

The meeting was held in person. The Supervisor called the meeting to order at 7:00 p.m. with an attendance 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
	Glen Bruening	Town Attorney
	Chris Abrams	Highway Superintendent
	Elizabeth Bennett	Confidential Secretary

**OTHERS PRESENT:** Dan Cahalane, Amy Noonan, Nicole Haddadnia, Ann Purdue, Tom Masso, Dominic Tom, Michelle Smith, (illegible), Jorge Padron, Carl Hourihan

Supervisor Fish explained that the Town Board had received a hardship waiver application from NexAmp/Bakers Falls Solar, and a public hearing would be needed. He asked the Town Clerk to read a prepared resolution. She read:

**“RESOLUTION SCHEDULING PUBLIC HEARING ON APPLICATION OF BAKERS FALLS SOLAR, LLC FOR A WAIVER PURSUANT TO LOCAL LAW NO. 3 OF 2024**

**WHEREAS**, the Site Plan Review Application of Bakers Falls Solar, LLC for a ground mounted solar photovoltaic system at 11-15 Electric Drive Rear, SBL 50.-4-26, 50.-4-27 and 50.-4-28 received approval from the Town of Moreau Planning Board on May 16, 2022 with the sole condition that the decommissioning bond is in place for the life of the project; and

**WHEREAS**, while the applicant was completing post-approval work, which includes the ongoing negotiation with the Town of a Consent and Acknowledgment of Easement Agreement, the Town Board adopted Local Law No. 3 of 2024 imposing a temporary moratorium on, among other things, the issuance of any permits or approvals allowing any manufacturing or industrial uses or operations in Moreau’s Industrial/Manufacturing Zones; and

**WHEREAS**, by letter application dated June 25, 2024, Bakers Falls Solar, LLC and Nexamp submitted an application for a waiver from the temporary moratorium, and such application is subject to a public hearing to be held on 10 days public notice.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Moreau Town Board shall meet and hold a public hearing at the Moreau Town Hall, 351 Reynolds Road, Moreau, New York 12828, beginning at 7:01 p.m. on Tuesday, July 23, 2024 to hear all interested persons and take any necessary action provided by law concerning the waiver application; 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 required by State and Local Laws, including where applicable 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 project; and be it

**FURTHER RESOLVED**, that the Town Board further authorizes and directs the Moreau Town Clerk to publish and post a Notice of Public Hearing concerning the waiver application in the manner provided by law and to make a copy of the proposed waiver application available for public inspection in the Town Clerk’s office, and on the Town’s website, following the adoption of this Resolution and until the Public Hearing is closed.”

**Resolution 247-2024** A motion was made by Councilmember Donohue, seconded by Councilmember Stewart to adopt the resolution as read.

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 Donohue gave some background on a previous Solar Law that had been worked on but never adopted, and how it had been revised leading up to this meeting. He said a public hearing would be needed to move forward with the law and opened discussion on a date and time for the hearing, suggesting July 22 so there would be ample time for comments, since it would not be a regular meeting night. Upon Board members agreeing on Monday, July 22 at 6:30 p.m., Councilmember Donohue asked the Town Clerk to read a prepared resolution. She read:

**“RESOLUTION SCHEDULING PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 6 OF 2024 AMENDING CHAPTER 149 OF THE CODE OF THE TOWN OF MOREAU TO ESTABLISH REGULATIONS FOR SOLAR ENERGY SYSTEMS**

WHEREAS, the Town Board is considering the adoption of proposed Local Law No. 6 of 2024 entitled, “A Local Law Amending the Town of Moreau Town Code o Establish Regulations for Solar Energy Systems;” and

WHEREAS, adoption of this Local Law is authorized by the 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 the 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 6:30 p.m. on Monday, July 22, 2024 to hear all interested persons and take any necessary action provided by law concerning proposed Local Law No. 6 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 and post a Notice of Public Hearing concerning proposed Local Law No. 6 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 on the Town's website, following the adoption of this Resolution and until the Public Hearing is closed."

**Resolution 248-2024** A motion was made by Councilmember Donohue, seconded by Councilmember Stewart to adopt the resolution as read.

