

*A regular meeting of the Moreau Town Board was held at 7:00 p.m. on April 14, 2026 at the Moreau Municipal Building, 351 Reynolds Road, Moreau, Saratoga County, New York.*

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

<b>PRESENT:</b>	John Donohue	Councilmember
	Laura Garrant	Councilmember
	Patrick Killian	Councilmember
	Mark Stewart	Councilmember
	Jesse A. Fish, Jr.	Supervisor

<b>ALSO PRESENT:</b>	Erin Trombley	Town Clerk
	Chris Abrams	Highway Superintendent
	Jeremy Brogan	Recreation Director
	Reed Antis	Town Historian
	Elizabeth Bennett	Confidential Secretary

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**OTHERS PRESENT:** Krista Bennett, John Cox, Diane Selchick (CSEA), Dean Ellis Jr., Michelle Smith, Ritchie Wiltshire, Bri Lebrecht, Beth Wadleigh, Lyman Peters, Jr., Bruce Yarter, Chris Scarincio, Judi Ruscetti, Pete Ruscetti, Mike Shaver, Gina LeClair, Michael Saitz, Alex Portal (Post-Star)

## **PUBLIC HEARING**

Supervisor Fish said a new notice had been posted regarding the cable franchise agreement, and asked the Town Clerk to read the resolution opening the public hearing. She read:

“**BE IT RESOLVED**, that the Town Board hereby opens a public hearing to take comments regarding the Charter Cable Franchise Agreement.”

**Resolution 131-2026** A motion was made by Councilmember Garrant, seconded by Councilmember Donohue to accept the resolution as read.

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

Councilmember Donohue	Aye
Councilmember Garrant	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

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Supervisor Fish opened the floor for public comment. Reed Antis asked if the public has any real say in the matter or if it was a formality. The Supervisor said they do have some say, and the Town ensures the agreement is proper. Confidential Secretary Bennett mentioned that the Town had received a \$181,000 check from the cable company under the terms of the previous agreement.

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The Town Clerk was asked for the resolution closing the hearing. She said:

“**BE IT RESOLVED**, that the Town Board hereby closes the public hearing with regard to the Charter Cable Franchise Agreement.”

**Resolution 132-2026** A motion was made by Councilmember Garrant, seconded by Councilmember Donohue to accept the resolution as presented.

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

Councilmember Donohue	Aye
Councilmember Garrant	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

## **UPCOMING EVENTS & ANNOUNCEMENTS**

### Route 9 Corridor Improvement Study

Supervisor Fish said there were flyers on the table outside the Board room which detailed the upcoming Route 9 Corridor Improvement Study Open House. Councilmember Killian thanked Building, Planning & Development (BPD) Coordinator Westfall for his work on grants, and talked about the focus group that worked on the preliminary plans for the Route 9 corridor. He said each of the Board members had attended at least one meeting. He said studies were discussed, studies are important to determining the who, what, why, and where the Town acts. MJ Engineering has been working on this for some time and brought illuminating information to the table. He said the Open House would be held at Fitzgerald’s on April 30 from 6-8 p.m. He said some surveys are out already and will be posted on the website and social media. He asked people to spread the word.

### Saratoga County Deceased Veterans Ceremony

The Supervisor said that at 2:00 p.m. on April 21, Bruce Abare, a well-known local veteran and former Town employee would be honored at a ceremony at the County building in Ballston Spa, where a flag was raised in his memory. The Supervisor said that a few years before Tim Pratt had been honored at this ceremony and that he expected this year’s ceremony to be equally good.

## **APPROVAL OF MINUTES**

The Supervisor asked the Town Clerk to read the prepared resolution. She read:

“**BE IT RESOLVED**, that the Town Board accepts and approves the minutes for the Special Town Board meeting, held on March 20, 2026, as submitted.”

**Resolution 133-2026** A motion was made by Councilmember Donohue, seconded by Councilmember Stewart to accept the resolution as presented.

