

A regular meeting of the Town Board of the Town of Moreau was held on June 12, 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
Bob Prendergast	Councilman
Gina LeClair	Councilwoman
Preston Jenkins	Supervisor

Town Board Members Absent

Todd Kusnierz	Councilman
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Also Present: Jeanne Fleury, Town Clerk; Karla Buettner, Attorney for the Town; Keith Osborne, Planning Board Member; Stephen Gram, Recreation Director; Jeff McCabe, Town Justice; Tim Alden, Town Justice; Reed Antis, Town Resident and Alternate Planning Board Member; Dave Canfield, Post Star Reporter; Bob Bogdan, Baseball Coach for the Recreation Department; Garth Baker, Recreation Commission Chairman; Town Residents: Adele Kurtz, Huguette Delvaux, Mike Bushman, Diana Wallace

Supervisor Jenkins led the Pledge of Allegiance.

Supervisor Jenkins welcomed everyone and asked that all electronic devices be turned off or put on vibrate.

MINUTES

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

April 24th, May 8th Public Hearing, May 11th, May 17th, May 22nd (2 Sets), May 29th

MINUTES – APRIL 24, 2012 – REGULAR TOWN BOARD MEETING

No comments or corrections.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to approve the minutes of April 24th as prepared.

Roll call vote resulted as follows:

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

MINUTES – MAY 8, 2012 – PUBLIC HEARING RE: ESTABLISHMENT OF EXTENSION NO. 3 OF WATER DISTRICT 1

No comments or corrections.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to approve the minutes of May 8th as prepared.

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Roll call vote resulted as follows:

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

MINUTES – MAY 11, 2012 – BID OPENING – BIDS FOR HIGHWAY TRUCKS

No comments or corrections. Receive and file.

MINUTES – MAY 17, 2012 – SPECIAL MEETING – INTERVIEW CANDIDATES FOR POSITION AT TRANSFER STATION

No comments or corrections.

MINUTES – MAY 22, 2012 – CONTINUATION OF PUBLIC HEARING ON ESTABLISHMENT OF EXTENSION NO. 3 OF WATER DISTRICT 1 AND REGULAR MEETING

No comments or corrections.

A motion was made by Councilwoman LeClair and seconded by Councilman Vittengl to approve the minutes of May 17th and May 22nd as prepared.

Roll call vote resulted as follows:

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

MINUTES – MAY 29, 2012 – MONTH-END AUDIT MEETING

No comments or corrections.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to approve the minutes of May 29th as prepared.

Roll call vote resulted as follows:

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

SET FUTURE MEETINGS/WORKSHOPS

A workshop was scheduled by the Town Board for June 21st at 7:00 p.m. in Town Hall to discuss water rates and discuss where the Town is headed with its water districts.

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15 MINUTE PUBLIC COMMENT PERIOD

No comments.

COURT CLERK POSITION – DISCUSS/ACT ON POSITION, SALARIES, BENEFITS

Town Justice, Tim Alden, advised that his court clerk, Lori Pike is retiring after 20 plus years effective the end of July. He also advised that his part-time court clerk resigned to take a job in another court in another Town. He stated that Lori's position is a civil service position and is classified as clerk, full-time, competitive. He felt that the classification of Court Clerk, full-time, competitive would be more appropriate. Saratoga County asked for a duty sheet and one has been provided to the Town's account clerk, Fran Thibodeau. It is his understanding that the Town Board needs to abolish the position of clerk, full-time, competitive and replace it with a position classified as court clerk, full-time, competitive. Saratoga County has provided him with a list of the top three people on the civil service list. He is looking for guidance from the board on what the salary for the new clerk is going to be and benefits. He noted that Lori Pike is currently being paid \$32,225.00. He and Judge McCabe want qualified people so they were asking the board to consider something close to \$31,000.00. Jody Munger the part-time clerk that left was making \$10.20 per hour and they would suggest that the board retain that hourly rate for the new part-time clerk that will be hired. They hope to interview within a week's time.

Supervisor Jenkins said he didn't have a problem with the part-time hourly rate of \$10.20. He stated that the Judges could make an appointment without the position being civil service.

Judge Alden advised that his term is up next year and he would hate to see someone's position dependent upon him. He thought it would be better to make the position a civil service position.

Supervisor Jenkins suggested that the Judges interview, select a full-time person and bring their recommendation to the board and the board will recommend a salary.

Judge Alden stated that any applicant will want to know what the salary is.

Supervisor Jenkins said to give the applicants a salary range such as \$28,000.00 to \$32,225.00 He said it will depend on their experience as to what they get paid.

