

**AGENDA
TOWN OF FORT EDWARD
PUBLIC HEARING & REGULAR MEETING
OCTOBER 13, 2026 –6:55 P.M.**

Call to Order.
Pledge of Allegiance.

ROLL CALL: Supervisor Fisher
Councilman Suprenant
Councilwoman Mullen
Councilman Middleton
Councilwoman Collier

OTHERS PRESENT:

APPROVAL OF MINUTES: Minutes of the regular meeting of September 14, 2026, and Budget Workshop of September 28, 2026.

APPROVAL OF REPORTS: Town Clerk Monthly, Dog Control Officer, Town Justice, Assessor Building Inspector, Highway & Supervisor.

APPROVAL OF BILLS:

ABSTRACT #10

GENERAL A –	\$10,546.58
GENERAL B –	\$ 4,139.44
HIGHWAY –	\$ 4,638.51
MUNICIPAL –	\$ 2,042.59
SPECIAL LIGHTING –	\$ 3,932.68
SPECIAL WATER –	\$33,713.29
SPECIAL WATER 2 –	\$ 65.51

TOTAL: \$59,078.60

BUSINESS:

**PUBLIC HEARING
2027 PRELIMINARY BUDGET
6:55 P.M.**

**TOWN OF FORT EDWARD
NOTICE OF PRELIMINARY BUDGET HEARING**

Notice is hereby given, the preliminary budget for the Town of Fort Edward, Washington County, New York, for the fiscal year beginning January 1, 2027, has been

completed and filed in the Office of the Town Clerk, 118 Broadway, Fort Edward, New York where it is available for inspection during regular business hours.

Further notice is hereby given, the Town Board will hold a public hearing thereon Tuesday, October 13, 2026 at 6:55 P.M. at the Town Hall, 118 Broadway, Fort Edward, New York and at such hearing any person may be heard.

Pursuant to Section 113 of the Town Law, the proposed salaries of the following Town officers are hereby specified as follows:

Supervisor	- \$ 12,780
Town Councilman (4)	- \$ 5,765
Superintendent of Hwy	- \$ 79,628
Town Clerk/Collector	- \$ 62,400
Town Justice	- \$ 54,080

In addition, REAL PROPERTY TAX LAW-SECTION 495

Exemption report: shows total assessed value on the final assessment roll that is exempt from taxation: shows the cumulative impact of all exemptions granted: this report is part of the final budget and made available at the Town Hall.

OTHER BUSINESS:

- Highway Inventory Sheets
- **Set Public Hearing for proposed Local Law #2** - Prohibiting Battery Energy Storage Systems in the Town of Fort Edward – November 9, 2026, at 7:05 P.M.

RESOLUTIONS:

Res. No. #22 – Setting a Public Hearing for November 9, 2026, at 7:00 P.M. to hear comments on the revised Map, Plan, and Report for the Fort Edward Canalside Energy Park Water District.

CORRESPONDENCE:

- Thank you card – Dave Earsing

ADJOURNMENT:

LICENSE TYPES AND FEES																
	Dogs	Yrs	Seniors	Unspay	Unspayed Statutory Fee (B)	Spayed Statutory Fee (C)	Local Fee (D)	Late Penalty (E)	Spayed Fee (F)	Unspayed Fee (G)						
1. Spay/Neuter	21	21	0		NO FEE	@ 0.00	0.00	@ 11.00	231.00	0	@ 0.00	0.00	@ 1.00	21.00	NO FEE	
2. Unspay/Unneut	5	5	0	5	@ 0.00	0.00	NO FEE	@ 17.00	85.00	0	@ 0.00	0.00		NO FEE	@ 3.00	15.00
3. Exemption	0	0			NO FEE	NO FEE	NO FEE		NO FEE	@ 0	0.00	@ 0	0.00		0	0.00
4. Purebred(1-10)	0	0		0	@ 0.00	0.00	0.00	@ 0.00	0.00	@ 0.00	0.00	0.00	@ 0.00	0.00	@ 0.00	0.00
5. Purebred(11-25)	0	0		0	@ 0.00	0.00	0.00	@ 0.00	0.00	@ 0.00	0.00	0.00	@ 0.00	0.00	@ 0.00	0.00
6. Purebred(26+)	0	0		0	@ 0.00	0.00	0.00	@ 0.00	0.00	@ 0.00	0.00	0.00	@ 0.00	0.00	@ 0.00	0.00
7. TOTALS	26	26	0	5	\$0.00		\$0.00		\$316.00		\$0.00			\$21.00		\$15.00

REPLACEMENT AND PUREBRED TAG ORDERS PROCESSED									
	Column H		Column I (Local)		Column J (Statutory)				
	# Each		Tag Fees		Tag Fees				
8. Replacement Tags	0		0.00		0.00				
9. Purebred Tags	0		0.00		0.00				
10. TOTALS	0		\$0.00		\$0.00				

DISBURSEMENTS (to T.C.V.)									
	(to T.C.V.)		(to County)		(to Animal Population Control)				
12. Local% of 7B + 7C	\$0.00		15. Stat% of 7B + 7C		\$0.00		18. 100% of 7F + 7G		
13. Local% of 7D + 7E + 10I	\$316.00		16. Stat% of 10J		\$0.00		\$36.00		
14. Total	\$316.00		17. Total		\$0.00				

Amount paid to: County Treasurer for Dog Licenses..... \$0.00
Amount paid to: Animal Population Control..... \$36.00

