

The meeting was held in person and called to order by the Supervisor at 7:06 p.m. with an attendance roll and the Pledge of Allegiance.

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

ALSO PRESENT:	Erin Trombley	Town Clerk
	Anna Labiak	Water Clerk
	Glen Bruening	Town Counsel
	Josh Westfall	Building, Planning and Development (BPD) Coordinator
	Chris Abrams	Highway Superintendent
	Kristian Mechanick	Water Superintendent
	Elizabeth Bennett	Confidential Secretary
	Reed Antis	Town Historian

OTHERS PRESENT: Jeremy Bunblasky (Seaboard Solar), Larry Smith, Ruth Ann Smith, J Brower, Ruth Behr, Shawn Braeo (Seaboard Solar), Judy Comstock, Jim Comstock, Garth Badin, Todd Tierney, Nelson Charron, Dan Levo, Rusty Sauder (Action Equipment), Tom Tierney, David Rogge (Lamplighter Acres), Ann Purdue, Olivia Feldman (LightStar), Bruce Lant, Dave Byrne (Renua), Richie Wiltshire, Michelle Smith, Maureen Jackson, Todd Johnson, Sheila Itzo, Mike Shaver, Kevin Ostrander, Maureen Dennis (Schermerhorn Real Estate Holdings), Gaby Baker, Alex Portal (Post-Star).

FUTURE MEETINGS/UPCOMING EVENTS

Supervisor Fish said budget workshops needed to be established. He asked the Town Clerk to read a resolution. She read”

“BE IT RESOLVED, that the Town Board hereby sets budget workshops at 7pm on October 16th, October 21st, and October 23rd of 2025.”

Resolution 391-2025 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 Donohue	Aye
Councilmember Killian	Aye
Councilmember Noonan	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

The Supervisor referenced Resolution 350-2025, passed on September 9, moving the first Town Board meeting to November 6. He said they needed to set the 2026 budget public hearing for the same night. He asked the Clerk to read a resolution. She read:

“BE IT RESOLVED, that the Town Board hereby sets the public hearing for the 2026 Town budget at 7:01pm on Tuesday, November 6, 2025 at the Moreau Town Hall Board Room.”

Resolution 392-2025 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 Donohue	Aye
Councilmember Killian	Aye
Councilmember Noonan	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

APPROVAL OF MINUTES

Supervisor Fish introduced approval of minutes, asking the Town Clerk to read a resolution. She read:

“BE IT RESOLVED, that the Town Board accepts and approves the minutes for the Regular Town Board meeting on August 26, 2025 as submitted.” She indicated that Councilmember Stewart had not been present.

Resolution 393-2025 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 Killian	Aye
Councilmember Noonan	Aye
Councilmember Stewart	Abstained
Supervisor Fish	Aye

The motion carried 4:0.

Town Clerk Trombley read:

BE IT RESOLVED, that the Town Board accepts and approves the minutes for the Regular Town Board meeting on September 9, 2025 as submitted. She indicated that Councilmember Donohue had not been present.

Resolution 394-2025 A motion was made by Councilmember Killian, seconded by Councilmember Stewart to accept the resolution as read.

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

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

The motion carried 4:0.

The Town Clerk read:

“BE IT RESOLVED, that the Town Board accepts and approves the minutes for the Month End and Regular Town Board meetings on September 23, 2025 as submitted.” She also said Councilmembers Noonan and Donohue had not been present.

Resolution 395-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Killian to accept the resolution as read.

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

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

The motion carried 3:0.

PUBLIC COMMENT PERIOD

Todd Tierney said he owned property on Holly & Woodland Drives and that he wanted to discuss the solar overlay district in Local Law 7 of 2024 that allows solar anywhere in the Town. He said he disagreed with allowing the solar overlay to overtake R-2-zoned parcels (residential). He said there should be public input during all steps of the process of changing zoning, that a plan can go before the Planning Board and Zoning Board for a variance. He went on to say that a comprehensive plan was needed to describe long-term growth and Town goal. He said they had the opportunity at that time to shape the community. He said a lot of infrastructure has been put in place and that developers have invested a lot to better the community. He asserted that the community would be better if the population grew to a number that would support future retail development.

Mr. Tierney continued, saying if solar was desired, not to put it on prime real estate land. He said the Town should look at land that isn't suitable for anything else. He suggested they investigate the 277 acres at Butler & Route 9, the site of the capped landfill which is partially in use now as the Transfer Station and Highway Dept. garage.. He said a retired NYS Department of Environmental Conservation (NYSDEC) employee who had monitored the Moreau landfill and others, stated his belief that the site was suitable for solar. He also said the Moreau landfill is a class 4 landfill, as is Fort Edward's landfill, and that the Fort Edward capped landfill solar array produces almost 7 megawatts. A class 5 landfill in Saratoga has a solar array on it, he said. He said he didn't have a preference as to whether the Town has solar or not, and again asked that they consider sites not usable for anything else and put money into the Town's accounts. He then submitted copies of a petition signed by members of the community for Board consideration.

Tim Pratt said he owns property on Holly Drive, and that the array won't be visible. He said he believed solar should be allowed at the Potter Road site.

Larry Smith said he lived across from the Baker family, that there isn't a better family in the Country. He said the solar array won't be seen, smelled, or heard, and is renewable energy. He added that he didn't understand what all the fuss was about, that he favored the project.

Dave Rogge said he had recently learned of the solar plan in the R-2 zone, and that he didn't support it. He said more residents are needed, and where new developments have been built there is more traffic so some people don't want more development. More residents mean more services needed, that will lead to more businesses on Route 9 to help pay for sewer extension 5. He said they could put solar anywhere possible, including his Route 9 Mini Storage, but urged the Town not to put a solar array on residential land.

Rustin Baker said he lives on Potter Road and owns land adjacent to the property in question. He stated that he prefers a solar array that's quiet and causes no contamination and that he prefers it over 400 houses and the associated traffic and noise. He said he wanted the area to stay rural.