Councilmember Noonan said he did not want to enter into discussion but said July 22 was his daughter's birthday so he would not be in attendance at the hearing.

Asked by Supervisor Fish 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**

Ann Purdue asked in relation to the Bakers Falls Solar waiver that the Town publish the site plan, decommissioning plan agreement, and bond a week ahead of the hearing if possible. Likewise, she asked that the draft Local Law NO. 6 of 2024 be published at least 1 week prior to its public hearing to allow for review.

Carl Hourihan said he believed agenda item #5 related to him (Planning Board Alternate) and he thanked the Board in advance.

### **OLD BUSINESS**

No old business was brought for discussion.

### **WATER DEPARTMENT REQUEST**

**Resolution 249-2024** A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to approve Jeff Parish to attend Adirondack Water Works Conference July 17, 2024 at Century House Restaurant in Latham, NY at a cost of \$75 with use of a Town vehicle.

Supervisor Fish added that this is continuing education, and Kristian does not need it at this time.

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

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

The motion carried 5:0

### **MONTHLY REPORTS**

**Resolution 250-2024** A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to accept monthly reports from the Recreation Department, Building Department, and Assessor'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

### **PLANNING BOARD**

**Resolution 251-2024** A motion was made by Councilmember Killian, seconded by Councilmember Donohue to appoint Carl Hourihan as a Planning Board Alternate for a term to end December 31, 2027.

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

### **OVERTIME (Water Dept.)**

**Discussion:** Supervisor Fish introduced the topic of overtime for Water employees now because there are two full-time employees in the department whose schedules include alternating weekends and no weekend person. He explained that currently those employees are required to get pre-authorization for any overtime hours they work, and if an emergency arises, that can cause delays that compound the problem. At present, Jeffrey Parish adjusts his work schedule to offset any excess hours he works. Supervisor Fish asked the Board to consider setting a policy approving overtime pay for the Water Department as needed, which means the Town would know who is working and who has a phone at any given time.

Councilmember Stewart said this sounds reasonable, these are non-union employees, he said, adding that it seems like this would be required by NYS Labor Law unless an arrangement had been made with the employee in advance to offset their hours. Supervisor Fish said this way if they get a call at 3 a.m. stating that there's a leak somewhere, the employee doesn't have to call the Supervisor, Councilmember, or anyone else to ask if it's ok to go address it. Councilmember Killian asked about protocol, and Supervisor Fish said there is a dedicated phone people are supposed to call, and the employee working that day will have the phone. When they get a call about an accident, a leak, etc., the employee has to go get the truck, go to the location to ensure it's safe to work there,

and so on. Councilmember Killian agreed it's a good idea to simplify the process for the employees. Supervisor Fish said when he was the Water Superintendent, he was on salary, so he went and dealt with issues and didn't receive overtime pay but things were different then.

**Resolution 252-2024** A motion was made by Councilmember Donohue, seconded by Councilmember Killian to approve emergency overtime pay for the Water Department.

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

### **172 REDMOND ROAD**

Supervisor Fish stated that everyone has been aware of the problems at 172 Redmond Road for some time, and that Code Enforcement was able to locate the owner, who agreed to donate the property to the Town. The process, following acceptance of a resolution by the Board, according to Supervisor Fish, would be that documents will be signed, Town attorneys will complete and file documents with the County, then Code Enforcement, in collaboration with the Sheriff's Department, will clear, clean, and secure the property, board it up, and then a public notice will be published offering the property for sale at fair market value. Supervisor Fish continued, saying interested parties will submit sealed offers to the Town Clerk's office by a designated date. He said that the Assessor believes the funds from the sale of the house should cover the back taxes, clean-up costs, and attorney fees. He said documents had been prepared by the Town's attorneys to advance the process, and that the documents were before the Board members. He also said the Confidential Secretary had also worked hard to bring this opportunity to the Board. He then asked the Town Clerk to read a prepared resolution. She read:

**“RESOLUTION ACCEPTING A GIFT OF REAL PROPERTY LOCATED AT 170-172 REDMOND ROAD, TOWN OF MOREAU; AND AUTHORIZING THE TOWN TO CLEAN-UP, SECURE AND SELL THE PROPERTY LOCATED AT 170-172 REDMOND ROAD, TOWN OF MOREAU**

