

**MINUTES OF THE TOWN OF FORT EDWARD TOWN BOARD MEETING HELD ON
MONDAY, FEBRUARY 9, 2026, AT TOWN HALL COMMENCING AT 7:00 P.M.**

Councilman Middleton called the meeting to order at 7:00pm

Pledge of Allegiance

PRESENT: Councilman Middleton
Councilwoman Collier
Councilman Suprenant
Councilwoman Mullen

ABSENT: Supervisor Fisher

OTHERS PRESENT: Elizabeth O'Leary, Brian Brockway, Amanda Durkee, Richard Belden, Melanie Dickinson, Mike Dickinson, Sandy Foley, Andrew Alberti, Ben Bramlage, Chuck Barton, Liz DeBramo, Town Attorney Bill Nikas and Town Clerk Aimee Ives.

APPROVAL OF MINUTES: MOTION by Councilwoman Collier, Seconded by Councilwoman Mullen to approve the minutes of the organizational and regular meeting held on January 12, 2026, **ALL AYES**

APPROVAL OF REPORTS: MOTION by Councilman Suprenant, Seconded by Councilwoman Collier to approve the monthly reports of the Town Clerk, Dog Control Officer, Town Justice, Building Inspector, Highway & Supervisor's Report as submitted **ALL AYES**

APPROVAL OF BILLS: MOTION by Councilman Suprenant, Seconded by Councilwoman Mullen to approve Abstract #2 in the amount of \$59,374.17 **ALL AYES**

BUSINESS:

**Chuck Barton
WWIDA
Water District Formation
Canalside Energy Park**

Chuck Barton: I was here a few months ago talking about the formation of the water district. Canalside Energy Park is about 79 acres, 51 in the Town and 27 in the Village, the Village component is already served by the Village Water District but now we need to add water capacity to the Town side. Hopefully we can have construction started sometime in 2026.

Melanie Dickinson: Why do you need water on the Town side?

Chuck Barton: So that the entire Industrial Park can have water capacity for anyone that is interested in buying the site. Right now, only 1/3 of the site has water capacity.

Councilwoman Mullen: I saw a Map/Plan/Report, but it didn't say anything about sewer.

Chuck Barton: That will be a separate project; we have FAST NY funding for both water and sewer, but the water engineering is more advanced, and the sewer will be connected into the Washington County Sewer District.

Councilwoman Mullen: Will both services be going through the right of way off East St.?

Chuck Barton: Yes, if the sewer pipe is in good shape and if not, we will have to figure out what to do with that line.

MOTION by Councilman Suprenant, Seconded by Councilwoman Collier to recognize the Water District Map Plan & Report as proposed for Canalside Energy Park **ALL AYES**

Lock 8 Way

Councilman Middleton: We own and maintain 2 miles of Lock 8 Way and now we need to accept the road to make it eligible for CHIPS money.

Brian Brockway: It will have to be added to the mileage report when I submit for CHIPS. We have to put in the resolution that the road is 24-hour use, publicly maintained and has guard rails.

Attorney Nikas: You are already maintaining the road which makes it a CHIPS eligible road.

MOTION by Councilman Suprenant, Seconded by Councilwoman Collier to send a letter to New York State requesting the 2 miles of Lock 8 Way that is owned and maintained by the Town be added to CHIPS **ALL AYES**

Drew Alberti
Flatley Read
DRAFT – Strategic Action Plan

Drew Alberti: I am the Vice President of Flatley Read based out of Greenwich and a number of years ago I was approached by the Town to assist with a grant that was funded through Assemblywoman Carrie Woerner and NYS Parks to assist with planning for the Town and Village. Together with Promote Fort Edward we have put together a Strategic Action Plan. The objective of the plan that we were given was to work within the parameters of the Town and the Village and directly with Promote Fort Edward to develop a strategy for moving forward with a heavy focus on creating actionable items. In the creation of this plan, we focused on 4 main areas: Creating demographic and research information that support future grant applications but also focusing on downtown revitalization, our housing needs analysis, parks, trails and recreation as well as public arts and culture. We identified from that series of priority projects that were to be undertaken throughout the Town & Village including those that focus particularly on creating a sense of place within the Town & Village. Much of this is going to be focused on housing, restoring your downtown area, creating economic viability in your downtown area.

Councilman Middleton: What would you recommend that we apply for Mill Park? I know we were late with the last submission, but this is something that the Board is still looking to do.

Drew Alberti: I think it just needed more time to support the overall application and how we put it together. I would look at a model like Hudson Crossing Park and how they built that river front trail. It was a strong application, and I have not seen award or decline letters yet, but I have now seen a second round. I will follow up with State Parks and inquire where they are in that process and request an exit interview so they can make suggestions for next time. There is no charge for the second submission.

