

The meeting was held in person. The Supervisor called the meeting to order at 7:00 p.m. with an attendance roll call.

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

ALSO PRESENT: Erin Trombley Town Clerk
Glen Bruening Town Counsel
Anna Labiak Water Clerk
Josh Westfall Building, Planning & Development Coordinator
Chris Abrams Highway Superintendent
Elizabeth Bennett Confidential Secretary

OTHERS PRESENT: Alex Portal, Post-Star; Dan Cahalane; Maureen Dennis; Chris Scarincio; Joe Dannible, Chris Potter

FUTURE MEETINGS

Supervisor Fish asked the Town Clerk to read a prepared resolution setting a public hearing for the Jacobie Park Side Farms Planned Unit Development District. She read:

“WHEREAS, the Town Board of the Town of Moreau has received an application to approve a zoning change of lands from One- and Two-Family Residential (R-2) Districts to a Planned Unit Development (“PUD”) District to be known as the Jacobie Park Side Farms Planned Unit Development District, and the Town Board has received a proposed Local Law from the applicant; and

WHEREAS, the area of Jacobie Park Side Farms Planned Unit Development District would consist of approximately 27.2 +/- acres as set forth in the proposed zoning map amendment. The Jacobie Park Side Farms PUD District is bisected by Moreau Rec Road, bordered to the north by Lands N/F of SRH-TJM, LLC., to the west by Lands N/F of Melvin W. Jacobie, lands N/F of Joshua Corbett, lands N/F of Abigail Robichud, lands N/F of Melvin W. Jacobie, to the south by lands N/F of Diane C. Colvin, lands N/F of Harry G. Gutheil and to the west by lands N/F of the Town of Moreau.

WHEREAS, pursuant to Moreau Town Code Section 149-27, the Town Board referred the proposal to the Moreau Town Planning Board for review and recommendation, which issued a favorable report. The Town Planning Board commenced a coordinated review under the State Environmental Quality Review Act and must make a determination of significance; and

WHEREAS, pursuant to Moreau Town Code Section 149-27 and General Municipal Law §§ 239-l and 239-m the proposal must also be referred to the Saratoga County Planning Board and the Moreau Highway Superintendent; and

WHEREAS, the Town Board is required to hold a public hearing on the proposal.

NOW, THEREFORE, BE IT

RESOLVED, the Moreau Town Board shall meet and hold a public hearing beginning at the Moreau Town Hall, 351 Reynolds Road, Moreau, New York 12828, beginning at 7:01 p.m. on Tuesday, November 12, 2024 to hear all interested persons on the planned unit development zoning change; and be it

FURTHER RESOLVED, that the Town Board further authorizes and directs the Moreau Town Clerk to publish a Notice of Public Hearing concerning the proposed zoning change in the manner provided by law and to make a copy of the Notice of Public Hearing, the applicant's proposal, including its proposed Local Law, available for public inspection in the Town Clerk's office and post them together on the Town's website; and be it

FURTHER RESOLVED, that the Town Board further authorizes and directs the Town Clerk to make the referrals of the proposal, along with the Notice of Public Hearing, as may be required by State and Local Laws, including notice and referral to the Saratoga County Planning Board and any municipalities within 500 feet of properties that would be included in the planned unit development."

Resolution 360-2024 A motion was made by Councilmember Noonan, seconded by Councilmember Killian, to accept the resolution as read.

Discussion: Councilmember Stewart asked if the project had received SEQR, because the resolution states that SEQR must be completed before the public hearing. Attorney Bruening stated that they were waiting for the Planning Board to comply with SEQR as lead agency. The Councilmember asked how they could approve the resolution without it. Counsel replied that the Planning Board had received it during the determination of Lead Agency over a year prior but there were questions and that the determination was expected at the next Planning Board meeting. The Planning Board wanted the Town Board to review the project again following some changes, Attorney Bruening said, and clarified that the project has not been through the SEQR process yet. Councilmember Stewart asked again how they could accept the resolution if Town Law requires SEQR to be complete before the public hearing.

