

Supervisor Fish 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
	Jesse A. Fish, Jr.	Supervisor

ALSO PRESENT:	Maria Jennings	Deputy Clerk
	Jeffrey Cruz	Principal Account Clerk
	Elizabeth Bennett	Confidential Secretary
	Chris Abrams	Highway Superintendent
	Josh Westfall	Building, Planning, Development Coordinator
	Kristian Mechanick	Water Superintendent
	Leah Cronin	Assessor

OTHERS PRESENT: Alex Portal, Post-Star

Supervisor Fish called the meeting to order at 7:00 pm.

PUBLIC HEARING LOCAL LAW 8

Supervisor Fish stated that Town Zoning Laws had not been reviewed or revised since 1989, so the town board appointed a 9-person Zoning Task Force in the spring. To open the public hearing for Local Law No. 8 of 2024, he said the Task Force had worked with Building, Planning and Development (BPD) Coordinator Josh Westfall to provide draft zoning changes to the Board. Supervisor Fish asked attendees to come up to the podium, state their name and address to provide their comments to the town board. And each speaker would be given five minutes, and the public hearing would be left open.

Resolution 398-2024 A motion was made by Councilmember Kyle Noonan and seconded by Councilmember Mark Stewart to open the public hearing.

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

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

The motion carried 4 to 0.

Supervisor Fish stated that for the record, “we have received input from the Town Planning Board, County Planning Board and a written comment from the law firm representing Shangri-La.”

Adele Kurtz from Snowberry Lane asked why the legal documents were not readily available for the meeting so the people could be informed. Councilmember Pat Killian said the web had some glitches that are being resolved. It was suggested that everything be in one place so it would be easier to view without clicking all over the web page.

Gina LeClair thanked the board for the Local Law and offered kudos to the Confidential Secretary Liz Bennett for her information.

Harry Gutheil mentioned that he, too, had trouble accessing the final version of the law on the web page. He suggested that copies be printed and available. He offered kudos to the zoning task force. He went on to state

his opinion that the Industrial park was headed for disaster with the M-1A and M-2 zones because industrial and residential uses do not blend.

Councilmember Killian took a moment between the public speakers to share his screen to explain agendas with a possible link in the future that could be clicked on for all to see and print at any time.

Tom Masso commended BPD Coordinator Josh Westfall and the task force as they offered a nice balance with economic growth and was thankful for the conference with the current Town Board. There was one concern he revisited from 7-8 months earlier—he referenced a quote from former New York State Department of Environmental Conservation, Section 92. Mr. Masso said that since then, the Town code was simplified and again thanked the current Board for the new code.

Orsen Klender referenced 703-721 Old Saratoga Road and offered his opposition to Local Law #8, saying that he had opinions which he offered in the form of an email.

Glen Kullik was thankful yet apologetic as he said the plan was a happy crisis and considered the inclusion of enjoying quality of life on his property.

Tracy Frisch with CAAN (Clean Air Action Network) said she had been in Argyle since 2002. She said she was there in support of the law, not oppose it. She said she was thankful for the residents advisory committee. Tracy asked if there was a clean earth permit to clean the dirt, as if there were PFOs it would be hard to accept the law. She also mentioned combustion appropriateness. Lastly, she acknowledged the up-to-date zoning being addressed and updated from the 1980's.

Board Discussion

At 7:08 pm discussion was requested by Councilmember Noonan. Councilmember Stewart thanked BPD Coordinator Westfall along with all parties for addressing the nonresidential properties in the M-1 district. Councilmember Stewart said that currently there are 28 residential properties. At this point he was interrupted by a woman regarding the residential/industrial relationship. She indicated she was not happy and did not identify herself for the record. There was conversation around creating a UV district within the M1 zone. BPD Coordinator Westfall asked if the manufacturing zone concern was with the M-1 or M-2 zone. There were questions raised about townhouses vs. multifamily use, with Councilmember Noonan stating said the proposed law was kind of disorganized with too much focus on the ordinance. The M1A zone on West River Road referenced on page 22 supplementary was brought up as well. Gina LeClair stood up in the back of the room and voiced her concern about Industrial Park traffic concerns, with 2000 households impacted. She asked that they avoid industry with heavy truck traffic possibly linked to childhood cancer and other health concerns.