Judge McCabe stated that if they offered a person \$22,000.00 he is afraid they will have slim pickings. They want to hire someone who is going to stay.

Supervisor Jenkins stated that the Saratoga County Civil Service listing for this position will state a salary range. He said the Judges can interview without this.

Councilman Prendergast asked the Judges if changing the classification of the one position will create a problem for the other full-time clerk.

The answer was no. Judge Alden stated that he doesn't want to change Colleen's position, because she could lose her job.

Councilman Prendergast stated that he obtained information on what other Towns in Saratoga County pay their court clerks. Other than the Town of Wilton, Clifton Park and Malta, our pay is very competitive. He said Town of Wilton, Clifton Park and Malta probably do more business in their courts and that is the reason their salaries are higher.

Judge McCabe stated that the Town of Moreau Court sits in 4th place in volume compared to the other Towns. He believes that the salaries are accurate where they are at.

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Councilman Prendergast questioned if paying a new clerk \$31,000.00 wasn't going to create problems when Colleen Nichols has been court clerk for 25 years.

Judge Alden replied that every year they come before the Town Board at budget time and they tell the board that the two positions are basically the same. He added that at the end of July there was going to be two new clerks in the court who have no idea what to do or how to process fine money. They need qualified people and the board may have to pay to get qualified people.

Councilman Prendergast stated that the medical benefits are good here though.

Judge Alden stated that it is a time factor. They were one month away from not having anybody to handle his side of the court. He said that the other clerks were willing to assist, but the process would be slowed down. If the board gives them a different salary then they would have to go back to the candidate and ask if they were willing to accept it and if not then they would have to start the interview process all over again.

Councilman Prendergast stated that if the candidates took the civil service test and our salaries are competitive then that wipes out the fact that they may not accept the salary.

Judge McCabe advised that the candidates have taken the test not just so they could work in a Town Court, but they could be looking to work for a court higher up in the system, which would pay more.

Councilman Prendergast asked the Judges what they thought about a salary range of \$27,000 to \$30,000.

Judge Alden thought \$27,000.00 was too low. He mentioned \$28,000 to \$30,000.

Councilman Prendergast said he was okay with \$28,000 to \$30,000.

Councilman Vittengl and Councilwoman LeClair concurred.

Supervisor Jenkins suggested that the Judges conduct interviews, select a candidate and bring their name back to the Town Board for approval.

Judge Alden asked if the board needed to abolish the position of clerk, full-time and replace it with court clerk, full-time, competitive.

Judge McCabe and Supervisor Jenkins stated that the clerk, full-time position wouldn't be abolished until the position is actually vacated by Lori Pike.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl to create the position of court clerk, full-time, competitive.

Roll call vote resulted as follows:

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

GARRY ROBINSON – SAND BAR BEACH SEPTIC PROJECT

Garry Robinson submitted a letter to the Town Board dated June 8, 2012 that provided quotes that he obtained for equipment needed for the Sand Bar Beach sewer project. The only companies that quoted on the Pipe, Valves & Couplings were HD Waterworks and G.L.L.P., Inc. and the lowest quote was from HD

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Waterworks. According to Garry Robinson, G.L.L.P. has the lowest price on the grinder pump and Action Equipment and Supply is the only rental company that he could find that had a trencher that could excavate deep enough for this project. He recommended that the lowest quotes be taken and the materials ordered so the job could be scheduled and the materials ordered.

Supervisor Jenkins stated that it appears that the cost for materials and equipment was going to be \$11,000.00 and Garry Robinson said this was correct. There will be some small parts that will have to be purchased also.

Garry Robinson stated that port-o-johns could be brought in until the project is complete.

Supervisor Jenkins stated that the board already authorized an amount not to exceed \$30,000.00 for this project, materials and labor, and all the board has to do now is authorize the project to move forward.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the project to move forward.

Roll call vote resulted as follows:

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

Attorney Buettner advised that the sewer line will be on Village property so an easement will be needed. Garry Robinson provided her with a draft of an easement that has been used in other communities and Attorney Buettner said she has marked it up with language she would like in the easement and she has spoken with the Village attorney and he advised that she should provide him with an easement and the Village will sign it. She suggested that the Town Board authorize the Supervisor to sign the sewer easement as drafted by her.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the Supervisor to sign a sewer easement as prepared by the attorney for the Town.

Roll call vote resulted as follows:

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

HIGHWAY DEPARTMENT REQUESTS

The highway superintendent submitted a request to purchase six 30" x 6' fully perforated galvanized drywells. This purchase would be made out of account DB5110.450 that had a balance of \$4,000.00 as of 5/1/12. He obtained the following quotes:

Adirondack Highway Materials	\$1,434.00
Chemung Supply	\$1,470.00
Lane Enterprises, Inc.	\$1,020.60

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A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the purchase of six 30" x 6' fully perforated galvanized drywells from Lane Enterprises at a cost not to exceed \$1,020.60.