WHEREAS, the Town of Moreau has sought to compel the owner of a parcel of real property located at 170-172 Redmond Road in the Town of Moreau, SBL 62.-1-30, to remedy code violations which have resulted in the accumulation of significant trash inside and outside of the structure on the property; and

WHEREAS, the owner of the property does not reside at the property or within the County of Saratoga, and is unable to remedy the code violations, but has offered to convey the property to the Town as a gift; and

WHEREAS, the Town Board is authorized to accept a gift of real property pursuant to Town Law § 64 (8); and

WHEREAS, in accordance with Town Law § 64 (3), the Town is responsible for the management, custody and control of all Town lands, buildings and property of the Town and for keeping them in good repair; and

WHEREAS, upon receiving title to the property, the Town intends to remedy the code violations, secure the property and sell it at fair value.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Town Board authorizes the Town Supervisor to accept the gift of the real property located at 170-172 Redmond Road in the Town of Moreau.
2. The Town Board authorizes Town officials to remedy the code violations and secure the property in conformity with applicable Town procurement policies.
3. The Town Board authorizes the Supervisor to publish a request for offers to enter into a contract for sale of the property for fair value after it has been remedied and secured, with the understanding that any future sale of the property is subject to permissive referendum pursuant to Town Law § 64 (2).
4. This Resolution shall take effect immediately.”

**Discussion:** Councilmember Stewart questioned the address listed in the resolution of 170-172 Redmond Road. Attorney Bruening responded that when the property title search was run, both parcels were listed as one SBL. Supervisor Fish asked if the house itself could be located on both lots. Counsel indicated it was on a single lot. Councilmember Stewart said he was okay with it because the process includes a title search and that these issues will be clarified in the process. Councilmember Killian asked how long the process would take. Supervisor Fish asked Counsel. Attorney Gruening said the title pass will happen as soon as the deed comes back to the Town. He said he was told it was on its way, and once it is filed, the Town will attain ownership, after which the property can be secured. He continued, saying that once the property is ready to sell, and the Town enters into contract with the buyer the Town Board chooses, the next step is to wait for an opportunity for a permissive referendum.

Councilmember Stewart questioned whether the property had to be deemed surplus first, to which counsel applied in the negative. Counsel said some government entities need to operate in that manner to sell property, but the Town Board is not among them. He continued saying the Board had complete discretion, but that the “catch” is that it has to be done through permissive referendum. Councilmember Stewart said the way foreclosures are going at the County presently, the Supervisor’s office and attorneys did a great job making these arrangements to resolve the issues with the problematic property and recover any taxpayer dollars spent on addressing the issues. He called it a good and faster outcome.

Councilmember Donohue said the proposed resolution for the Redmond Road house was a big win for the neighbors, including himself. He said the Board, Code Enforcement (Pete Bachem) and Zoning Inspector (Matt Dreimiller) received much criticism because people assumed nothing was being done about this property. He said there are procedures the Town has to follow, and the homeowner has rights that cannot be violated. As a result, he said this process has been long, drawn out, and exhausting for many people. Code Enforcement had a thick file on the property, he said, and past solutions that looked like they would work fell apart. He mentioned Matt Dreimiller and Liz Bennet from the Supervisor’s office as having put a lot of work into this solution. He asked the public to be patient because the wheels of government turn slowly.

Councilmember Killian said as another step to the process, he said when current occupants should not be given another 30 or 60 days to vacate the property, and that it should be cleared and clean-up should begin that day the Town takes ownership. He said the neighbors should not see tents or any garbage beginning that day so it is no longer an eyesore.

**Resolution 253-2024** A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to approve the resolution as read.

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

### **BELLAMY CONSTRUCTION**

Supervisor Fish introduced the topic of a payment to Bellamy Construction, saying the payment in question should be the final payment on the County sewer line. He said the original figure for the cost of the line was over \$363,000, and in the end it will have cost \$47,700.

**Resolution 254-2024** A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to approve payment to Bellamy Construction.