Joe Dannible, the design consultant representing Cerrone Builders, explained the process to date, which included going before both the Planning and Town Boards, and some plan revisions with architectural plans, and another meeting with the Planning Board where they asked for the SEQR process to be undertaken. He said they declined, stating that they needed the Town Board's okay to act. He said he was confused by the process to this point. Councilmember Stewart said he was as well, and that he wanted to clarify what the process is for future developers and projects. Mr. Dannible said he believed the wording in the law states that the public hearing cannot close until after SEQR is completed. Counsel explained that the changes that were made to the original plans prompted the Planning Board to seek Town Board review to ensure the project was still consistent with what the Board originally referred. If the Board confirms the referral, the environmental impact determination will be made.

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 the Zoning Task Force, assembled earlier in the year, had made their recommendations and that Building, Planning and Development (BPD) Coordinator Westfall had integrated their recommendations

into a revised zoning law. The Supervisor asked the Town Clerk to read a prepared resolution setting a public hearing for proposed Local Law No. 8 of 2024. She read:

“WHEREAS, the Town Board is considering the adoption of proposed Local Law No.: 8 of 2024 entitled, ‘A Local Law Amending Chapter 29 of the Moreau Town Code Relating to Uses in the Industrial Zones and Establishing Supplemental Regulations;’ and

WHEREAS, adoption of this Local Law is authorized by New York Municipal Home Rule Law § 10 and Town Law Article 16; and

WHEREAS, the Town Board is required to hold a Public Hearing prior to the adoption of such Local Law; and

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the State Environmental Quality Review Act, the Moreau Town Board shall serve as Lead Agency for the review of the proposed Local Law, and be it

FURTHER RESOLVED, that the Moreau Town Board has classified the adoption of the proposed Local Law as an Unlisted Action pursuant to the State Environmental Quality Review Act, and be it

FURTHER RESOLVED, that the Moreau Town Board shall meet and hold a public hearing beginning at the Moreau Town Hall, 351 Reynolds Road, Moreau, New York 12828, beginning at 7:01 p.m. on Tuesday, November 26, 2024 to hear all interested persons and take any necessary action provided by law concerning proposed Local Law No.: 8 of 2024, and be it

FURTHER RESOLVED, that the Town Board further authorizes and directs the Town Clerk to provide notice and/or referrals regarding the proposed Local Law as may be required by State and Local Laws, including notice and referral to the Town of Moreau Planning Board, the Saratoga County Planning Board and any municipalities within 500 feet of properties that would be impacted by the proposed Local Law; and be it

FURTHER RESOLVED, that the Town Board further authorizes and directs the Moreau Town Clerk to publish a Notice of Public Hearing in the newspaper concerning proposed Local Law No. 8 of 2024 in the manner provided by law, and to make a copy of the proposed Local Law available for public inspection in the Town Clerk’s office, and to post the Notice of Public Hearing with the proposed Local Law on the Town’s website, following the adoption of this Resolution and until the Public Hearing is closed.”

Supervisor Fish added that Mr. Westfall and the Zoning Task Force had also addressed cannabis, and asked Mr. Westfall if he wanted to talk about that. Mr. Westfall said the Zoning Task Force had looked at M-1A and M-2 zoning districts and clarified existing regulations. Regulations limit cultivation and manufacturing to indoor facilities, he said, and include odor mitigation and security plans. He said the draft was comprehensive and that the task force had been good to work with. Supervisor Fish confirmed that a copy of the draft law would be made available for review.

Resolution 361-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Killian, to accept the resolution as read.

Discussion: Councilmember Noonan asked if the draft law had been circulated before the day of the meeting. Counsel said pieces of what became the draft law were circulated as the process progressed, but the draft had not been sent out previously. The Councilmember said a lot of information had come that day and he had not had time to read it all. He said he was not expecting a resolution at that time, and that he wanted more time to review and ask questions. Councilmember Stewart said the public hearing would be set for a month later, and the

Board's opportunity to really get into the details would be following the public hearing, after public questions and comments had come in. He agreed with Councilmember Noonan regarding not having seen the draft sooner, but felt comfortable moving ahead with the hearing since it would give Board members a month to review it. Councilmembers Killian and Donohue agreed and wanted to move ahead with the hearing. Counsel said the next steps were to vote on the resolution, and then for a member of the Board to declare that they are introducing the proposed law.