OTHER BUSINESS:

Brian Brockway:

- We have had some frozen water services.
- A lot of salt was used last month.
- Quote for Excavator from John Deere was \$101,000.00 with \$35,000.00 for trade on the Backhoe.
- Steve has an accident in the last storm and the person that hit the plow was ticketed.

- BEN BRAMLAGE GAVE A PRESENTATION ON PFA'S AT ESMI: ATTACHED TO THE MINUTES.

RESOLUTIONS:

RESOLUTION NUMBER 12 OF 2026

MOTION BY COUNCILMAN SUPRENTANT

SECONDED BY COUNCILWOMAN COLLIER

WHEREAS, Town Boards are required by Town Law to audit the financial records of the Town Clerk, Tax Collector and Town Justice.

NOW, THEREFORE BE IT RESOLVED, that the Fort Edward Town Board audited the financial records of the Town Justice, Town Clerk and Tax Collector for the fiscal year January 1, 2025 through December 31, 2025 at a special meeting held on January 28, 2026.

DATED: February 9, 2026

Roll Call Vote: Councilman Middleton - AYE
 Councilwoman Mullen - AYE

Councilwoman Collier - AYE
Councilman Suprenant - AYE
Supervisor Fisher – ABSENT

**TOWN BOARD OF THE TOWN OF FORT EDWARD
COUNTY OF WASHINGTON, STATE OF NEW YORK**

Resolution No. 13 of 2026
Adopted February 9, 2026

Introduced by Councilman Suprenant
who moved its adoption

Seconded by Councilwoman Collier

**ORDER SCHEDULING A PUBLIC HEARING PURSUANT TO ARTICLE 12 OF
TOWN LAW UPON A PETITION FOR THE ESTABLISHMENT OF THE TOWN OF
FORT EDWARD CANALSIDE ENERGY PARK WATER DISTRICT**

WHEREAS, a petition dated January 20, 2026 has been duly filed with the Town Clerk of the Town of Fort Edward (the “Town”) pursuant to Article 12 of the Town Law of the State of New York for the establishment of a water district in the Town to be known as the “Town of Fort Edward Canalside Energy Park Water District” (the “District”); and

WHEREAS, said petition was signed and acknowledged, in the manner required by law, and complies with the requirements of Town Law section 191 and sets forth the boundaries of the District, the improvements to be constructed and the estimated costs thereof; and

WHEREAS, a Map, Plan and Report describing the proposed District and improvements has been prepared by LaBella Associates, PC and has been duly filed with the Town Clerk and is available for public inspection during regular business hours; and

WHEREAS, the Town Board desires to consider said petition and provide an opportunity for all interested persons to be heard thereon as required by Town Law section 193; and

WHEREAS, the following description shall describe the boundaries of the proposed District, which shall consist of one parcel. Reference to the Town Tax Map Parcel Number and Name of Owner are as they appear in the Washington County Tax Rolls in the year 2025:

All that certain piece or parcel of land situate, lying and being in the Town of Fort Edward, County of Washington and the State of New York, more particularly bounded and described as follows:

BEGINNING at the point in the northwesterly bounds of the lands of the People of the State of New York, known as the Champlain Canal, where the same is intersected by the westerly bounds of the corporate lines of the Town of Fort Edward and the easterly corporate line of the Village of Fort Edward, being also in. the easterly bounds of lands of James and Julia Wilson; running thence along said lands North 07 degrees, 42 minutes and 02 seconds West, along said Village/Town line, a distance of 179.92 feet to the northeasterly corner of said lands of Wilson; thence running along said Village/Town line North 08 degrees, 9 minutes and 51 seconds West, a distance of 1,600.47 to a point in the easterly line of CP Railroad; thence running along said line of CP Railroad North 08 degrees, 09 minutes and 51 seconds West, a distance of 116.40 feet to an angle point in said CP Railroad; thence continuing along said railroad, North 35 degrees, 42 minutes and 22 seconds East, a distance of 764.14 feet to the southwesterly corner of a strip of land owned by the State of New York for a drainage ditch; thence running along said drainage ditch, North 82 degrees, 11 minutes and 08 seconds East, a distance of 1303.19. feet to the westerly bounds of other lands of the State of New York, known as the Champlain Canal; thence running along said canal lands the following four courses and distances:

- (1) South 29 degrees, 34 minutes and 50 seconds West, a distance of 1220.55 feet;
- (2) South 00 degrees, 06 minutes and 10 seconds East, a distance of 297.86 feet;
- (3) North 69 degrees, 09 minutes and 20 seconds East, a distance of 42.12 feet;
- (4) South 34 degrees, 15 minutes and 20 seconds West, a distance of 1610.48 feet to the point and place of beginning, containing 50.96 acres of land to be the same more or less.

