town of Moreau on January 5, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Supervisor	\$140,000
Deputy Supervisor	\$140,000
Town Clerk/Tax Collector	\$140,000
Deputy Town Clerk/Tax Collector	\$140,000
Bookkeeper	\$140,000
Senior Transfer Station Clerk	\$140,000
(2) FT Court Clerks	\$140,000 each

All other elected and appointed officials/town employees will be bonded for \$90,000.

24. Resolution designating the regular monthly meetings of the Town Board be set for second and fourth Tuesdays of each month at 7:00 p.m. and Month-End Meetings will be designated by Town Board.
25. Resolution establishing the policy that, minutes of all Town Board Meetings be completed and made available for review by the Town Board within two weeks following the meeting and further establishing that all minutes from all regular and special meetings be subject to approval at the following Town Board Meeting.

Councilman Kusnierz noted that the Town Board passed a resolution during the year directing that the audios of Town Board Meetings be available on our web page within three business days of the meetings and he thought this language should be included in resolution #25.

No objections were raised to this change.

The Town Clerk did note that this wouldn't occur until the new web page is up and running as she doesn't have the capability of doing this right now and the Town Board acknowledged that they understood this.

Resolution #25 will read as follows:

25. Resolution establishing the policy that, minutes of all Town Board Meetings be completed and made available for review by the Town Board within two weeks following the meeting and further establishing that all minutes from all regular and special meetings be subject to approval at the following Town Board Meeting and audios of Town Board Meetings will be available on our web page within three business days of the meetings.

The Town Clerk read resolutions #26 through #42 as follows:

26. Resolution requiring all department heads submit a monthly report to the Town Board three days prior to its regular monthly meeting outlining pertinent department activities, data and problems the Town Board should be made aware.
27. Resolution designating the Town Clerk as the official responsible for notifying the media of regular and special Town Board Meetings in compliance with the New York State Open Meetings Law.
28. Resolution authorizing diesel, oil, and gasoline for the highway department be purchased at State Bid Price or below.
29. Resolution authorizing heating oil for court building be purchased at State Bid Price or below.

An Organizational Meeting for the Year 2009 was held by the Town Board of the Town of Moreau on January 5, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

30. Resolution authorizing South Glens Falls Fire Department, Civic Center of Moreau, Inc., South Glens Falls Central School, Corinth Headstart, Saratoga EOC Headstart, Saratoga County Public Health Nurses, Recreation, Building Department, Sewer Department and Water Departments to purchase diesel & gasoline from the Town of Moreau Highway Department and be invoiced for same.
31. Resolution authorizing the Highway Superintendent to hire temporary employees to help with snow and other operations as needed at \$10.00 per hour.
32. Resolution authorizing the Highway Superintendent to negotiate with the Superintendent of Highways of any municipality within the County of Saratoga, Warren or Washington to provide for the reciprocal use of town owned highway machinery, tools or equipment, upon such terms and conditions as agreed upon by the parties, including the Town Board of the Town of Moreau.
33. Resolution authorizing the Highway Superintendent to attend the New York State Transportation and Federal Surplus Auctions and be authorized to purchase items for the highway department, pending approval of or prior notification to the Town Board for all items purchased costing \$3,000.00 or more.
34. Resolution authorizing the expenditure of town highway funds in the amount of \$753,400.00 for General repair and improvement of 82.32 miles of town highways, sluices, culverts and bridges having a span less than five feet and boardwalks or the renewals thereof and permanent improvement of town roads. No moneys set aside for such improvements shall be expended, nor shall any work be undertaken on such improvements, until the Highway Superintendent and Town Board approves the expenditures, specifications and estimates for such construction.
35. Resolution authorizing Supervisor to pay postage to refill postage meter, utility bills, state retirement, leases, Board approved cash advances and payments due on contracts, prior to audit.
36. Resolution authorizing the hiring of the following:

Special counsel for the town:

Lewis & Greer (Ni Mo Litigation, Orion, Erie Blvd. & other utility matters) \$170.00 per hour plus disbursements and necessary expenses.

~~Ruberti & Girvin & Ferlazzo, P. C., Human Resource Attorneys @ \$175.00 per hour, on an as-needed basis.~~ **[This firm was deleted from the list per the consensus of the board later in the meeting.]**

Betts & Holt (Condemnation) \$270.00 per hour plus disbursements & expenditures.