SOUTH GLENS FALLS HOLIDAY PARADE

Supervisor Fish said the South Glens Falls Fire Co. Holiday Parade will be held Sunday, November 24. He said they were doing something different this year, starting the parade at 5:00 PM. He said the parade organizers needed a resolution of support passed by the Board for NYS Department of Transportation approval. He then asked the Town Clerk to read a resolution. She read:

"WHEREAS, the residents of the Town of Moreau and the Village of South Glens Falls look forward to the Holiday Parade that takes place, annually, the Sunday prior to Thanksgiving; and

WHEREAS, the tradition, which began as the Joy Store Parade, has continued for decades and has grown to become a regional attraction; now

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Moreau wholeheartedly supports the South Glens Falls Fire Company Holiday Parade, which will step off at 5:00 p.m. on November 23, 2025."

Resolution 396-2025 A motion was made by Councilmember Donohue, seconded by Councilmember Killian to adopt the resolution as read.

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

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

The motion carried 5:0.

POTTER ROAD SOLAR SITE PLAN

Jeremy Bunblasky from Seaboard Solar said he had presented before the Board multiple times so he was not presenting again at this meeting. He said they had walked the site with a Board member which he said he believed had gone well. He offered to answer any questions anyone had.

Board Discussion: Councilmember Stewart said the public is divided, and that it was a matter of owner rights vs. respecting your neighbors. He said by design, the overlay district is designed to cover the entire Town. Written into the solar law are reviews by the Planning Boards in Moreau and at Saratoga County, adding that those who wish to have solar do not have to have purchased land in specifically-zones areas. He said he did not support telling an owner they should do something different with their land than they want to do. He said by definition of the R-2 zoning, they could legally put duplexes on half-acre lots if they wanted, which would be within 30 feet of existing residential properties. He went on to say the applicant had exceeded the buffers mandated by the code, and that there would be almost no visibility. He agreed that the Town does need more residents and that growth is important, but didn't want to tell someone who has owned the land for decades that they should use their land differently. He said the project was reviewed to ensure it respected the neighbors as well as the landowner, and stated his preference to move ahead with the Potter Road solar project.

Councilmember Donohue agreed. He said he had worked on the solar law for 6 years, and considered the neighbors and reduced visibility when writing it. He said they have put strict regulations on solar in the Town,

that the project exceeded the requirements of the law. He said he didn't want to see solar panels all over Town, and that there were certain areas that would be a good fit, including the site of the proposed array. He went on to say sight lines are covered in the plan. He said previously there was an agricultural objection, then a realtor objected—and that the last time he checked, property ownership wasn't a team sport. He ended his remarks by saying that the project fits with the character of the area, it's renewable energy—the energy of the future, and that he believed in property owner rights.

Councilmember Killian said he had walked the property and heard both sides of the debate. He said he wasn't sure it was an ideal spot because of the mountain, and it was a tough decision. He said he agreed with Councilmembers Stewart and Donohue, that sight lines were well screened with trees and shrubs, and that the property owner gets to choose how to use the land. He said everyone may not be happy, but the Town had done its due diligence.

Supervisor Fish said he agreed, that due diligence had been done, and all the rules had been followed. He reiterated that the sight lines would be covered, and suggested that to see the array, someone would have to be trespassing. He said under those circumstances, he could not oppose approving the project. He asked Town Clerk Trombley to read a prepared resolution. She read:

“WHEREAS Seaboard Solar Operations, LLC on behalf of Potter Road Solar, LLC has submitted an application for Site Plan approval of a Large-Scale Solar Energy System dated July 8, 2025 for the construction of a 5.0 MW AC ground-mounted solar array (“System”) on an approximately 73-acre parcel of land located at 35 Potter Road in the Town of Moreau, Saratoga County, with Parcel ID Number 62.-1-59.111 in a One- and Two-Family Residential District (R-2); and

WHEREAS the application was referred to the Saratoga County Planning Board which reported that the System would have no significant County-wide or intercommunity impact, and such report was considered by the Town Board; and

WHEREAS the application was referred to the Town of Moreau Planning Board which issued a favorable report for the project, and such report has been considered by the Town Board; and

WHEREAS on September 23, 2025, the Town Board opened the Public Hearing on the application and, after hearing all interested persons, closed the hearing that date; and

WHEREAS the proposed System is a Type 1 action for purposes of review under the New York State Environmental Quality Review Act (SEQRA), and the Town Board as Lead Agency conducted a coordinated review under SEQRA and determined that the proposed project will not result in any significant adverse impacts to the environment; and

WHEREAS the Town Board has adopted a Local Law applying the Solar Energy System Overlay (SESO) District to this parcel authorizing Site Plan Review, and the applicant has submitted a revised Site Plan dated August 29, 2025; and

WHEREAS the Town Board has reviewed the application and supporting documentation, considered the review by the Town and County Planning Boards, with input from Town staff and the Town Designated Engineer, and having heard the public comments, and upon all proceedings held,

NOW, THEREFORE, BE IT RESOLVED that the Town Board has considered the Site Plan Review criteria set forth in Town Code Section 149-38, including parcel coverage, stormwater management, erosion control, landscaping, buffers, fire suppression and impacts to neighboring properties, and determined that the System will be constructed and operated in a manner that will protect the health, safety and general welfare of Town residents; and

BE IT FURTHER RESOLVED that the Town Board has determined that the System will satisfy the minimum Site Plan Review Standards set forth in Town Code Section 149-50.2 (D) (4) including area and dimensional requirements, buffering, lighting and anti-glare, fencing, impervious surfaces, and signage; and

BE IT FURTHER RESOLVED that the Town Board approves the Site Plan for the System dated August 29, 2025 and, pursuant to Town Code Section 149-50.2 (E), such approval is conditioned as follows:

- A. The System shall be constructed, monitored and decommissioned in conformance with Section 149-50.2 of the Town Code; and
- B. The applicant, owners, successors, assigns and operators shall, at their own expense, decommission the system in conformance with Section 149-50.2 (F) of the Town Code and the Decommissioning Plan to be approved by the Town Board prior to the commencement of construction; and
- C. The applicant, owners, successors, assigns and operators shall, at their own expense, execute and file with the Town Clerk a bond or other security in conformance with Section 149-50.2 (F) of the Town Code prior to the commencement of generating operations; and
- D. The Applicant shall pay all outstanding escrow amounts.”

Resolution 397-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to adopt the resolution as read.

A roll call vote was called for. Responses were as follows:

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

The motion carried 5:0.

