

Pledge of Allegiance

**PUBLIC MEETING**

**November 16, 2016**

**7:00 PM**

**MAYOR JOSEPH ORLOW PRESIDING**

Trustee William Hayes  
Trustee Anthony Girard  
Trustee Peter E. Lemery  
Trustee Timothy Carota

Michael Muller, Attorney  
Brian Abare, DPW superintendent

Minutes

Trustee Carota moved to approve the minutes from the November 2, 2016; Trustee Girard seconded the motion. The Board unanimously approved.

Bills

Trustee Carota moved to approve the bills. Trustee Hayes stated that the bills audited tonight include a payment to Casala Inc. for \$119,164.20; seconded by Trustee Lemery and the Board unanimously approved.

FY 2016-2017	
<u>Vouchers 92878 - 92929</u>	
General Fund	\$ 13,059.79
Water Fund	140,127.74
Sewer Fund	<u>1,306.83</u>
Total	\$154,494.36

FY 2016-2017	
<u>Voucher 92930-92933</u>	
AHC	<u>\$37,873.00</u>
Total	\$37,873.00

AGENDA

**1) County Sales Tax Allocation – Town of Moreau Budget**

Mayor Orlow stated that he would like to clarify the influence that the Village Board would have regarding an ongoing budget item that the Town of Moreau has been discussing that affects the Village tax payers through their Town of Moreau Village property tax. The discussion has been whether the Town should use County sales tax revenue to pay for the Fire Protection line item of the General budget. Mayor Orlow stated that he did write a letter to the Town Supervisor and to the Town Board asking them to reconsider the allocation of

the County sales tax money. It has been publicly stated that the Mayor and the Village Board should be fighting to not let this happen. Mayor Orlow then asked the Village Board if they had any input into this situation. Trustee Hayes stated that in his opinion Supervisor Congdon is hypocritical because he came to the Village board with promises of money that never were going to happen and then in his budget he wants to raise the taxes of the Village resident through the Town tax. Trustee Girard stated the he attended the Town of Moreau Budget Hearing and he was happy to see that the levy was cut from the original increase. Trustee Lemery stated he is pleased that they worked with the budget, and that he was firmly against interfering with any of the town's business regarding their budget plan. Trustee Carota stated that his is fine with how this has been handled.

Mayor Orlow then asked Attorney Muller for his legal advice in this matter. Attorney Muller stated that what the Town is doing is town business and completely legal, but as it was stated by Preston Jenkins it leaves an unbalance on Village residents Town tax.

Mayor Orlow thanked the Board for their input and stated that he did not like how Supervisor Congdon came to the Village budget hearing and told the Village what they should do with the budget. He stated again that he hand delivered letters to the Town and had spoken with Councilwoman LeClair regarding this and also left a message for Supervisor Congdon to call him, but he still has not heard back from him.

**1A) Animal Trapping** – Mayor Orlow stated that at this point he would like to add an item to the agenda. He then asked Mr. Cherven a Newton Street resident to explain what has been happening in his neighborhood. Mr. Cherven stated that in the recent weeks since a fox bit a young child in the Water Town Apartments area, there have been feral cats showing up in the area with injuries that local veterinarians say can only be caused by a trap. Mr. Cherven

feels that maybe some residents have taken it into their own hands to try and trap a fox but in the meantime they are trapping and releasing injured cats. Mr. Cherven stated that he and his wife have taken many cats to get neutered and spayed and updated vaccinations. He stated that there have been two cats that they have had to put down because of the trapping injuries. He has a total of six cats with bad leg injuries in which he has gotten them treatment. He has two feral cats living in his house until they are well enough to go back outside. Mayor Orlow stated that the traps being set are not being put out in the area by the Village Animal Control officer and this is not a behavior that the Village would condone. Trustee Lemery stated that he feels someone has taken it upon themselves to try and trap wildlife in the area. Mr. Cherven thinks this is an incident happening in the Water Towner Apartments, but he has not seen the traps placed. He was also told that in the past; traps were set on the Preda property Newton Street. These traps were set to kill cats. Mr. Cherven stated that whoever is trapping needs to be licensed and that you cannot trap within a certain distance of personal property. This is an illegal act and this has been kept quiet in hopes of catching whoever is doing it. But at this time it is getting worse instead of better and the word needs to get out to whoever is doing it and when/if caught they will be prosecuted. Mr. Cherven stated that he is asking that the police start knocking on doors and asking if anyone has seen anything. The Board thought this was a good idea and Mayor Orlow will talk with Chief of Police, Kevin Judd tomorrow regarding it. Trustee Lemery also suggested a poster regarding trapping in the Village be placed in areas.

Mr. Lapier, Newton Street was present and stated that it only seems to be in a certain area on Newton street where the cats are getting hurt.

Ms. Nancy LaFave, Ferry Blvd was present and asked if the laws on animal trapping and cruelty could be enforced in the Village. Attorney Muller stated that they are NYS laws and the laws can be enforced once the individual or individuals are caught.

Mr. Cherven asked if there could be money put in the Village budget to help with the treatment and control of feral cats. Mayor Orlow stated that the Board of Health has been involved with this issue.