<u>Tax Map Parcel No.</u>	<u>Address</u>	<u>Owner</u>
163.-2-20.1	470 Lock 8 Way	Counties of Warren and Washington IDA

WHEREAS, the improvements proposed are as follows: construction of water facilities to provide water service to the property contained within the boundaries of the proposed District, as is more specifically described in the Map, Plan & Report; and

WHEREAS, the total maximum amount to be expended on the Project is Two Million One Hundred Forty Three Thousand Dollars (\$2,143,000.00); and

WHEREAS, the costs of constructing the proposed improvements will be paid for by the sole property owner in the proposed District; and

WHEREAS, the sole property owner is the Counties of Warren and Washington Industrial Development Agency, a public benefit corporation organized pursuant to NYS General Municipal Law, that has secured financing from the US Department of Housing and Urban Development and FASTNY grants to assist in financing the costs of the proposed improvements; and

WHEREAS, the estimated cost of the operation and maintenance charges are more fully described in the Map, Plan and Report, which provisions are incorporated herein by reference; and

WHEREAS, the estimated cost of the water charges is more fully described in the Map, Plan and Report, which provisions are incorporated herein by reference; and

WHEREAS, there is no residential property in the proposed District; and

WHEREAS, the permission of the State Comptroller is not required for establishment of the proposed District.

ORDERED, that a public hearing be held before the Town Board of the Town of Fort Edward at the Town Offices, located at 118 Broadway, Fort Edward, New York, on the 9th day of March, 2026, at 7:05 pm, to consider the petition for the establishment of the Town of Fort Edward Canalside Water District, as set forth in the Map, Plan and Report prepared by LaBella Associates PC; and be it further

ORDERED, that at said time and place, the Town Board will hear all persons interested in the subject matter thereof concerning the establishment of said District, the proposed improvements, and the costs of same; and be it further

ORDERED, that a detailed copy of the Map, Plan and Report shall be kept on file in the office of the Town Clerk, where it shall remain available for public inspection during regular business hours; and be it further

ORDERED, that the Town Clerk is hereby directed to cause a notice of said public hearing to be published at least once in the official newspaper of the Town and posted on the Town's signboard not less than ten (10) nor more than twenty (20) days before the date of said hearing, all in accordance with the provisions of Town Law §193.

Dated: February 9, 2026

Vote: Councilman Middleton -AYE
Councilwoman Collier – AYE
Councilman Suprenant – AYE
Councilwoman Mullen – AYE
Supervisor Fisher - ABSENT

CORRESPONDENCE:

- Resignation letter from David Cutler resigning his position with the Board of Assessment Review.

MOTION by Councilman Suprenant, Seconded by Councilwoman Collier to accept David Cutler's resignation from the Board of Assessment Review **ALL AYES**

PUBLIC COMMENT:

Mike Dickinson: What did you find out about the storage pile at ESMI on the Town property.

Councilman Middleton: I am not sure what the Supervisor has found out about that yet.

MOTION by Councilman Suprenant, Seconded by Councilwoman Mullen to enter into executive session at 8:15pm to discuss real estate matters with the Assessor **ALL AYES**

MOTION by Councilman Suprenant, Seconded by Councilwoman Mullen to come out of executive session at 8:52pm **ALL AYES**

ADJOURNMENT:

MOTION by Councilman Suprenant, Seconded by Councilwoman Mullen to adjourn the meeting at 8:53pm **ALL AYES**

