

The meeting was held in person. The Supervisor called the meeting to order at 7:05 p.m. with an attendance roll call and the Pledge of Allegiance.

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

ALSO PRESENT:	Erin Trombley	Town Clerk
	Chris Abrams	Highway Superintendent
	Josh Westfall	Building, Planning and Development Coordinator
	Jeremy Brogan	Recreation Director

OTHERS PRESENT: Ronald Quinn, Jr. (Moreau EMS), Steven VanGuilder (Moreau EMS), Gina LeClair, Bob LeClair, Michelle Smith, (illegible) resident at 7 Snowberry Lane, Bruce Lant (South Glens Falls Fire Co.), David Rogge (Lamplighter Acres), TJ Wade, Maureen Dennis (Schermerhorn Real Estate Holdings), Alex Portal (Post-Star)

SOUTH GLENS FALLS FIRE COMPANY 2025 CONTRACT PUBLIC HEARING

Supervisor Fish opened the hearing by saying that 2025 contract with the So. Glens Falls Fire Co. was unchanged from the previous year with the exception of an additional \$200,000 allocated to the purchase of a new fire truck. He said the Town would also pay a portion of the Company's insurance.

Resolution 46-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to open the public hearing on the 2025 South Glens Falls Fire Company contract.

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.

Thomas "TJ" Wade asked if the Board could summarize the differences between the Town and Village of South Glens Falls contracts because he said he had heard there was some kind of issue or contract delay between the Town and Village. Councilmember Stewart said the Town was not holding anything up and that the Board had negotiated the contract with the Fire Company. He said as far as the Town was concerned, any issue was worked out. Supervisor Fish said he could not speak to any concerns with the Village and suggested Mr. Wade attend the Village meetings to learn more. Mr. Wade said he believed all the parties should work things out. Councilmember Stewart said the lead agency with the Fire Company is the Village, and that the Town contracts with the Fire Department, not the Village of South Glens Falls, for fire services.

Resolution 47-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to close the public hearing on the 2025 South Glens Falls Fire Company contract.

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.

Resolution 48-2025 A motion was made by Councilmember Donohue, seconded by Councilmember Stewart, to authorize the Supervisor to sign the 2025 South Glens Falls Fire Company contract.

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 EMERGENCY SQUAD 2025 CONTRACT PUBLIC HEARING

Supervisor Fish said that, like the fire company contract, the Moreau Emergency Squad contract was unchanged from the prior year except for the total to be paid, which is \$271,000.

Resolution 49-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to open the public hearing on the 2025 Moreau Emergency Squad contract.

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.

No comments were made.

Resolution 50-2025 A motion was made by Councilmember Donohue, seconded by Councilmember Noonan, to close the public hearing.

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 51-2025 A motion was made by Councilmember Donohue, seconded by Councilmember Noonan, authorizing the Supervisor to sign the 2025 Moreau Emergency Squad contract.

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.

PROPOSED RESOLUTIONS

Supervisor Fish asked the Town Clerk to read prepared resolutions A through H. She read:

Approval of Minutes

“A. Resolution to accept and approve the minutes for the regular Town Board meeting on November 26, 2024, with edits to the Harry Gutheil’s public comments.

B. Resolution to accept and approve the minutes for the Organizational Meeting on January 7, 2025, as submitted.

C. Resolution to accept and approve the minutes for the regular Town Board meeting on January 14, 2025 as submitted.”

Highway Department

“D. Resolution to purchase a John Deere 6m 105 Tractor from United Ag & Turf at a cost not to exceed \$116,500 to come out of account DB5130.2.

E. Resolution to purchase a Diamond 22’ Boom Mower from Stephenson Equipment at a cost not to exceed \$78,500 to come out of account DB5130.2.”

Transfer Station

“F. Resolution to purchase cutting edges for the 2014 CAT 938K loader from Anderson Equipment Company at an amount not to exceed \$940.14 from account TS8160.4.”

Councilmember Killian asked if Adirondack Highway Material was still in business doing cutting edges. Someone said they were not. Superintendent Abrams said he had gotten three prices for the equipment.

Recreation Department

“G. Resolution to prepay Damian Renzello 70% of the ice rink cost at an amount not to exceed \$8,081.15 to come out of the recreation capital reserve account.”

Assessor’s Office

“H. Resolution authorizing the Supervisor to sign the 2025 contract with GAR Associates for assessment support.”