WASHBURN ROAD SOLAR

Supervisor Fish said a public hearing on the Washburn Road solar project had been open for some time and needed to be closed. He offered the floor to anyone who wished to make additional remarks. Since there were none, he asked the Town Clerk to read a resolution. She read:

“BE IT RESOLVED, that the Town Board, having opened a public hearing for the solar project located at 148 Washburn Road on August 26, 2025 and continued that public hearing on September 9 and September 23, 2025, hereby closes the public hearing for Washburn Road NY PV, LLC.”

Resolution 398-2025 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 Killian	Aye

Councilmember Noonan	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

SEQR

The Supervisor said Building, Planning and Development (BPD) Coordinator Westfall would lead the Board through the State Environmental Quality Review (SEQR) documents. Mr. Westfall said he had emailed the Board a draft part 2 of the SEQR, and said that if they agreed with his responses, he would review the items where “Yes” was selected, particularly Item 1, which relates to impact on land. Reading from the form, he said development of the site would have some impact. He reviewed Item 3 next, related to surface water. He said the array would be adjacent to the Army Corps wetlands, and that with permitting the impact would be small. Item 8 relates to agricultural resources, he said, and the landowner did identify agricultural soils on the site. He said the Town code is written to NYSERDA standards and best practices for solar. He said the soil would be stockpiled and an environmental monitor would be engaged. He said the last item (18 e & f) related to consistency with the character of surrounding area. He said since there currently is no solar array of this type they selected “yes” on this item, but felt the impact would be small. He asked if the Board had any questions.

Councilmember Stewart directed a question to Counsel, asking if approving a prepared form the Board would have satisfied the requirements of SEQR rather than answering them 1-by-1, since in the past SEQR has been challenged. Attorney Bruening responded that it was up to the preference of the Board. The Councilmember said he agreed with the answers on the form, and as just questioning the process. Counsel said the Board cannot rely on another agency’s determinations. In this case, BPD Coordinator Westfall believes there to be minor impact, and legally there is no problem with the Board accepting the answers per his recommendation. Councilmember Stewart said he was concerned that an applicant could be challenged, but if Counsel is sure, he was okay to go forward in this manner. Attorney Bruening said he wasn’t aware of any cases where SEQR was completed in this way, but that he will do some research to see if there is additional guidance. Councilmember Stewart said they will go forward trusting they were acting in good faith.

Resolution 399-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to accept the State Environmental Quality Review (SEQR) part 2 responses proposed by Building, Planning and Development (BPD) Coordinator Westfall.

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

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

The motion carried 5:0.

BPD Coordinator Westfall said that in part 3, items 1, 3, 8 and 18 he said yes. He detailed that under item 1 he did not expect any impact on items a-h, so he said item 1 would have small or no impact. Mr. Westfall said that for item 3, relating to wetlands which are adjacent to the Army Corps wetland, site design will mitigate impact, which is why he indicated small or no impact on this item. Item 8 related to excavation and compaction of soil. Mr. Westfall said that NY State Agriculture & Markets and NYSERDA will do environmental monitoring, and he expected small or no impact. Related to consistency with the existing architecture and scale, and with the natural landscape, he said since there are no existing solar sites of this kind, it was inconsistent, but would have no or

small impact due to screening. He said the Town Board was the lead agency, and the determination was made that there would be no or small adverse impacts to the environment, so an environmental impact statement did not need to be prepared.

Resolution 400-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to accept the State Environmental Quality Review (SEQR) part 3 responses proposed by Building, Planning and Development (BPD) Coordinator Westfall, and a declaration of negative impact was made

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

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

The motion carried 5:0.

LOCAL LAW 11 of 2025

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

“WHEREAS the Moreau Town Board has considered the adoption of Local Law No. 11 of 2025 entitled ‘A Local Law Amending the Town Zoning Map to Apply the Solar Energy System Overlay District on Parcel 89.-2-23.11 Currently Zoned R-5’ pursuant to Municipal Home Rule Law Section 10 and Town Law Article 16; and

WHEREAS Washburn Road NY PV LLC has submitted a request to the Town Board to amend the Town Zoning Map in accordance with Section 149-28.1 of the Moreau Town Code by applying the Solar Energy System Overlay (SESO) District to an approximately 27-acre parcel of land located at 148 Washburn Road in the Town of Moreau, Saratoga County, Parcel ID Number 89.-2-23.11, currently zoned Agriculture and One-Family Residential Districts (R-5); and

WHEREAS such amendment to the Zoning Map would enable the Town Board to review the Site Plan submitted by the applicant for the construction and operation of a 4 MW AC solar energy system on the parcel; and

WHEREAS the proposed Zoning Map amendment was referred to the Saratoga County Planning Board which recommended approval of the amendment; and

WHEREAS the proposed change in zoning was referred to the Town of Moreau Planning Board which issued a favorable report with specific recommendations for the project, and such report and recommendations have been considered by the Town Board; and

WHEREAS the Town Board opened the Public Hearing on the proposed Local Law on August 26, 2025, which was continued on September 9 and 23, 2025 and, after hearing all interested persons, closed the hearing this date; and

WHEREAS the proposed project is a Type 1 action for purposes of review under the New York State Environmental Quality Review Act (SEQRA), and the Town Board as Lead Agency conducted a coordinated review under SEQRA and determined that the proposed project will not result in any significant adverse impacts to the environment; and

WHEREAS the Town Board has determined that this Local Law would best enhance and protect the health, safety and welfare of the citizens of the Town of Moreau.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board has considered the SESO rezoning standards set forth in Section 149-50.2 (E) and concludes that the Zoning Map amendment satisfies the standards and particularly that the project is properly sized, compatible with the natural and built environment, and that visual impacts have been mitigated with no adverse impact to public health and safety or the environment.
2. The Town Board hereby adopts Local Law No. 11 of 2025 in the form attached to this Resolution.
3. The Town Board hereby authorizes and directs that a copy of the relevant portion of the Town Zoning Map consistent with Local Law No. 11 of 2025 be produced and filed in the Town Clerk's Office.
4. The Town Board hereby authorizes and directs the Town Clerk to file Local Law No. 11 of 2025 with the New York Secretary of State, along with a copy of the relevant portion of the Town Zoning Map consistent with the Local Law, and acknowledges that Local Law No. 11 of 2025 shall take effect immediately upon filing by the Secretary of State.
5. This Resolution shall take effect immediately."