Harry Gutheil shared the history of the Industrial Park being a project from over 30 years earlier when the power company gifted the \$1 million property which was matched by a grant from the Town of Moreau to form a Business Park. Councilmembers Stewart, Killian and Noonan discussed a continuum in zoning vs. today's society. He said the last traffic study was 25 years old so the Board will be looking for the findings after an up-to-date study.

The conversation turned to the Cannabis growth facility on West River Road, referencing The Town code section 50 paragraph i-9: "No Odor," with Councilmember Noonan stating guaranteed no odor is incompatible with this type of business. Councilmember Stewart said it was open ended for enforcement which left it not at all open for interpretation. He said facility venting is essential and necessary to mitigate the pungent smell, again referencing the M-1A zone being such a small zone. Councilmen Noonan announced that The Board was awaiting better technology for the venting problem.

William Tullock approached the podium and shared that he had done research, and back in 1996 California made cultivating Cannabis illegal over 70 percent of the state. William said that greenhouses use so many

resources and energy that, in his opinion, they are not good. There was also a concern in Colorado fields, he said, and estimated that there were over 12,000 plants in Wilton which were not environmentally viable. He said he was looking to protect the community regarding health hazards as well as quality of life.

Confidential Secretary Elizabeth Bennett addressed the board at that point saying the Town cannot intervene or legally prohibit cannabis cultivation, according to the OCM in Albany, per New York State Legislature. She explained Moreau is an opt-out community and micro businesses are still allowed to grow on-site and sell farm-to-table. At 7:57 p.m. Councilmember Stewart revisited the large area that the M-1 zone covers and restated that the public hearing would remain open.

FITZGERALD'S RESTAURANT

Supervisor Fish began the conversation about Fitzgerald's Restaurant and a grinder pump failure, whereas an emergency maintenance situation arose due to the lack of grease pits. Josh Westfall and Councilmember Noonan asked the attorney how much the cost would be to purchase a pump. The conversation led to there being pumps from 2-20 horsepower and that the cost would be \$72,000-\$73,000 this referencing the Bluebird Road pump station. This lead Councilmembers Noonan and Stewart with Supervisor Fish to consider pumping sewer to Glens Falls. Supervisor Fish said this would require a monthly bypass to flush Districts 1-4 in South Glens Falls with clean water to send it to Glens Falls. Water Superintendent Mechanick suggested a monthly maintenance program to alleviate backup situations like what happened at Fitzgerald's to avoid emergency situations, adding that all grinder pumps belong to the Town.

Supervisor Fish told Councilmember Noonan that the Town will pull the pumps and that the businesses will pay the sewer bill. Councilmember Stewart said he was looking at a new fee schedule for the Town water and sewer employees considering the liability, and to pass on the charges to all businesses to avoid emergency situations like the one at Fitzgerald's. Board members agreed they should have had a back-up plan for when sewer pump warranties run out. Supervisor Fish said that there have been four backups recently, only two historically. After the pumps are pulled, cleaned and reconditioned, dated the engineer removed two of the grease traps? Councilmember Stewart asked if as a preventative measure the scalding hot water could be rerouted from the dishwashing per engineer.

Chapter#115 of the sewer regulations of the Town board to be responsible until the bond is paid in full. Ten years life on the grinder pumps 209 in business in ext. 5. Mike Shaver asked engineers about a one-year installation.

SET FUTURE MEETINGS & UPCOMING EVENTS

No meetings were set, but Supervisor Fish shared the following information:

- Town Hall will be closed on Thursday and Friday this week, for the Thanksgiving holiday.
- The Transfer Station will be closed November 27, as well as Thursday, November 28, for Thanksgiving. The Transfer Station would be open Friday, November 29.

APPROVAL OF MINUTES:

Resolution 399-2024 A motion was made by Councilmember Noonan and seconded by Councilmember Mark Stewart to accept and approve the minutes for the Budget Workshop on October 24, 2024, as submitted.

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

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye

Supervisor Fish Aye

The motion carried 4 to 0.

Resolution 400-2024 A motion was made by Councilmember Noonan and seconded by Councilmember Mark Stewart to accept and approve the minutes for the Month End Audit meeting and Regular Town Board meeting on October 29, 2024, as submitted.

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

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

The motion carried 4 to 0.