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

Councilmember Donohue	Aye
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Councilmember Garrant	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

## **PRIVILEGE OF THE FLOOR**

Krista Bennett said she was disappointed a draft resolution or workshop was not presented for this meeting. She said she had prepared a document to help. She read the following statement:

“My name is Krista Bennett. I'm a resident of the Town of Moreau and a community mental health provider. The Town of Moreau should adopt a controlled community flagpole policy. I value inclusion, constitutionally sound government speech, and community pride. The absence of policy creates constitutional violations. In *Shurtleff v. City of Boston*, the Supreme Court ruled that Boston violated the First Amendment because it allowed broad public access to a flagpole without clear standards, effectively creating a public forum.

Boston lost not because it flew flags, but because it failed to define municipal control. New York municipalities already have the authority to regulate flags and flag poles on town property. In response to the recent court ruling, municipalities in New York are adopting flagpole policies. For example, the Town of Lansing has a policy governing what flags may be displayed and how. This establishes clear legal framework for local control. A controlled community flagpole policy solves both the legal and community concerns.

A community flag policy should define eligible categories, including governmental, civic, cultural, historical, or public awareness observances that are broadly recognized in the United States. Eligibility should be tied to objective standards, such as federal, state, town proclamations, or established awareness designations. All flags must require Town Board approval and be explicitly designated as government speech. The policy should also include neutral limitations excluding flags that are partisan, commercial, or discriminatory.

This structure prevents unconstitutional public forums while ensuring equal access without favoritism. It allows the town to reflect community values responsibly and protects against compelled endorsements of harmful viewpoints. But beyond legality, this policy strengthens community identity. A community flagpole creates space to recognize the events and traditions that bring us together. Celebrations like the South High Marathon Dance and other shared community celebrations that define local pride. It allows the Town to highlight what unites its residents, not divide them, through intentional and inclusive recognition. The lesson of *Shurtleff v. City of Boston* is not to eliminate expression, but to govern it clearly. New York municipalities already have the authority. A controlled, neutral community flagpole policy preserves constitutional integrity, promotes inclusive recognition, and strengthens community pride.”

## **CABLE FRANCHISE AGREEMENT**

The Supervisor asked the Town Clerk to read the cable franchise agreement. She read:

“An application has been duly made to the Board of the Town of Moreau, County of Saratoga, New York, by Spectrum Northeast, LLC, an indirect subsidiary of Charter Communications, Inc. ("Charter"), a

limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 20 Century Hill Dr., Latham, NY 12110, for the approval of a renewal agreement for Charter's cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission.

The franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Town of Moreau, New York on April 14, 2026 at 7:01 P.M. and notice of the hearing was published in the Saratogian on April 2, 2026.

**NOW, THEREFORE**, the Board of the Town of Moreau finds that:

1. Spectrum Northeast; LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

**BE IT FURTHER RESOLVED** that the Board of the Town of Moreau hereby grants the cable television franchise of Spectrum Northeast, LLC and the Town of Moreau for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

**BE IT FURTHER RESOLVED** that the Board of the Town of Moreau hereby confirms acceptance of this franchise renewal agreement.”

**Resolution 134-2026** A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to accept the resolution as presented.

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

Councilmember Donohue	Aye
Councilmember Garrant	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

## **SUPERVISOR’S OFFICE**

### Bookkeeper Training

Supervisor Fish said that before Principal Account Clerk Cruz left the Town, he recommended some trainings that he thought would be beneficial for the new Bookkeeper, Kristal Smith, to participate in. The Supervisor asked the Town Clerk to read a prepared resolution. She read:

**“BE IT RESOLVED**, that the Town Board authorizes Bookkeeper Krystal Smith to attend the following trainings:

- Introduction to Government Accounting, a virtual course on May 12 & 13, 2026, for an amount not to exceed \$85
- Accounting Principles and Procedures, a virtual course on June 10 & 11, 2026, for an amount not to exceed \$85
- New York State and Local Retirement System in person seminar at the Town of Bolton, on April 30 or May 1, 2026, which is provided at no cost to the Town
- NY Association of Towns 2026 Regional Town Finance & Personnel School, at the Marriott Albany on May 6 & 7, 2026, for an amount not to exceed \$250.”