Roll call vote resulted as follows:

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

The highway superintendent submitted a request to purchase seven rings and grates. This purchase would be made out of account DB5110.450 that had a balance of \$4,000.00 as of 5/1/12. He obtained the following quotes:

Adirondack Highway Materials	\$2,513.00
Chemung Supply	\$3,276.00
Vellano Bros., Inc.	\$3,325.00

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair authorizing the purchase of seven rings and grates from Adirondack Highway Materials at a cost not to exceed \$2,513.00.

Roll call vote resulted as follows:

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

The highway superintendent submitted a request to purchase eighteen lockers for the new highway garage. This purchase would be out of HH1620.2. He obtained the following quotes:

Corcraft	\$2,610.00 plus freight unassembled
Jorgenson Co.	\$2,110.00 assembled
Lightning Lockers, LLC	\$2,046.94 unassembled
Charlie's Office Furniture	\$5,824.00

The highway superintendent recommended purchasing the lockers from Jorgenson Co. Even though they did not quote the lowest price their quote was only \$63.06 more than the next lowest quote and the labor involved to assemble the lockers will far exceed the difference in price.

Councilman Prendergast stated that he wished the highway superintendent was present. He said that he was concerned that this was coming out of the capital project account and the amount of money left in that account. He stated that there is another big ticket item coming up that we will have to consider purchasing.

Supervisor Jenkins stated that the only thing left to purchase is air conditioning and there is \$42,000.00 left in the account.

Councilman Prendergast asked if aren't there lifts that have to be purchased.

Supervisor Jenkins replied no, they may be purchased at some point, but they weren't part of the project.

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Councilman Prendergast stated that when the project was originally designed there was discussion about portable lifts vs. permanent lifts.

Supervisor Jenkins said they were not included in the project budget. He stated that they need lockers.

Councilman Prendergast replied that they need a lift too.

Supervisor Jenkins replied that they don't have one now.

Councilman Prendergast said he wants to know that with the amount of money left, which one is more important to the highway superintendent.

Supervisor Jenkins said this is the recommendation of the highway superintendent. He submitted the request and he is not present tonight.

Councilman Prendergast asked if the highway superintendent would come to the board at a later date and ask for the lifts.

Supervisor Jenkins replied that he can, but he isn't going to get them. He can try and put it in his budget.

Councilman Prendergast said that he may be able to get them this year if he prioritizes what he wants to purchase as part of this project moving forward.

Supervisor Jenkins said if Councilman Prendergast wants to put a hold on this they could.

Councilman Prendergast said this is how he feels, but there are three other board members. He thought that the lift was in the original plan.

Supervisor Jenkins said it was discussed, but it wasn't part of the bid documents and it isn't in the current budget for the project. The lockers are on the list that was prepared and approved by the highway superintendent. There is also air conditioning on the list and these are the only two items left to be purchased. With these two items included in the budget there is still around \$42,000.00 left in the account.

Councilman Prendergast said there is about \$35,000.00 left in the account.

Councilwoman LeClair asked if they could wait until the next meeting to act on this. She said they won't be moving into the building within the next two weeks.

Supervisor Jenkins stated that if they can get the floors in the offices straightened out then they will be moving in within the next two weeks.

The purchase of the lockers was put on hold until the next meeting.

The highway superintendent in his purchase request dated May 8, 2012 for a 24 hour U.L. Listed Central Station Monitoring with a daily auto test for the new highway garage asked for a transfer of funds in the amount of \$288.00 for this purchase. The purchase was approved, but the transfer was not approved. Therefore, the highway superintendent was asking the Town Board to approve the transfer at this meeting.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the transfer of \$288.00 from the contingency account into A5132.407.

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Roll call vote resulted as follows:

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

The highway superintendent submitted a request to have the D4 Dozer repaired at a cost of \$13,033.76. Once repaired the value of the dozer will be between \$28,000.00 and \$34,000.00. A transfer of funds is needed before the repairs can be authorized. There is a \$50,000.00 balance in the contingency account DB1990.4.

The board members didn't receive a copy of this request so there was brief discussion.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast authorizing a transfer of \$14,000.00 from the highway contingent account DB1990.4 into highway machinery contractual account DB5130.405.

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 Vittengl and seconded by Councilman Prendergast authorizing the repair of the D4 Dozer by Chandler Tractor, LLC at a cost not to exceed \$13,033.76.

