

A special meeting of the Town Board of the Town of Moreau was held on November 15, 2011 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York, for the purpose of discussing the 2012 Preliminary Town Budget and considering the adoption thereof.

Supervisor Jenkins called the special meeting to order at 8:45 p.m.

The Town Clerk called the roll.

Town Board Members Present

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| 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; Fran Thibodeau, Principle Account Clerk; Town Residents: Bobbi Spaulding, Diane Prout, Opal Ferguson, Betty Wimette, Marylou Simmons, Adele Kurtz, Elizabeth Lanfear; and Village Resident: Danny Shannon

Supervisor Jenkins started out by asking Fran Thibodeau if the \$231,000 for the Moreau Emergency Squad has any effect on the Preliminary Budget figures and Fran replied no.

Supervisor Jenkins stated that the other changes are in the worksheet that Fran gave the board.

Councilman Kusnierz referred to Page 12 of the budget, specifically, B8010.4 Zoning Contractual. He said there was \$30,000 in there and Harry Guthel questioned whether we needed that amount in the budget or not. He said that Supervisor Jenkins was going to talk to Joe Patricke about this, because in 2010 there was \$14,000 budgeted.

Supervisor Jenkins said he hasn't talked with Joe Patricke about this amount, but he has no problem reducing it to \$14,000.

Councilman Kusnierz referred to Page 15 of the budget, specifically, DB5142.4 Snow Removal Contractual. He asked why there is a 90% increase over the last two years. Last year there was \$258,000 budgeted and this year \$323,000.

Supervisor Jenkins said most of it is fuel costs and salt.

Councilman Kusnierz asked what changed so dramatically. He said fuel is coming down in price.

Fran Thibodeau stated that they changed the salt from \$153,000 that was adopted in 2011 to \$198,000.

Councilman Kusnierz asked who changed it.

Supervisor Jenkins said as a board they re-appropriated some and carried it over.

Councilman Kusnierz asked if don't they carry \$50,000 in contingency and the response was yes.

Councilman Cumm stated that there is \$74,000 left in that account.

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Supervisor Jenkins said he doesn't have a problem dropping that amount. It doesn't impact taxes one way or another and we do have a contingency fund.

Councilman Kusnierz asked what has been spent year-to-date.

Councilman Cumm replied \$123,617.

Councilwoman LeClair stated that our salt sheds are completely empty. She spoke with Paul Joseph today. Once the salt shed roof is on he will be looking to purchase salt, but there is money left in this year's budget for salt.

Harry Gutheil asked where all the salt went that was in the salt bins all summer.

Councilman Cumm stated that three truck loads are at the Village and they are bringing that back.

Harry Gutheil stated that salt and fuel isn't going up 90% in two years.

Councilman Kusnierz stated that if we spent \$123,000 to-date for fiscal year 2011 and we have \$50,000 in contingency then that number doesn't have to exceed \$200,000 versus \$323,000.

Harry Gutheil stated that the actual in 2010 was \$170,000.

Supervisor Jenkins suggested \$280,000.

Councilman Kusnierz said again that we have a contingency fund.

Councilman Prendergast suggested they leave it at the 2011 figure of \$258,000.

Supervisor Jenkins said he would be fine with that amount. He said it doesn't have any impact on the budget except it would show less in appropriations.

Councilman Kusnierz asked if wouldn't that help the amount of money they were using from fund balance.

Supervisor Jenkins replied yes, but it is just an appropriation fund balance. He said that if worse came to worse they could always amend the budget.

No objections were voiced to changing the amount in DB5142.4 from \$323,000 to \$258,000.

Councilman Kusnierz asked if the priority list for equipment that Paul Joseph submitted has changed at all.

Councilwoman LeClair stated that she spoke with Paul Joseph today and he wanted to keep the priority list as it was submitted.

Supervisor Jenkins said Paul was happy that money was budgeted for a Gradall and the board didn't change anything else on the list.

Brief discussion followed on a pickup truck for the highway department.

Councilman Kusnierz stated that he would like to hold off purchasing a pickup truck and staffing at the highway garage. He said it was one way they could have it be revenue neutral. If things get better for us

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next year and we get additional sales tax revenue then they could do a budget amendment and purchase a pickup truck then.

Supervisor Jenkins said the pickup truck was the highway superintendent's second priority behind the dump truck. The Gradall was number three on the priority list. Replacing the loader was also on the priority list, but the board has already said they aren't going to do that.