**Resolution 135-2026** A motion was made by Councilmember Donohue, seconded by Councilmember Garrant to accept the resolution as read.

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

Councilmember Donohue	Aye
Councilmember Garrant	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Personal/Vacation Time Payout

Supervisor Fish said Matt Dreimiller had worked for the Town for nine years, and recently passed away. The Supervisor said Mr. Dreimiller hadn’t used his vacation and very little personal time for the year, and Mr. Dreimiller’s family asked if the accumulated time could be paid out. The Supervisor said the Town handbook states that the Town does not pay out benefits, but that the Board could pass a resolution to make an exception for special circumstances. He opened the floor for Board discussion.

Councilmember Stewart said time is earned annually on the 1<sup>st</sup> of the year. He said he had participated in the discussion to set the policy, and that there hadn’t been discussion of death when the policy was crafted. The Councilmember directed a question to the Town’s attorney, saying he supported giving the funds to the family, but questioned how tax would be deducted, and whether funds should be disbursed as a stipend. Attorney Bruening said disbursing the funds was legal. Secretary Bennett said Mr. Dreimiller had passed away at the end of a pay period, and that the next paycheck went to the estate.

**Resolution 136-2026** A motion was made by Councilmember Stewart, seconded by Councilmember Garrant to make an exception to the Town handbook policy to allow payment of 26.5 hours of personal time and 175 hours of vacation time and to allow staff to determine the appropriate method to disburse the funds.

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

Councilmember Donohue	Aye
Councilmember Garrant	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

## **FLAG POLICY**

Supervisor Fish said a petition had been submitted with 228 signatures against having a separate flagpole or policy. (See appendix.) The Supervisor opened Board discussion on the flag policy. Councilmember Donohue said that at the last meeting, the consensus of the Board was to support a policy allowing a separate flagpole, and that they asked Attorney Bruening to draft a policy reflecting this. The Councilmember said there were legal questions and that he hoped they would have a new draft to present for the next meeting. Councilmember Stewart said there were details and case law to consider. He said they wanted to be sure they met all the criteria and that the policy gives the Board clear direction. Councilmember Donohue said they wanted to get the policy right and said he sees the community flagpole as a positive for the community, an opportunity to bring the community together. He said Moreau is a community that cares and wants this to be a positive for the community. Councilmember Garrant thanked Attorney Bruening for the draft.

## **BUILDING, PLANNING & DEVELOPMENT DEPARTMENT**

Supervisor Fish said the Building, Planning & Development office was looking to purchase code books, which had been out of stock. He said the books had been budgeted for and asked the Town Clerk to read the resolution. She read:

**“BE IT RESOLVED**, that the Town Board authorizes the purchase of 2025 ICC Code Books from the International Codes Council at a cost not to exceed \$921.02, as budgeted, to be paid from account B3620.4.”

**Resolution 137-2026** A motion was made by Councilmember Donohue, seconded by Councilmember Killian to accept the resolution as read.

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

Councilmember Donohue	Aye
Councilmember Garrant	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

## **HIGHWAY DEPARTMENT**

The Supervisor asked Town Clerk Trombley to read the prepared resolution. She read:

**“BE IT RESOLVED**, that the Town Board authorizes the hiring of John Hewitt at a part-time wingman/flagger for the Highway Department, on an as needed basis, at a rate of \$19/hour to begin immediately upon the completion of a background check and pre-employment physical.”

**Resolution 138-2026** A motion was made by Councilmember Donohue, seconded by Councilmember Killian to accept the resolution as read.