Roll call vote resulted as follows:

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

TRUCK BIDS

Supervisor Jenkins stated that at the last meeting when the board discussed the truck bids, Councilman Kusnierz had a major concern over purchasing trucks with diesel engines. Supervisor Jenkins stated that he agreed with Councilman Kusnierz in regards to the pickup truck as it will save the Town \$6,400.00 by purchasing the truck with a gasoline engine and the pickup truck is a vehicle that the highway department will use for probably five years. The dump truck however is a vehicle that the highway department will probably use for 10 to 12 years so he would like to purchase the dump truck with a diesel engine.

Councilman Prendergast made a motion to purchase a 2012 $\frac{3}{4}$ ton 4x4 pickup with plow with gasoline engine from Orange Motors per their bid price not to exceed \$29,970.00 and a 2012 1 $\frac{1}{2}$ ton 4x4 cab and chassis with municipal dump body and plow with diesel engine from Orange Motors per their bid price not to exceed \$78,591.00 out of account DB5130.2.

The motion was seconded by Councilwoman LeClair.

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Roll call vote resulted as follows:

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

RECREATION DEPARTMENT REQUESTS

None

Steve Gram, Recreation Director, advised the board members that he put information in their mailboxes regarding playground equipment.

Steve Gram also asked the board if they wanted to authorize the hiring of Matthew Hay as a Sports Specialist to assist Bob Bogdan with his baseball program at the Rec. Park, which starts July 5th. The hourly rate would be \$10.20.

It was decided to act on this at the next meeting.

WATER DEPARTMENT REQUESTS

Jesse Fish, Water Superintendent, informed the board that he needed to purchase sixteen 1 ½" water meters for the Sisson Reserve project. The developer will be responsible for the difference in cost between the ¾" meters and the 1 ½" meters. The cost is \$465.00 each for the 1 ½" meters vs. \$192.00 each for the ¾" meters.

A motion was made by Councilman Vittengl and seconded by Councilman Prendergast authorizing the purchase of sixteen 1 ½" water meters for the Sisson Reserve project at a cost not to exceed of \$465.00 each with the Town's share being \$192.00 each.

Roll call vote resulted as follows:

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

Jesse Fish informed the board that he also needed to purchase nine water meters for the Schermerhorn project. The cost will be \$245.00 each and the Town's share will be \$192.00 each. Schermerhorn will reimburse the Town the difference.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the purchase of nine water meters for the Schermerhorn project at a cost not to exceed \$245.00 each with the Town's share being \$192.00 each.

Roll call vote resulted as follows:

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

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JIM MARTIN TO DISCUSS PDD ZONING

Jim Martin from the LA Group entered the meeting and apologized for being late. He stated that his purpose for attending the meeting was to explain the difference between a PDD and a PUD and the applicability to the proposed Buck Group Project on Route 9.

Jim Martin explained that a PUD is specific to one site and a PDD applies to a wider area such as a corridor like Route 9 and it could involve many parcels of varying sizes.

Jim Martin displayed a presentation board that outlined the following:

Comprehensive Plan – Need/Purpose – Town has done this.
Feasibility Application – Parameters/Constraints/Opportunities
Ordinance Update/Amendment – Insert the PDD or PUD – Bulk/Height/Uses – Codify it
Optional Considerations – Design Guidelines – Signage/Wayfinding – Architectural Treatment –
Incentives – Historic Preservation – Landscape – Mitigation – Building Appearance – Ecological
Conservation

Jim Martin elaborated a little on each of these points.

Brief discussion followed.

Supervisor Jenkins thanked Jim Martin for attending.

ASSESSOR'S REQUEST

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing Peggy Jenkins the Assessor to attend a training session at Cornell in Ithaca July 15th through the 17th for continuing education credits and for any necessary and proper expenses incurred that are not reimbursed by the State of New York to be a proper town charge.

Roll call vote resulted as follows:

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

LOCAL LAW NO. 1 OF 2102

Attorney Buettner read the text of Local Law No. 1 of 2012.

The questions in Part II of the short form EAF were read by Attorney Buettner and answered by the Town Board as follows:

A. No
B. No
C1. No
C2. No
C3. No
C4. No
C5. No
C6. No

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C7. No
D. No

Part III – The box was checked that read: “Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts and provide on attachments as necessary, the reasons supporting this determination.