Resolution 401-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to adopt the resolution as read.

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

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

The motion carried 5:0.

OLD WEST ROAD SOLAR

Supervisor Fish said a public hearing on the Old West Road solar project had also been open for some time and needed to be closed. He offered the floor for additional remarks from the public. Since there were none, he asked for a motion to close the hearing.

Resolution 402-2025 A motion was made by Councilmember Donohue, seconded by Councilmember Killian to close the public hearing.

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

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

The motion carried 5:0.

SEQR Part 2

The Supervisor said Building, Planning and Development (BPD) Coordinator Westfall would lead the Board through the State Environmental Quality Review (SEQR) documents. Similar to Washburn Road, Mr. Westfall said he had provided the Board with a draft of the SEQR form. On item 1 he said he had chosen yes, but items a-h would not be impacted. The impact on surface water question as well as the agricultural soils question were answered as it was on the Washburn Road project. Item 9 c & d, Mr. Westfall said had been discussed by the Board several times as it relates to visibility of the array, which would be seen from the Northway (I-87). Related to consistency with the existing architecture and scale, and with the natural landscape, he said since there are no existing solar sites of this kind, it was inconsistent, but would have no or small impact due to screening.

Councilmember Stewart asked if the response to item 14 was no. Mr. Westfall said it was. But that there was a problem with the form that didn't allow the button to be checked.

Resolution 403-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to accept the State Environmental Quality Review (SEQR) part 2 responses proposed by Building, Planning and Development (BPD) Coordinator Westfall.

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

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

The motion carried 5:0.

SEQR Part 3

Leading the Board through SEQR part 3, Mr. Westfall said the main impact would be a very small fill area on the driveway. The soil stockpile and environmental monitoring in the solar law will ensure small or no impact. He said these impacts would be monitored by NYSERDA and NY State Dept. of Agriculture and Markets. On item 9 c & d related to aesthetics, he said the speed of travelers would reduce the impact. On the question of consistency with community character he said there are no other solar arrays of this type in the Town but by following zoning law, the impact will be small.

Resolution 404-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to accept the State Environmental Quality Review (SEQR) part 2 responses proposed by Building, Planning and Development (BPD) Coordinator Westfall.

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

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

The motion carried 5:0.

Mr. Westfall said the Town Board takes lead agency, and the determination was made that there would be no or small adverse impacts on the environment, so an environmental impact statement did not need to be prepared.

Resolution 405-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to accept the State Environmental Quality Review (SEQR) part 3 responses proposed by Building, Planning and Development (BPD) Coordinator Westfall, and a declaration of negative impact was made.

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

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

The motion carried 5:0.

LOCAL LAW 12 of 2025

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

“WHEREAS the Moreau Town Board has considered the adoption of Local Law No. 12 of 2025 entitled ‘A Local Law Amending the Town Zoning Map to Apply the Solar Energy System Overlay District on Parcel 89.-2-19 Currently Zoned R-5’ pursuant to Municipal Home Rule Law Section 10 and Town Law Article 16; and

WHEREAS Old West Road NY LLC has submitted a request to the Town Board to amend the Town Zoning Map in accordance with Section 149-28.1 of the Moreau Town Code by applying the Solar Energy System Overlay (SESO) District to an approximately 36-acre parcel of land located at 81 Old West Road in the Town of Moreau, Saratoga County, Parcel ID Number 89.-2-19, currently zoned Agriculture and One-Family Residential Districts (R-5); and

WHEREAS such amendment to the Zoning Map would enable the Town Board to review the Site Plan submitted by the applicant for the construction and operation of a 4.75 MW AC solar energy system on the parcel; and

WHEREAS the proposed Zoning Map amendment was referred to the Saratoga County Planning Board which recommended approval of the amendment; and

WHEREAS the proposed change in zoning was referred to the Town of Moreau Planning Board which issued an unfavorable report with specific recommendations for the project, and such report and recommendations have been considered by the Town Board; and

WHEREAS the Town Board opened the Public Hearing on the proposed Local Law on August 26, 2025, which was continued on September 9 and 23, 2025 and, after hearing all interested persons, closed the hearing this date; and

WHEREAS the proposed project is a Type 1 action for purposes of review under the New York State Environmental Quality Review Act (SEQRA), and the Town Board as Lead Agency conducted a

coordinated review under SEQRA and determined that the proposed project will not result in any significant adverse impacts to the environment; and

WHEREAS the Town Board has determined that this Local Law would best enhance and protect the health, safety and welfare of the citizens of the Town of Moreau.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Board has considered the SESO rezoning standards set forth in Section 149-50.2 (E) and, notwithstanding the unfavorable report of the Town Planning Board, concludes that the Zoning Map amendment satisfies the standards and particularly that the project is properly sized, compatible with the natural and built environment, and that visual impacts have been mitigated with no adverse impact to public health and safety or the environment.
2. The Town Board hereby adopts Local Law No. 12 of 2025 in the form attached to this Resolution.
3. The Town Board hereby authorizes and directs that a copy of the relevant portion of the Town Zoning Map consistent with Local Law No. 12 of 2025 be produced and filed in the Town Clerk's Office.
4. The Town Board hereby authorizes and directs the Town Clerk to file Local Law No. 12 of 2025 with the New York Secretary of State, along with a copy of the relevant portion of the Town Zoning Map consistent with the Local Law, and acknowledges that Local Law No. 12 of 2025 shall take effect immediately upon filing by the Secretary of State.
5. This Resolution shall take effect immediately."

