

A regular meeting of the Town Board of the Town of Moreau was held on July 8, 2014 in the Town of Moreau Municipal Building located at 351 Reynolds Road, Moreau, 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
Bob Prendergast	Councilman
Gina LeClair	Councilwoman
Preston L. Jenkins, Jr.	Supervisor

**Town Board Members Absent**

Todd Kusnierz	Councilman
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**Also Present:** Jeanne Fleury, Town Clerk; Malcolm O'Hara, Attorney for the Town; Pete Corlew, Jim Davenport and Michael Hastings, Recreation Department Laborers; Christina Scanlon, Post Star Reporter; Reed Antis, Town Resident and Planning Board Member; Town Residents: Mark Stewart; Village Resident, Harry G. Gutheil, Jr.; John Cannone and his Attorney, John Arpey

Supervisor Jenkins led the Pledge of Allegiance.

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

**APPROVAL OF MINUTES**

The minutes of May 27<sup>th</sup>, June 24<sup>th</sup> and June 26<sup>th</sup> were prepared and distributed to the Town Board in advance of the meeting for the Town Board Members review, comment, correction and approval.

**MINUTES – MAY 27, 2014 – TOWN BOARD MONTH-END AUDIT MEETING**

No comments or corrections.

**MINUTES – JUNE 24, 2014 – REGULAR TOWN BOARD MEETING**

No comments or corrections.

**MINUTES – JUNE 26, 2014 – TOWN BOARD MONTH-END AUDIT MEETING**

The Town Board did not bring up this set of minutes for approval.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to approve the minutes of June 24<sup>th</sup> as prepared.

Roll call vote resulted as follows:

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

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to approve the minutes of May 27<sup>th</sup> as prepared.

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Roll call vote resulted as follows:

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

### **SET FUTURE MEETINGS/WORKSHOPS**

The Town Board Month-End Audit Meeting was scheduled for July 30<sup>th</sup> at 7:00 p.m.

### **15 MINUTE PUBLIC COMMENT PERIOD**

Mark Stewart who is having a house built at 32 Grey Fox Drive was present to ask the Town Board why the Michael's Group has only been paying \$400.00 to hookup to the water system when he knows the hookup fee is \$1,700 and \$1,400. He spoke with Supervisor Jenkins about this and Supervisor Jenkins said there was a contract on file. He spoke with the Town Clerk and she said there is no such contract on file. He said the Town Clerk subsequently called him and told him that she found a contract signed by the Michael's Group about water, but it had nothing to do with the \$400.00 hookup fee. Mark Stewart doesn't think it is fair to have to pay \$1,700 when he said that as recent as June 17<sup>th</sup> the Michael's Group has paid \$400.00. He would like an explanation of why they are not paying the current fee.

Supervisor Jenkins admitted he was wrong about the contract. He said that the \$400.00 was the water hookup fee at the time when the Michael's Group Subdivision was approved and that is why they are paying that amount.

Mark Stewart recalled from meeting minutes in 2010 when Jesse Fish came before the Town Board and said that the fee was \$700.00 and \$900.00 so he wants the Town Board to tell him where the \$400.00 came from, because he can't find it in the minutes. He doesn't agree that certain people should be excluded from the \$3,100 fee and he doesn't agree that this fee should be an expense put on the new builders. He feels it is double dipping.

Supervisor Jenkins said the \$700 and \$900 came up when the second phase of the Michael's Group development off Reservoir Road was put in and Garry Robinson was the engineer. The \$400.00 was the rate when that development was approved by the Planning Board.

Mark Stewart asked why everybody else in the other developments have to pay \$3,100.00 when the Michael's Group is paying \$400.00. He said that is his issue. He said if the increase in fees had applied to the Michael's Group then he wouldn't be at this meeting.

Harry Gutheil said the fees weren't necessary. There are huge surpluses in two water districts. He said that if the Board adopts a fee schedule and doesn't exempt someone from the fee schedule then they are treading on discriminatory fees. He said he had lots approved along Bayberry Drive back in the 1980's and 1990's and he put the mains in, the taps and curb boxes in and he bought the meters. When he sold the lots the people who bought the lots ended up paying the \$3,100 fee. Why isn't everyone paying the same fee? He asked when the Board adopted the fee schedule and asked if they exempted anybody or grandfathered in anybody.

