

MINUTES OF THE TOWN BOARD OF THE TOWN OF FORT EDWARD PUBLIC HEARING & REGULAR MEETING HELD ON MONDAY, NOVEMBER 10, 2025, AT TOWN HALL COMMENCING AT 6:55 P.M.

Supervisor Fisher opened the Public Hearing at 6:55pm

PRESENT: Supervisor Fisher
Councilman Middleton
Councilwoman Mullen

ABSENT: Councilman Suprenant
Councilwoman Collier

OTHERS PRESENT: Therese Gillis, Jessica Donnelly, Steve Stimpson, Scott Fitzgerald, Kyle Cozzens, Elizabeth O'Leary, Brian Brockway, Richard Belden, Town Attorney Bill Nikas and Town Clerk Aimee Ives.

The following notice was published in The Post Star on November 3, 2025:

TAKE NOTICE The Town Board of the Town of Fort Edward will hold a public hearing on Monday, November 10, 2025, at 6:55pm to hear comments on the proposed New Chapter 73 entitled Noise Control Ordinance which would, if adopted, replace the current Chapter 73, entitled Noise. At the Public Hearing anyone who wishes to comment will be heard.

PUBLIC COMMENT:

Kyle Cozzens: What are the changes?

Supervisor Fisher: We had to make changes so that it will be held up in court if need be. The new ordinance is more detailed than the previous one. This deals more with noise events rather than everyday noise.

MOTION by Councilman Middleton, Seconded by Councilwoman Mullen to close the public hearing at 7:00pm **ALL AYES**

Supervisor Fisher called the regular meeting to order at 7:01pm

APPROVAL OF MINUTES: MOTION by Councilman Middleton, Seconded by Councilwoman Mullen to approve the minutes of the public hearing & regular meeting held October 14, 2025 **ALL AYES**

APPROVAL OF REPORTS: MOTION by Councilwoman Mullen, Seconded by Councilman Middleton to approve the monthly reports of the Town Clerk, Town Justice, Building Inspector, Highway, Supervisor, Dog Control and Assessor as submitted **ALL AYES**

APPROVAL OF BILLS: MOTION by Councilman Middleton, Seconded by Councilwoman Mullen to approve Abstract #11 in the amount of \$96,299.59 **ALL AYES**

ABSTRACT #11

GENERAL A: 13708-13719.13724-13754	\$26,179.39
GENERAL B: 13755-13761	\$17,974.00
HIGHWAY: 13762-13775	\$11,910.55
MUNICIPAL: 13720,13776-13778	\$ 7,333.60
SPECIAL LIGHTING: 13721	\$ 4,076.71
SPECIAL WATER: 13722-13723,13779-13783	\$28,759.83
SPECIAL WATER 2: 13784-13785	\$ 65.51

TOTAL: 96,299.59

BUSINESS:

Scott Fitzgerald
Solar on Earth

Scott Fitzgerald: We are looking to show the municipality how to get the dollar credits that are generated off these solar fields. You get a 10% reduction on your annual expenditure, you will not change your supplier, but you will get the credits off the delivery and supply of your bill. This program is conducted by NYSERDA, what it does is take the municipalities meter and place it onto one of the solar arrays generating the off-set dollars and then placing it directly onto the utility bill reducing what is owed to National Grid. The program is free to get into and out of, you must sign up and get approved. You will get roughly 1 to 2 free bills per year. The next step is to fill out the application, it will go to the developer, and they will decide if it meets the qualifications they are looking for.

Kyle Cozzens: Is this something residents can sign up for?

Scott Fitzgerald: Anyone can sign up.

Kyle Cozzens: Do you work for a private company? What do you get out of it?

Scott Fitzgerald: We partner with the ones that build and fund these programs, we are the paperwork/customer service end. The developers pay our fees, not you.

Supervisor Fisher: Send us a proposal for review.