Resolution 406-2025 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 Donohue	Aye
Councilmember Killian	Aye
Councilmember Noonan	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0

WASHBURN ROAD SOLAR SITE PLAN

Councilmembers invited Town Clerk Trombley to read a prepared resolution. She read:

"WHEREAS Washburn Road NY PV LLC submitted an application for approval of a Large-Scale Solar Energy System dated April 21, 2025 for the construction of a 4 MW AC ground-mounted solar array ("System") on an approximately 27-acre parcel of land located at 148 Washburn Road in the Town of Moreau, Saratoga County, with Parcel ID Number 89.-2-23.11 in an Agriculture and One-Family Residential District (R-5); and

WHEREAS the application was referred to the Saratoga County Planning Board which reported that the Zoning Map amendment would have no significant County-wide or intercommunity impact; and

WHEREAS the application was referred to the Town of Moreau Planning Board which issued a favorable report with comments for the project, and such report and comments have been considered by the Town Board; and

WHEREAS on August 26, 2025, the Town Board opened the Public Hearing on the application and continued the public hearing on September 9 and 23, and October 14, 2025 and, after hearing all interested persons, closed the hearing this date; and

WHEREAS the proposed System is a Type 1 action for purposes of review under the New York State Environmental Quality Review Act (SEQRA), and the Town Board as Lead Agency conducted a coordinated review under SEQRA and determined that the proposed project will not result in any significant adverse impacts to the environment; and

WHEREAS the Town Board has adopted a Local Law applying the Solar Energy System Overlay (SESO) District to this parcel authorizing Site Plan Review, and the applicant has submitted a revised Site Plan dated September 10, 2025; and

WHEREAS the Town Board has reviewed the application and supporting documentation, considered the review by the Town and County Planning Boards, with input from Town staff and the Town Designated Engineer, and having heard the public comments, and upon all proceedings held,

NOW, THEREFORE, BE IT RESOLVED that the Town Board has considered the Site Plan Review criteria set forth in Town Code Section 149-38, including parcel coverage, stormwater management, erosion control, landscaping, buffers, fire suppression and impacts to neighboring properties, and determined that the System will be constructed and operated in a manner that will protect the health, safety and general welfare of Town residents; and

BE IT FURTHER RESOLVED that the Town Board has determined that the System will satisfy the minimum Site Plan Review Standards set forth in Town Code Section 149-50.2 (D) (4) including area and dimensional requirements, buffering, lighting and anti-glare, fencing, impervious surfaces, signage, and conformance with New York State Department of Agriculture and Markets' "Guidelines for Solar Energy Projects – construction Mitigation for Agriculture Lands"; and

BE IT FURTHER RESOLVED that the Town Board approves the Site Plan for the System dated September 10, 2025 and, pursuant to Town Code Section 149-50.2 (E), such approval is conditioned as follows:

- A. The System shall be constructed, monitored and decommissioned in conformance with Section 149-50.2 of the Town Code; and
- B. The applicant, owners, successors, assigns and operators shall, at their own expense, decommission the system in conformance with Section 149-50.2 (F) of the Town Code and the Decommissioning Plan to be approved by the Town Board prior to the commencement of construction; and
- C. The applicant, owners, successors, assigns and operators shall, at their own expense, execute and file with the Town Clerk a bond or other security in conformance with Section 149-50.2 (F) of the Town Code prior to the commencement of generating operations; and

D. The Applicant shall pay all outstanding escrow amounts.”

Resolution 407-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to adopt the resolution as read.

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

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

The motion carried 5:0.

OLD WEST ROAD SOLAR SITE PLAN

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

“WHEREAS on April 21, 2025, Old West Road NY LLC submitted an application to the Town Board for approval of a 4.7 MW AC large-scale solar energy system on an approximately 36-acre parcel of land located at 81 Old West Road in the Town of Moreau, Saratoga County, Parcel ID Number 89.-2-19, currently zoned Agriculture and One-Family Residential Districts (R-5); and

WHEREAS the application was referred to the Saratoga County Planning Board which reported that the Zoning Map amendment would have no significant County-wide or intercommunity impact; and

WHEREAS the application was referred to the Town of Moreau Planning Board which issued an unfavorable report with recommendations for the project, and such report and recommendations have been considered by the Town Board; and

WHEREAS on August 26, 2025, the Town Board opened the Public Hearing on the application and continued the public hearing on September 9 and 23, and October 14, 2025 and, after hearing all interested persons, closed the hearing this date; and

WHEREAS the proposed project is a Type 1 action for purposes of review under the New York State Environmental Quality Review Act (SEQRA), and the Town Board as Lead Agency conducted a coordinated review under SEQRA and determined that the proposed project will not result in any significant adverse impacts to the environment; and

WHEREAS the Town Board has adopted a Local Law applying the Solar Energy System Overlay (SESO) District to this parcel authorizing Site Plan Review, and the applicant has submitted a revised Site Plan dated September 10, 2025; and

WHEREAS the Town Board has reviewed the application and supporting documentation, considered the review by the Town and County Planning Boards, with input from Town staff and the Town Designated Engineer, and having heard the public comments, and upon all proceedings held,

NOW, THEREFORE, BE IT RESOLVED that the Town Board has considered the Site Plan Review criteria set forth in Town Code Section 149-38, including parcel coverage, stormwater management, erosion control, landscaping, buffers, fire suppression and impacts to neighboring properties, and determined that the System will be constructed and operated in a manner that will protect the health, safety and general welfare of Town residents; and

BE IT FURTHER RESOLVED that the Town Board has determined that the System will satisfy the minimum Site Plan Review Standards set forth in Town Code Section 149-50.2 (D) (4) including area and dimensional requirements, buffering, lighting and anti-glare, fencing, impervious surfaces, signage, and conformance with New York State Department of Agriculture and Markets' "Guidelines for Solar Energy Projects – construction Mitigation for Agriculture Lands"; and

BE IT FURTHER RESOLVED that the Town Board has reviewed the concerns expressed by the Town Planning Board and finds that its concerns have either been addressed or do not weigh significantly against the project in view of all the applicable criteria; and

BE IT FURTHER RESOLVED that the Town Board approves the Site Plan for the System dated September 10, 2025 and, pursuant to Town Code Section 149-50.2 (E), such approval is conditioned as follows:

- A. The System shall be constructed, monitored and decommissioned in conformance with Section 149-50.2 of the Town Code; and
- B. The applicant, owners, successors, assigns and operators shall, at their own expense, decommission the system in conformance with Section 149-50.2 (F) of the Town Code and the Decommissioning Plan to be approved by the Town Board prior to the commencement of construction; and
- C. The applicant, owners, successors, assigns and operators shall, at their own expense, execute and file with the Town Clerk a bond or other security in conformance with Section 149-50.2 (F) of the Town Code prior to the commencement of generating operations; and
- D. The Applicant shall pay all outstanding escrow amounts."

Resolution 408-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to adopt the resolution as read.

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

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

The motion carried 5:0

Representatives of Renua and LightStar Energy thanked the Board for their diligence and efforts to bring these projects through the approval process over the course of years. They also thanked the residents for listening to these project plans over the years as well.