Supervisor Fish called for a roll call vote, the results of which were as follows:

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

The motion carried 4:1.

Counsel asked if a Board member wished to introduce the law. Councilmember Donohue introduced Local Law No. 8 of 2024.

APPROVAL OF MINUTES

Resolution 362-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to accept and approve minutes from the September 24, 2024 month-end audit and Town Board meetings.

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 363-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Killian, to accept and approve minutes from the October 8, 2024 Town Board meeting.

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

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

The motion carried 4:0

PUBLIC COMMENT PERIOD

Dan Cahalane of US Light Energy said he supported Local Law No. 7, the Solar Regulation law, saying it was fair to the Town and potential vendors. He urged the Board to vote on the law.

OLD BUSINESS

Cannabis Farm

Supervisor Fish made attendees aware of a letter to the public with an update on what steps had been taken to address the cannabis farm situation that had arisen late in the summer. He said his office had been working with Assemblywoman Woerner and Senator Tedisco to get more information from the NY State Office of Cannabis Management (OCM). He said he would give additional updates as things develop.

Trunk or Treat

Supervisor Fish said that the prior Sunday the Town held a Trunk or Treat event at the Betar Recreation Park which included inflatable obstacle courses and food trucks. He called the event a huge success and thanked Recreation Director Brogan for doing a great job coordinating the event.

Local Law No. 7 of 2024

The Supervisor said they would complete the environmental review for Local Law No. 7 of 2024. The language had been finalized and the Board would vote on the law at the following meeting, November 12. Attorney Bruening said the law had originally been called proposed Law No. 6 of 2024 and was renumbered when another law passed before this one. He said the Board had completed part 1 of the environmental assessment in their packets. He said a public hearing had been opened in July through August, where comments had been received. The law then was referred to the County Planning Board, who approved it with comments in August, he said, after which the Town of Moreau Planning Board reviewed it, did not make a recommendation, and the Town Board instructed BPD Coordinator Westfall to make changes. He continued saying a revised proposal was provided on August 30, on September 10 a new public hearing was opened, and more comments were received until the prior meeting.

Counsel said all this had been summarized in a memorandum from BPD Coordinator Westfall and sent to the Board with Part 1 of the SEQR. He then led the Board through the eleven questions of SEQR part 2. Moderate impact was determined on two of the questions, and small or no impact was indicated for the remainder. Based on the questions that prompted a moderate impact, Counsel advised that an explanation should be explained in part 3. Councilmember Stewart said the potential impacts were addressed by the law and asked how to indicate that properly in part 3 to explain a determination of no anticipated negative environmental impacts. Counsel said this could be done through a motion by the Board.

Resolution 364-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to make a negative declaration on part 3 of SEQR for Local Law No. 7 of 2024 because any potential impacts are addressed in the language of the law.

Supervisor Fish called for a roll call vote, the results of which were:

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

The motion carried 5:0.

WATER & SEWER DEPARTMENT

Supervisor Fish said the idea of adjusting water collection dates had been brought to the Board. Moving the dates up would allow the Water Clerk and Assessor more time to get bills to the County in time for tax billing, he said. He said currently water bills are due by September 30 without penalty, and this year water was collected until November 2 with penalties. He said the Village of South Glens Falls ends its water collection by October 15. Supervisor Fish said the Town could do the same. Councilmember Noonan asked if unpaid bills were relieved into Town & County tax bills, to which the Supervisor responded affirmatively. Supervisor Fish said 45 days should be enough time for residents to pay while allowing more time for settling up billing for the county. Councilmember Stewart said he would support the action if it allowed his office more time to do what needs to be done.