RESOLUTIONS:

RESOLUTION NUMBER 19 of 2025
LOCAL LAW NUMBER 1 OF 2025
TO ADOPT A NEW CHAPTER 73 OF THE TOWN CODE ENTITLED

“NUISANCE PROPERTIES”

WHEREAS, the Town Board of the Town of Fort Edward (herein called the “Board”) is considering adoption of Local Law No. 1 of 2025, which would, if adopted, as a new Chapter 14 “Nuisance Properties”, for the purpose of addressing chronic nuisance properties and nuisance activities that repeatedly occur or exist; and

WHEREAS, the Board finds that it is in the best interests of the town to remedy nuisance activities that are particularly disruptive to quality of life and repeatedly occur or exist at properties by providing a process of abatement; and

WHEREAS, the Board finds that the adoption of Local Law No. 1 of 2025 is a necessary and proper exercise of authority by the Board, and

WHEREAS, pursuant to Section 20 of the Municipal Home Rule Law, a public hearing on the proposed adoption of Local Law No. 1 of 2025 was duly conducted on October 14, 2025 at 7:00 p.m. at Town Hall; and

WHEREAS, the Board has considered the public comments made at the public hearing; and

WHEREAS, the Board has determined that adoption of this ordinance is classified as a Type II action under SEQR regulations, and therefore is exempt from SEQR review.

WHEREAS, after thorough review and deliberation, the Board proposes to adopt Local Law No. 1 of 2025; and

WHEREAS, the Attorney for the Town has prepared the necessary documents for filing this local law with the Secretary of State including the text of the law itself; and

NOW, THEREFORE, BE IT RESOLVED, that the Board adopts and authorizes the filing of a negative declaration, and

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby adopts Local Law No. 1 of 2025, annexed hereto, and

BE IT FURTHER RESOLVED, that the Board hereby authorizes the Town Clerk and the Attorney for the Town to make such minor modifications to the local law documents as they deem necessary and thereafter are directed to execute and file the said documents as required by law and to take all the necessary actions for the promulgation thereof.

Motion: Councilman Middleton

Second: Councilwoman Mullen

Roll Call:

Councilperson Suprenant - ABSENT

Councilperson Middleton - AYE

Councilperson Collier - ABSENT

Councilperson Mullen - AYE

Supervisor Fisher - AYE

I hereby certify that this Resolution was duly adopted by the Fort Edward Town Board at a regular meeting of the Town Board conducted on November 10, 2025.

By: _____
Aimee Ives, Town Clerk
Town of Fort Edward

**RESOLUTION NUMBER 20 of 2025
LOCAL LAW NUMBER 2 OF 2025
TO ADOPT A NEW CHAPTER 73 OF THE TOWN CODE ENTITLED
“NOISE CONTROL ORDINANCE”**

WHEREAS, the Town Board of the Town of Fort Edward (herein the “Board”) is considering the adoption of a new Article 73, entitled “Noise Control Ordinance”, which would, if adopted, replace the current Chapter 73, entitled “Noise”, of the Code of the Town of Fort Edward; and

WHEREAS, the Board finds that the adoption of Local Law No. 2 of 2025 is a necessary and proper exercise of authority by the Board; and

WHEREAS, pursuant to Section 20 of the Municipal Home Rule Law, a public hearing on the proposed adoption of Local Law No. 2 of 2025 was duly conducted on November 10, 2025 at 6:50 p.m. at the Town Hall; and

WHEREAS, the Board has considered the public comments made at the public hearing; and

WHEREAS, the proposed action has been considered under SEQR.

WHEREAS, the Board has determined that adoption of this ordinance is classified as a Type II action under SEQR regulations, and therefore is exempt from SEQR review.

WHEREAS, after thorough review and deliberation, the Board proposed to adopt Local Law No. 2 of 2025; and

WHEREAS, the Attorney for the Town has prepared the necessary documents for filing this local law with the Secretary of State including the text of the law itself.

NOW THEREFORE, BE IT RESOLVED, that the Board hereby adopts Local Law No. 2 of 2025, and Chapter 73 is hereby amended to replace the current provisions of Chapter 73; and

BE IT FURTHER RESOLVED, that the Board hereby authorizes the Town Clerk and Attorney for the Town to make such minor modifications to the local law documents as they deem necessary, to execute and file the said documents as required by law, and to take all of the necessary actions for the promulgation thereof.

Motion: Councilwoman Mullen

Second: Councilman Middleton

Roll Call:

Councilperson Suprenant - ABSENT

Councilperson Middleton - AYE

Councilperson Collier - ABSENT

Councilperson Mullen - AYE

Supervisor Fisher - AYE

I hereby certify that this Resolution was duly adopted by the Fort Edward Town Board at a regular meeting of the Town Board conducted on November 10, 2025.

By: _____
Aimee Ives, Town Clerk
Town of Fort Edward

RESOLUTION NUMBER 21 OF 2025

MOTION BY COUNCILMAN MIDDLETON

SECONDED BY COUNCILWOMAN MULLEN

RESOLUTION TO ADOPT THE 2026 TOWN BUDGET

WHEREAS, the Town Board of the Town of Fort Edward held its public hearing on the 2026 Preliminary Budget on October 14, 2025, and

WHEREAS, there was limited public comment on the town budget.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Fort Edward hereby adopts the 2026 Town Budget.