MEDICARE ADVANTAGE PLAN

Supervisor Fish introduced the subject of offering Anthem Medicare Advantage to Town retirees and asked if there were comments or questions from the Board. Since there were none, he asked the Clerk to read a resolution. She read:

"WHEREAS, the Town of Moreau makes available to its retirees, aged 65 and older, the Medicare Advantage Plan to supplement Medicare and offer relief from copays and prescriptions; and

WHEREAS, the 2026 monthly premiums for the Anthem Medicare Advantage plan are increasing from \$334.58 per month to \$383.94 per month, representing a 14.8% increase from 2025 to 2026; and

WHEREAS, retirees pay a contribution rate that varies between 12% and 20% which will result in a contribution increase between \$5.92 - \$9.87 per month; now

THEREFORE, BE IT RESOLVED, that the Town Board approves the renewal of the Anthem Medicare Advantage plan for retirees aged 65 and older.”

Resolution 409-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to adopt the resolution as read.

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

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

The motion carried 5:0.

MOREAU INDUSTRIAL PARK PARCEL DISCUSSION

Since zoning had been updated for the Industrial Park earlier in the year, Supervisor Fish said it was time to move forward. He said the Town’s parcels had been appraised in 2021, and that the Town can work with Saratoga Economic Development Corporation (SEDC) to promote the properties free of charge. He asked Counsel what the next steps would be. Attorney Bruening said that if the parcels were in the name of the Town and not a district, the process would be easier. The Town is required to determine a fair value for the parcel and “sell it for something like fair value,” Counsel said, and that this could be in terms of money or other value. Appraisal and assessed values are some of the ways to determine fair market value, he said, or a notice soliciting bids could be issued. He added it could be offered with no contingencies which may bring more dollars. Supervisor Fish asked if a minimum bid could be set. Attorney Bruening said that was a good point, and that they should also word the notice to include the option for the Board to decline any offer, and even if the offers are somewhat low, the Board would still have to decide if the value is fair. Supervisor Fish asked for the Board’s thoughts.

Councilmember Noonan asked if the lots weren’t always for sale, and what was different at that time. The supervisor indicated that marketing the lots was the difference. Councilmember Killian mentioned listing the lots of the Town website or finding another solution. Counsel said he didn’t know the history or the purpose of the appraisal. Councilmember Noonan said it was good to bring in new businesses that fit with the new Zoning guidelines. Councilmember Stewart said the 2021 appraisal was related to a sale in the Industrial Park at that time. He added that a 2021 appraisal was likely significantly below the current value, and with assessments at 100% in Moreau, the Assessment should reflect fair market value. He said he felt that with internal and County resources, fair value could be determined, and they could always adjust the value and take more active approaches to attracting interest in the lots if initial efforts at what they believe is fair value don’t draw offers. Councilmember Noonan said they should follow SEDC guidance since they know how to do this. Councilmember Killian asked how they wanted to start the process. Councilmember Stewart said he favored getting additional information from the County, and see if they had an appraisal service they could offer for no charge. He remarked to the Supervisor that there was support for moving ahead with the process.

WATER & SEWER DEPARTMENT

Supervisor Fish explained that in 2022 some parcels on VanBuren Street had been removed from paying capital charges for water since they did not have access to the water line. He said that the water line has been extended so they now have access so they should be charged the EDU capital charge going forward.

He asked the Town Clerk to read a resolution. She read:

“BE IT RESOLVED, that the Town Board hereby reinstates the following 6 parcels to the water billing for the EDU capital charge, effective immediately.

- | | | |
|----|------------|-----------------------|
| 1. | 37.3-1-12 | 28 VanBuren Street |
| 2. | 37.3-1-9 | 26 Van Buren Street |
| 3. | 37.-1-31.2 | 20 Van Buren Street |
| 4. | 37.3-1-17 | 18 Van Buren Street |
| 5. | 37.3-1-1 | 16 Van Buren Street |
| 6. | 37.3-1-7 | 22 Van Buren Street.” |

Resolution 410-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to adopt the resolution as read.

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

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

The motion carried 5:0.

The Supervisor said Kristian Mechanick and Jeffrey Parish were looking for approval to attend the Adirondack Water Works Conference, in Latham on Wednesday , October 29, 2025 at a cost not to exceed \$75 each, with no mileage to be paid as they will be in a Town vehicle, to be paid from account CW8310.4.

Resolution 411-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to authorize the specified expenses.

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

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

The motion carried 5:0.

HIGHWAY DEPARTMENT

Supervisor Fish said the Highway Department was looking for approval on the purchase of tires. He asked the clerk to read a resolution. She read:

“BE IT RESOLVED, that the Town Board authorizes the Highway Superintendent to purchase 25 Goodyear tires through NYS Contract #PC70514, as listed on the purchase request, at an amount not to exceed \$13,346.80 to be paid from account DB5130.492”

Resolution 412-2025 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 Donohue	Aye
Councilmember Killian	Aye
Councilmember Noonan	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

The Supervisor also thanked the Highway Department for their assistance at the Recreation Park, where they helped make an additional 80 parking spaces, which he described as looking fantastic, and that cost the Town very little. He said they used leftover millings and six loads of stone. He thanked the Highway Superintendent for taking the time out of his schedule to do this project.

BUILDING, PLANNING AND DEVELOPMENT OFFICE

Supervisor Fish invited BPD Coordinator Westfall to provide information on 16 Michael Road. Mr. Westfall said this property had been discussed at a recent meeting, that the lawn was overgrown and the property unkempt. He said the owner had missed his first court date and appeared for the second date, but they had to wait two more weeks. He said he was asking to authorize the Town’s attorneys to start the County Supreme Court process. He said if clean-up hadn’t been initiated by that date, they could move forward. Councilmember Stewart asked if this would be contingent on the property clean-up not being done. Supervisor Fish said the belief was that the owner would not appear at the third court date, and that they could cancel the Supreme Court case if needed. BPD Coordinator Westfall said they had been back and forth with this property for years, with some small amount of clean-up taking place and then it is allowed to deteriorate again. He said he was asking the Supreme Court to allow the Town to clean up the property and add the expense to the property’s taxes, in hopes that the expense would discourage the owner from allowing things to return to their present state.