Supervisor Fish said GAR Associates price was up to \$47,500, which was the same as 2024. He said there is \$2,500 add-on for service that he said Saratoga County offers that costs the Town nothing. He questioned whether the Board wanted to keep the additional component or if the Town wanted to use the County site for that function. Councilmember Noonan asked what the Assessor’s opinion was of the add-on service. He said he thought if the County site offered the same utility and cost nothing, it was likely she would recommend using the County site. Supervisor Fish said he believed there were features of the County site that citizens cannot use but realtors can. Councilmember Noonan asked if the request had come from the Assessor, and Supervisor Fish confirmed that it had. The Councilmember said he supported the request from the Assessor as written.

PUBLIC COMMENT PERIOD

No comments were offered.

BOARD DISCUSSION

Councilmember Noonan inquired about Proposed Resolution G, regarding prepayment of the Recreation Park ice rink. He said he understood why a vendor would request prepayment, but asked if the Town had done this before. Supervisor Fish said they had not. The Councilmember then asked what recourse the Town had in the event the rink doesn’t materialize. He said 70% prepayment on an \$11,000 item was a risk and asked if the Board was comfortable with the arrangement. He questioned if it was in alignment with the Town’s procurement policy.

Councilmember Stewart said the rink went out to bid and the vendors should have known. He asked Town Counsel if Small Claims Court was the only way to recoup the payment. Attorney Bruening asked if the bid had been received with the payment terms listed in this way. Councilmember Stewart said he was unsure if the payment structure had been in place at that time. He said his preference would be to table the item until Recreation Director Brogan could reach out to the vendor about the Town procurement policy. He said if the vendor is not willing to comply with the policy, Mr. Brogan should seek a third quote to present to the Board. Councilmember Donohue said he agreed. Supervisor Fish 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

Item G was tabled.

Resolution 52-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Noonan, to adopt proposed resolution A as read.

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

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

The motion carried 4:0.

Resolution 53-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue, to adopt proposed resolution C as read.

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

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

The motion carried 3:0.

Resolution 54-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Killian, to adopt proposed resolutions B, D, E, F, and H, 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.

PUBLIC COMMENT PERIOD

Dave Rogge said he had missed the previous meeting but that he understood there would be a hearing on sewer in February. He asked if the public would have choices of how rates would roll out. Supervisor Fish said the next item on the agenda was setting a public hearing, and that they did not have all the figures yet, but that the Board had met and water usage needed to be reviewed by the engineers on a few properties. He was comfortable with what they had come up with to that point. Councilmember Stewart said a lot of thought had gone into the process and C2AE had been retained to review this. Left to be settled, he said, was the base water treatment cost across the district, and the debt to assign by EDU. The councilmember said he knew they had to give 24 hours' notice, but that he would give them the information as soon as it was available. He said he and the Supervisor had spoken with the engineers the previous Friday.

Mr. Rogge asked how EDUs would factor in with new businesses entering the district. He questioned if the value of the project would determine the cost, and that the EDU value was arbitrary. He said he had supported the sewer project but now he said the Zoning Board doesn't want apartments along Route 9, even with commercial business along the front. "You're killing us," he said, saying new business was needed to pick up some of the burden. He said he had a \$1 million project to propose but that the EDU should almost nothing because there wouldn't be many bathrooms.

Councilmember Stewart deferred to Counsel, saying that they had been briefed that to set the sewer rate based on the value of the project was unlawful. He said the fee is for a service, which is waste water treatment, not the value of the building. He said they were being billed based on the cost to provide the service. Attorney Bruening confirmed that this is correct, billing based on value is specifically prohibited, that it must be based on benefit. Counsel said the Town Board determines how the benefit is calculated, and in this case they lean toward an EDU

methodology. He said it was one of the fairest methods available, eliminating the problem of illegal ad valorem charges.

Supervisor Fish gave an example, stating that Lamplighter Acres has 371 homes. Each home, he said, was one EDU. He said if there were only three homes on the same property, there would be three EDUs. Councilmember Stewart said that as the biggest user of sewer, Lamplighter Acres was looked at and the rate per EDU was less than what was proposed previously. Supervisor Fish said that if the rates had been adopted as they had previously been proposed, they would have been against the law. Mr. Rogge asked how it would work with a \$10 million warehouse and 4 toilets. Councilmember Stewart said the fee would be based on use, and that the value of the building is based on assessment, for which the owner would already be taxed. To increase the cost of sewer use based upon the assessment in addition would be unfair, he said.