Supervisor Jenkins said when the Leonelli project was approved the rate was \$1,150.00 and that is what they are paying.

Harry Gutheil asked if doesn't the Board set the rates in the organizational minutes. He said he can't believe that the Board is charging different people different rates and said again that it is discriminatory. He agreed with Mark Stewart in that they are paying twice. He said if the Board could tell him how they

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arrived at their water rate then maybe he could believe it. He said when he was the Supervisor there was money built right into that rate and that is how they arrived at the \$3.25 per 1,000. Eventually it will hit the wall and somebody will challenge it in the courts.

Gardner Congdon said he wants to know how much money was in the water district fund balances before the fee was established and after. He said he can't find where the Michael's Group was exempted. Who authorized it? He said the reason the Michael's Group ran the main down Reservoir Road was because they wanted to put in a cluster development with small lots and the Planning Board authorized the cluster development. He said nobody complained about that. However, there was no agreement whereby they would be exempt from future fees. He asked for a detailed report on what Garry Robinson did for \$900.00 on his subdivision and he was told that he stared at a map for 6 1/2 hours. He said that Garry Robinson didn't catch the neighbor's wrongdoing and the encroachment. He asked what Garry Robinson did for \$900? He said that the Town Board gave Joe Patricke the authority to hire Garry Robinson. He asked if anybody on the Board had an answer for him.

Supervisor Jenkins asked Gardner Congdon if he asked him about this and Gardner Congdon said he did and he sat there and told him 6 1/2 hours and a rate. That is not a detailed report. Garry Robinson didn't find anything wrong and there were a few things wrong that he didn't catch.

Gardner Congdon asked again who authorized the Michael's Group to pay \$400.

Supervisor Jenkins said it is in the minutes that the proposed cost from our engineer was \$4,300 +/- . It came before the Town Board, we sent it to the Water Committee and the Water Committee revised the fee down to \$3,100.00. He said it is in the minutes.

Gardner Congdon said that is a number and it doesn't tell him how the number was arrived at.

Supervisor Jenkins said he bought a lot in a development in 1979 for \$5,800 that had town water. He said that Gardner Congdon just sold two lots for \$42,000 and \$45,000 and he was talking about a \$3,100 rate. He asked how he could justify it.

Gardner Congdon said he was just accused of charging too much. He said over the years he has paid more than that in taxes on the land. He said try to find a lot for sale in the Town of Moreau. He said it's costing him \$21,000 just to get the paperwork done on four lots.

Supervisor Jenkins advised that the water line they are talking about is in Water District 6 and they just had to cut a check for \$128,000 to pay on the debt on the district and they had to borrow \$80,000 from another district in order to make that payment and we won't be able to repay it until around February of next year even though they are supposed to repay it by the end of the year.

Mark Stewart asked Supervisor Jenkins if he knew how many lots there were in the Michael's Group development. He heard 100. The \$2,700 per lot that they don't have to pay would equate to about a quarter of a million dollars that could be put towards that district's debt. Instead they are putting the expense on people like him. Why does he have to pay it and why doesn't the Michael's Group have to pay it.

Gardner Congdon asked if any other Board Member ever say anything.

Councilman Prendergast said he would look into it. He told Gardner Congdon that he knows he doesn't like the \$3,100 fee. Gardner Congdon replied no, the \$400 fee. Councilman Prendergast told Gardner Congdon that he made comments on more than just the \$400 fee and Gardner said yes. Councilman Prendergast said he could understand why nobody likes the \$3,100 fee, but the Board has to think about the water system and be prepared for twenty years from now and not just today and there is a cost to that. There have been water systems in this county that have gone under or have had to borrow money to just keep it afloat. He doesn't want to put that on a Board that will follow them. The engineer recommended that we charge \$3,100 and he knows something about the system and he knows we want the system to be

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viable 20 years from now and be able to repair it. He recommended \$4,300, because he knows that 20 years from now fees are going to keep going up. We also have another tank that has been put in since we set the fees. He asked Gardner Congdon if he was saying that Tim Burley didn't know anything about our system. He told Harry Gutheil that he knows that he had faith in Tim Burley, because Harry was the one who recommended that the Town Board hire him and now all of a sudden Tim Burley doesn't know anything.