The Town Clerk read a prepared resolution:

“WHEREAS, there are substantial Town Code violations on this property; and

WHEREAS, the Town has commenced litigation in Town Justice Court which has not resulted in any remediation; and

WHEREAS, the Town would like to pursue litigation in Saratoga County Supreme Court in place of Town Justice Court;

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Town Board authorizes the commencement of litigation in Saratoga County Supreme Court against the owner of 16 Michael Road in the Town of Moreau for Town Code violations.
2. The Town Board authorizes Town Counsel to withdraw the litigation in Town Justice Court at the direction of the Town Supervisor.
3. The Town Supervisor, Town Clerk, Town Attorney and any other necessary Town Officials are authorized and directed to take all actions necessary to effectuate the intent of this Resolution.

4. This Resolution shall take effect immediately.”

Resolution 413-2025 A motion was made by Councilmember Killian, seconded by Councilmember Stewart to adopt the resolution as read.

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

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

The motion carried 5:0.

Supervisor Fish asked the Clerk to read a resolution, saying that it would allow BPD Coordinator Westfall to continue to apply for EPG funds. She read:

“WHEREAS, the Town of Moreau has applied to, and was awarded funding from, the Environmental Facilities Corporation (EFC) for an Engineering Planning Grant (EPG) No. 2281, for the purpose of a Wastewater Extension Evaluation; and

WHEREAS, the grant program requires the Town to designate a ‘Authorized Representative’ via resolution to execute the Grant Agreement and any and all other contracts, documents, and instruments necessary to bring about the project and to fulfill the obligations under the Grant Agreement, with consent of the Town Supervisor.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Moreau hereby designates the Town Building, Planning and Development Coordinator, Josh Westfall, AICP, as the ‘Authorized Representative’ pursuant to EFC’s EPG grant, identified as grant No. 2281.”

Resolution 414-2025 A motion was made by Councilmember Killian, seconded by Councilmember Stewart to adopt the resolution as read.

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

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

The motion carried 5:0.

The Clerk read another resolution:

“WHEREAS, the grant program requires the Town to identify the source of the required local match, authorizing its use, and appropriating the funds for the project via resolution; now

THEREFORE BE IT RESOLVED, the Town Board has determined that the required 10% match is hereby authorized and will be taken from the General Fund with monies to be supplanted with monies awarded from a Saratoga County Economic Development Grant in the amount up to \$10,000, for this cause.”

Resolution 415-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Donohue to adopt the resolution as read.

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

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

The motion carried 5:0.

TOWN CLERK'S OFFICE

Supervisor Fish said they needed to look at overtime earned in the Town Clerk's office during tax collection. He asked Counsel if overtime that had already been paid needed to be approved. Attorney Bruening said he didn't recall how it had been done in 2024. Councilmember Stewart said it had been approved in advance, including Saturday hours and evenings, but then they had adjusted the hours. He said he did not see an issue with it, and said it was an operational cost required by the State. Supervisor Fish said the Town had to pay it. He then asked Town Clerk Trombley if overtime would be needed during the remainder of school tax collection.

Ms. Trombley said she needed to clarify something before she could answer completely--that a resolution had been passed in years prior stating that Deputies' hours could only be adjusted to offset time at a Town Board meeting. She said it was often possible to offset overtime within a given period, which would reduce the amount of overtime accrued. She gave the example of September 29 & 30, which were on a Monday/Tuesday, where the volume of payments received required extra work hours to enable deposits to be prepared, but that on Wednesday-Friday of that week, volume was much lower, and hours were able to be flexed to reduce that week's overtime. She said if they are required to work their regular hours plus extra hours on heavy volume days, overtime will be accrued.

Councilmember Killian asked what the average overtime hours had been. Ms. Trombley said she believed that on the heaviest days it had been approximately two hours a day, but that she thought it really only started around September 25th. Councilmember Stewart asked if the staff wanted their hours to be adjusted, or if they wanted to earn overtime. He said to the Board that the Town collects school taxes, which other Towns do not do, so if they have to pay overtime, they should pay it. He said if the staff wants to adjust their hours, he was okay with it, but that he was willing to pay the overtime rate to take in tens of millions of dollars during tax collection months. Councilmember Donohue said he agreed, that it was the cost of doing business. He said he had seen the Clerk in the office running numbers, and that he knew they had to be right, so there was time involved in doing that. He said if the deputies were willing to have their hours adjusted to cut time down to save money, that was great too.

Councilmember Stewart said he didn't know what the handbook said. The Town Clerk said the handbook states employees must work 8 a.m.-4 p.m, and the Town Clerk's office is mandated to be open those hours as well, but her office has different functions that require additional time, such as tax collection. Councilmember Stewart asked if they could pass a resolution allowing overtime and the adjustment of schedules. He added that if an employee wants to offset hours for the inconvenience of working extra hours some days, he would rather allow that. He asked for guidance for how to word the resolution to allow her to manage her staff. Ms. Trombley said she has currently set standard hours for Deputy 2 to begin before 8:00 a.m. to allow time to open, and to leave before 4:00 p.m., and Deputy 1 is set to come in later and leave later to allow coverage at close to settle the register. She said during tax collection Deputy 2 still starts before 8 a.m., then takes her lunch—that lunch breaks are a challenge because the office is short of staff for two hours in the middle of the day—and at the end of

the day there has been so much volume, everyone stays to cash out and help prepare deposits. She said the directive to her staff has been that nothing but deposits are done after 4 p.m. She said deposits have to be prepared before they leave the office for the night, and that she had entered every tax payment herself.

Supervisor Fish suggested the verbiage “as needed” for the resolution.

Resolution 416-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Killian to authorize the Town Clerk to approve overtime hours as needed.

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

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

The motion carried 5:0.

SUPERVISOR’S OFFICE

National Grid

Supervisor Fish said National Grid was asking to use land in the Industrial Park to stage poles for an upcoming project. He added that National Grid understands that the Town is not responsible for any damage that may take place while the poles are stored there. The Supervisor asked the Clerk to read a resolution. She read:

“BE IT RESOLVED, that the Town Board hereby authorizes National Grid to use town owned property located at 33-35 Farnan Road, parcel number 50.-4-19, as a staging area for an upcoming utility pole replacement project in town and further authorizes the Supervisor to sign the revocable license agreement with National Grid, as prepared by counsel.”