OLD BUSINESS

Supervisor Fish said that at the last meeting the Town opened a public hearing for Local Law 9, the Jacobie Farms PUD. He said that since then, the Town received input from the County Planning Board and will add that to the public comments of the next meeting.

It was brought up about the poor lighting for the State Highway entry by Bill Robson. Harry Gutheil said that on the Route 9 corridor, he would like to revisit the traffic back up at Exit 17 from the bridge triggering capacity issues.

COMMITTEE REPORTS

Councilmember Stewart mentioned the Community Center grant as well as the Town Recreation program with the playground being up and running.

Councilmember Noonan said he had nothing for library/cable tv and cemetery.

Councilman Killian stated that he felt a traffic study was necessary as Harry Gutheil mentioned. Councilman Noonan said he had revisited the traffic light at Spier Falls Road with New York State Department of Transportation questioning if it was out of cycle. He mentioned a roundabout would be desired but that the estimated cost for a roundabout would be over eight million dollars.

Resolution 401-2024 A motion was made by Councilmember Noonan and seconded by Councilmember Mark Stewart.

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

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

The motion carried 4 to 0.

ASSESSOR'S OFFICE

Supervisor Fish said the Town Assessor has submitted a request for her Clerk to attend a training course for the RPS V4 system, which is used to run the Assessor's Office. Assessor Cronin provided the details of the class to the Town Board.

Resolution 402-2024 A motion was made by Councilmember Noonan and seconded by Councilmember Mark Stewart to approve Matt Espey to participate in a continuing education class called V4 Basics, put on by the NYS Assessors Association, at a cost not to exceed \$110 from account A1355.4.

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

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

The motion carried 4 to 0.

BUILDING, PLANNING AND DEVELOPMENT OFFICE

Resolution 403-2024 A motion was made by Councilmember Noonan and seconded by Councilmember Mark Stewart to authorize Matt Dreimiller to attend the NACEOA Educational Conference in Lake Placid from March 24-27, 2025, at the Cambria Hotel in Lake Placid, at a cost not to exceed \$1066.00.

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

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

The motion carried 4 to 0.

HIGHWAY DEPARTMENT

Resolution 404-2024 A motion was made by Councilmember Noonan and seconded by Councilmember Mark Stewart to purchase road materials from Peckham Road Corporation, at an amount not to exceed \$7,000 from account DB5110.493, and that falls under Washington County Contract #2024-2025.

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

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

The motion carried 4 to 0.

Resolution 405-2024 A motion was made by Councilmember Noonan and seconded by Councilmember Mark Stewart to approve the promotion of Sean Dunbar to MEO, effective November 24, 2024, at the rate set forth in the current Highway CSEA contract.

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

Councilmember Noonan	Aye
Councilmember Killian	Aye

Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 4 to 0.

Resolution 406-2024 A motion was made by Councilmember Noonan and seconded by Councilmember Mark Stewart to approve the hire of Richard Hammond as a full-time Laborer 2, beginning on January 6, 2025, pending the successful completion of a background check, pre-employment physical, and submission of a driver's report at a rate of pay set by the Highway CSEA contract.

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

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

The motion carried 4 to 0.

TRANSFER STATION

Supervisor Fish stated that during the 2025 budget workshops it had been decided that it was appropriate to hire a designated Transfer Station Supervisor, to have someone on site daily. He said Chris Abrams has done a great job, but with his duties as the elected Highway Superintendent, he just isn't able to be as hands-on as they would like. The Supervisor said the new Transfer Station Supervisor would work up to 20 hours each week, cover lunches, determine when dumpsters need to be emptied, complete month-end paperwork, the annual report, and also be responsible for scheduling and equipment operation.

Resolution 407-2024: A motion was made by Councilmember Noonan and seconded by Councilmember Mark Stewart to advertise for a part time Transfer Station Supervisor, up to 20 hours a week, year-round, at a rate of \$22/hour, pending a background check and pre-employment physical. The job would begin in January.

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

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

The motion carried 4 to 0.

RECREATION DEPARTMENT

Our Recreation Director has submitted some purchase requests, using his current budget.

Resolution 408-2024 A motion was made by Councilmember Noonan and seconded by Councilmember Mark Stewart to purchase a 6" high portable pitching mound from ON Deck Sports not to exceed \$1575.00 to be paid out of account A7140.4.