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

Councilmember Donohue	Aye
Councilmember Garrant	Aye

Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

## **WATER & SEWER DEPARTMENT**

Supervisor Fish said the Board had approved a resolution authorizing a new sewer extension, that it required a permissive referendum, and that the period of the referendum had passed. Because the resolution was published with the agenda ahead of the meeting, the resolution could be passed as presented.

**Resolution 138-2026** A motion was made by Councilmember Donohue, seconded by Councilmember Killian to approve the resolution as presented. (See appendix.)

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

Councilmember Donohue	Aye
Councilmember Garrant	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

## **RECREATION DEPARTMENT**

Supervisor Fish said the Recreation Director wanted to hire additional staff but said there was discussion needed about the pay rate.

**Discussion:** Recreation Director Brogan said the candidates were seeking \$20 per hour, but he said he thought \$18 per hour with more hours would be acceptable. Councilmember Stewart said they had more full-time employees so he hoped the part-time employees' hours would be somewhat limited. He asked Mr. Brogan if he believed that positions that had been offered recently that were later declined had been rejected over the rate of pay. The Councilmember pointed out that they just approved other employees at a rate of \$19 per hour, and asked the Director if his budget would support that rate, adding that that offering the same starting rate may prevent employees changing departments to get a better rate. Mr. Brogan said his budget would support that rate since the candidate will be going back to college in the fall.

The Town Clerk read the resolution:

**“BE IT RESOLVED**, that the Town Board authorizes the hiring of Beth Belair as a part-time laborer for the Recreation Department at a rate of \$19/hour to begin immediately upon the completion of a background check and pre-employment physical.”

**Resolution 139-2026** A motion was made by Councilmember Donohue, seconded by Councilmember Killian to approve the resolution as presented.

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

Councilmember Donohue	Aye
Councilmember Garrant	Aye

Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

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**Resolution 140-2026** A motion was made by Councilmember Donohue, seconded by Councilmember Stewart to rescind Resolution 124-2026 hiring John Rosati as a part-time Recreation Department laborer.

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

Councilmember Donohue	Aye
Councilmember Garrant	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

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The Supervisor said the Board had received forms for review from the Recreation Director. Recreation Director Brogan said some of the material had been updated by the Town's attorney the previous year. Councilmember Stewart said he had reviewed the documents, and while no policy or rules had been changed, they have made it clear on the forms the policies and rules previously set by Board resolution. He reviewed the refund policy as presented on the form. He asked Counsel if the verbiage should read that any full or partial credit issued must be used on future tournaments within the same fiscal year. Mr. Brogan said it would be difficult to do for fall tournaments.

The Councilmember also reviewed the fees for games beginning before regular park hours and played after park closing hours, as well as the cost of using QuickDry on fields. He described the off-hours play and QuickDry fees as pass-through payments for actual expenses. Councilmembers Donohue and Killian agreed to go ahead. Councilmember Stewart said he hoped it would only require review by Counsel, and they hoped to get the forms out before the first tournaments. Contracts would still be signed at the Supervisor's Office, he said.

**Resolution 141-2026** A motion was made by Councilmember Killian, seconded by Councilmember Donohue to approve the refund/cancelation and additional fees presented on tournament forms pending approval by the Town's attorney.

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

Councilmember Donohue	Aye
Councilmember Garrant	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

## **TRANSFER STATION**

Supervisor Fish said the loader needed repair, and the part quoted by the first company was the incorrect part.

**“BE IT RESOLVED**, that the Town Board authorizes the payment to Pastore Rental for repair to the Transfer Station loader at an amount no to exceed \$4,496.59, which will be paid from account TSS160.4.”

**Resolution 142-2026** A motion was made by Councilmember Garrant, seconded by Councilmember Stewart to approve the refund cancelation policy.

**Discussion:** Councilmember Killian inquired about the part that had been misquoted. Supervisor Fish said a second wiring harness was required but was not quoted. He said that even if CAT had come to do the repair, they couldn't have repaired the loader without the second wiring harness.

