

*A meeting was held by the Town Board of the Town of Moreau, Saratoga County, at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 14<sup>th</sup> day of May, 2024.*

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The special meeting was held in person. The Supervisor called the meeting to order at 7:03 PM with a roll call and the Pledge of Allegiance.

PRESENT:	Kyle Noonan	Councilmember
	Patrick Killian	Councilmember
	Mark Stewart	Councilmember
	John Donohue, Jr.	Councilmember
	Jesse A. Fish, Jr.	Supervisor

ALSO PRESENT:	Erin Trombley	Town Clerk
	Elizabeth Bennett	Confidential Secretary
	Chris Abrams	Highway Superintendent
	Jeremy Brogan	Director of Recreation

**OTHERS PRESENT:** Nicole Haddadnia, Dave Byrne, Dominic Tom, Alex Portal (Post-Star reporter)

#### **FUTURE MEETINGS & WORKSHOPS**

No future meetings or workshops were scheduled.

#### **APPROVAL OF MINUTES**

**Resolution 160-2024** A motion was made by Councilmember Stewart, seconded by Councilmember Killian, to accept the April 9, 2024 minutes as presented.

Asked if all were in favor, the responses were as follows:

Councilmember Noonan	Abstain
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Abstain
Supervisor Fish	Aye

The motion carried 3:0

#### **PUBLIC COMMENT FOR AGENDA ITEMS**

No comments were made.

#### **OLD BUSINESS**

Supervisor Fish said Town attorneys had looked into returning tournament fees in the event of a rain-out. He said they will work with staff to revise the Field Use Request Form for future use, and that refunding Chris Scarincio 2023 fees or issuing a credit should not be interpreted as a gift. Supervisor Fish went on to say that Mr. Scarincio had paid \$3,075 for the tournament that was canceled due to rain. He said Recreation Director Brogan reported that the Town incurred a cost of \$500 for the day.

**Resolution 161-2024** A motion was made by Councilmember Donohue, seconded by Councilmember Stewart, to issue a credit to Chris Scarincio in the amount of \$2,575 from his 2023 tournament fees to be applied to a 2024 tournament.

Asked if all were in favor, the responses were as follows:

Councilmember Noonan	Opposed
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 4:1

**Resolution 162-2024** A motion was made by Councilmember Noonan, seconded by Councilmember Stewart, to discontinue overtime pay in the Town Clerk's office.

Asked if all were in favor, the responses were as follows:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0

**Agenda Item 4:** County Sewer Connection Change Order #5, tabled until more information is available and can be discussed in an attorney/client session.

## **RECREATION DEPARTMENT REQUESTS**

### **The Big 3 Basketball Camp**

Supervisor Fish said The Big 3 Basketball Camp has been run by the Town for four years. He said the Town pays the coach and in 2023 it ran at a loss of \$813. Councilmember Noonan said he does not oppose Coach Vasak running the program, but expressed concern that there are other summer programs that are free of charge. He went on to say the Town is asked to pay coaches and buy shirts regardless of registrations, so there is potential for loss again this year. He said he thought, in light of the many opportunities afforded to Moreau residents by the school, families may not choose to spend the money, and said he wondered if there was a way to run it without risk of loss. Councilmember Stewart said running Town camps and programs are what the Town hired a Recreation Director to do. He continued, saying the majority of our programs are run by outside organizations. He said if the camp has large enrollment, it will turn a profit that the Town keeps, whereas when outside groups use Town facilities, they make money. He agreed that the financial loss is a concern, but it does cost the Town money to provide services like this. Councilmember Stewart said he would like to try the

program again because it gives kids a chance to get outside, learn some skills, and provides some summer employment, which he said was tax money well spent.

Councilmember Killian asked if the timeframe had changed. Councilmembers Noonan and Stewart said the program is 3-4 weeks in July with the flexibility to enroll in one or multiple weeks and a discounted rate for registration for all weeks. Councilmember Killian said he agreed with Councilmember Stewart, adding whether 20 or 200 kids, it's part of the Town's responsibility to provide opportunities to the kids. Councilmember Stewart clarified that there is a fee paid for participating children. Supervisor Fish asked how much the fee was. Councilmember Noonan said for all 4 weeks, the fee is \$175, and single weeks are \$50 each. Councilmember Killian asked what happens if it rains. Supervisor Fish asked what the figure was for the program to break even and how are salaries calculated. Councilmember Stewart said the staff fees are established at \$1,200 for the Director, \$900 for Assistant Director, and \$600 for Assistant Coach. The break-even number of participants is 12, Councilmember Stewart said, adding that he believed that was a do-able number of participants, and if they cannot get that many, he would "fold his cards," having given the program another try with better advertising.