The Town Clerk read the resolution to adopt Local Law No. 1 of 2012.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to adopt the following resolution:

WHEREAS, the Town Board of the Town of Moreau ("Board") is considering the adoption of Local Law No. 1 of 2012, which would, if adopted, repeal Chapters 28 and A156 of the Code of the Town of Moreau ("Town"); and

WHEREAS, the Board finds that the Recreation Commission has become obsolete and unnecessary for the maintenance of the recreation programs of the Town; and

WHEREAS, the Board finds that it would be more suitable to have a Recreation Committee to act as an advisory committee to the Town Board rather than a full Recreation Commission; and

WHEREAS, Local Law No. 1 repeals Chapters 28 and A156 of the Code of the Town of Moreau thereby abolishing the Recreation Commission and vesting all powers heretofore provided to the Recreation Commission back to the Town Board; and

WHEREAS, the Board finds that the adoption of Local Law No. 1 of 2012 is in the best interests of the Town and is necessary to protect the health, safety and welfare of the residents of the Town of Moreau, the businesses thereof and the visitors thereto; and

WHEREAS, the Board finds that the adoption of Local Law No. 1 of 2012 is a necessary and proper exercise of authority by the Board; and

WHEREAS, the authority for the enactment of this local law is found in Section 10(1)(i) of the Municipal Home Rule Law; and

WHEREAS, pursuant to Section 20 of the Municipal Home Rule Law, a public hearing on the proposed adoption of Local Law No. 1 was duly conducted on June 12, 2012 at 6:30 p.m. at the Town Hall; and

WHEREAS, the Board has considered the public comments made at the public hearing; and

WHEREAS, as lead agency for this unlisted action, the Board reviewed this action under the State Environmental Quality Review Act ("SEQRA") and adopted a negative declaration; and

WHEREAS, after thorough review and deliberation, the Board proposes to adopt Local Law No. 1 of 2012; and

WHEREAS, the Attorney for the Town has prepared the necessary documents for filing this local law with the Secretary of State including the text of the law itself;

NOW THEREFORE, BE IT RESOLVED, that the Board hereby adopts Local Law No. 1 of 2012, annexed hereto, "A Local Law Repealing Chapter 28 of the Moreau Town Code, enacted by Resolution of the Town Board

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on April 11, 1972 and Codified by Local Law 4 of 1990 and Chapter A156 of the Moreau Town Code, adopted by the Town Board during Codification of Local Law 4 of 1990"; and

BE IT FURTHER RESOLVED, that the Board hereby authorizes the Town Clerk and the Attorney for the Town to make such minor modifications to the local law documents as they deem necessary and thereafter are directed to execute and file the said documents as required by law and to take all of the necessary action for the promulgation thereof.

Roll call vote resulted as follows:

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

Councilman Prendergast reiterated for the record what he said during the public hearing and that was that the Recreation Commission was created many years ago and a lot of good people have served on the commission and a lot of good things have happened down at the park. These are all volunteers who cared about the community and wanted to set up the park and they wanted it done right. The volunteers deserve a lot of thanks and credit for the good things that have happened down there. In his opinion the Town has changed, the Park has changed and the way the law was written just doesn't meet the needs of the Town anymore. The resolution we passed tonight talked about the authority being brought back to the Town Board and the reason for this is that whoever sits in these seats are answerable to the people who own that park and those are the taxpayers. The people who sit in these seats are answerable to them and in his opinion that is where the authority always was and this clarifies it.

Supervisor Jenkins thanked the current members of the Recreation Commission for their service and pointed out that the President is here tonight. He has done a fine job. It has been coming apart for a lot of reasons. He will accept some of that responsibility along with everyone else as to why the process has been the way it has been. They will send letters to the five Recreation Commission Members and ask if they would consider joining the Recreation Committee. They will all be treated fairly. At the same time the board will run an advertisement to find new members to make a complete committee. The board will decide whether to increase from the number of members from seven to nine and whether to have alternates or not. He stated that it was important to Councilman Kusnierz that we bring back a committee and he felt it was important too.

Councilwoman LeClair asked Steve Gram if the Town of Queensbury has a committee. She recalled seeing a set of committee rules or guidance from another committee. She would like to be able to find those. It would give the committee members something to start from.

FLAG DAY PROCLAMATION

A motion was made by Councilwoman LeClair and seconded by Councilman Prendergast to adopt the following proclamation:

WHEREAS, by Act of Congress of the United States dated June 14, 1777, the first official Flag of the United States was adopted; and

WHEREAS, by Act of Congress dated August 3, 1949, June 14 of each year was designated "National Flag Day"; and

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WHEREAS, on December 8, 1982, the National Flag Day Foundation was chartered to conduct educational programs and to encourage all Americans to “Pause for the Pledge of Allegiance” as part of the celebration of National Flag Day throughout the Nation; and

WHEREAS, by Act of Congress, dated June 20, 1985, Public Law 99-54 was passed to have the “*Pause for the Pledge of Allegiance*” as part of the celebration of National Flag Day throughout the nation; and

WHEREAS, Flag Day celebrates our nation’s symbol of unity, a democracy in a republic, and stands for our country’s devotion to freedom, to the rule of all, and to equal rights to all, and

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Moreau does hereby proclaim June 10 – 16, 2012 as Flag Week in the Town of Moreau and urges all citizens of New York to pause at 7:00 p.m. EDT on Thursday, June 14, 2012 for the 30th Annual National “*Pause for the Pledge of Allegiance to the Flag*” and join all Americans in reciting the “Pledge of Allegiance to the Flag of the United States of America”.