Dated: February 11, 2026

Aimee Ives, Town Clerk

Why DEC should deny the ESMI RD&D PFAS permit application - a primer

The Fort Stops PFAS

What you should know

01

Environmental History

Historical contamination of land, air, and water in Washington Country

02

Disadvantaged Communities

Impacts on the most vulnerable members of the community

03

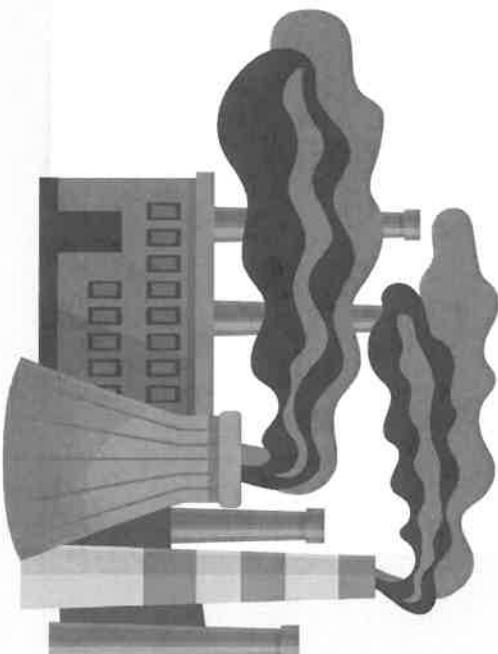
ESMI Regulatory Concerns

Aging infrastructure with outdated operating permits

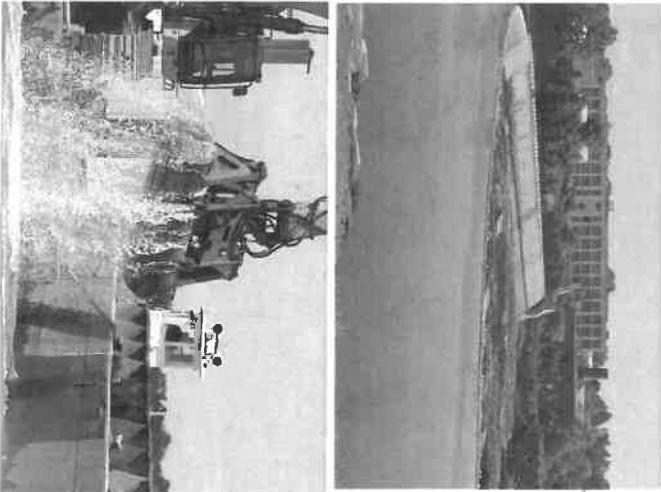
04

Health and Safety

Concerns about potential exposures and lack of safety protocols



Hasn't WASHington County carried the burden of pollution for long enough?



Nations Largest Superfund Site

1.3 million tons of carcinogenic and hormone disrupting PCBs dumped into the river and then redistributed throughout Washington County

Dredging Effort Failures

DEC deemed five year dredging project largely ineffective, disturbing buried PCBs and reintroduce them to the environment (2)

Environmental cleanup Sites in HF and FE

23

Area of Hudson Falls and Fort

Edward Combined

1.92 sq mi + 1.9 sq mi = 3.82 sq mi



02

Washington County: A Vulnerable Community

DACs and PEJAs

1. Proximity to Hudson Falls DAC/PEJA triggered additional public engagement and the PPP
2. Additional DACs/PEJAs in the area include Glens Falls, Fort Ann, Comstock, Whitehall, Granville and Hartford
3. All of these areas are at least partially downwind of ESMI

Why Fort Edward?

1. By ESRI's own admission, Fort Edward has nothing to gain from the experiment
2. NO currently detectable background PFAS levels
3. ALL PFAS soils would be imported from out of area or out of state

Why conduct an experiment in a Village?

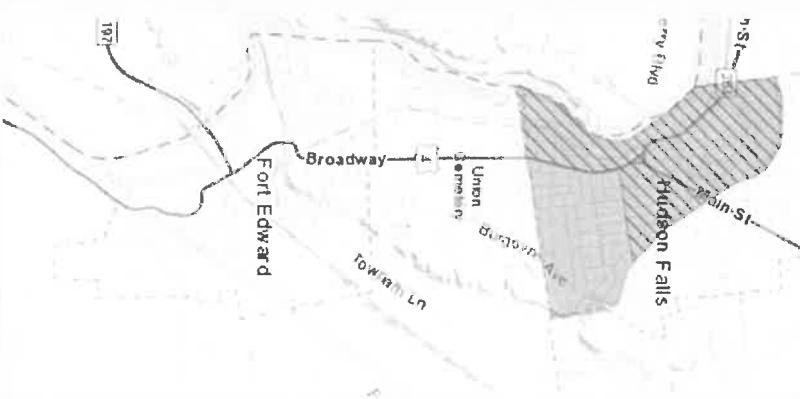
- Location is close to many vulnerable populations