Counsel:

Bartlett, Pontiff, Stewart & Rhodes, P.C.

37. Resolution authorizing engaging the services of the following engineering and consulting firms as follows:

An Organizational Meeting for the Year 2009 was held by the Town Board of the Town of Moreau on January 5, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Burley & Guminiak Engineers (Set by Town approved rate schedule)  
 Wade Sherman Computer Consultant/Technician @ \$80.00 per hour  
 Environmental Design Partnership, LLP  
 C. T. Male Associates

38. Resolution authorizing Town Officers/Employees who collect town fees or other payments to Impose a \$20.00 service charge on all returned checks as per General Municipal Law Section 85.
39. Resolution appointing G. Peter Jensen, Chairman of the Planning Board.
40. Resolution appointing Gerhard Endal, Chairman of the Zoning Board.
41. Resolution conferring the benefits of Section 18 of the Public Officer's Law upon the Town's employees, as that term is defined in Section 18(1) (b) of the Public Officer's Law, and to be held liable for the costs incurred under Section 18 of the Public Officer's Law.
42. Resolution requiring the following to file an Oath of Office prior to the commencement of their new term each year:
  - All Deputies
  - Building Inspector/Code Enforcement Officer
  - Assistant Building Inspector/Code Enforcement Officer
  - Special Police Officer
  - Planning and Zoning Board Members whose terms expired 12/31/08
  - Court Officer

Supervisor Jenkins suggested adding Dog Control Officer under Court Officer in resolution #42 and no objections were raised to this suggestion.

Resolution #42 will read as follows:

42. Resolution requiring the following to file an Oath of Office prior to the commencement of their new term each year:
  - All Deputies
  - Building Inspector/Code Enforcement Officer
  - Assistant Building Inspector/Code Enforcement Officer
  - Special Police Officer
  - Planning and Zoning Board Members whose terms expired 12/31/08
  - Court Officer
  - Dog Control Officer

The Town Clerk read resolution #43 and the last resolution #44 as follows:

43. Resolution to pay employees who serve on active jury duty their normal wages with the understanding that if they only have to serve on jury duty for a portion of their work day that they will return to work and also that they provide proof of service.
- 44.. Resolution authorizing payment pre-audit of the water capacity charge to the

An Organizational Meeting for the Year 2009 was held by the Town Board of the Town of Moreau on January 5, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Town of Queensbury.

**\*\* FAIR LABORS STANDARDS ACT.**

Supervisor Jenkins referred back to resolution #17 and stated that it was his understanding that towns may be allowed in the future to use weekly papers for advertising. It is being considered to save money on advertising. He asked if the board wanted to add the Chronicle so if the time

comes when the town can advertise in their paper it will already be authorized. No objections were raised to this and resolution #17 will read as follows:

17. Resolution designating the Glens Falls Post Star Newspaper and the Chronicle as the official newspaper to be used for all legal advertising.

Supervisor Jenkins asked if any board member wanted to vote separately on any of the resolutions.

Councilman Kusnierz said he would be voting no on the portion of resolution #18 that refers to separate benefit packages for part-time elected officials.

Councilman Kusnierz stated that under resolution #36 as special counsel he would also be opposing Ruberti & Girvin & Ferlazzo, P. C. as special counsel for the town for human resources.

Supervisor Jenkins asked why and Councilman Kusnierz replied, because of actions brought against that firm regarding their affiliations with school districts. They were taking retirement benefits.

Councilman Cumm agreed with Councilman Kusnierz on this.

Supervisor Jenkins stated they could remove them from the list. The board would have to make the decision to hire someone anyway.

It was agreed to remove them from the list.

Councilman Kusnierz stated he would also be opposing #39 and #40. He would like to see new chairmanships on the Zoning Board and Planning Board.

Councilman Prendergast stated he would be abstaining from the vote on resolution #16. A Relative of his works for NBT Bank.

Supervisor Jenkins asked for a motion and second to adopt all the resolutions except #16, #18, #39 and #40. They would vote on those resolutions separately.