Supervisor Fish asked the Town Clerk if this action would help, and she asked if the proposed action was to shorten collection by two weeks, or if it was to push back collection by two weeks. Councilmember Noonan asked how many payments were collected between October 15 and November 2. She said she did not know, but that the vast majority were paid in September. Councilmember Stewart also pointed out that the Town Clerk's office is also collecting school tax at that time.

Resolution 365-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Killian, to end future water collections on October 15.

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.

Councilmember Noonan raised an issue that water users had brought to him about minimum use fees divided into two payment periods. He said the minimum use at that time was 32,000 gallons, which is split into two 16,000-gallon minimums. He said in one half of the year a user may not use all of the 16,000, and in the other they may slightly exceed 16,000. In that case, he said, they would pay the minimum for the period they did not use all of the minimum, and in the other period they would pay the minimum plus extra for exceeding the 16,000, even though their total use for the year may be within the 32,000 gallons. In homes with low use, they pay for more than what they use all year, he said. Councilmember Stewart said the issue had been raised before and since the software does not have a way to recognize the total annual use it would have to be done manually.

Councilmember Killian asked if there was a way for a cell to be triggered when usage exceeds 32,000 gallons. Councilmember Noonan said it would have to be automated, that a spreadsheet would not work for that many users. He said the Town Clerk had mentioned in prior communication that adjusting the collection dates could make the bills less uneven between billing periods. Town Clerk Trombley said that if water billing were pushed back, summer water use would be divided; that billing in in July for August 1 would move August water use to the winter/spring bill, more evenly distributing the use across the billing cycle.

Supervisor Fish asked why there had to be a minimum use fee. He said for 13 years, some water districts had no debt and also no minimum use fee. Those districts that had debt incurred a 10,000-gallon minimum use at that time, he said. He suggested that with the fund balance in good shape, people could just pay for the water they use. Councilmember Noonan asked if there was a way to see what the financial impact would be of not collecting minimum use fees. The Supervisor said yes. The Councilmember asked how many houses were connected to Town Water. The Supervisor estimated 2,200. Councilmember Stewart believed that the fees were set to help

build the fund balance to potentially replace infrastructure like a water tower. The Supervisor said the fund had grown from \$2.5-3 million to \$4 million in 3-4 years, and if infrastructure needed to be replaced, such as a water line in Fenimore that was installed in 1952, or one in District 2, installed in 1963, this fund balance would not be nearly enough anyway. He said the Town is still getting a capital fund as well, which is an issue that he said could be discussed another time.

BUILDING, PLANNING, DEVELOPMENT OFFICE

Jacobie Parkside Farms PUD

Joe Dannible said the applicant had been working on this project for three years and working with the Town for about 18 months to bring the project to where it was in the presentation. He said the material within the presentation would reflect the inclusion of feedback received from previous interactions with Planning and Town Boards. In his Jacobie Parkside Farm PUD project presentation, he highlighted the differences between the current plan and the original concept previously presented. Features of the new plan include rear entry access for townhomes via private road behind cottage homes on the Gansevoort Road end of the development, the removal of two cul-de-sacs and three intersections with the road, townhomes and apartments near the recreation park end of the development, covered parking, 2-car garages and additional 2 parking spaces for all areas with parallel parking along the street. He also said the new plan includes about five acres of green space, about 5% less resident density, gathering areas like fire pits, and the connection of sidewalks to trails so children can avoid busy roadways.

Next, he showed how the three-story apartment design had been modified to make the upper floor resemble more of a two-story home roofline with gables and dormers and a reduced number of apartments on the third floor. There would also be smaller cottage homes, larger carriage homes, direct-access two-story rentals as well as three-story rentals with central hall and elevators, he said, and all with mixed facades for variation. He said a traffic study had been done considering this project in conjunction with another development planned nearby (Arrowhead Meadows), which he said found little traffic impact to mitigate. Mr. Dannible showed renderings of views of the project from the street and inside the recreation park.