Harry Gutheil stated that he doesn't think Tim Burley knew that he had built in some of those charges into the water rates.

Councilman Prendergast said he thinks Tim Burley had all of that information and he thinks Tim Burley wants to do his due diligence and recommend to this Board that we get ready for the water system 20 or 30 years from tonight.

Gardner Congdon asked if anybody has done a projection based on Harry's rates to find out what amount of fund balance we would have.

Councilman Vittengl said we have six districts and three towers and "x" amount of money to repaint a tower and the number is around \$200,000. One of our neighbors just had to get a tank redone and it was in excess of \$1 million. If it is \$1 million today it could be \$3 million per tank down the road and we have three of them. He said we can't put a dent in even one tank let alone three tanks so we had better start saving money up for the future or a future Board will have to borrow a lot of money.

Gardner Congdon stated that they can't play catch up on a small number of people and he said that Harry Gutheil was successful in getting a grant for Water District 5 so what is the buy in for.

Councilwoman LeClair stated that they can't rely on that.

Harry Gutheil said there is \$1.5 million fund balance in two districts, because of the rates and it is going to grow year after year and it all depends on how you are spending it. He said he understands they are paying overtime on weekends in the water department and he asked why they are paying overtime on weekends when there are two full-time people and one part-time person in the water department.

Councilwoman LeClair said that when she spoke with Tim Burley the other day he said that we aren't allotting for recoating costs of the water tanks.

Harry Gutheil said he included 40 cents per 1,000 gallons in the water rates.

Following some more brief discussion the public comment period was concluded by Supervisor Jenkins.

### **HIGHWAY DEPARTMENT REQUESTS**

The Highway Superintendent submitted a request to the Town Board asking for authorization to contract with Gorman Group to do 2,700 feet of "cold-in-place recycling" on the north end of Feeder Dam Road out of account DB5112.493.3 that had a fund balance of \$41,000 as of 6/30/14 and "paver-placed surface treatment" on the north end of Feeder Dam Road out of account DB5112.493.4 that had a fund balance of \$509,890 as of 6/30/14 at a total cost \$33,600. The Gorman Group is listed as a supplier of these services on Saratoga County contracts 13-PWPR-28R and 14-PWPA-30R.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the Highway Superintendent to contract with Gorman Group to do 2,700 feet of "cold-in-place recycling" and "paver-placed surface treatment" on the north end of Feeder Dam Road under Saratoga County 13-PWPR-28R and 14-PWPA-30R at a cost not to exceed \$33,600.

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Roll call vote resulted as follows:

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

The Highway Superintendent submitted a request to contract with Peckham Materials, Palette Stone and/or Pompa Bros. for the purchase of asphalt concrete in the amount of \$445,000. The asphalt will be used on the paving projects listed in the 2014 Highway Improvement account #DB5112.493.4. All three of these suppliers are listed on the Saratoga County Contract #14-PWAC-3R. The balance in account DB5112.493.4 as of 6/2/14 was \$509,890.

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast authorizing the Highway Superintendent to contract with Peckham Materials, Palette Stone and/or Pompa Bros. for the purchase of asphalt concrete at an amount no to exceed \$445,000 under Saratoga County Contract #14-PWAC-3R out of account DB5112.493.4.

Roll call vote resulted as follows:

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

#### **RECREATION DEPARTMENT REQUESTS**

Supervisor Jenkins reported that Tim Johnston requested that the hourly rates of Chris Rich and Jim Davenport laborers in the Recreation Department be increased from \$9.00 per hour to \$10.50 per hour. He said that when they discussed the budget back in the fall he asked for this option based on their service and the Board put the rates in the budget from \$9.00 to \$11.00 per hour with \$9.00 per hour being the starting hourly rate. Tim Johnston has noted that he has less man hours with these two employees than in the past and the increase is justified. Supervisor Jenkins said these numbers fall within the budget.