Supervisor Fish asked if the camp was running at the same time as the school offerings, to which Councilmember Stewart answered affirmatively but adding that he did not believe the school program ran the whole month of July. Councilmember Noonan said the school programs do last the month of July. He went on to say that 2024 is the last year the school programs would be offered for free, so not to give up after this year if it doesn't work out. He said there are just so many opportunities it could be a challenge to grow enrollment, but if it's a service the Town provides, then it's a service the Town provides. Councilmember Stewart added that the school programs are not open to students in grades 1-3, but the Town program is, so he said we should focus on enrolling those students. He said it should be no problem to get 12 students from the four elementary schools to enroll especially with better advertising through the school. Recreation Director Brogan confirmed that material was distributed too late at the schools to get word out to the kids in 2023.

**Resolution 163-2024** A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to accept the Big 3 Basketball Camp as provided.

Supervisor Fish called for a roll call vote, to which the following responses were recorded:

Councilmember Noonan	No
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 4:1

**Resolution 164-2024** A motion was made by Councilmember Stewart, seconded by Councilmember Killian, to hire Jake Carpenter and John Lanfear at a rate of \$15/hr. pending successful completion of pre-employment physicals and background checks.

Asked if all were in favor, the responses were as follows:

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Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0

## **ASSESSOR'S OFFICE**

**A motion was made** by Councilmember Donohue to approve the hire of Matthew Espey as Sr. Assessment Clerk at a salary of \$43,500/year, to begin work on or about May 30, 2024.

**Discussion:** Councilmember Stewart said he did not support that hire at the stated rate and would like to make a motion to hire Mr. Espey at a rate of \$45,000/yr. based on the recommendation of the Assessor, the candidate's qualifications, and employment history. He added the sum was budgeted for 2024 and it's a different type of work than the other clerks. Supervisor Fish said the motion on the floor was for \$43,500. Councilmember Donohue rescinded the motion.

Supervisor Fish consulted with counsel about whether this discussion should be held in a public meeting. Attorney Bruening indicated this is a budget item. Supervisor Fish continued, saying he does not support a \$45,000 salary because it is \$4,000 higher than another clerk with three years on the job, because the candidate agreed to take the position at \$43,500, and looking at the overall budget he thinks the proposed amount is the right sum to offer. He went on to add that it would be unfair to their first-choice candidate, who had turned down the position and was not offered the position at \$45,000. Councilmember Stewart said that since the other candidate turned the position down, they are not under consideration at this time. He expressed that he didn't think it was right to hold back pay from a candidate who deserves and is qualified for it and who would hold a different title based on the pay of other clerks. He said if the other clerk salaries need to be reviewed or adjusted, they should be done separately. He also posited the idea of dropping the "Senior" part of the position title if they want to pay them as a Clerk.

Councilmember Killian asked what the differences are in the Senior Clerk and Clerk positions. Supervisor Fish said he didn't know what he did in the Village but that he was being moved. Councilmember Killian asked whether this candidate had additional credentials. Supervisor Fish said the candidate had no more credentials than the other candidate. Councilmember Stewart reiterated that the other candidate is not up for consideration, having turned down the position. He said if someone wanted to they could make another motion at \$43,500 but he said he wanted to support department heads, who will be in their positions long than the Board members will be. He said this department head is loyal, knowledgeable, knows what her department needs to work on. He said the department head had justified the higher salary and reiterated that the sum is in the budget for 2024.

Councilmember Donohue said he agreed with Jesse, and though he saw both sides of the argument, and visited both the Assessor's office and the Supervisor's office to discuss it, the deciding factor for him was that the candidate had agreed to take the position at \$43,500. He said if the candidate had bargained for more, he would have gone for the higher rate to avoid losing out on a good candidate. He said if they start the candidate

at \$43,500 they could revisit the pay when working on the 2025 budget. Councilmember Stewart said to look at the candidate's current pay rate, the \$45,000 line item in the budget doesn't come close. Councilmember Donohue said that he had changed his mind to agree with the Supervisor when the candidate accepted the \$43,500 offer. A Board member asked the Supervisor if that was correct. Supervisor Fish confirmed. Councilmember Stewart indicated he was not aware of that. Councilmember Noonan asked whose responsibility it is to make the offer, and whether Supervisor Fish called and spoke to the candidate. Supervisor Fish stated that he had not spoken to him, but had participated in interviews with the three candidates. Councilmember Killian said he had not been able to reach the candidate by phone. Supervisor Fish said he believed the salary range for the position had been between \$41,600 and \$45,000.

**Resolution 165-2024** A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, to approve the hire of Matthew Espey as Sr. Assessment Clerk at a salary of \$45,000/year, to begin work on or about May 30, 2024.