Councilman Kusnierz stated that he thinks they would get a lot more work out of a Gradall and eliminating a lot of potential problems without it having a huge impact on the budget.

Supervisor Jenkins said they are always talking about not having a ten year plan and how we are deferring things like with the roads. We have to decide as a board what we want to do.

Councilman Kusnierz said that he wasn't saying to defer it indefinitely. He was saying to defer it for six months to give us a chance to receive some increased sales tax revenue.

Supervisor Jenkins said the only way we will get more sales tax revenue is if Saratoga County raises it 1%, which he hopes they don't, because they won't have his support on it. Otherwise, he thinks sales tax revenues will be pretty flat.

Councilman Cumm asked if where it stands now they are budgeting to hire a person to replace a highway employee who retired. He then said that he won't support five snow removal crews down there during a bad storm and having to extend the plow routes and cycle time for plowing.

Supervisor Jenkins said he doesn't know when the replacement will occur. At some point we have to replace him.

Councilman Prendergast stated that they don't run heavy down there with staffing and we need to replace him. People pay taxes and they talk about the roads they drive on and how they are plowed. They don't talk about recordkeeping. We have in the past had problems with plowing. He supports replacing the person who retired.

Supervisor Jenkins said the only other item is the pickup truck.

Councilman Prendergast stated that at the budget workshop he asked why a pickup truck was needed in the highway department and the highway superintendent made a case for one. That is all he can say about it.

Councilwoman LeClair said she agreed and it couldn't be said better.

Supervisor Jenkins stated that they were going to use \$164,000 from fund balance and they will have close to \$900,000 left and from that we may have to subtract a couple hundred thousand for a culvert and reappropriate it. He said he understands what Councilman Kusnierz is saying, but it appears the rest of the board wants to stick with it.

Harry Gutheil stated that at the Public Hearing he mentioned the amount budgeted for a new telephone system and the interest expense for the Moreau Industrial Park.

Supervisor Jenkins advised that whatever telephone system is purchased for the highway department it will have to be approved by the Town Board first. He didn't have a problem leaving the amount that is in the Preliminary Budget for a telephone system as is. They can only spend what the Town Board approves.

Councilman Kusnierz asked if it was a General Fund expense and Fran Thibodeau replied yes.

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Councilman Kusnierz said it would have an impact on taxes then.

Harry Gutheil referred to Page 9 of the Preliminary Budget, Employee Benefits, Medical. He said it doesn't show an increase in the general fund, but it did in a lot of the other funds and he asked Fran if the number was correct.

Fran Thibodeau replied that she checked it again yesterday and it seemed to be fine.

Harry Gutheil stated that it is almost the same as in 2010.

Fran Thibodeau said she thinks the \$174,000 is fine.

Harry Gutheil stated that the Moreau Industrial Park Interest Expense could be reduced.

Supervisor Jenkins asked Fran what interest rate she is using and Fran replied 2%.

Supervisor Jenkins thought they could reduce that rate to ½ of 1%.

Fran Thibodeau asked if that will do anything to the Landfill Due From Account.

Supervisor Jenkins replied no.

Fran Thibodeau stated that they would have to change the revenues in the Landfill Fund then and Supervisor Jenkins replied yes.

Fran Thibodeau asked if they were going to take the \$24,000 out of the STAR Program Aid Revenue line item A3040 and the answer was yes, we aren't going to receive STAR Program Aid in 2012.

Councilman Kusnierz asked where they would make up the difference and Supervisor Jenkins replied from fund balance.

Fran Thibodeau stated that she wanted to get back to what Councilman Kusnierz said and that was that they couldn't change things in the Preliminary Budget so she just wanted to go over what she thought they had changed and make sure they are official. She recapped as follows:

A1090 Interest and Penalties for Real Property Taxes they reduced revenues by \$5,000

DB1120 Sales Tax they increased revenues by \$118,000 and with that they increased appropriations by \$68,000 for a Gradall and added an additional \$50,000 to the highway equipment reserve.

From the 10/17/11 Budget Workshop they added Hobbs Lane and Robert Rogers Avenue for Overlays. The Preliminary Budget didn't reflect those so they need to add \$43,400.

Decrease the Highway General Repairs Road Materials and Shoulders Account by \$25,000 to \$12,000

November 17th at the Budget Workshop they decided to put \$150,000 in sales tax into the Town Outside. This wasn't done and can't be done, because we are at our limit now. They are going to leave in the \$250,000 estimated sales tax revenues at \$250,000.