Mayor Orlow stated that at this point the word needs to get out there that this will not be tolerated in the Village and he thanked all that came to speak up and support this.

## **2) Water/Sewer Projects Update**

1. Well Rejuvenation – Trustee Girard stated that the Village is expecting a draft copy for a review by the December 7<sup>th</sup> meeting. Trustee Lemery asked if this was a 2016 - 2017 project or a 2017-2018 project and whether this will be ready prior to any additional spring/summer water restriction. Trustee Girard stated that it is for the 2017 – 2018 budget year and the goal is to avoid next year's water restrictions. There were no additional questions for Trustee Girard.
2. Prospect Street Project – Trustee Hayes stated in the back of the room there are two pieces of the original pipe. One from Baker Ave and one from Jackson Avenue. He feels if look at them you will realize why the Village needed to perform a line replacement project. The piping part of the project has been completed, tested and passed all Department of Health requirements. The pressure problems are being resolved and the water is filling in the tank to maintain the proper pressure throughout the Village. There was a discovery while disconnecting all the existing lines in the area of Prospect Street, Dorrer Avenue and Catherine Street. When a line in the area was cut the hole filled with water which meant water was coming in from a different area. Finally a valve was

discovered under 3 or 4 inches of black top in another part of the street. It was capped off and in the spring of 2017 the DPW will put a new tap in the 12 inch line that area. The milling machine will be on site tomorrow to prepare the surface and the street for which will take place Friday. There will also be crew in the Beach Road area to grade off the area in the project. The project contractor Casale, Inc. will return in the spring 2017 to restore the lawns and address any other issues that may have come up in the meantime. There will be 5% held in the project cost which is approximate \$20,000.00 until the spring work is completed. The final finish day for the project will be Friday and the deadline will be met.

**3) October 2016 – Financial Statement**

Trustee Carota moved to approve the October 2016 Financial Statement; seconded by Trustee Girard and the Board unanimously approved.

**4) Informational- 2016 Tax Levy sent to Saratoga County Clerk's Office**

Mayor Orlow stated that the unpaid 2016 June Village taxes have been sent to Saratoga county. The levy amount was \$87,458.37 including penalty. All accounts now reflect a \$0 amount on the Village records

**5) Accept Donation - Adirondack Runners**

Trustee Girard moved to accept the donation from the Adirondack Runner; Trustee Hayes seconded the motion and the Board unanimously approved.

**6) Betar By-Way Request --The Adirondack Runners -June 11, 2017**

1. Waive Usage Fee

Trustee Lemery moved to approve the request from the Adirondack Runners and to honor the request to waiver the \$30.00 usage fee; seconded by Trustee Carota and the Board unanimously approved.

**7) Betar By-Way Request –4<sup>th</sup> Annual Fox Trot, Parkinson Research – April 29, 2017**

Trustee Hayes moved to approve the request for the 4<sup>th</sup> Annual Fox Trot; seconded by Trustee Carota and the Board unanimously approved.

**8) Accept the Resignation of Part-Time Patrolmen Richard Washburn**

Trustee Carota moved to approve the resignation of Part-Time Patrolmen Richard Washburn; seconded by Trustee Lemery and the Board unanimously approved.

**9) Account Transfer:**

Trustee Carota moved to approve the following transfers:

1. FROM:	A1621.0400	CE	Bldg. Repair/Misc.	\$650.00
TO:	A1621.0200	CE	Bldg. Equipment	\$650.00
2. FROM:	A1990.0400	CE	Contingency	\$500.00
TO:	A3410.0403	CE	Fire Dept. Cleaning Supply	\$500.00
3. FROM:	FX1990.0400	CE	Contingency	\$12,500.00
TO:	FX8310.0411	CE	Water Engineering	\$12,500.00

Trustee Lemery seconded the motion and the Board unanimously approved.

**10) DPW Report – on file**

**11) Trustee's Report -**

**Trustee Hayes** – The ZBA will meet again tomorrow night regarding the property located on Baker Avenue and Saratoga Avenue. The proposed plans are being redesigned due to lack of residential parking in the area for the size of the commercial/residential structure to be built.

**Trustee Carota** - None

**Trustee Lemery** - None

**Trustee Girard** – The Planning Board met on November 9<sup>th</sup>. O'Reilly Inc. was present with preliminary plans and expects to come back to the Village Board for approval in January

2017. They are proposing an 8800 sq. ft. building to be built on Saratoga Avenue (Baker property) in front of the DPW building.

**12) Mayor Report – on file**

He read a request from Mr. Palmer of 8 5<sup>th</sup> Street asking to be exempt from the overnight parking regulations due to the access to his work vehicle. After talking with the DPW Superintendent and the Chief of Police this was denied due to street cleaning and safety, but it was suggested that Mr. Palmer try to access additional parking space in another area of the street. Mr. Palmer will be sent a letter regarding this.

**Public Forum - None**

Attorney Muller proposed that the Board into Executive session for the discussion of instructions

from the Board to the Attorney on pending Litigation with no action being taken.

Trustee Lemery moved to close the meeting at 7:48 PM and enter into and Executive Session per

Attorney Muller; seconded Trustee Hayes and the Board unanimously approved.

---

Clerk-Treasurer