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 thanked anyone who was involved in the Redmond Road property situation. He said when all the legal processes were explained and the current resolution was in progress, he backed off from commenting further on the property. He also wished to follow-up on previous comments he had made regarding solar. He referenced and handed the Town Clerk an article from the Chronicle newspaper depicting a ribbon-cutting ceremony on a 6.9-megawatt solar array on the Fort Edward landfill that will serve over 800 households. He said the power generated will be revenue for Fort Edward and help the State meet clean energy goals. He went on to say Moreau also has a capped landfill off Butler Road that he thought should be used similarly since it gets lots of sun and already has vegetation screening it. He also brought a recent utility bill as evidence of the cost savings to users of solar, saying his bill had been reduced from \$22.04 + \$17.88 (service & use totaling \$39.92) to credit of \$.72. He encouraged others to explore the option with their utility company as well, adding that HEAP eligibility will also have an effect on user billing.

Councilmember Stewart said he had met with solar companies in the past about the viability of placing solar arrays on Moreau's landfill, and he said the layout of the stacks that were placed upon closure were haphazard, not laid out in a grid or pattern that would create a workable layout for an array. He said he had spoken with 2 or 3 companies when he was first elected, so maybe technology had changed in that time. He also said it was a good idea because there is a suitable substation on Butler Road, and suggested perhaps Councilmember Killian could explore this further since he's speaking with companies now.

Mr. Tom also said that he did realize that Board members are working on things in the background, so if he commented at a meeting on something they were working on, to take it as words of support and not criticism. Councilmember Stewart said he appreciated Mr. Tom's input and just wanted him to know his comments were not falling on deaf ears. Councilmember Killian said he had spoken to a solar company that was optimistic and that he would check into it further.

Tom Masso wanted to follow up on his remarks at the previous meeting related to the USDA Saratoga Biochar Solutions (SBS) application comment period. He said the comment period had been extended to July 19 thanks to the volume of comments received so far, and by multiple requests. He said the 2022 Fertilizer Production Expansion Program was put in place, he said, because of the war in Ukraine, because Russia is the largest exporter of fertilizer in the world, the US is third the largest user and there have been disruptions in the supply chain. By introducing new, innovative methods of production, the hope was to reduce cost for farmers, he said. He continued, saying the grant was initially \$500 million which went to 66 applicants, then \$300 million was added in 2024. Most applications are not controversial, he said, but Saratoga Biochar Solutions' is not and 100 responses to a call for public comments is more than any other applicant. Mr. Masso said SBS is required to publish three notices; July 11, 12, & 13 and a public paper, which he believes is because the initial notice was somewhat obscure, being published in the Albany Times Union. Mr. Masso said he had spoken to Aaron Shellow-Lavine of WAMC the morning of the meeting, who said there had been misinformation according to Ray Apy of SBS—who clarified that the grant SBS applied for was not \$100 million. \$100 million was the maximum amount that could be applied for, he said, and SBS applied for \$25 million. SBS had allocated \$20.5 if approved, according to what Mr. Masso was told. Mr. Masso said whether it's \$100 million, \$25 million, or \$20, it's too much where taxpayer dollars are concerned, and the application should not be approved. He urged anyone who wanted to make comments to email them to: [josef.simme@usda.gov](mailto:josef.simme@usda.gov).

Jorge Padron asked when the Planning and Development think tank group would meet because he is interested in attending. Councilmember Killian said he believed the meetings are open to the public. Councilmember Noonan asked when the next meeting was. Councilmember Killian said it had not yet been set. He and Supervisor Fish said they would get in touch with Mr. Padron with the information when it was available. The Town Clerk added that Zoning Task Force meetings will be posted on the Town website as dates are provided to the Clerk's office. Mr. Padron said the Clean Air Action Network (CAAN) had posted the USDA Saratoga Biochar Solutions application and in it, he said he is actually listed as the only neighbor who would be impacted by the SBS project. This spurred his interest in the think tank meetings.

## **COMMITTEE REPORTS**

Councilmember Donohue reported on Big Bend Trail progress saying he had spoken to Tom Wolfe, that paving had just been completed and the next step would be some landscape work which was expected to be complete in August.