Mr. Rogge asked if Hoffman Car Wash would only have one or two EDUs. Supervisor Fish said that was one of the properties under review based upon how much water they are using, adding that Hudson Headwaters was also being reviewed for the same reason. Councilmember Stewart said they were not targeting certain businesses, but rather trying to ensure appropriate billing. The Councilmember also cited some plazas along Route 9 that were assigned only one EDU despite multiple storefronts and a number of bathrooms. Gas station pump islands and numbers of seats in a restaurant are also factors in determining the EDU, he said.

Mr. Rogge said the whole sewer idea was sold to those who would be impacted as a boon for attracting new business, and as new businesses came in, their sewer rates would continue to drop. He said his business has been there for over 50 years and Moreau grows slowly. He said the blame for that was a little on the Town Board, a little on the Planning Board, a little Zoning Board, and also partly on the Town's residents saying they don't want the various types of planned developments. Bringing in more people, he said, brings in businesses to make some money. Councilmember Stewart vowed to get the figures out as soon as possible and reassured him that the figures would be close to what they had seen when they voted on the project.

OLD BUSINESS

Resolution 55-2025 A motion was made by Councilmember Donohue, seconded by Councilmember Killian, to set a public hearing on sewer rates for February 11, 2025 at 7:01 p.m.

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 56-2025 A motion was made by Councilmember Donohue, seconded by Councilmember Killian, to set a public hearing for proposed Local Law No. 4 of 2025 on March 11, 2025.

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.

COMMITTEE REPORTS

Recreation

Councilmember Donohue said he, Councilmember Stewart and Recreation Director Brogan would be meeting that week to discuss details of planned expansion of the adaptive playground. He said they would be approaching State Assemblywoman Carrie Woerner for some funds.

Transfer Station

Councilmember Donohue said the electronics recycling program has been a big hit, exceeding the expectations even of the company who picks up the material.

Personnel

Councilmember Stewart said he had talked with Councilmember Killian and they had some things to bring to the Board. Department Heads need clear direction on the hiring process, he said. With multiple positions being hired now, and having reviewed the Town handbook, he said he would like to develop a process for Department Heads to follow. He said, for example, does the Department Head pick through applicants to bring finalists for review/interview with the Personnel Committee or Board; does the Department Head do the hiring and just tell the Board who it is? He said he believed a policy or resolution should be adopted across the board for all departments to follow. Councilmember Killian said he thought it was a good idea to assess candidates as they come in. Councilmember Donohue suggested setting policies around how long a job should be posted, and when they are posted. He said he favored letting Department Heads narrow the field since they will be working with the candidate every day potentially.

Supervisor Fish suggested language on a job posted indicating that applications would be accepted up until a set date. Councilmember Noonan asked who posts the positions. He asked if it was the Department Head's responsibility to get it posted in a timely fashion. Supervisor Fish asked if it was the Department Head or Town Board that determines if the job should be posted. The consensus was that that the Board determines whether to post. Supervisor Fish said his Confidential Secretary had posted some positions in the past. Confidential Secretary Bennett said the process from the time the Board approves posting a position is that the job description is obtained from Saratoga County, updates are made as needed, and Principal Account Clerk Cruz posts them within a day or two on the Town website. She added they are also shared on social media.

Councilmember Stewart raised questions about the Assistant Building Inspector position that had been approved in the budget process, and whether the Building Department could be authorized to post the position.

Resolution 57-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Killian, to post the Assistant Building Inspector until February 28, 2025.

Discussion: Councilmember Stewart asked about how long to post the position. Some members of the Board suggested 10 days. Counsel said in the Court system 20-30 days are more standard.

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 Killian asked if anyone had discussed a time to meet with Rec.com about recreation software. He said he had used it and it is in use in Queensbury. He said it could alleviate some of the load on the Recreation Director. Councilmember Stewart said he knew the Recreation Director was working through it but was unsure where things stood with implementation.

SUPERVISOR'S ITEMS

Supervisor Fish announced that in January 21 the NYS Department of Environmental Conservation had sent a notice that Saratoga Biochar had withdrawn their appeal of the permit decision, and that Saratoga Biochar was done as far as returning to Moreau in any way. He thanked Gina LeClair and others who had been instrumental in organizing the efforts that helped bring this result about. Ms. LeClair thanked those who had run for office for helping bring this about and helping to correct many issues that needed to be addressed.

EXECUTIVE SESSION

No Executive Session was required.

ADJOURNMENT

Resolution 58-2025 A motion was made by Councilmember Donohue, seconded by Councilmember Stewart, to adjourn the meeting.

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

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

The motion carried 5:0. The meeting was adjourned at 7:48 p.m.

Respectfully submitted,
Erin Trombley
Erin Trombley
Town Clerk