Supervisor Fish called for a roll call vote, to which the following responses were recorded:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	No

The motion carried 4:1

## **ZONING BOARD OF APPEALS**

Supervisor Fish said there had been a resignation from the Zoning Board of Appeals. He then asked the Clerk to read a letter from Kevin Elms into the record:

“Jesse A, Fish Jr., Town Supervisor,

I understand there is an open seat on the Zoning Board. I am currently an Alternate for the Planning Board. The seats are all full for the Planning Board at this time. I would like to be considered for the open seat on the Zoning Board. I have a great deal of experience with zoning. Thank you for your consideration.”

**Resolution 166-2024** A motion was made by Councilmember Donohue, seconded by Councilmember Killian, to appoint Kevin Elms to the term of Matt Manning, expiring 12/31/2024.

**Discussion:** Councilmember Stewart said he had not had a chance to contact another applicant, referencing an application he had in-hand, and asked if others had contacted her. The Town Clerk and Confidential Secretary explained that the applicant had applied for a Zoning and Planning Board Secretary position, but had rescinded the application.

Asked if all were in favor, the responses were as follows:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0

### **ADVISORY TASK FORCE**

Supervisor Fish said a slate of proposed names for the Advisory Task Force had been given to the Board, as outlined by the recently retired Zoning Administrator, Jim Martin. He said he and Councilmember Donohue would serve as non-voting members of the body.

**Resolution 167-2024** A motion was made by Councilmember Donohue, seconded by Councilmember Killian, to appoint the following individuals to the Advisory Task Force: Gerald Endall, Bradley Toohill, Sandy Mahoney, Lauren Sullivan, Lisa Ostrander, Karen Tracy, Maureen Jackson, Ed Smith, and Alan Oppenheim and Dan Galusha.

**Discussion:** Supervisor Fish clarified that Alan Oppenheim and Dan Galusha would be appointed to a single seat, with one or the other attending each meeting as available. The reason they are included, according to Supervisor Fish, is because they are owners in the Industrial Park. Councilmember Stewart asked of the last two members would only have a single vote together. Supervisor Fish answered affirmatively. Councilmember Donohue said the list included a good cross-section of the community, and would make a well-rounded task force. Councilmember Stewart said he was comfortable with it, and the scope of the group had been detailed by Building, Planning and Development Coordinator (BPD Coordinator), Josh Westfall, and Jim Martin. Councilmember Killian said he agreed.

Asked if all were in favor, the responses were as follows:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0

**Resolution 168-2024** A motion was made by Councilmember Donohue, seconded by Councilmember Stewart, to accept the Advisory Task Force Scope of Work document presented to the Board by BPD Coordinator Westfall.

Asked if all were in favor, the responses were as follows:

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Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0

### **BLUEBIRD ROAD PUMP STATION**

Discussion on this item was tabled.

### **HISTORIAN REQUEST**

**Resolution 169-2024** A motion was made by Councilmember Donohue, seconded by Councilmember Stewart, to pay for an APHNY membership for Town Historian Reed Antis at a cost of \$50 from account A7510.4.

Asked if all were in favor, the responses were as follows:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0

### **FRATERNAL ORDER OF EAGLES**

Supervisor Fish said the New York State Convention of the Fraternal Order of Eagles will be held in South Glens Falls in June, and the Town was approached about placing an ad in the convention book. He said the prices are \$150 for a full page, \$75 for a half page, and \$40 for a business card.

**Resolution 170-2024** A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to purchase a full-page ad for \$150.

Asked if all were in favor, the responses were as follows:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0

## **PUBLIC COMMENT PERIOD**

Dominic Tom referenced agenda item 4, the county sewer connection, saying he knew it had been tabled, but related documents were not included with the agenda online. He said he had a lingering question about the connection on Fortsville Road that had gone unanswered, which is, from what account is that funded? He said he didn't believe the sewer district or extension should be paid from the general fund. Supervisor Fish said the funding for the project comes from project funds. Mr. Tom said that is good because the property owners who benefit should be responsible for the cost and not the general public.

With regard to the Advisory Task Force, Mr. Tom asked that a message be relayed to the members about looking into the feasibility of executing the power of eminent domain. He said land had been given to the Town, and the land was sold to speculators. He said nothing has been done with the properties in some cases for up to 20 years. He said he believes the land should have stayed in the control of the Town so who bought the parcels could be controlled. Also, related to the re-zoning effort, he suggested the R2 zone West of the Northway be re-zoned to R1 since it is all mostly single-family homes there now. Councilmember Noonan asked if Mr. Tom was referring to the industrial area where RASP Inc. is. He responded in the negative. Councilmember Stewart suggested perhaps he meant North of Spier Falls Road. Mr. Tom said West. He continued saying that changing the zoning in that area would potentially protect the value of the single-family homes that have been built there. Councilmember Noonan said the Advisory Task Force meetings will be public meetings so Mr. Tom can attend and share his thoughts.