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

Councilmember Donohue	Aye
Councilmember Garrant	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

## **MONTHLY DEPARTMENT REPORTS**

Supervisor Fish asked Town Clerk Trombley to read the resolution. She read:

**“BE IT RESOLVED**, that the Town Board accepts the Monthly Department Head reports for the:

- Assessor's Office
- Recreation Department
- Highway Department
- Water & Sewer Department
- Transfer Station
- Town Historian.”

**Resolution 143-2026** A motion was made by Councilmember Garrant, seconded by Councilmember Stewart to approve the refund cancelation policy.

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

Councilmember Donohue	Aye
Councilmember Garrant	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

## **LEGISLATIVE HEARING**

Supervisor Fish said the legislative hearing would be held in open session and asked Counsel to lead the process. Attorney Bruening said the contract between the Town and CSEA contains a process to handle employee grievances. Schedule B of the agreement laid out the process, he said, in which the employee contacts their supervisor, the employee discusses the issue, and their supervisor makes a determination in writing, he said. He

continued, saying that had taken place and the next step is for the employee to have a hearing, if they wish, by making a request in writing. Attorney Bruening said that had also taken place and that the employee and union representative were present, so he recommended that the Board invite them to make a presentation, following which the Board can ask questions. He recommended the Highway Superintendent also be given an opportunity to present information and answer questions. Counsel advised that the Board must make a decision within five days of the hearing, but could make a decision during the meeting if they desired. He said they could also have an attorney/client meeting if legal questions arise as well.

Supervisor Fish invited the employee and their representative to address the Board. Diane Selchick from CSEA introduced herself as representing Chris Scarincio from the Town Highway Department. She said they were there to contest the decision of the Highway Superintendent to issue a verbal warning to Mr. Scarincio. She said it was their position that there had been no violation of any Town policy because she said there was nothing in the policy requiring employees to wear a safety vest during break periods. The behavior was not clearly prohibited or communicated to employees, she said, and that Mr. Scarincio's actions were reasonable under the circumstances. She said he remained in a Town vehicle with another employee, was not exposed to any roadway or worksite hazards, removing his vest during break and putting it back on when his break ended. She said he did not put himself or others in danger. She continued, saying the standard was not consistently enforced and others had not been disciplined for similar conduct. He was committed to safety and took his responsibilities in this regard seriously, Ms. Selchick said, asking that the Town collaborate with the union to clearly define expectations during breaks so all employees are properly informed. She requested that the verbal warning be rescinded.

Councilmember Stewart asked for clarification regarding the disciplinary action. Ms. Selchick explained that a verbal warning reduced to writing is the lowest level of discipline in a progressive disciplinary system. Mr. Scarincio said he had received a written reprimand first, and was disciplined in front of his employees. He said the union advised Superintendent Abrams that he couldn't do that, and the reprimand was reduced to a written verbal warning. Mr. Scarincio was offered the opportunity to make a statement. He said he was at the boat launch on his break, he was away from any work site, and it was hot that day so he removed his vest for 10-15 minutes and then put it back on. He said the policy was not communicated clearly, that they were posted at the time clock without discussion. He said other employees take off their vests, such as after plowing, to go get coffee. He said he had not done any harm. No one had questions for Mr. Scarincio.

Superintendent Abrams was given an opportunity to present, in which he said Mr. Scarincio had been seen outside the truck, crossing a public parking lot, crossing a Town highway, and that photos were submitted. Mr. Abrams said the Highway policy states clearly that the required attire is NC2 outerwear as the required uniform, and there is no exemption for breaks. Councilmember Donohue summarized that the policy is that if you were on the clock, you were to wear the safety colors, and he asked if they are on the clock during a break. Mr. Abrams responded that they are, and that the policy is posted conspicuously on the bulletin board in the break room, and added that the policy was last updated in December 2025. Councilmember Stewart read from the 2023 Town Handbook which states that some employees may be required to wear safety equipment by their supervisor and must comply with all safety requirements. He asked Attorney Bruening if the Highway Superintendent had a directive posted that supersedes the Town handbook, did the Town Board have authority to affect the policy. Attorney Bruening said the legislative body is given the responsibility to respond to the grievance, which was agreed to by the union.