Councilmember Noonan said he recognized many changes in the plan from the previous version and thanked Mr. Dannible and the applicant. Mr. Dannible asked if the latest version was consistent with what they anticipated or wanted to see changed. Councilmember Stewart said he thought the major concerns had been addressed even at a cost to the builder and before public comments were even recorded. He said he hoped the renderings would also help assuage any concerns. He asked if the project was on the Planning Board's next meeting agenda. It was clarified that the Planning Board was looking for a favorable recommendation from the Town Board to go forward with SEQR and the next steps. Councilmember Stewart asked if the public hearing for the project should be pushed back to November 26, so the builder has an opportunity to go before the Planning Board first. Counsel advised that to receive some public comments before the SEQR process is complete is a good idea.

Councilmember Donohue said many of their concerns had been addressed and then asked about security between the development and the recreation park. He said he wanted to see something more concrete than trees for that purpose. Mr. Dannible said there were trees, and that they would consider a fence, but he said more eyes on the park would prevent problems there. Councilmember Donohue said he liked the inclusion of the green spaces in the new plan. Councilmember Stewart said some of the issues with a development like this were not the developer's issues to correct. He gave as an example that traffic to the park would increase but he said that would be on the Town, and that Jan Ave. was originally intended to be a temporary entrance to the recreation park. He continued, saying the Town owns land going all the way to Fort Edward Road, and this may prompt them to address the need for an additional entrance to the recreation park. Councilmember Killian said the renderings with vegetation helped him visualize what this big change could look like, and that he liked the changes that had been made.

Mr. Dannible concluded his presentation. Councilmember Noonan asked what the Board should do to move the project along. Mr. Dannible asked for a resolution recommending the project. Councilmember Stewart said he was struggling with the process because he said he thought the Planning Board was supposed to be independent of the Town Board. Counsel advised that the builder had submitted a draft local law for the PUD inclusive of zoning changes, and by posting the draft, it could become the subject of the public hearing. He continued, saying all that is required is for a member of the Board to introduce the law. Supervisor Fish said he thought the Planning Board wanted the Town Board's comments and feedback before the Planning Board completed SEQR, then would refer back to the Town Board. Mr. Dannible said Councilmember Stewart was correct in terms of the relationship between the two Boards. Councilmember Noonan said this turn of the process puts the applicant in an uncomfortable situation. The Councilmember asked Counsel what they should do.

Attorney Bruening said there were three things they can do: 1) re-refer the project to the Planning Board, which could delay the process or even start it over again, 2) introduce the draft local law signaling they would like to see the project advance, or 3) pass a resolution asking the Planning Board to complete the SEQR process. He said if the Board was prepared to hold the public hearing, the Board should introduce the draft law.

Councilmember Donohue introduced local law No. 9 of 2024, a local law amending Chapter 149 of the Moreau Town code and the Town of Moreau Zoning Map to establish the Jacobie Parkside Farms Planned Unit Development.

Washburn Road Drainage

Supervisor Fish said Building, Planning and Development (BPD) Coordinator Westfall had been working with the Town's engineers on drainage issues on Washburn Road. He invited Mr. Westfall to explain the situation. Mr. Westfall said they had been working with the adjacent homeowner. Soil has been washing out and a phone box had fallen, he said, from stormwater runoff. The engineers had drafted a proposal with two actions to be taken: 1) field collection data, and 2) engineering sketches. Mr. Westfall said he had spoken with Principal Account Clerk Cruz and that funds were available in a drainage budget. Once the sketches are complete, he said, the firm would be able to offer bid documents.

Highway Superintendent Abrams said the slope of the terrain there would not allow for Highway trucks so the Highway Department would not be able to fix the problem. Mr. Westfall clarified the issue is on both a large right-of-way and partly on the homeowner's land. Mr. Abrams said they have observed the situation for years and heavier rains are now causing significant damage. Supervisor Fish asked about the proposal figures, to which BPD Coordinator Westfall responded that engineering would cost \$4,500, and specs would be an additional \$3,000, if desired.

Resolution 366-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to approve the proposal as provided with the optional additional \$3,000 if required.

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.