## **COMMITTEE REPORTS**

Councilmember Donohue said he, Councilmember Killian, and BPD Coordinator Westfall met to review the 7-year-old draft of the solar law to address questions and issues that stalled its progress. Mr. Westfall is working on revising the document, Councilmember Donohue continued, saying he hoped to bring it for review to the next meeting, after which a workshop could be scheduled so the solar law could be adopted.

On another matter, Councilmember Donohue said he is still working to find a vendor to take TVs and electronics at the Transfer Station as well as a vendor to recycle paint. He hopes to have more information about that soon. He said his goal is to make recycling these things convenient, so residents don't just dump it on the side of the road.

Councilmember Stewart said the Recreation Park clean-up days were a success, and thanked Highway Superintendent Abrams. Opening Day went well, too, he said, with Supervisor Fish throwing out the first pitch. The Little League has some exciting news to announce regarding state funding they received for projects, Councilmember Stewart said, but wanted to let them share that news to the Board. He invited Recreation Director Jeremy Brogan to outline the timeline of what's coming up at the Park. Director Brogan said BOCES would be holding their rodeo, and they should be finished in two weeks. He thanked Highway Superintendent Abrams for his cooperation and the availability of his staff to assist at the Park. Councilmember Stewart said several organizations, including community groups, churches, and youth sports groups had participated in spring Park clean-up efforts, and he thanked them for their work.

Councilmember Stewart asked about an upcoming event at Mr. Bill's Carhop, and whether Moreau State Park would be opening another concession stand. Supervisor Fish confirmed the concession stand at Moreau State

Park would be opened, and referred the question about Mr. Bill's to Councilmember Donohue. Councilmember Donohue explained that he is a member of the Chamber of Commerce, and the Chamber members were encouraged to attend the Grand Re-Opening ribbon-cutting event at Mr. Bill's on May 18 at 11:30a.m. He said everyone can go. An invitation was not sent out to the entire Board, he said, but he had been asked to invite Supervisor Fish to participate in the ribbon-cutting. He wanted to ensure other Board members were aware they were not excluded from the invitation.

## **SUPERVISOR'S ITEMS**

**Resolution 171-2024** A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to purchase four rolls of 17.5-foot and one roll of 12.5-foot road fabric from Albany Winwater for a sum not to exceed \$1,637.87 from account A7140.4 to expand the Recreation Park parking lot.

Asked if all were in favor, the responses were as follows:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0

Supervisor Fish gave an update about a leaking pipe at Town Hall the Friday prior to the meeting. He said the water was leaking and water had begun to run under one of the walls so the water was shut off for the weekend and Adirondack P&M, who repaired the Town Hall heat earlier in the year, came at 7:30 a.m. Monday, the day before the meeting, to cut the pipe and make the needed repairs. Supervisor Fish said he will have the exact figure for the cost of the repair for the next Board meeting for approval.

Supervisor Fish said he and the Town Clerk had interviewed some candidates for Planning and Zoning Board Secretary. He said both Boards' minutes are behind by over a year and there's been trouble finding someone to work on them. The vacancy was advertised on the Town's website for 2 years, he said, with no applicants, so his Confidential Secretary posted about it on the Town's Facebook page, and four or five candidates applied. Supervisor Fish said there are two strong candidates, so the decision was made to appoint one to the Planning Board, and one to the Zoning Board.

**Resolution 172-2024** A motion was made by Councilmember Stewart, seconded by Councilmember Killian, to appoint Diana Corlew-Harrison as the Planning Board Secretary, and Deborah Hadden as the Zoning Board of Appeals Secretary.

**Discussion:** Supervisor Fish added the Secretaries will receive a stipend of \$100 per set of minutes submitted, according to a previous Town resolution. He said they will start with current minutes and add older ones over time to get them all caught up. Councilmember Stewart asked if they would be compensated for the old minutes as well. Supervisor Fish said they would.

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Asked if all were in favor, the responses were as follows:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0

Supervisor Fish said that he'd been informed that carpenter bees had returned to the building entryway and someone will come to take care of that issue soon.

### **ADJOURNMENT**

**Resolution 173-2024** A motion was made by Councilmember Donohue, seconded by Councilmember Stewart, to adjourn the meeting.

Asked if all were in favor, the responses were as follows:

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 5:0

The meeting was adjourned at 7:49 p.m.

Respectfully submitted,

*Erin Trombley*

Erin Trombley  
Town Clerk