Jim Davenport said he was hired in March as a year-round, part-time laborer when Tim Johnston was shorthanded and Tim told him after three months he would get an evaluation and he could get a raise based on his skills. He said he has electrical skills and has put a roof on a building for the Town and he has done all kinds of jobs around the park as asked and he asks that the Town Board honor what he was told. He said he enjoys working for the recreation department.

Supervisor Jenkins said he has heard only good things about both employees and he had a discussion on Monday about this and Tim said he is working within the budget and he is using less labor hours than last year and he feels that it is warranted and we included it in the budget when it was discussed last fall. Supervisor Jenkins said he personally doesn't have a problem with it. He asked for a motion and second.

Councilman Vittengl made the motion and it was seconded by Councilwoman LeClair to increase the hourly rates of pay from \$9.00 per hour to \$10.50 per hour for Jim Davenport and Chris Rich.

Councilman Prendergast said that the difference here is that during budget time they were told this could happen. The problem is when you treat one employee different than another employee outside departments it creates a problem. The Board discussed this at budget time that is the difference.

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Roll call vote resulted as follows:

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

Harry Gutheil stated that it was great that the Town hosted the State Softball Tournament at the Rec. Park. It was great for the community. He spent some time down at the tournament and it was nice to see the park used that way. He suggested that the Board take a look at expanding the parking area down there and look into paving down there. He understands that this tournament will be hosted at the park for another two years.

Tim Johnston, Recreation Maintenance Director, submitted a request to purchase a new club car for the Rec. Park. He obtained a quote in the amount of \$13,678.20 under State Contract #22186 from Satch Sales for a 2014 Club Car Carryall 295 Diesel 4X4 Utility Vehicle with Cargo Box.

Brief discussion followed on replacing the engine on the existing club car, which Supervisor Jenkins thought would cost around \$4,000 or replacing it.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the purchase of a 2014 Club Car Carryall 295 Diesel 4X4 Utility Vehicle with Cargo Box from Satch Sales under State Contract #22186 at a cost not to exceed \$13,678.20.

Roll call vote resulted as follows:

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

#### **WATER DEPARTMENT REQUESTS**

None

#### **PERMIT APPLICATION FOR SALE OF EXISTING LICENSED MOBILE HOME PARK – BLUEBIRD TERRACE**

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adopt the following resolution, which was read aloud by the Town Clerk:

WHEREAS, on June 17, 2014, Cannone Venture, Inc. (“Cannone”), with an address of 33-35 Palmer Terrace, Gansevoort, New York, submitted to the Town Clerk a Permit Application and Report Form For the Sale of an Existing Licensed Mobile Home Park, (“Application”), and

WHEREAS, Cannone is currently under contract to purchase Bluebird Terrace Mobile Home Park, with an address of 116 Bluebird Road, Town of Moreau, New York, and

WHEREAS, pursuant to Chapter 96 of the Code of the Town of Moreau, the Building Inspector and the Town Board are each vested with the authority to review and determine the Application, and

WHEREAS, the Building Inspector of the Town of Moreau approves the Application with the conditions listed below, and

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WHEREAS, the Town Board reviewed the Application and heard from the Applicant during a Town Board meeting on July 8, 2014, and

NOW, THEREFORE, BE IT RESOLVED, that the Application is hereby approved with the following conditions:

1. Cannone submits a Letter of Credit in the amount of Forty Thousand and No/100 Dollars (\$40,000) for the benefit of the Town for the purpose of bringing the property into compliance with Chapter 96 of the Code of the Town of Moreau and the Property Maintenance Code of New York State and the Residential Code of New York State.
2. Cannone submits a permit from the Department of health demonstrating compliance with all Department of Health regulations for a Mobile Home Park.
3. Cannone submits a survey acceptable to the Town Building Inspector, identifying all necessary items as required in Chapter 96 of the Code of the Town of Moreau.

BE IT FURTHER RESOLVED, that the Building Inspector is authorized to provide a Permit with Conditions to the Applicant.

Roll call vote resulted as follows:

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

#### **CHANGE ORDER – CLARK ROAD CULVERT FEMA REPAIR**

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast authorizing the Supervisor to sign Change Order No. 1 under Contract No. 1 for the Clark Road Culvert FEMA Repair in the amount of \$3,116.40.