Roll call vote resulted as follows:

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

SHELTER PLANNING

Supervisor Jenkins stated that the board has discussed the Shelter Planning proposal many times in the past. Shelter Planning proposes to prepare and submit a CFA application for funding at a cost of \$6,000.00. It would cover the entire Town, but there may be some areas that get more preference or has a greater need than others. We will ask them to consider the whole Town. There is no budget item, but there are funds in the contingency account A1990.4. It is time to do this. There are properties in the Town that could use some improvements and it is difficult for the people to do that improvement. He asked for a motion to hire Shelter Planning to do a CFA application with the State at a cost of \$6,000.00.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the transfer of \$6,000.00 from A1990.4 contingency into A6460.4 Economic Assistance contractual.

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 Vittengl and seconded by Councilwoman LeClair authorizing the hiring of Shelter Planning & Development, Inc. to prepare and submit a CFA application to the State at a cost not to exceed \$6,000.00.

Roll call vote resulted as follows:

Councilman Prendergast	Yes
Councilwoman LeClair	Yes

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Councilman Kusnierz	Absent
Councilman Vittengl	Yes
Supervisor Jenkins	Yes

FARMLAND PROTECTION PLANNING GRANT PROGRAM

Supervisor Jenkins asked the board if they wanted to reapply for a Farmland Protection Planning Grant. The board adopted a resolution back in 2009 requesting \$25,000.00 with a local match of \$2,050.00 and \$6,645.00 in-kind services. He stated that no money would have to be expended at this time. The grant wouldn't be awarded until next year anyway.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair that the Town of Moreau is still interested in obtaining state assistance payments to develop a local agricultural and farmland protection plan.

Roll call vote resulted as follows:

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

AUTHORIZATION FOR THE SUPERVISOR TO SIGN THE MEGA CONTRACTS FOR GAS & ELECTRIC

Supervisor Jenkins recapped what was said at the May 22nd Meeting about the MEGA Contracts that he suggested the Town Board authorize him to sign. MEGA stands for Municipal Electric and Gas Alliance. MEGA negotiates and puts out for bid under the General Municipal Law gas and electric services for its participants, and then awards the lowest responsible bidders. This results in savings to the municipality with the electric and gas bills. They were proposing a 27 month contract, which would have a fixed rate for that time period. The bills would still come from National Grid.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair authorizing the Supervisor to sign a 27 month contract for electric and gas through MEGA.

Roll call vote resulted as follows:

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

ENGINEERING PROPOSALS – HYDRAULIC MODEL OF PRESSURE SEWER SYSTEM

RFP'S were sent out to Jim Mitchell, Tim Burley and Garry Robinson seeking engineering proposals to develop a hydraulic model of the pressure sewer system serving the Town of Moreau.

Garry Robinson and Jim Mitchell submitted proposals. Supervisor Jenkins stated that since the proposals were so vastly different it led him to believe that perhaps they each had a different idea as to what the Town was looking for. He suggested that RFP's be sent back out with more details and that we explain more thoroughly what we are looking for.

There were no objections raised by the board members to this suggestion.

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RFP'S REMODELING & EXPANSION OF LITTLE LEAGUE CONCESSION BUILDINGS

RFP'S were mailed out by the Supervisor to Ethan Hall, Richard W. Jones & Associates, Phinney Design Group, and Roger King-Hall seeking proposals to remodel and expand the Little League Concession Building. Ethan Hall of Rucinski Hall was the only one to respond. Their quote was in the amount of \$2,500.00.

Councilman Prendergast questioned why only one quote was received.

Supervisor Jenkins thought it was because it was a small project and there wasn't much interest in the project.

A motion was made by Councilman Vittengl and seconded by Councilwoman LeClair to accept the proposal from Rucinski Hall Architecture per their quote of \$2,500.00 and authorizing the Supervisor to enter into an agreement with Rucinski Hall to provide professional services for the design of an addition and renovations to the existing concession/restroom building at the baseball fields in the Harry J. Betar Jr. Recreational Park.