Local Law No. 8 of 2024

BPD Coordinator said the new proposed law, as provided to the Board, was a lot to read. He said he would break down the law in the same way the Zoning Task Force had, into M-1, M-1A, and M2 sections, plus a large section of supplemental regulations and send it to the Board the following day.

HIGHWAY DEPARTMENT

Truck #10

Supervisor Fish said Highway truck #10 needed a cylinder repair.

A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to purchase a cylinder from New Hampshire Hydraulics at a cost not to exceed \$2,252.40 from account DB5130.405. The motion was rescinded.

Resolution 367-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to purchase a cylinder from New Hampshire Hydraulics at a cost not to exceed \$2,552.40 from account DB5130.405.

Discussion: Councilmember Killian asked if the equipment was a pump or a ram. Superintendent Abrams said it was a ram. The Councilmember asked if it could be rebuilt. Mr. Abrams said there were local places that could rebuild it, but they would not guarantee the work. Councilmember Killian asked if it had been rebuilt before, to which Mr. Abrams said it had not, because the part was considered disposable.

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.

Asphalt Release Agent

Resolution 368-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to purchase a 330-gallon tote of asphalt release agent from Jamestown Soap & Solvent for a sum not to exceed \$5,100 from account DB5112.493.4.

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.

RECREATION DEPARTMENT

Supervisor Fish summarized that the 2025 softball tournament schedule had been published and was set based upon a point system that has been in place for years. He said Chris Scarincio had requested to address the Board about the schedule.

Chris Scarincio said the points system had been established 8-10 years before to allow for a preference for local girls to play on Moreau recreation ball fields. He said as the system is presently, requiring 10% of the team to be local to receive preference, a single local girl on the team makes them eligible. He suggested they consider adopting a 50% local girl ratio to ensure the system works as it should. He also said if a team had a tournament in the past, they received preference points, and it used to be that ten years was the benchmark for preference, but that at present they only have to have had a tournament in the past three years. He said if the tournament is canceled, they will get two points, and if they don't, they will get 0.

He said 60-70% of the schedule is filled with travel leagues now with few South Glens Falls girls. He said a record of success for the Town was something he thought they should consider. He said his tournaments brought about thirty-six teams which he said was three times more than most. He said if they clean concessions and the grounds they got preference. This year he only got one tournament, and he used to have four. He urged the Board to consider other factors. He said travel softball should never be under the Town Recreation program, that it had always been Recreation and All-Stars softball.

He said he had requested summer and fall tournaments, and he did not get the summer tournament. He said the Town is running their tournament June 21-22, and he said he had never seen a Town Recreation Director run a tournament. He said he didn't understand it and it was a lot of work. He asked them to give him a summer tournament and to reconsider the point system. Councilmember Noonan asked if there were any open dates in the summer. Mr. Scarincio said August 1-3 is open, but the season is over by then. He said players go to the nationals and World Series after July. He said he would only get 4-6 teams during those dates which he did not consider a tournament. He added the Recreation All-Star program hasn't had a tournament in a few years, but they could get into the schedule because he said they were under contract with the Town. He estimated 6-10 teams come from such a program because it draws only from a few nearby Towns, and travel softball draws kids as young as eight years old away from the program. Councilmember Stewart said the issue of insufficient teams for All-Stars would be addressed in their contract.

The Councilmember continued, saying one thing they were looking for when hiring the Recreation Director was additional resources run by the Town. He said the previous director ran the football program and a Boy Scout program. He said Directors have run lots of programs, and the current Rec. Director has expertise in running tournaments. He described a vision of the program as a townwide event with other Town organizations involved, such as South High Marathon Dance (SHMD) running concessions, another group doing 50/50, another doing a basket drawing to grow the Town program. Councilmember Stewart said Moreau has more capacity than most Town recreation fields which is why they have to address the balance of local kids playing there vs. everyone else. He said Mr. Scarincio used to get four tournaments because he was given his choices before anyone else picked, which did not follow the point system. He agreed 10% local girls is too low a percentage. He said if errors have been made, it should be addressed with the Recreation Director and the Councilmember offered to meet with them.