Mr. Bruening summarized that the policy is posted conspicuously, according to the Highway Superintendent, and that the policy makes no exception for break periods. He said it was a clear and simple policy, and said they had contacted the Department of Labor about the requirement to wear the colors, and that they also did not view a break as a legitimate reason to remove the safety gear. Councilmember Stewart asked Highway Superintendent Abrams if the policy had been enforced uniformly since it was last updated in December. Mr. Abrams said it had

been. Councilmember Killian asked if there was anything signed by the employee. Mr. Abrams said just an acknowledgement of receipt of the letter, without admission of wrongdoing. The Councilmember asked if each employee has to sign an acknowledgement that they are aware of the policy. Mr. Abrams said they do not. Councilmember Garrant asked if this was a paid break and not a meal break. Mr. Abrams said it was a paid break. Councilmember Donohue asked Ms. Selchick if their statement had said Mr. Scarincio had his colors of inside the vehicle. She confirmed this. The Councilmember said he had seen photos of Mr. Scarincio outside the truck by the river. He continued, saying that Mr. Scarincio said the policy wasn't clear, but that he also said the policy was posted, so he knew there was a policy. Mr. Scarincio responded that it was posted but there was no opportunity to ask questions. He then said the policy wasn't equally enforced. Councilmember Donohue asked Mr. Abrams if he disciplined other employees for the same infraction if he was made aware of it.

Councilmember Stewart asked for next steps from Attorney Bruening, who said they could close the hearing and make a decision that day or within five days. He said if they wanted to ask legal questions in private, they could have an attorney/client session. Supervisor Fish said the Highway Superintendent set the policy, and asked if it wasn't up to the Superintendent to follow through with discipline related to the policy. Councilmember Stewart said the parties differ in their account of what took place, and asked what the Town Board's obligation was to investigate the facts. He asked, as a neutral body, can the Board ask to see the photos Mr. Abrams referred to. Counsel said the Board had no obligation. Councilmember Stewart said then they just stand on the fact that the Town is protected because there is a policy. He said the union asked for additional clarification going forward, and he said perhaps there could be more detail about places where the colors could be taken off, like a break room, but that they were not the only organization that requires the colors be worn all the time, and mentioned times when a utility company puts cones around their vehicle even if they stop for coffee because it's for employee safety. He summarized they should either say the policy was followed and the grievance stands or it was not and the grievance is dismissed. Counsel said the Board had no obligation to investigate and it was up to the grievant to make their case, it was not a court of law, they could ask questions and accept the word of anyone who testifies. In the end, their choice was to grant the grievance, removing the disciplinary action from the grievant's file, or deny the grievance, according to Counsel.

Supervisor Fish asked if anyone had been with Mr. Scarincio at the time in question. Mr. Scarincio said there had been, and the employee had been let go the week before. Councilmember Donohue said one thing everyone agreed on is that Mr. Scarincio had taken his safety vest off and this was a violation of the policy. He said the grievance should be denied immediately. Councilmember Garrant said that if they granted the grievance, in the case where the Highway Superintendent took action against another employee for the same infraction, would they have to entertain another grievance? She said they had an obligation to uphold the policy with the expectation that the Highway Superintendent will enforce his policy. Councilmember Stewart said it is the Highway Superintendent's job to investigate and enforce the policy. He recommended both sides have a final opportunity to add information for consideration, that they close the hearing, participate in a pre-scheduled lawyer/client session on April 16, and make the decision within 5 days. Councilmember Donohue agreed.

Mr. Scarincio asked if he could speak. He said if there are no exceptions when employees are on the clock, then why don't they wear vests in the yard of the Highway garage? Counsel mentioned that in the posted policy an exception is listed for when employees are in and around the shop.