Roll call vote resulted as follows:

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

#### **15 MINUTE PUBLIC COMMENT PERIOD**

Reed Antis asked for an update on the Hillman claim.

Supervisor Jenkins replied that he hasn't heard anything recently. He thinks that Mr. Hillman may have given a deposition last week.

Reed Antis asked for an update on the roof on the new highway garage.

Supervisor Jenkins replied that they are finally going to release the documents to us on what has to be done to fix the problem. If nothing happens in the next 30 days then he assumes that we will go to the bonding company.

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Reed Antis reminded the Town Board that Steve Gram the former Recreation Director was the person who was instrumental in getting the State Softball Tournament to come to our Rec. Park.

Reed Antis read from the Town Law as follows: "Many towns find there is a considerable amount of work a town board must do between meetings in order to gather the necessary facts on matters requiring town board decisions. To make studies and report back with recommendations. The use of the Town Board Committee technique can be a very useful tool towards good local government and can involve the board members more closely and effectively in decision making. Committees can conduct formal or informal meetings and hearings, but cannot make any decision for the town board. Committees are considered public bodies and thus are subject to Open Meetings Law."

Reed Antis said that he was disappointed with Councilman Prendergast and Councilman Vittengl, because the last eight weeks we have had two gentleman coming to meetings asking questions about the water rates and since Councilman Prendergast has been on the Board for 25 years and Councilman Vittengl has been on the Board for 3 years and they are both on the Water Committee, Councilman Prendergast at the very least should know, like the back of his hand, the information that is needed to answer the gentlemen's questions. He is disappointed that neither Councilman could answer the questions being asked especially since they also serve on the Water Committee. He said the Town Board should know this stuff cold.

Councilman Prendergast said some of the decisions made that are being discussed at this meeting were made four years ago.

Reed Antis told Councilman Prendergast that he was correct, but he is on the Water Committee and has been a Town Board Member for 25 years.

Councilman Prendergast said he hasn't been dealing with the issue every single day and it was dealt with four years ago. At that time he probably knew more about it, because he was meeting on it regularly with the engineer. He hasn't met with the engineer since. The only thing Mr. Congdon asked him for last week was some paperwork and as far as he knew he received the information.

Reed Antis stated that this issue has been on the table and discussed at the last four or five meetings. Somebody should know the facts and be able to answer these people's questions correctly.

Supervisor Jenkins said they have the facts, but they don't like them.

Councilman Prendergast said that is the main thing, they don't like what they are hearing.

Reed Antis said he disagreed and said he thinks they aren't giving good answers to these citizens and that is why they keep coming back and asking for the answers.

Councilman Vittengl told Reed that what is so difficult here is that there are six water districts and six different check books, three different towers, two different sources of water and multiple rates and some older districts and some newer districts. He said it is very confusing.

Reed Antis stated that if one of the Board Members had sat down and did their homework and new it cold and had a sheet of paper in front of them they could have answered the questions and satisfied these citizens with the answers.

Supervisor Jenkins said they gave them the answers and they just don't want to hear it. It is very simple, the \$400 was the rate that was in effect when the development was going in and that got grandfathered in. We have the same situation on Sisson Road where the rate is \$1,150, which was the rate when the development was approved.



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Mark Stewart stated that he was not fighting the \$3,100 and that is not why he was at the meeting. He wants to know why the Michael's Group is grandfathered in and nobody else is. He said for Supervisor Jenkins to say that he is not happy with the answers is not true.

Supervisor Jenkins stated that for the past 3 ½ years since the rate was established everyone has paid the \$3,100 except for the Michael's Group who paid \$400 and the \$1,150.00 that Sisson Reserve paid, because that was the agreement when the developments were approved.

Dialogue continued between Supervisor Jenkins and Mark Stewart and then the second public comment period was concluded.

### **COMMITTEE REPORTS**

Councilwoman LeClair stated we adopted \$10.00 per hour for senior lifeguard. She said Marikka Ryan is making \$9.54 per hour and Johanna Williams is making \$9.19 per hour. They thought Marikka was going to be the senior lifeguard, but Johanna is the senior lifeguard, but not getting the senior lifeguard hourly rate of pay. The question is does the Board want to increase her hourly rate to \$10.00 per hour.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to increase the hourly rate of Johanna Williams, Senior Lifeguard, to \$10.00 per hour.