Supervisor Jenkins stated that they will generate that in revenues, we could get a little bit more. He doesn't see a big increase in sales tax revenues unless the county taxes us and then we will get some back.

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Fran stated that if that happens she would come back to the board and say we received it and the board would decide where to put it.

There were no objections from any board member on what Fran Thibodeau just recapped for them.

Supervisor Jenkins asked for a motion and second to approve the 2012 Preliminary Budget with adjustments to the Final Budget Numbers for 2012.

A motion was made by Councilman Cumm and seconded by Councilwoman LeClair to adopt the 2012 Preliminary Budget with adjustments as the Final Town Budget for the Year 2012.

Councilman Kusnierz said he wanted to know what the final numbers are that they are voting on for this budget. He asked Fran to verify the numbers for him "for across the top for general fund, because you said those numbers are not right and they have been changed, can you tell me what the total revenues are right now. Is it going to be just \$24,000 less or has that changed?"

Fran Thibodeau stated it will be the \$1,205,828 that she just gave him tonight less the \$24,000.

Councilman Kusnierz asked if the difference will be made up from fund balance and Supervisor Jenkins and Fran Thibodeau replied yes.

Councilman Kusnierz said "that number will go up by an equal amount"?

Supervisor Jenkins replied yes.

Councilman Kusnierz said that means we will be increasing fund balance to \$627,994 up from \$603,000.

Fran Thibodeau said she believes so.

Councilman Kusnierz stated that when they were first presented with the Tentative Budget and they had a figure that would be raised by taxes that amount was \$767,350 and we had a tax rate which was a couple pennies up from last year and he thought that was a good starting point, but that changed dramatically when there was a realization that it would tie the Town's hands going forward and making a more difficult budgeting process so that amount was kicked up to the statutory limit of 2%. What that did is, if you look at the current tax rate in the budget we are going to adopt, it is going increase the tax levy on the residents of our community over 9%. In these tough economic times that is a tough nut to crack. We did a lot of good things in this budget. There were some things he didn't agree with, but everybody had differing opinions on different aspects of the budget. He thinks they could have done a better job on it. He couldn't support putting a tax burden on this community that is going to require our residents to add another 9% to their levy. He just can't support that.

Supervisor Jenkins replied that essentially they were going to reduce the county tax by more than the combined Town General Fund and Fire Protection.

Councilman Kusnierz asked if they were reducing Fire Protection.

Supervisor Jenkins replied no. If he added the two together it comes to about \$77,000 in change that is an increase in tax at the Town level. We are sending \$200,000 more to the county to offset that so it is actually a tax cut. He said if you have a \$200,000 assessment you will pay \$6.73 more a year for the Town General Fund and \$3.25 a year more for Fire Protection.

Councilman Kusnierz stated that somebody in this community is paying more money.

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Supervisor Jenkins stated that they will pay a little less to the county, because we are sending an additional \$200,000 back to the county.

Harry Gutheil stated that the county tax levy is going up and the Town is sending \$400,000 less back to the county from what used to be sent down.

Supervisor Jenkins said the current county tax levy is a decrease from last year, because the county is going to raise the sales tax and they will get the votes. They are talking about it tonight at the county.

Councilman Prendergast asked what they would want to cut.

Councilman Kusnierz stated that he told them what they could cut. If they wanted to go back into the budget and look he was more than willing to do so.

Supervisor Jenkins stated that what Councilman Kusnierz wanted to cut was in the highway funds and there is no tax in highway so it won't affect that one.

Councilman Kusnierz stated that they talked about capital projects for rec. in the A fund.

Supervisor Jenkins said capital projects aren't part of the A fund, they are in separate funds.

Councilman Kusnierz stated that he already said how they could be revenue neutral on an increased expense to the highway garage and if they weren't going to work with him on that, then he doesn't have a prayer going through the budget again.

Councilman Prendergast asked Councilman Kusnierz where they could cut in the highway budget and asked if he was talking about his suggestion of not hiring a new employee for the highway department.

Councilman Prendergast said nobody wants to raise taxes, what should we cut? He said they have gone through the budget line for line more than once. What should we cut?

Councilman Kusnierz stated that he has lost out on just about every argument so why continue (the rest of his sentence was inaudible on the audio of the meeting).

Councilman Prendergast stated that he must not feel that "good about it"; because he is giving him an opportunity to say it again, what should we cut?