Resolution 417-2025 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 Donohue	Aye
Councilmember Killian	Aye
Councilmember Noonan	Aye
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 5:0.

Town Hall Schedule

Supervisor Fish said most of the Town Hall employees had signed onto a request to take the day after Christmas off using accrued time. Councilmember Stewart asked if they wanted to discuss December 24th as well. Supervisor Fish said his request for December 24 was to close Town Hall at noon with a full day’s pay.

Resolution 418-2025 A motion was made by Councilmember Killian, seconded by Councilmember Killian to authorize the closure of Town Hall at 12:00 PM on December 24, 2025 with full day pay.

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

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

The motion carried 5:0.

Councilmember Stewart said he had no problem with closing the office Friday December 26, but since vacation time would be required or the staff member would be unpaid, he wanted to know if it was all of the staff or most of the staff that signed on. Supervisor Fish said he thought it was all the staff that signed the letter.

Councilmember Stewart said he didn't know if it was legal to force someone to take an unpaid day off that they didn't agree to. Counsel said he would like to review the contract, and that the State does it. This topic was tabled.

MONTHLY DEPARTMENT REPORTS

The Town Clerk read the following:

"BE IT RESOLVED, that the Town Board accepts the monthly department head reports for the Town Clerk's Office, Highway Department, Recreation Department, Transfer Station and Water & Sewer Department."

Resolution 419-2025 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 Donohue	Absent
Councilmember Killian	Aye
Councilmember Noonan	Absent
Councilmember Stewart	Aye
Supervisor Fish	Aye

The motion carried 3:0

PUBLIC COMMENT PERIOD

Sheila Itzo referenced the Pigeon litigation, and asked if it will be started immediately to have the homeowner clean up the property, and if he fails to do so, would he be fined and the Town clean the property. She asked if he would get the bill. Councilmember Stewart said the hope was that the Supreme Court would allow the expense to be added to his taxes. Ms. Itzo wanted to be sure the taxpayers wouldn't have to pay. She said also that they thought he did not have electricity or water, that the neighbors felt it was a dangerous situation. She asked if they could explore making sure he cleans up inside too. Supervisor Fish said the Building Dept. did look into it and that the property does have power.

Maureen Dennis said she was curious about the VanBuren Street capital charges being added, but not Fort Edward Road or Jackson Road. Supervisor Fish said they don't have water lines in their area. Ms. Dennis said it didn't matter, that according to Town code [section 145-34 \(B\)](#) it says, "All properties located within a water district, regardless of connection status, shall be responsible for paying capital costs since said properties benefit from convenient access to water mains for consumption and/or fire protection." Supervisor Fish asked for input from the Councilmembers who were on the Board when the properties were removed, but said he thought they

were removed from the water district at that time. Ms. Dennis said the minutes attached to the agenda do not say that. She said it was an illegal gift, and a violation of the equal protection clause because Schermerhorn Real Estate Holdings is being charged and others are not. She said she wanted to know why. Supervisor Fish said that if access is not possible, they were removed. Councilmember Noonan said they didn't have the answers at that time and that Ms. Dennis came prepared to accuse the Board of wrongdoing. She said she came prepared using the documents and agenda posted prior to the meeting. Councilmember Noonan said the Board would look into it and consult with Counsel.

Councilmember Donohue said he can understand excluding capital charges if there was no water line passing. He said he believed they were exempt because there was no water line they could connect to. Ms. Dennis said that was not what the local law states and that the Board has to follow the law. She asked Counsel if it was an illegal gift. Councilmember Stewart said that he understands Ms. Dennis' position. She said empty parcels are being charged. Councilmember Stewart asked if the line runs by the parcels, or if they had no access, that the intent was to exclude parcels who did not have access. Ms. Dennis said the language doesn't remove the parcels from the district, and districts had to be pre-approved by the State Comptroller's office. Councilmember Stewart suggested a resolution may be needed to repair the local law. Ms. Dennis asked if this would be retroactive. Councilmember Stewart said it would depend if that was legal.

Ms. Dennis asked Counsel about a sewer overlay charge refund. Attorney Bruening said the Town Board's recommendation was needed. Asked for a timeline, he said he thought it would be a few weeks. Ms. Dennis asked if a letter was sent to the City of Glens Falls about capacity for the Grove at Sisson. The Supervisor said he had spoken with Bill Norton to explain what they were doing and he said Mr. Norton would pass it along and get back to him about an agreement. Ms. Dennis said the NYSDEC rejected their letter because they said it specifically had to come from the Town to the City on Town letterhead. Supervisor Fish said he had no idea when a letter would be sent.

Ms. Dennis asked if the Bluebird Terrace effluent was flowing South. Supervisor Fish said it was not, that it would be turned on October 20 to the County. She asked about a sewer budget meeting set for the second Board meeting in October, if that was still on schedule. Supervisor Fish said that budget meeting was set for 2026. Ms. Dennis then asked if final EDU counts existed. He said as far as he knew, they did.

COMMITTEE REPORTS

Recreation

Councilmember Stewart said the Recreation Director had sent over some projects, one of which was pickleball/tennis courts and playground layouts for approval. New equipment is in, he said. At the next meeting he said they hoped to talk about what to do with the old equipment, and suggested potentially auctioning or selling it.

He thanked the Highway Superintendent again for his collaboration on the Recreation project and said sometimes people don't recognize the Town's inner collaboration to make these projects happen.

Councilmember Donohue said he hoped to have concrete figures for the next meeting for the pickleball, tennis, and basketball courts so they can start work in the spring. Councilmember Stewart said they may want to put the project out to bid because one price was received from a vendor who flew from out of state to offer a price.

Technology

Councilmember Killian suggested the large screen for the Board room may be possible to be installed by Jeremy Brogan when he had time. Councilmembers asked if install wasn't part of the pricing they approved. Councilmember Killian said that part of the bill could be removed if it was possible to do installation in-house.

SUPERVISOR'S ITEMS

None

ADJOURNMENT

Resolution 420-2025 A motion was made by Councilmember Stewart, seconded by Councilmember Killian to adjourn the meeting.

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

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

The motion carried 5:0. The meeting was adjourned at 9:13 p.m.

Respectfully submitted,
Erin Trombley
Erin Trombley
Town Clerk