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

Councilmember Noonan	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye

Supervisor Fish Aye

The motion carried 4 to 0.

Resolution 409-2024 A motion was made by Councilmember Stewart and seconded by Councilmember Killian to purchase rec basketball shirts and jerseys from Northwind Graphics in an amount not to exceed \$2,052.25 from account A7140.4.

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

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

The motion carried 4 to 0.

Resolution 410-2024 A motion was made by Councilmember Noonan and seconded by Councilmember Stewart to authorize Satch Sales to make repairs to the Club Car golf cart for a sum not to exceed \$2,283.98 from account A7140.4.

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

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

The motion carried 4 to 0.

Resolution 411-2024 A motion was made by Councilmember Stewart and seconded by Councilmember Killian to purchase a 200'x100' porta rink kit from Damian J Products LLC, which includes shipping, at a cost not to exceed \$11,544.50 from the rec capital reserve account HT7180.4, subject to notice of permissive referendum.

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

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

The motion carried 4 to 0.

Resolution 412-2024 A motion was made by Councilmember Stewart and seconded by Councilmember Pat Killian to purchase assorted recreation items, including nets, whistles, carriers, etc., at an amount not to exceed \$1521.07 from account A7140.4.

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

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

The motion carried 4 to 0.

Discussion: The last purchase is a list of items from BSN, which total more than \$1,000. According to the Town's procurement policy, we need multiple quotes, but these are all small ticket items which can be purchased separately.

Resolution 413-2024 A motion was made by Councilmember Stewart and seconded by Councilmember Killian to authorize the Recreation Director to apply his unused holiday time toward upcoming time off. Asked if all were in favor, the responses were as follows:

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

The motion carried 4 to 0.

WATER & SEWER DEPARTMENT

Supervisor Fish gave the town board an update on where things are with the Bluebird Village Pump Station and explained again what happened with the sewer at Fitzgerald's.

Resolution 414-2024 A motion was made by Councilmember Stewart and seconded by Councilmember Killian to approve the emergency purchase of two closed system grinder pumps for the Town to use as loaners, from Siewert at an amount not to exceed \$6041.56.

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

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

The motion carried 4 to 0.

DOG CONTROL CONTRACT

The Town Dog Control Officer, Jimmy Cordiner, has been doing a great job, Supervisor Fish said, adding that the Town Clerk's office reported that Mr. Cordiner has been working to get dogs licensed and is taking care of situations as they come up. The Supervisor said the Dog Control Officer contract expires at the end of November, and that Mr. Cordiner is interested in staying in the position. In the 2025 budget, he will be getting a raise of \$50/month, Supervisor Fish said.

Resolution 415-2024 A motion was made by Councilmember Stewart and seconded by Councilmember Killian authorizing the Supervisor to sign a contract with James Cordiner for dog control services from December 1, 2024 through December 31, 2025 at a rate of \$1650/month.

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

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

The motion carried 4 to 0.

ASSOCIATION OF TOWNS CONFERENCE IN NYC

Supervisor Fish said that at the last meeting, BPD Coordinator Westfall and Town Clerk Trombley were approved to attend the Association of Towns Annual Conference.

Resolution 416-2024 A motion was made by Councilmember Stewart and seconded by Councilmember Noonan authorizing payment of \$317 per night, for two rooms, for four nights for lodging at the New York Marriott Marquis during the conference, for a total not to exceed \$2536.00. Asked if all were in favor, the responses were as follows:

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

The motion carried 4 to 0.

SUPERVISOR'S ITEMS

Supervisor Fish said he would like to close the Town Hall at noon on Christmas Eve and in order for staff not to need to use personal or vacation time, a Board resolution was needed.

Resolution 417-2024 A motion was made by Councilmember Stewart and seconded by Councilmember Noonan to approve the office closure at noon on Christmas Eve (Dec. 24).

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

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

The motion carried 4 to 0.

EXECUTIVE SESSION

Not Needed

MOTION TO ADJOURN

Resolution 418-2024 A motion was made by Councilmember XXX and seconded by Councilmember XXX to adjourn the meeting.

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

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

The motion carried 4 to 0.

The meeting was adjourned at 8:45 PM.