- Fort Edward Public School less than 1 mile away

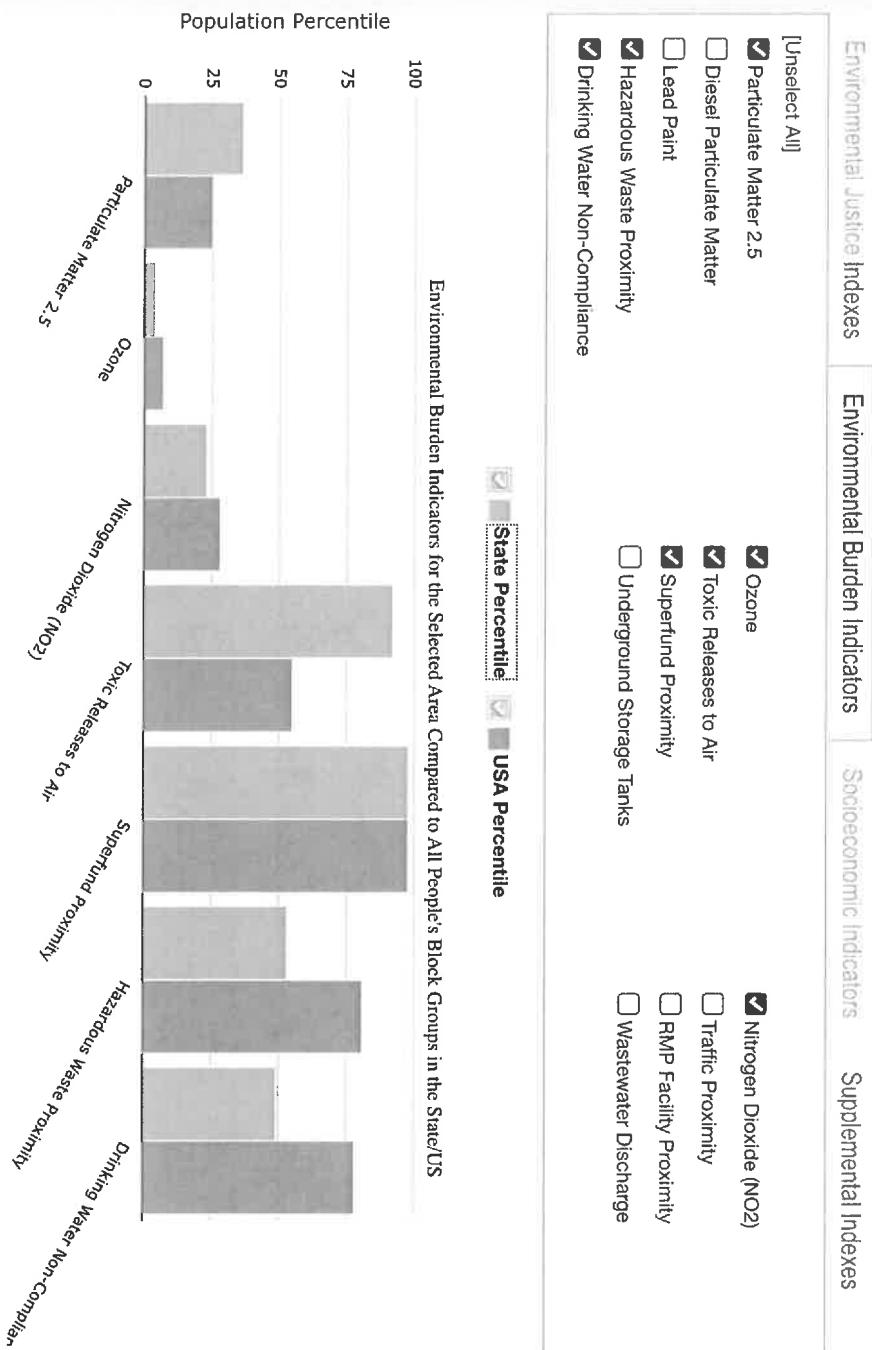
Facility Name	Location (UTM Coordinates)	Approximate Distance from Facility (km)
Fort Edward Jr. Sr. High School	614811.26m, 4792114.38m	0.97
School on Burgoyne	615068.06m, 4793260.20m	0.83
Fort Edward Village Recreation	615168.68m, 4791200.98m	0.86
Learning Express Family Daycare	614061.73m, 4792415.84m	1.75
A Mother's Dream Daycare	614550.77m, 4794149.78m	1.80
Fort Edward-Kingsbury Health Center	614987.73m, 4791610.57m	1.38
Fort Edward Village Recreation	615155.76m, 4792128.53m	0.85
Wedgewood Golf Club	616233.14m, 4792572.79m	0.85
Mullen Park	615253.85m, 4792023.77m	0.85

Why experiment in a vulnerable community?

- Neighboring communities are already at risk from overexposure to toxins which is why the Public Participation Plan was required in the first place
- Hudson Falls is recognized as both a Disadvantaged Community (DAC) and a Potential Environmental Justice Area (PEJA) by New York State
- Heightened health concerns and stricter environmental oversight