Mr. Scarincio asked how he should move forward. Councilmember Stewart said since the schedule is already published, he was not in favor of making changes until the 2026 season. Councilmember Killian said he understands generally but does not understand in detail, and the 2025 season is already published. Supervisor Fish asked Mr. Scarincio how many people were doing what he was doing. Mr. Scarincio said nobody was. Supervisor Fish said that is why he got the four tournaments, and now more people want to participate. Mr. Scarincio said he was allowed four in the past because the schedule was open, and the Town wanted the revenue. He said he and some others had built the concession stand and dugouts. Councilmember Stewart explained that

the points system was modified to look back not ten years anymore, but three years to allow new upstart teams to have a chance to get started, and every organization got one tournament, which made many of them happy. He said Rec. Director Brogan was following the rules and they should revisit the couple of issues Mr. Scarincio raised for the following season. Councilmember Killian agreed. Mr. Scarincio said he would follow up with Mr. Brogan.

Councilmember Stewart urged the Board to talk to the Recreation Director and understand things in depth and not to consider making changes based on a single person addressing the Board. Another attendee asked if the Town follows the point system, to which the response was no. The attendee asked if the Town could give up its date, give it to Mr. Scarincio, and take the August date for the Town. Councilmember Stewart said it would be up to the Director of Recreation. The attendee asked if the Board was open to the idea. Councilmember Stewart said no because Mr. Brogan is putting in the work to build a tournament for the Town built around the dates that were published. Again, he urged Mr. Scarincio to address the concerns for the following year and not 2025.

MEMORIALIZE VOTE

Resolution 369-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to purchase authorize the Assessor to attend an October 18 continuing education course on valuation of self-storage properties.

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.

MOREAU ELEMENTARY SCHOOL SPEED ZONE

Supervisor Fish explained that a new speed zone sign was needed for Moreau Elementary School, which is on Bluebird Road, a county road. The Public Works Commissioner said they would put the sign up, but there was no record of NYS Department of Transportation approving the speed zone. A resolution from the Board was needed, and then the Town Clerk gets the resolution to the Commissioner who will take it from that point.

Resolution 370-2024 A motion was made by Councilmember Noonan, seconded by Councilmember Stewart, to request a speed study for the section of Bluebird Road near Moreau Elementary School which had previously been marked with a school speed zone.

Discussion: Supervisor Fish said the signs had already been replaced.

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.

MONTHLY DEPARTMENT REPORT

Resolution 371-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to accept the monthly report by the Building, Planning and Development 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.

BUDGET OFFICER STIPEND

Supervisor Fish said the Budget Officer stipend was left out of the 2024 budget. He said Principal Account Clerk Jeffrey Cruz should be designated as the Budget Officer since he does so much and does it well. He said the Board agreed with this; therefore, a transfer would be needed.

Resolution 372-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, to transfer \$4,000 from contingent account 1990.4, which has a balance of \$24,277.28, to account A1340.1 and authorize the Budget Officer’s stipend of \$4,000 for Jeffrey Cruz to be paid from account A1340.4.

Discussion: Councilmember Donohue said Mr. Cruz does a fantastic job and he was all for this. Supervisor Fish said he got the Town where it needed to be for the budget.

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

Chris Potter asked about a moratorium on cannabis he had asked for at a previous meeting. Supervisor Fish said he had no interest in doing so because regulations were already being changed via changes to Town zoning statutes, and the plants are gone. He said he could not apologize enough for what had happened without the Town’s knowledge. He restated he was not in favor. Mr. Potter questioned if it would be allowed just in zone M-1A or what the plan was. BPD Coordinator Westfall said it was being put into zone M-1 and M-1A for indoor cultivation and processing with requirements for odor control and security. Councilmember Stewart said all cannabis cultivation is addressed in the new proposed law, including residential growth. He said he had been a proponent of a moratorium, but the issue could be addressed more quickly with an updated zoning law ready to be acted upon in November. Mr. Potter questioned whether the current operation would be allowed if the proposed zoning law passed. Councilmember Stewart said it would not be allowed if the current proposed law was passed. Councilmember Donohue said he would be able to get a copy of the law on the Town’s website soon, and that there would be a public hearing, to which he invited Mr. Potter to weigh in.