Roll call vote resulted as follows:

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

OPEN HOUSE FOR NEW HIGHWAY GARAGE AND PLAQUE FOR STEPHEN BARODY

Supervisor Jenkins advised that an open house for the new highway garage was planned for June 30th and the time tentatively is set for 1:00 p.m. until 4:00 p.m. The plaque was approved at a previous meeting.

Discussion followed between Councilwoman LeClair and Supervisor Jenkins about whether or not the building would be done by then. Supervisor Jenkins assured her that it would be.

Maureen Leerkes, Highway Department Clerk, will send out flyers to local businesses that the Highway Department deals with to let them know about the open house.

Councilwoman LeClair suggested that a banner be put up announcing the open house and Supervisor Jenkins said he was okay with this idea and he suggested an ad in the newspaper.

15 MINUTE PUBLIC COMMENT PERIOD

Mike Bushman who lives on Route 197 stated that he sees where the lot for the new municipal complex is being cleared and asked if this means the project is beginning.

Supervisor Jenkins replied that the clearing is the first phase. At the next meeting of the Town Board or in July he hopes that bid documents will be ready and that the board will authorize bids to be released. The goal is to start in September and he hopes that construction will be complete by the fall of 2013. It is dependent on weather conditions during the winter months and if they are conducive to building or not.

Mike Bushman stated that this was "awesome" and it was nice to see.

Mike Bushman asked if any board member was present when the health inspector showed up at the concession stand in the Rec. Park.

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Supervisor Jenkins replied that Joe Patricke was there and it was their opinion that the facility has fulfilled its usefulness. Some of the equipment is still good, but there is no ventilation so the refrigerator is unable to maintain a proper temperature and we were written up for that. There are soda bottles stacked on the floor and they have to be six inches from the floor. This was a violation. The architect will tell us the best thing to do with the building. If we can afford it we should be prepared to do what he recommends.

Huguette Delvaux stated that some time ago a request was made for a lower speed limit on Bluebird Road, the section between Fort Edward Road and the Hudson Falls Road. She wanted to know what the outcome was of that request.

Supervisor Jenkins advised Mrs. Delvaux that a request was submitted to Saratoga County DPW who in turn has to submit a request to NYS DOT for a reduction in speed limit. The request was denied again. Their comment was that the character of the area has not changed in a way that warrants a reduction in speed limit.

Diane Wallace a resident of Woodlawn Avenue stated that over one year ago the Caputo home burned and the remnants are still there. It is a safety issue.

Supervisor Jenkins advised that the board needs to discuss this in executive session. He advised Ms. Wallace that the Town does not have the right to enter private property without the permission of the owner. They would need to get the police involved to help get them onto the property.

Attorney Buettner stated that in order to declare it an unsafe structure or to condemn it the Town has to notify the property owners first and get the Board of Health involved. There is a due process of the law and a hearing that would be required.

COMMITTEE REPORTS

None

SUPERVISOR'S ITEMS

Supervisor Jenkins reported on a survey that was taken whereby residents along Reservoir Road between Route 32 and Route 9 were asked if they wanted to hook up to the water system. Twelve people were surveyed. Seven said they wanted municipal water and five had questions before they decided. Some people on Reservoir Road said they were never asked if they wanted to hook up to the water system when Water District 5 was created. They don't want to pay the \$3,100.00 fee. Some people on Reservoir Road near the Abelene-Orkin spill site did hook up and paid the fee at the time, which was \$750.00. Supervisor Jenkins noted that the Michael's Group paid for the water line to be put into service their development on Reservoir Road. He didn't know if there were any taps present and it may require a bore.

Jesse Fish stated that there are no taps in this location. He noted that John Izzo just hooked up and he paid the \$3,100.00. Since he has been water superintendent he has hooked up four or five other properties to the water system in this area and they all paid the fees that were being charged at the time.

Supervisor Jenkins said that he would reply to these people and tell them that the board has discussed it and they have to pay the \$3,100.00 if they want to hook up to the water system.

Supervisor Jenkins referred to a memo to the Town Board from Fran Thibodeau, Principal Account Clerk, which indicated that there is not enough money in the Water District 6 account to pay the debt service due to NYS Environmental Facilities Corp. for the Water District 6 water tower that is due July 3rd.

Supervisor Jenkins stated that according to Fran there is a balance of \$75,000.00 in the check book for Water District 6, but the cash amount is more than that. He stated that we have enough fund balance, but

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we have a cash flow problem. However, we will have money coming in to repay it. He said the board doesn't have to make this decision until the next meeting. We may have to take a loan from Water District 2 or 4 and repay it by end of year, which shouldn't be a problem at all. We just got hit paying that big amount to Queensbury.