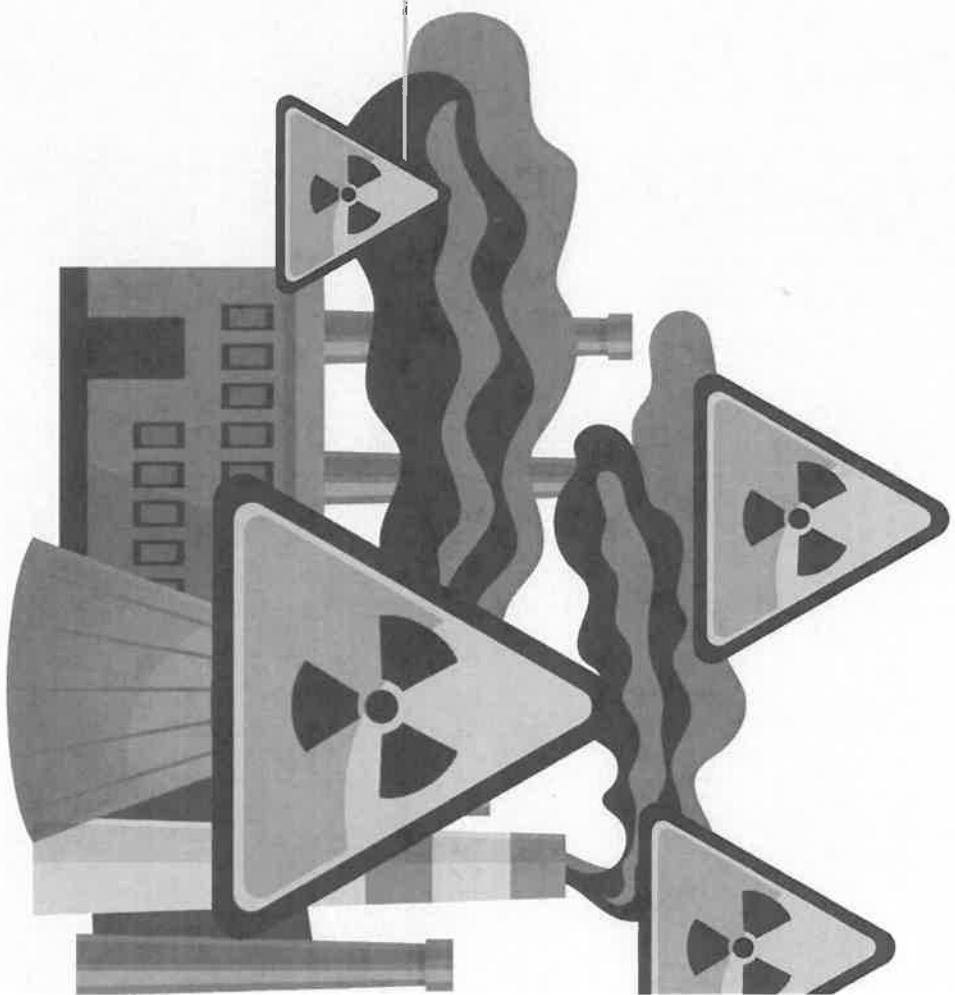


Blockgroup 361150880021, Fort Edward, NY, EPA Region 2 (Population: 1,214)



03

ESMI regulatory concerns



ESMI Permit Timeline

Land Use Permit only
allows for petroleum
processing

1995 —> 1996-2018 —> 2018 —> 2019 - present

Permit Issued	Numerous Permit Modifications	PFAS Experiment	PFAS RD&D application
Initial permit allowed the processing of petroleum contaminated soil	PCBs, dredge spoils, historical fill, paper sludge, and sewage sludge, and coal tar contaminated soil	22 tons of PFAS soil from Cambridge	2 week experiment on 5000 tons PFAS contaminated soil

Current Operation

- Thermal desorption used for all operations except 2024 PFAS experiment
- No land permit approvals by the Village of Fort Edward other than for PCS
- All emissions are calculated, not REAL TIME
- Emissions from 2018 PFAS experiment are NOT included in 2018 annual emissions report
- Pending sale to Veolia



Pollutant Code	Pollutant Description
300000322	TOTAL PARTICULATE MATTER
300000322	TOTAL PARTICULATE MATTER
300000319	PARTICULATE MATTER < 10 UM
300000319	PARTICULATE MATTER < 10 UM
300000242	TOTAL HAZARDOUS AIR POLLUTANTS (HAPS)
300000242	TOTAL HAZARDOUS AIR POLLUTANTS (HAPS)
300000005	NITROGEN OXIDES NO2
300000005	NITROGEN OXIDES NO2
300000329	FACIL
300000329	FACIL
10461	Sulfur dioxide
10461	Sulfur dioxide
10193	Carbon monoxide
10193	Carbon monoxide
300000243	VOLATILE ORGANIC COMPOUNDS (VOCs)
300000243	VOLATILE ORGANIC COMPOUNDS (VOCs)
300000038	Lead
300000038	Lead
300000074	Tetrachloroethylene
300000074	Tetrachloroethylene
300000242	TOTAL HAZARDOUS AIR POLLUTANTS (HAPS)
300000242	TOTAL HAZARDOUS AIR POLLUTANTS (HAPS)

Facility Insufficiencies

- The structure is a pole barn that is 30+ years old with aging infrastructure
- The thermal treatment of the soil is done with very rudimentary equipment. Other than replacement with higher temperature equipment in 2014-15, it has never been upgraded
- There is an under qualified team without the technical knowledge to safely deal with hazardous materials in a residential area
- DEC has not required legally required existing burdens reports, GHG emissions reports or followed their own policies and procedures at a minimum. DEC has also been minimally responsive to FOIL. WHY??