Councilman Kusnierz said we should have a tax levy that (he was interrupted by Councilman Prendergast when he said "what should we cut").

Supervisor Jenkins said the tax levy is 3.3 cents per thousand.

Councilman Kusnierz said if the board was willing he would go through the budget line by line with them.

Councilman Prendergast said "let's go". He told Councilman Kusnierz to tell them what he wants to cut.

Councilman Kusnierz asked about the water department and if it is strictly user fee based and Councilman Prendergast and Supervisor Jenkins replied that it is strictly user based.

Councilman Prendergast said he was really talking about the A fund and what does he want to cut.

Councilman Kusnierz said they can't go back on salaries.

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Councilman Prendergast asked “so what do you want to cut”?

Councilman Kusnierz asked him where he wants to start.

Councilman Prendergast asked Councilman Kusnierz if he was asking him now. He said that they have gone through the budget line for line. Everybody has had their say and more than once we have done it and now it comes time to vote and the newspaper is here and now you don’t want to go for what we have been through night after night, because the news paper is here.

Councilman Kusnierz said now he is reading his mind and Councilman Prendergast said yea.

Councilman Prendergast asked Councilman Kusnierz what he wanted to cut, Police and Constable, Traffic Control or Control of Dogs. What do you want to cut?

Councilman Kusnierz asked why they have \$16,000 in the account for Control of Dogs.

Councilman Prendergast asked him what he wanted to cut it to.

Councilman Kusnierz asked if don’t we have a contract with him.

Supervisor Jenkins and Fran Thibodeau replied that he is an employee.

Councilman Kusnierz asked if he makes more as an employee than when he was a contractor.

Supervisor Jenkins said he gets a \$14.00 a year increase. The rest of the contractual is for what we pay to the Saratoga County Animal Shelter.

Councilman Kusnierz asked the Supervisor to explain to the public why he increased the tentative budget figure for the amount to be raised by taxes to a figure that they were starting with moving forward. The day they started the budget process we started at \$767,000 to be levied from this community and before we even started the process he said that Supervisor Jenkins said, that number is not right. We have to bump it up, we are well under the 2% cap, but we don’t want to get locked in, so we are going to start at \$793,000. He asked Supervisor Jenkins if he recalled that night.

Supervisor Jenkins said he certainly did and he could explain which he did as follows: There is a five year plan on how we are going to deal with the 2% tax cap. We are using \$2.4 million of our fund balance and to increase the fund balance anymore than we already are this year is not a good idea. If we don’t increase the tax cap then the amount we don’t use we only get a 50% carry over into the next year so that automatically affects us for the next four years. We were able to give money back to the county so we are actually cutting the taxes for people in the Town. He told Councilman Kusnierz that if he doesn’t believe it the he should do the math.

Councilman Kusnierz asked why they kicked it up so much.

Supervisor Jenkins said he already told him why he changed it. He has a five year plan.

Councilman Kusnierz said the five year plan is a little misleading, because the first time he heard about it was when he read it in the paper. That is something that is required by every municipality by the Comptroller.

Supervisor Jenkins said for him to show him another municipality in the region that has this plan.

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Councilman Kusnierz said he has to put that information down on paper for the Comptroller to certify that we are not exceeding the 2% cap.

Supervisor Jenkins asked him again to show him one municipality that has a five year plan. He said even the county doesn't have one.

Councilman Kusnierz said he had to do that to come up with a formula so he would know what the number was for the 2%.

Supervisor Jenkins replied that he did exactly what the Comptroller said to do. He maxed out figuring that it made sense to maintain that.

Councilman Kusnierz said he knows he is at the max, because we are at the 2%.

Supervisor Jenkins said that if he read the law he would see that our increase is 2% under the cap according to the law.

Councilman Kusnierz asked why there is \$30,000 in account A1620.4. He said we are building a new building that will be completed in one to one and half years from now he believes. Why do we have to put that kind of money in buildings?

Supervisor Jenkins replied that it includes all of our operating expenses, utility costs, maintenance, and supplies, etc.

Councilman Kusnierz asked what has been spent year-to-date in that account.

Fran Thibodeau replied \$22,183.

Councilman Kusnierz asked why they have to increase it \$8,000 then. It makes no sense to him.

Councilman Prendergast stated that they decreased it \$10,000 from 2011.