A motion was made by Councilman Cumm and seconded by Councilman Prendergast to adopt resolutions #1 through 44 except for #16, #18, #39 and #40.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Cumm	Yes

An Organizational Meeting for the Year 2009 was held by the Town Board of the Town of Moreau on January 5, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Supervisor Jenkins Yes

Supervisor Jenkins then asked for a motion and second to adopt resolution #16.

A motion was made by Councilman Kusnierz to adopt resolution #16. Councilwoman LeClair seconded the motion.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes	
Councilman Kusnierz	Yes	
Councilman Cumm	Yes	
Councilman Prendergast		Abstain
Supervisor Jenkins	Yes	

Supervisor Jenkins asked for comments and a motion and second on resolution #18.

Councilman Kusnierz said he would oppose the portion of the resolution that refers to offering two separate part-time elected officials in the same job different benefit packages. It wasn't his position that it should be eliminated or extended. It should be the same either way. He was aware that with the current situation down there it is a non-issue.

Supervisor Jenkins stated they are elected officials and it could be done without impacting any other part-time people. The question is do we want to eliminate that totally.

Councilman Cumm read the following from resolution #18:

"Health insurance benefits coverage will be extended to surviving spouses and dependents, who are covered by town health insurance, through to the end of the month following the date of death of current or retired town employees."

He asked what happens if somebody dies on June 28<sup>th</sup>? Does that spouse only have a couple of days worth of insurance?

Supervisor Jenkins stated the spouse would be offered COBRA so it shouldn't be an issue.

Discussion reverted back to the benefits for part-time elected officials.

Councilman Prendergast stated that according to the state the Supervisor is full-time. At one point something was sent in about how money hours each elected official works and according to the state Town Council People are not full-time.

Councilman Kusnierz stated "for insurance purposes, we are talking about benefits".

Councilman Prendergast stated that he was just putting that out there.

Supervisor Jenkins suggested they leave the wording as is, "grand fathered part-time elected officials". We only have one and it is the only one we are ever going to have.

Councilman Prendergast stated the deal was, it all centered around, should part-time employees have health benefits, the consensus was no. That was the basis for the whole discussion. It really started with general discussion and not only about the justices. Years ago other

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part-time employees received benefits and not only the justices.

Councilman Kusnierz stated he draws a distinction between part-time employees and part-time elected officials. They are not the same.

Supervisor Jenkins stated that one question is are the justices really part-time.

Councilman Prendergast stated they won't say that they are. One of the justices questioned that, the report that goes to the state, and said we shouldn't be part-time with the hours we are putting in and the state came back and said they are part-time.

Supervisor Jenkins thought they could leave it as worded for now and look into it.

Councilman Prendergast stated that this discussion leads us to, are we going to finish the employee handbook this year? Maybe this is where this should be discussed.

Supervisor Jenkins stated that was a good idea.

A motion was made by Councilman Cummm and seconded by Councilman Prendergast to adopt resolution #18.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes – Except No on the section regarding part-time elected officials benefits
Councilman Cummm	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

Supervisor Jenkins asked for a motion and second to adopt resolution #39.

A motion was made by Councilman Cummm and seconded by Councilwoman LeClair to adopt resolution #39.

Roll call vote resulted as follows:

Councilman Cummm	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	No
Supervisor Jenkins	Yes

A motion was made by Councilman Cummm and seconded by Councilwoman LeClair to adopt resolution #40.

Roll call vote resulted as follows:



An Organizational Meeting for the Year 2009 was held by the Town Board of the Town of Moreau on January 5, 2009 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York.

Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Councilman Kusnierz	No
Councilman Cumm	Yes
Supervisor Jenkins	Yes

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the establishment of a checking account at TD Banknorth for the Woodscape II Lighting District.

Roll call vote resulted as follows:

Councilwoman LeClair	Yes
Councilman Kusnierz	Yes
Councilman Cumm	Yes
Councilman Prendergast	Yes
Supervisor Jenkins	Yes

Supervisor Jenkins thanked everybody again for starting over this year. Last year they had a few differences and they didn't get some things done, but they got quite a few things done and there are a lot of things on the table right now and he looks forward to this year.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to adjourn the meeting at 7:52 p.m.

Roll call vote resulted as follows:

Councilman Kusnierz	Yes
Councilman Cumm	Yes
Councilman Prendergast	Yes
Councilwoman LeClair	Yes
Supervisor Jenkins	Yes

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury  
Town Clerk

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