Councilmember Donohue also spoke about Betar Recreation Park improvements, for which he said grants are available. He said the Town owns the land between the park and Fort Edward Road, and he said perhaps a road could be brought into the park which would assist in future expansion of the park and relieve traffic issues at the other entrances. He said he, Josh Westfall, Building, Planning & Development Coordinator, and Recreation Director Jeremy Brogan had talked, and after looking into it, Mr. Westfall said there are up to \$500,000 in reimbursable grants available to apply for toward a project like this, but the deadline is the end of July. Councilmember Donohue said there are two ways to go; apply for a 2024 grant for planning & engineering, and a 2025 grant for implementation, or apply for both phases together this year. He said the planning/engineering should be about 15% of the total cost, and construction would be 85%. He said the grant can take 40 hours to write so the Board needs to give Mr. Westfall direction right away.

Councilmember Stewart said it's a good idea to bring in another road to relieve traffic issues on Jacobie Road, which had come up recently in a workshop to discuss a proposed housing development for the road. And he said it will add better access to the softball field areas of the park. Seeing if 75% of the cost of a project like this can be paid for with a grant was worth exploring, he said, adding that previous Boards had discussed the idea and the land in question had been attained, seemingly toward this goal. He said he supports moving forward with the project. Councilmember Killian said it's the right idea because traffic is tight and a new road would relieve dangerous bottlenecks.



Councilmember Donohue said to get started they need two engineering firms to provide estimates. Mr. Westfall is prepared to make contacts and take care of that aspect, he said. Councilmember Stewart asked if the cost needed to be capped for the engineering proposals. He said since the grants aren't guaranteed, he was hesitant to incur excessive cost for these estimates. He said he would work with Jeffrey Cruz, Principal Account Clerk, in the Supervisor's office to find the funds and said he would be comfortable with a \$5,000 cap to move the project forward. He then asked if a motion was an acceptable way to move forward.

Councilmember Noonan said the Jan Avenue entrance was intended to be temporary and asked how many years it's been. Supervisor Fish said the Town is fortunate to have a staff member who is able to write the grant, in reference to Josh Westfall. Councilmember Donohue agreed and added that the grant in question is targeted specifically to park accessibility. Councilmember Stewart mentioned the Town has a new engineering firm and another firm would have to be contacted as well. He asked Councilmember Noonan what it has usually cost for engineering estimates in his time on the Board, to avoid setting a cap that is too low. Councilmember Noonan said he thought it had been \$6,000-\$7,000 per grant with LA Group. Supervisor Fish said the sewer project cost \$25,000. Councilmember Noonan said for other park engineering he believed it had been \$6,000-\$7,000, but he said that was a few years ago so prices may have gone up. Supervisor Fish asked if the figure is higher, can they revisit it at another meeting. Councilmember Stewart said they could modify it at a meeting.

**Resolution 255-2024** A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to request that Josh Westfall move forward with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) grant, working with two engineering firms, in coordination with the Supervisor's office, to not exceed \$5,000.

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 Donohue also said he and Confidential Secretary Bennett were still working with E-Waste for the Transfer Station, and that the paperwork is in motion, that registration with the New York State Department of Environmental Conservation (NYSDEC) is required. E-Waste can accept anything deemed acceptable by NYSDEC. First a permit from NYSDEC is required, he said, and once that is issued, he still wants to get exact details on what can be accepted and how it works. He said right now it looks like everything is free.

Councilmember Stewart reported on Recreation, saying that when BOCES expanded the Recreation Department parking lot with the assistance of the Highway Department, the cost of materials was taken directly from the Recreation Department budget. The plan, he said, was to get solid numbers to finish clearing the smaller t-ball field and clear the fields. He said that was not budgeted for, so he wants to meet with Youth Baseball and review the plans with them.

Big 3 Basketball camp numbers have been good Councilmember Stewart said, with 15+ children participating the first week and 10+ the second week. He also reported that he had met with the Fire Department that day, at which he had been given a copy of their private audit. He said he had given it to the Supervisor's Office for distribution to the Board. He said the Board had been requesting this for years, which was corroborated by Councilmember Noonan. Councilmember Stewart said he is working to maintain a good working relationship with the Fire Company. They requested dry hydrants on River Road, he said, which they believed had been budgeted for in previous years. He said they would like one on the corner of Clark Rd., and one in the area of

1695 River Road. He said he learned from the Fire Co. that a dry hydrant is a pipe that leads to the river or the nearby creek. Councilmember Stewart asked the Board what direction they should go—should the water department handle the request? The Highway Department? He asked if permitting was required, or if it should be referred to Town engineers. He said there had been a large fire in that area which raised their concerns. Supervisor Fish said tapping into the river is difficult and has to be done professionally because when high water comes, it can get swept away. He said this is beyond the scope of the Water Dept. but the creek may be possible.