Councilwoman LeClair said that in 2011 it was \$40,000 and we are putting in \$30,000 for 2012 and in 2010 the actual was \$34,944. In 2009 the actual was \$38,384.24 and 2008 the actual was \$49,794.64 so \$30,000 is less than we had in any prior year.

Councilman Kusnierz said they shouldn't look at what was budgeted rather, what was actually spent. Fran just said we have spent \$23,000 year-to-date. Why do we have \$30,000 in there?

Councilman Prendergast asked Councilman Kusnierz if he was suggesting they put \$22,000 in there.

Councilman Kusnierz suggested \$25,000.

Councilman Prendergast said that \$25,000 was too tight and it doesn't even make any sense.

Councilman Kusnierz said he was wasting his time going through the budget.

Councilman Prendergast said if he wasn't going to make sense then he was wasting their time.

Councilman Cumm said there are four people who want to vote for this budget, so why don't we just vote.

Referring to Councilman Kusnierz, Councilman Prendergast stated that it was easy for him to never take any responsibility. There is going to be a tax increase so he says. So he doesn't have to take responsibility

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and he says he isn't going to vote for this, it is not my responsibility. There is a trend here, a pattern. He said that Councilman Kusnierz doesn't represent the people; he doesn't take responsibility for things that have to be done.

While Councilman Prendergast was saying this, Councilman Kusnierz was speaking at the same time saying he is committed to the residents of this community and everyone up here has responsibility when they vote.

Council Kusnierz also stated that he is out there fighting for the taxpayers.

Councilman Cumm told Councilman Kusnierz to give him a break.

Councilman Prendergast, Councilman Cumm and Councilwoman Kusnierz were all talking at one time when Councilman Kusnierz said they don't want to listen to him now and Councilman Prendergast and Councilman Cumm replied no.

Councilman Kusnierz asked Councilman Prendergast if there are different rules for different people.

Councilman Prendergast stated that Councilman Kusnierz doesn't take responsibility.

Councilman Kusnierz stated that he takes his responsibility seriously and that is why he is arguing to keep taxes flat in the community.

While Councilman Kusnierz was making this statement Councilman Prendergast was repeating over and over how he doesn't want to take responsibility.

Councilman Cumm told Councilman Kusnierz that is why the three of them have to sign vouchers every month and occasionally he comes in and signs a couple.

Councilman Kusnierz said he looks at every voucher. He asked if they wanted to go down that road again.

Councilman Prendergast told him that he doesn't want to take responsibility.

Councilman Kusnierz said it has nothing to do with it. He said he takes his job very seriously.

Councilman Prendergast said he takes no responsibility. If it is a tough decision, he takes no responsibility.

Councilman Kusnierz told Councilman Prendergast that he should take his responsibility seriously too. He asked Councilman Prendergast if doesn't he feel the pain of this community. He said a "9% increase in the tax levy".

The whole time Councilman Kusnierz was talking Councilman Prendergast kept saying he doesn't take responsibility.

Councilman Cumm told Councilman Kusnierz that he lost the election four years ago and he was still complaining about it.

Councilman Kusnierz said he didn't lose the election he is still on this board. He asked Councilman Cumm what he was talking about "he lost".

Councilman Cumm told Councilman Kusnierz that he lost the Supervisor's race and he still has a chip on his shoulder.

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Councilman Kusnierz said it is all coming out now.

Councilman Prendergast said he didn't care about the election. He was talking about responsibility.

Supervisor Jenkins asked the Town Clerk for a roll call on the adoption of the budget.

Councilman Kusnierz asked for someone to please tell him what the figures are that they were voting on. He asked if any board member could tell him what the figures were. He said they don't even know what they were voting on. He asked where is their responsibility?

Supervisor Jenkins said they are voting on the Preliminary Budget with the adjustments that they just went over. He asked again for the Town Clerk to call the roll.

Roll call vote resulted as follows:

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| Councilwoman LeClair | Yes |
| Councilman Kusnierz | No |
| Councilman Cum | Yes |
| Councilman Prendergast | Yes |
| Supervisor Jenkins | Yes |

A motion was made by Councilman Prendergast and seconded by Councilman Cum to adjourn the meeting at 9:25 p.m.

Roll call vote resulted as follows:

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| Councilman Kusnierz | Yes |
| Councilman Cum | Yes |
| Councilman Prendergast | Yes |
| Councilwoman LeClair | Yes |
| Supervisor Jenkins | Yes |

Meeting adjourned at 9:25 p.m.

Respectfully submitted,

Jeanne Fleury
Town Clerk