Roll call vote resulted as follows:

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

Councilwoman LeClair met with Paul Joseph about a gentleman who lives on Robert Rogers Avenue and with all the rain his back yard and front yard flooded and the water seems to be running off a private road owned by Mr. Bates that is off Robert Rogers Avenue.

Supervisor Jenkins stated that Paul Joseph talked about putting two or three culverts in on Town property to take care of the runoff, but as far as repairing the private road we can't do that legally.

Councilwoman LeClair stated that Paul Joseph talked about putting in three catch basins at a cost of about \$12,000 to \$15,000 to remedy something caused by someone else.

Supervisor Jenkins said we could take care of the drainage, but we can't stop the runoff that is caused by the condition of the private road that is owned by Mr. Bates.

Councilwoman LeClair asked if we could recoup the cost of putting in the catch basins since it is the runoff from the private road that is making it necessary to put the catch basins in.

Supervisor Jenkins stated that we would have to deal with Mr. Bates on that. He said they could look into. He will ask Attorney Buettner about it.

Councilwoman LeClair said this same problem occurs on the Sweet property and a private road over near Moreau Lake. She asked if something could be done on the Planning Board level.

Supervisor Jenkins said that current regulations are such that these problems won't occur anymore.

Councilman Prendergast said he thought Paul Joseph was going to address this at budget time.

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Councilwoman LeClair reported that she spoke with the Town of Wilton about a hazardous waste day and they are no longer doing it. The last time they held one the state passed a law in April and Wilton didn't know about this and they held the hazardous waste day in September and the state deducted several thousands of dollars off the reimbursement to Wilton, because the state said most of the items could have been taken care of by the homeowner. Electronics can be recycled. Paint can be dried up with kitty litter and disposed of. She called NYS DEC and left a message and hasn't heard back from them. She stated that the Town Conservation Committee posted a flyer on the Town's website giving information on how to get rid of a lot of stuff.

### **SUPERVISOR'S ITEMS**

The Board accepted the quote from Saratoga Flag to install flag poles and flags at the new municipal building, but Saratoga Flag won't sign the contract due to the hold harmless clause and other conditions in the contract. They suggested three other options for installation. Supervisor Jenkins asked if the Board wanted to accept the quote from Saratoga Flag in the amount of \$3,639.00 for the flag poles and flags and have them installed by someone else.

Following brief discussion on this Supervisor Jenkins said he would talk to Saratoga Flag again and see what their specific objections were to the contract and maybe we can work around them. It is a rather simple project.

Supervisor Jenkins asked the Town Board Members to review again the draft local law that Attorney Buettner drew up regarding accepting bids on the best value methodology and he would put it on the agenda for the next meeting.

Councilwoman LeClair reported that one of the boats used in the rowing program sunk and there is only one boat now. They want to use one of the kayaks instead. She asked if the Board had any objections to this.

Councilman Vittengl said the kayak would be at the beach in case the lifeguards needed it also.

No objections were voiced.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to adjourn to executive session at 8:10 p.m. to discuss the agreement regarding the Moreau Industrial Park.

Roll call vote resulted as follows:

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

Supervisor Jenkins stated that the Board may schedule a meeting after the executive session.

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

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast to adjourn the executive session and re-open the regular meeting at 8:27 p.m.

Roll call vote resulted as follows:

Councilman Vittengl	Yes
Councilman Prendergast	Yes

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Councilwoman LeClair	Yes
Councilman Kusnierz	Absent
Supervisor Jenkins	Yes

No action was taken in the executive session.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to schedule a meeting of the Town Board for July 24<sup>th</sup> at 7:00 p.m. in the Town Municipal Building to discuss the restructuring of our agreement on the Moreau Industrial Park.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to adjourn the regular meeting at 8:29 p.m.

Roll call vote resulted as follows:

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

Meeting adjourned.

Respectfully submitted,

Jeanne Fleury  
Town Clerk

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