**Resolution 144-2026** A motion was made by Councilmember Stewart, seconded by Councilmember Garrant to close the Legislative hearing.

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

Councilmember Donohue	Aye
Councilmember Garrant	Aye

Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

## **PRIVILEGE OF THE FLOOR**

Chris Scarincio read prepared remarks describing what he believed was personal financial harm caused by Town leadership which led him to take legal action. He said he had made multiple Freedom of Information requests to obtain records related to his taxes. He said he faced delay, obstruction and failure to meet legal requirements. He said he would be serving the Supervisor with papers related to an Article 78 proceeding. He said accountability was needed, citing selective rule enforcement, lack of transparency and unwillingness to address concerns. He said it was made clear that the Highway Superintendent was responsible for discipline, but that the Town had acted directly against him. He said it was a matter before the court at that point. He told the Board it was their responsibility to ensure FOIL compliance and employee fairness.

Mike Shaver said his neighborhood was having trouble with stop signs that had been installed a few years prior. He said people are slowing down and speeding up, people were parking on the shoulder, running the stop signs, neighbors are yelling. He said he lived there 35 years without stop signs and that they needed to come down. He said he thought it was against the law to just post a stop sign. Councilmember Garrant asked if stop signs slowing people down wasn't the point of a stop sign. Mr. Shaver said the signs have only been installed a few years, and you can't just put up a stop sign. Supervisor Fish asked Mr. Abrams why the signs were installed. Highway Superintendent Abrams said the purpose of installing the signs was to slow traffic. Councilmember Stewart said the Town Board has no authority to tell the Highway Superintendent to take down or put up signs. He cited the situation on Speakman Street where residents were questioning the Board members heavily. Supervisor Fish said he defers to the Highway Department on these matters. Mr. Shaver asked Town Counsel if the Highway Superintendent can just decide to put up signs, and said there is code in NY regulating it.

Mr. Shaver asked if parking on the road was allowed. Mr. Abrams said from May 15 to fall it's ok to park on the side of the road. Councilmember Killian suggested a speed bump. Mr. Abrams said they could not install a speed bump. Mr. Shaver said kids were playing in the road and someone was going to get hurt and the Town would be sued. Councilmember Donohue asked what stop signs had to do with parking in the road or speeding. He said it sounded like a law enforcement issue. Mr. Shaver said the signs need to be removed or someone was going to be killed. Councilmember Donohue questioned again how stop signs are making people drive recklessly. Mr. Shaver said it was because people weren't following the law and people are yelling at each other about it. Mr. Shaver asked Mr. Abrams if he would remove the signs. Superintendent Abrams said the signs would stay up.

Gina LeClair said she has friends and family of all kinds and was not concerned about whose flag flies, but was concerned about risk and a policy that could allow the Town to be sued. She asked who would pay if the Town were sued, and asked the Board to consider how much money the Town spent to protect taxpayers, which she estimated to be in the millions. She suggested speaking with past Supervisors and others who understand the risks. She mentioned that there are firms who look specifically to sue small communities who don't have everything in order. She said if you want people to feel welcome, put flags on your porch. She mentioned the case of Sutliff vs. Boston, in which Boston lost after spending \$2 million. She gave the Town Clerk material for inclusion in the minutes (see appendix).

Reed Antis presented historical books to the Board that he would like to buy. The books contained Town historical records and references and was in pristine condition. There was also a post card presented showing the

businesses that were where the current Betar Byway is. He asked for guidance on how to go about obtaining materials. He said they cost less than \$500, that he had bought them himself and therefore paid tax on them. Councilmember Stewart said Mr. Antis should go through the Supervisor's office since he has no inherent spending authority or budget for these expenditures. He said he supports the purchases if the Historian says it's important and he has researched them extensively. The Councilmember said Mr. Antis should follow the procurement policy.