Another concern brought up by Councilmember Stewart on behalf of the Fire Company was whether it is possible for the Town Highway Department to assist with snow removal. He said they want to be prepared to go out to bid if necessary, but wanted to know if it is possible for the Town to help. Highway Superintendent Abrams said that in the past the Fire Company complained that the Highway Department hadn't gotten there quickly enough. Councilmember Stewart said he would go back to the Supervisor's Office and Highway to see if that is something the Town can commit to. He said they asked the Fire Company to come to the Town sooner with concerns, and they came in July.

Councilmember Stewart brought up a proposed Eagle Scout project in relation to the Community Garden. He said the proposal includes a pergola, walkway, and hardscaping, and that the scout had referenced the Town rec plan and reports in his plan, and that the Boy Scout is required to complete the Eagle project before he turns 18. The Councilmember said the scout projected the cost, above and beyond materials donations he can secure, will be \$4,000 for additional materials including concrete. The scout expects to be able to fundraise \$2,000, and the councilmember asked if the Town would be willing to match the fundraised dollars. Councilmember Stewart said the scout would give the Town any additional funds he raises toward the project and that the scout needs to bring his Eagle award project proposal before the Council for approval. Councilmember Stewart said he was impressed by the detail of the plan, wanted to support the scout, and since the Town had moved the Community Garden to the Town Hall property, \$2000 was a small investment into something that will be exponentially nicer for residents while supporting a young man in trying to reach his goal. Councilmember Killian said it was a great idea. Supervisor Fish asked for a timeline. Councilmember Stewart said if he had support for the project at that meeting, he would be prepared to take action on the proposal at the next meeting. Supervisor Fish said he would speak with Principal Account Clerk Cruz to see where the funds could be directed from for the project. Supervisor Fish has the scout's father had come in and spoke in detail about the project. Councilmember Stewart said if the project does not have the Board's support, he would look for private donations to help bring the project to fruition and thinks the Town should support it. Councilmembers Donohue and Noonan signaled their approval. Supervisor Fish said he would look into the funding and the Board could take action at the next meeting.

## **SUPERVISOR'S ITEMS**

Supervisor Fish said that the Town had been awarded a \$10,000 economic development grant by the County to be used to upgrade bathrooms at the Harry J. Betar Jr. Recreational Park. He thanked Joshua Westfall, BPD Coordinator, for writing the successful grant.

He said multiple Town departments are working together to update the Town's Peddlers Permit application, which regulates food trucks and other vendors. The current code was written in 1973, when food trucks were less common, he said, and there will be more to come on this topic at a future meeting. Supervisor Fish went on to say if someone comes in and things don't go the way they want them to due to a technicality of the written code, he wished they would stop and think before they come and take it out on Town staff. He said a couple of staff members received "nasty emails" around this issue and he was not happy about it.

## **EXECUTIVE SESSION**

Councilmember Noonan said he would like to enter into executive session to discuss the work performance of an unnamed employee. Councilmember Stewart said it was relating to an employee or employees and was carried

over from the previous meeting. Councilmember Stewart then invited Highway Superintendent Abrams to join the Board in executive session.

**Resolution 255-2024** A motion was made by Councilmember Stewart, seconded by Councilmember Killian, to move to Executive Session to discuss the employment history of a particular person or corporation or matters related to the appointment, employment, or dismissal of a particular person or corporation

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 256-2024** A motion was made by Councilmember Noonan, seconded by Councilmember Killian, to exit Executive Session where no action was taken.

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

## **ADJOURNMENT**

**Resolution 257-2024** A motion was made by Councilmember Stewart, 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 8:47 p.m.

Respectfully submitted,  
*Erin Trombley*  
Erin Trombley, Town Clerk