Supervisor Jenkins referred to a memo to the Town Board from Fran Thibodeau, Principal Account Clerk, regarding personal days and floaters. Supervisor Jenkins stated that there is a part-time transfer station employee grandfathered in and currently receiving vacation, holiday, sick and personal time. She has been an employee since 1994. Her average work day benefit is a four hour day, which means she accrues four hours of sick time and in 2012 she received 20 vacation days at 4 hours each day. She also has 13 holidays and two personal days. She is working one hour a week right now. He said that, as a board, we should eliminate any benefits for part-time employees.

Councilman Prendergast asked what the Judge is considered.

Supervisor Jenkins responded saying "that is true and that is going to be a problem next year too". There is a little difference in that he is an elected official. He would like to eliminate benefits for part-time employees. We have already eliminated them for some elected officials already. He said he can't justify paying a four hour holiday when they are working one hour. He referred to the transfer station employee and said that she is going to be working four hours a week. He said that our Town Justice receives health care benefits. It goes back 18 or 19 years.

Attorney Buettner said she would like to look into the fact that he is an elected official and if that would have any bearing on it, she doesn't know if it would.

Supervisor Jenkins said that council people used to get health insurance. That was the only benefit they received, because elected officials don't get vacation days or holidays. The only elected officials who do get health insurance benefits are the Town Clerk, Supervisor, Highway Superintendent and Town Justice.

Attorney Buettner said again that she would like to look into this.

Supervisor Jenkins said they could put it on hold, but there is a time card for her right now that says she should get four hours for Memorial Day. She is on disability at the Transfer Station, but she is working as a Crossing Guard, because her disability doesn't affect that job. He said that he wasn't going to pay her for the four hours.

Nancy Ryan submitted a letter that indicated that she was retiring May 29, 2012 from the position of Transfer Station Clerk and as of June 21st she will return as a part-timer.

The Town Board did not accept her retirement letter into the record, because they said Nancy Ryan was retiring not resigning. The letter was simply read into the record.

Supervisor Jenkins reported receiving a request from the Moreau Elementary Home School Association for use of the concession stand adjacent to the American Legion Field in the Harry J. Betar Jr. Recreational Park for the Soccer and Football Season. Their use of the concession stand will coincide with recreation programs. All profits will support the children and programs at the Moreau Elementary School. They have done this the past two years. Town Board Members didn't voice any objections to this request.

Supervisor Jenkins stated that there is an employee who has finished his six month probationary period and he feels he should get personal days for 2011. Organizational Minutes are very clear on sick days and he read same. He stated that it doesn't clarify that personal days are earned after six months of continuous service and it should, because that has been the policy. The last time this was requested was

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from a former assistant building inspector and he didn't get them retroactive. It is like saying that from day one you get four personal days, and this isn't the case.

Attorney Buettner stated that however they have done it in the past for other employees that is the past practice.

Councilman Prendergast and Supervisor Jenkins said we need to clarify it in the handbook.

Supervisor Jenkins read an e-mail that was received from John Otoupal that read as follows: "I wanted to take a moment to let you know Steve and his crew really bailed us out last night (May 24th) at the park. We had three games scheduled for 6:00 and the fields got hammered with rain at about 5:00. There were huge puddles everywhere, and Steve and his crew rolled/squeegee/raked the field until they were playable. We couldn't have done it without them and I wanted you to know we really appreciated their expertise and help! The rec staff has been very accommodating and helpful all season and last night they really went above and beyond! Regards, John Otoupal"

The Town Clerk pointed out to Attorney Buettner the minutes of May 22nd where the Town Board by motion, second and roll call accepted the resignation of Lori Pike who is retiring from the position of Court Clerk effective July 30, 2012. Attorney Buettner informed the Town Board that since they passed this resolution for Lori Pike they should do the same for Nancy Ryan.

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to accept the resignation of Nancy Ryan who is retiring from the position of Transfer Station Clerk effective May 29, 2012.

Roll call vote resulted as follows:

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

A motion was made by Councilman Prendergast and seconded by Councilwoman LeClair to adjourn to executive session at 9:20 p.m. to discuss a legal issue regarding property located on Woodlawn Avenue and to discuss an Article 7 Tax Certiorari involving Glengate Realty LLC.

Roll call vote resulted as follows:

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

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 at 9:37 p.m. and reopen the regular meeting.

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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

No action was taken in the executive session.

A motion was made by Councilman Prendergast and seconded by Councilman Vittengl authorizing the assessor to settle the Article 7 Tax Case with Glengate Shopping Plaza on advice of the Town's attorney and the assessor.

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 9:39 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