Dated: November 10, 2025

Roll Call Vote: Councilperson Suprenant - ABSENT
Councilperson Middleton - AYE
Councilperson Collier - ABSENT
Councilperson Mullen - AYE
Supervisor Fisher - AYE

AYES: **3**
NAYS : **0**
ABSENT: **2**

CORRESPONDENCE:

Supervisor Fisher: We received a letter dated November 4, 2025, from the Department of Health referencing Ace's Bar & Tavern. The office is in receipt of the application to construct, enlarge or convert a facility to a food service facility and the application has been deemed incomplete by the Department of Health.

OTHER BUSINESS:

Brian Brockway:

- We received a call from the Sherriff's Dept. asking about the homeless person sleeping on the bench by Market 32. They wanted to know if the Town owned the bench and I believe we received it through a hospital grant.
- Janet Oswald wants her sidewalk taken out in front of her house.
- Called in the streetlights that are out.

- We want to put 1 ½” hose in the garage to wash the trucks this winter, we had discussed it but nothing was ever decided. The price will be \$2,700.00.

MOTION by Councilman Middleton, Seconded by Councilwoman Mullen to authorize Brian Brockway to have C & L Construction install a 1 ½” hose in the garage for the purpose of washing trucks at a price not to exceed \$2,700.00 **ALL AYES**

Supervisor Fisher: Thank you to the Highway Dept. for helping to get the 7 trees removed and cleaned up.

Councilman Middleton: Thank you to the Highway Dept. for helping the LDC clean out the basement at the Train Station for necessary repairs.

Attorney Nikas: How do you want to proceed with the Verizon Easement Proposal?

Supervisor Fisher: I am in favor and so are Councilman Suprenant and Councilwoman Collier.

Councilman Middleton: What can we do with that money.

Attorney Nikas: You are not restricted, when the lease payments come in, they are not restricted. I do recommend that you put it in a segregated account to get interest that matches your current annual lease payments. You are getting rid of a risk that the technology will not be around in 15 or 20 years but the fund can be there forever.

Brian Brockway: Can that money be used for a plow truck instead of bonding one next time?

Attorney Nikas: It would defeat the purpose of collecting interest that are close to the current lease payments you have been receiving but that would be up to the Board.

MOTION by Councilman Middleton, Seconded by Councilwoman Mullen to authorize Supervisor Fisher to sign the Verizon Easement Agreement on the Water Tower for \$801,000.00 **ALL AYES**

Councilman Middleton: Can you merge water districts?

Attorney Nikas: You can but it could be difficult.

PUBLIC COMMENT:

Kyle Cozzens: I want to give an update on everything that is going on with the bike trail which is in the Town of Fort Edward and Canal Corp. property. For the past 2 years Kiewit has been using it for an access road to the tracks, and it is in awful condition. It has affected businesses here in the Village, riders are not coming to ride here which is affecting tourism, they are not visiting the restaurants. They finally put down stone dust just before 196 and all the way to where the bike trail starts here in Fort Edward. There are several concerns regarding the way they did it and to what standard. We have been going back and forth with Canal Corp. to make sure

they make Kiewit remediate the surface conditions. Before we had a trail that was level all the way around it, there are ADA as well as recreation and industry standards that should have been expressed from Canal Corp. This has dragged out; I have been out there from the start and have sent them pictures and videos of everything and Canal Corp. has not stayed on Kiewit the way they should especially in this most recent remediation/restoration portion which was supposed to go from July 30th – August 11th; nothing had been done on the 11th so it got pushed back to the 18th and still nothing done on the trail itself. We were told that Kiewit's permit was only good through the end of 2025 but have since found out that it is good through the end of 2026. It is likely this will not be corrected before the end of this year so there is a chance that we could be going through 2026 with the same problem.

Councilman Middleton: I heard they would be out of the dewatering site by the 1st of the year.

MOTION by Councilman Middleton, Seconded by Councilwoman Mullen to enter into executive session at 7:46pm **ALL AYES**

MOTION by Councilman Middleton, Seconded by Councilwoman Mullen to come out of executive session at 8:05pm **ALL AYES**

ADJOURNMENT:

MOTION by Councilman Middleton, Seconded by Councilwoman Mullen to adjourn the meeting at 8:05pm **ALL AYES**

Dated: November 19, 2025

Aimee Ives, Town Clerk