04

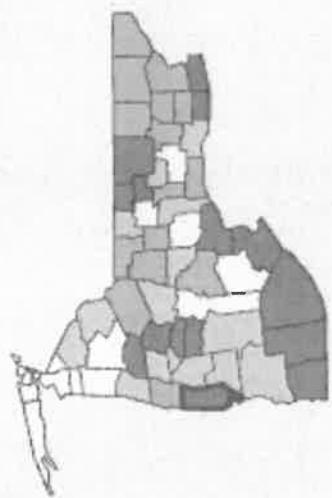
Health & Safety Risks



Health and Environmental Impacts

Rate of Cancer Deaths in Washington County, New York

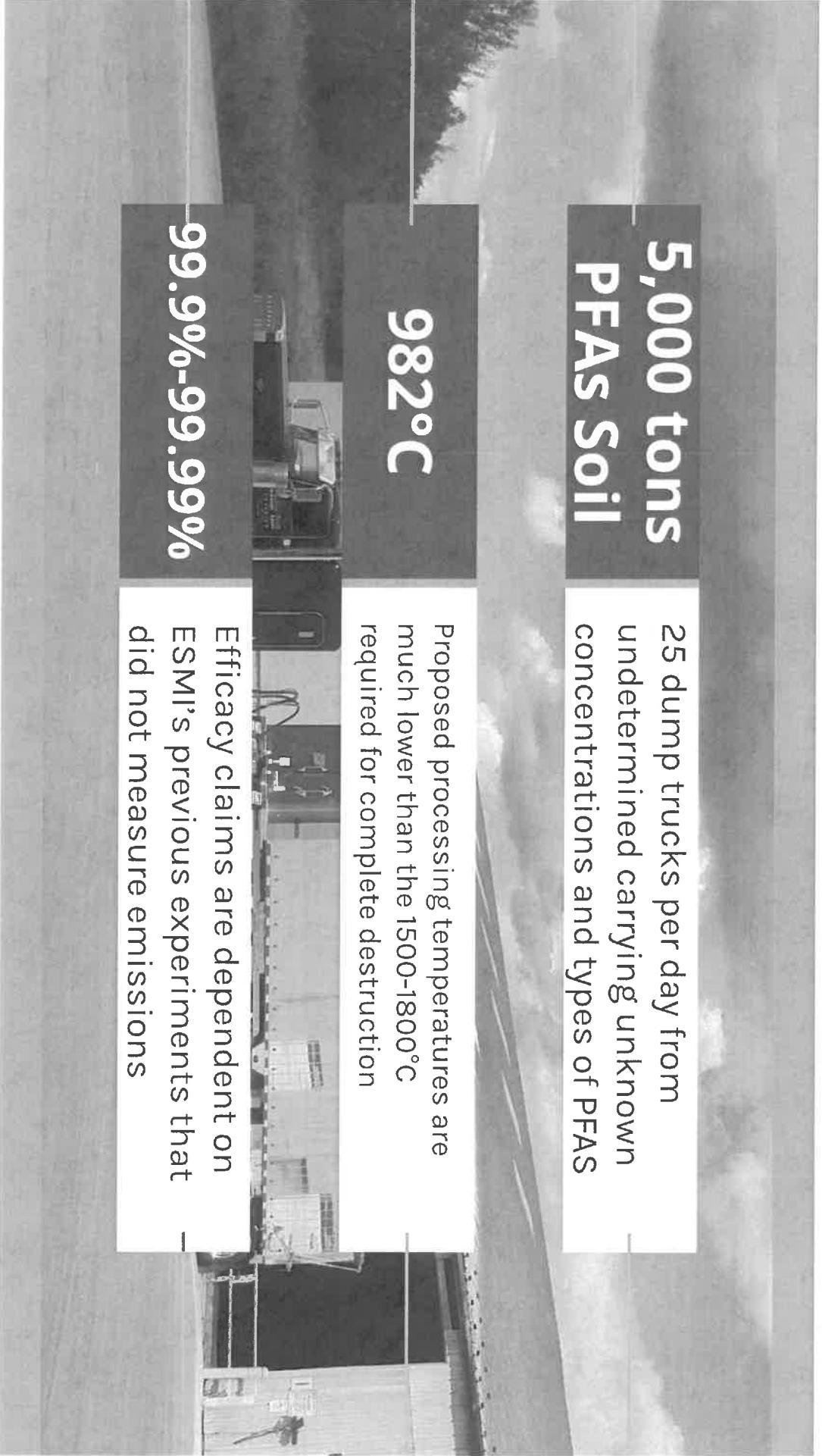
All Types of Cancer, All Ages, All Races and Ethnicities, Male and Female, 2018-2022



WASHINGTON COUNTY
3rd Highest in the State
165.9 cancer deaths per 100,000

Rate per 100,000 people





5,000 tons PFAS Soil

25 dump trucks per day from undetermined carrying unknown concentrations and types of PFAS

982°C

Proposed processing temperatures are much lower than the 1500-1800°C required for complete destruction