Krista Bennett clarified that the municipal flag lawsuits were not because the flags were flown but because the municipalities lacked a policy regulating the flags. She cited a 2018 survey conducted under President Donald Trump which found that a 1.2% drop in homicide, 1% reduction in violent crime, and .7% reduction in property crime in Towns with community pride. She said the policy document she shared addressed the policy concerns that could lead a municipality to face a lawsuit.

## **COMMITTEE REPORTS**

### Technology

Councilmember Killian said he had been working with Crisafulli Brothers and another company to get more prices by the following week with regard to a server room cooling solution.

### Fire Company

Councilmember Stewart said the Fire Company's cascade system that fills their air bottles has failed. Everything the Fire Company requested was granted in their \$719,000 budget, and the quote to replace the cascade system was \$62,916, which is about 10% of their annual budget. He said the good thing is that the Town supports the fire company with sales tax, which had been higher than anticipated. He said he would like to find a way to help with this critical equipment and asked for the Board's support. Supervisor Fish said they should meet with the bookkeeper to look at where the funds would come from. Councilmember Stewart said he supported transferring funds from the general fund to assist in covering the full expense. President Cox of the Fire Company said that  $\frac{3}{4}$  of a gallon of sludge came out of the filters when the equipment failed, and that the build up of contaminants should never have been there. He said in the meantime they are filling the air bottles from an 18-year-old truck that has a cascade system on board. He said his Board had met the night before and things they were considering cutting to pay for the new system included the jaws of life to replace one set 25 years old. Supervisor Fish said there should be long-term items in each year's budget. Mr. Cox said the Board would see that in the 2027 budget there was a 10-year plan included. Councilmember Killian asked if there was insurance on the equipment. Mr. Cox said the insurer said there was no fixing the equipment. Councilmember Stewart asked how long it would take to get the equipment once the funds are sourced. Equipment can't be pre-ordered and there would be lead time, Mr. Cox said, so they are relying on mutual aid to assist. Councilmember Stewart suggested the Fire Co. place the order out of funds they already have, the Town can work on refunding the expense.

### Recreation

Councilmember Donohue said the fence was removed from the old tennis courts, the black top had been broken up, and they were ready to begin work on the pickleball courts. He thanked Superintendent Abrams and his staff for always being willing to help. Supervisor Fish said it has saved a lot of money. The Councilmember said the new playground equipment had arrived. The time to completing installation was estimated by Councilmember Stewart at May 1, depending on weather. Supervisor Fish asked when the equipment arrived. Councilmembers said October/November. Councilmember Stewart said the full-time employees are assigned, fields are in shape and volunteers would be coming to clean up the park in the three weeks that followed. He said they were in good shape coming into the spring season.

**ATTORNEY/CLIENT MEETING**

There was discussion about whether an attorney/client meeting or executive session was the next step. The attorney/client meeting was chosen because a decision in the grievance must be made in an open meeting, according to Counsel.

**Resolution 145-2026** A motion was made by Councilmember Stewart, seconded by Councilmember Killian to enter into an attorney/client session.

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

Councilmember Donohue	Aye
Councilmember Garrant	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

The session began at 8:38 p.m.. The Board reconvened at 8:48 p.m.

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Attorney Bruening said that some legal questions had been asked in the Attorney/Client meeting.

**Resolution 146-2026** A motion was made by Councilmember Donohue, seconded by Councilmember Garrant to deny the grievance.

The Supervisor asked for a roll call vote, the results of which was as follows:

Councilmember Donohue	Aye
Councilmember Garrant	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

**ADJOURNMENT**

**Resolution 147-2026** A motion was made by Councilmember Stewart, seconded by Councilmember Garrant to adjourn the meeting.

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

Councilmember Donohue	Aye
Councilmember Garrant	Aye
Councilmember Killian	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0. The meeting was adjourned at 8:50 p.m.

Respectfully submitted,  
*Erin Trombley*  
Erin Trombley  
Town Clerk