Supervisor Fish said his office was preparing a letter to County Supervisors to support a question from the NYS Office of Cannabis Management permit application that asks, “Do you have proper permitting from the Town or Village you are doing this in?” If so, the applicant should provide documentation of such, he said. The Supervisor said the other Supervisors have asked him how it was going and what was happening so they can protect their communities. He said Assemblywoman Carrie Woerner and Senator Jim Tedisco had been instrumental in assisting through this process. Councilmember Stewart said he felt the draft law would assuage any of Mr. Potter’s concerns. Supervisor Fish said he was told the grower had been given permission to harvest the remainder of the crop and once it was loaded on the trucks, the cannabis was confiscated.

Mr. Potter also asked if the orange fence on the corner of Spier Falls Road could be taken down, which had been there since the Fourth of July.

COMMITTEE REPORTS

Councilmember Donohue said he had attended the Eagle Scout Award presentation for Alex LaPoint, and didn’t realize he would be a guest speaker until he got there. The project Alex had completed was the pavilion and fire pit between Town Hall and the South Glens Falls Fire Company, he said, adding that the Town had received a certificate of appreciation. The Councilmember said during the ceremony a review was done of all the steps Alex had to complete to achieve the award, and he said he was in awe of the work that went into it.

SUPERVISOR’S ITEMS

The 2025 Preliminary Budget was posted on the Town website, Supervisor Fish said. The public hearing for the budget was set for November 4, he said, with a plan to adopt the budget November 12 at the Town Board Meeting. He said the Town’s labor attorney had been asked to look over questions regarding overtime, and he said that based on changes in job descriptions, changes at the State level, and changes in income thresholds, Town Hall employees would not be eligible for overtime beginning January 1, 2025. Salaried positions that supervise other employees and exceed salary thresholds will not be eligible for overtime effective immediately.

The Supervisor said Chris Harrington from the Town of Queensbury sent a letter indicating the actual cost of water production in 2023 was \$1.23 per thousand gallons; \$1.18 per thousand + \$.05 per thousand gallons for transmission. \$1.44 per thousand was budgeted, so a credit of \$.21 per thousand has been applied to the Town’s account, and the Town received back \$47,126.73 toward the Town’s fall bill.

Justice McCabe had visited the Supervisor, he said, and asked that security at Town Hall be increased. The Supervisor said Judge McCabe had suggested protective glass at office service windows and an officer stationed at Town Hall. Supervisor Fish said he hadn’t seen anything from the Court end of the building overflowing into the rest of Town Hall, but he said that didn’t mean it couldn’t happen. He asked the Board to think about that.

Supervisor Fish directed remarks to Councilmembers Noonan and Killian, that Principal Account Clerk Cruz had given the Supervisor information from a company called Troy and Banks. He said they look into whether municipalities are being overcharged for cable rates, and there is no charge for their services unless the Town was overcharged. Councilmember Noonan said he thought they looked into this a few years ago but if it doesn’t cost anything, he said he didn’t see an issue with it. He asked if the directive had to come from the Supervisor’s office. The Supervisor said it did.

EXECUTIVE SESSION

Resolution 373-2024 A motion was made by Councilmember Noonan, seconded by Councilmember Donohue, to enter into executive session for the purpose of discussing the work history, or work performance of an unnamed employee or employees.

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 Board entered into executive session at 9:12 p.m.

The executive session ended at 9:49 p.m. Supervisor Fish said that a resolution had been adopted in the executive session finding just cause to impose discipline upon a Town employee.

Resolution 374-2024 A motion was made by Councilmember Noonan, seconded by Councilmember Donohue, 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 9:50 p.m.

Respectfully submitted,
Erin Trombley
Erin Trombley
Town Clerk