99.9%-99.99%

Efficacy claims are dependent on ESMI's previous experiments that did not measure emissions

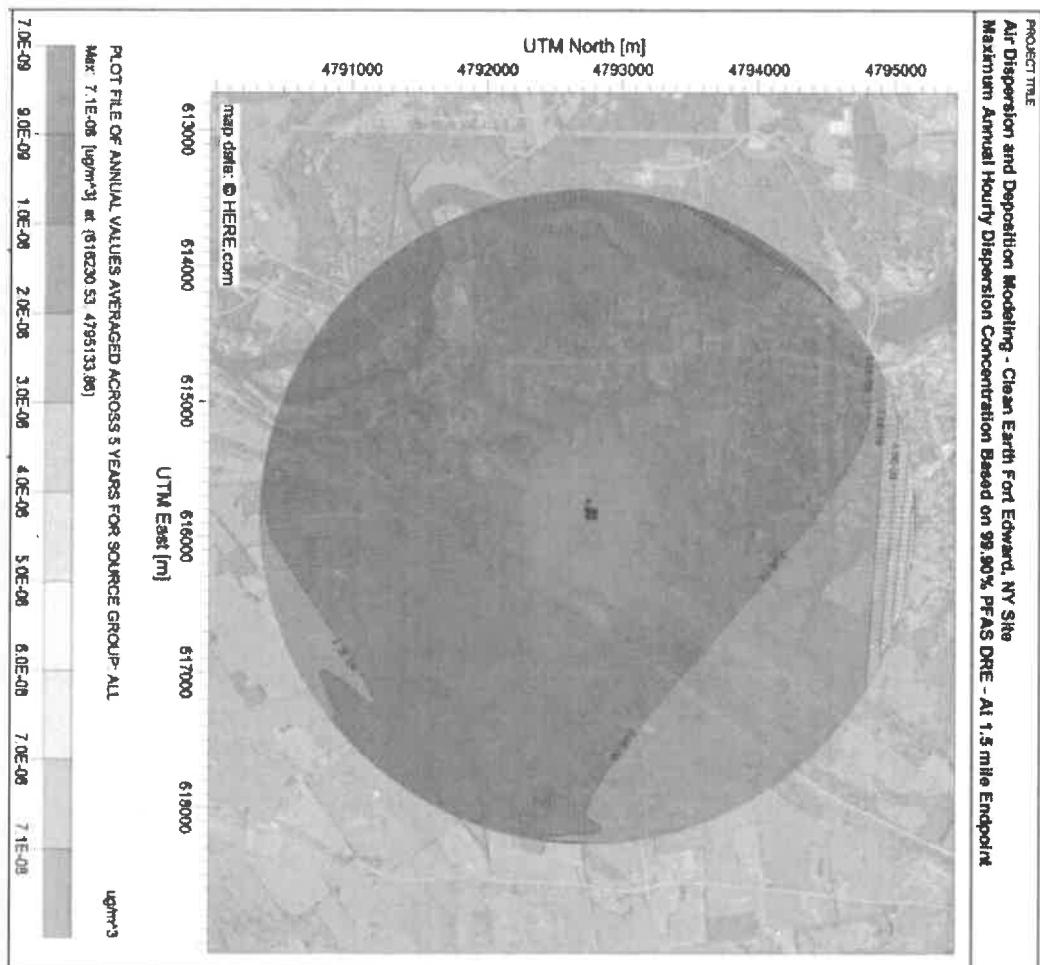
Health and Safety Risks

1. NO real-time emission testing
 - a. Actual emissions during testing window will be unknown
 - b. Adjustments can not be made during the process if higher PFAS concentrations are being emitted
 - c. Only capable of testing for 40-60 types of PFAS when over 12,000 variations exist (1, 2)
2. Models generated by C.T. Male are based on extremely low PFAS soil concentrations. The more PFAS in soil; the more emissions are released. Even at 99.9% efficacy this could multiply emissions by 1,000's
3. Emissions samples were not collected ESMI's 2018 study yet claims to have been 99.9-99.99% efficiency.

Is all the data available being used?

- Model was capable of a 5 mile radius but only depicts 1.5 miles.
- Increasing concentration of PFAS emissions over Hudson Falls to the north.

COMMENTS	
BORNEES:	COMPANY NAME
1	C.T. MALE ASSOCIATES
RECEPORS:	WORKERS
360	C.T. MALE STAFF
CURRENT TIME	SCALE
7.1E-08 ug/m ³	0 1 km
MAX:	PROJECT NO
7.1E-08 ug/m ³	22.2756
8/1/2023	



What are we asking for?

1. Letters from town supervisors of Washington county requesting the Department of Environmental Conservation deny ESMI (Clean Earth) RD&D application to thermally desorb 5,000 tons PFAS contaminated soils.
2. Engagement with constituents encouraging letter writing.
3. Request a Public Hearing.