- LICENSE SUMMARY
- Number of Original Standard Dog Licenses: 2
 - Number of Original Purebred Dog Licenses: 0
 - Number of Standard Renewals (including New Owner Licenses): 23
 - Number of Purebred License Renewals: 0
 - Total of Lines 1-3: 25

Account Description	Fee Description	Account#	Qty	Local Share
Conservation	Conservation	A1255	18	111.72
			Sub-Total:	\$111.72
Dog Licensing	Female, Spayed	A2544	13	143.00
Dog Licensing	Female, Unspayed	A2544	1	17.00
Dog Licensing	Male, Neutered	A2544	8	88.00
Dog Licensing	Male, Unneutered	A2544	4	68.00
			Sub-Total:	\$316.00
MARRIAGE LIC.	MARRIAGE LICENSE FEE	A 1255	7	122.50
			Sub-Total:	\$122.50
MISC. FEES	Certified Copies	A 1603	45	480.00
MISC. FEES	Marriage Transcripts	A 1255	6	60.00
MISC. FEES	Red Landfill Stickers	A 2130	2957	5,914.00
MISC. FEES	Village Water Rents	SW2 2140	29	5,838.42
MISC. FEES	Water Rents	SW 2140	4	466.78
			Sub-Total:	\$12,759.20
PERMIT FEES	Building Permits	B 2590	1	150.00
			Sub-Total:	\$150.00
			Total Local Shares Remitted:	\$13,459.42
Amount paid to:	Animal Population Control			36.00
Amount paid to:	NYS Environmental Conservation			1,913.28
Amount paid to:	State Health Dept. for Marriage Licenses			157.50
Total State, County & Local Revenues:			\$15,566.20	
			Total Non-Local Revenues:	\$2,106.78

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Aimee Mahoney, Town Clerk, Town of Fort Edward during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

Supervisor

Date

Town Clerk

Date


 10/1/2026

Fort Edward Town Court
Summary Report of Cases Closed
Judge Joseph M Malvuccio

Report date: 10/01/2026

09/01/2026 to 09/30/2026

All Judges

STATUTE	CLOSED	FINE	SURCHG	CIVIL FEE
PL	32	4355.00	945.00	0.00
VTL	55	5527.00	2588.00	0.00
CPL	1	0.00	0.00	0.00
FEV	3	250.00	0.00	0.00
AM	1	0.00	0.00	0.00
TOTALS	92	10132.00	3533.00	0.00

ADDITIONAL INFORMATION

Number of DWIs - 1192:	7	Fines/Fees: \$2660.00
Number of AUOs - 511:	7	Fines/Fees: \$1979.00
Number of Speeds - 1180:	10	Fines/Fees: \$1413.00
Number of Defendants:	60	
Total Number Charges:	92	
Average Charges/Defendant:	1.53	
Number of Small Claims:	0	

NOTE: Dollars are calculated for fines assessed, not amount collected.



Town of Fort Edward, NY Dog Control

DCO Report August 2026

I do not contract with WCPH to handle 10 day QT bite reports. I do keep track of all reported bites in the town. Exact names and addresses are not included in DCO reports for privacy reasons. The information is available if it is needed and can be provided by the DCO. Incident reports for anything requiring investigation are available upon request.

Extras

I have shared Washington Co. Public Health's sign up for the last free rabies clinic of the year with all my municipalities on their local FB pages.

I attended a statewide 2 day Animal Control Conference in Albany. I taught a seminar on assisting law enforcement with equine related animal welfare calls.

Arrangements are being made to work on the baskets for the Fairytale Julilee Fundraiser. This is a large fundraiser held at the Queensbury Hotel and the largest one of the year for No Empty Bowls, the non profit pet food pantry that serves people in all areas of Washington County. I volunteer for them and I will be assisting at the fundraiser with the large basket raffle next month.

I registered for the Cornell Veterinary Conference. This will be my 4th year attending via the on demand online feature. The seminars I attend give me better tools to assist the people in my municipalities with all kinds of issues involving animals when they contact me for help. I have been able to aim them in the direction they need to find the information that will be most helpful for their situation. This is a wonderful networking opportunity. I have earned over 125 CE credits and will earn more this year. According to the conference organizer at The Cornell School of Vet Medicine, I am still the only ACO/DCO in the state to attend. This is the third year they have allowed me to sign up as a student for an extremely reduced rate. Topics such as animal behavior, nutrition, training and handling, and social issues and mental health issues are all covered during the seminar.

9/15- I spoke to Sargent Diamond of the WCS department and shared information given to me by the kennel manager of the Lucky Puppy Adoption Center in Argyle. She informed me that 2 men who seemed very 'tweeked out' arrived at the center wanting to surrender a dog. She told them she was unable to assist them and they took off leaving her with the impression they would simply dump the dog somewhere on the side of a road. She was able to get 2 photos of the dog and a good description of their truck along with their license plate number. This situation raised concerns for the safety of the public with these men driving and the safety of the dog who may be dumped. It appeared the men had driven down from North Creek. The sergeant stated he would put the information out to the deputies to be watching for this vehicle, possibly driving erratically, and the dog. Neither was spotted in Washington County.

9/28 & 9/29- I attended the state wide ACO conference in Albany. I also taught a seminar sharing information on how to approach a call for equine neglect and assist law enforcement with these types of cases. There were several excellent speakers who covered a wide variety of topics from mental health to state law. I found the conference very informative and full of useful information to help keep me up to date and motivated in the field of dog and animal control.

9/8- I was contacted by a resident that a coyote had come out of the woods and killed a small dog in someone's yard on Canal St and then seemed to be stalking the woman in the yard who lived there and came out later on to pick up toys. I contacted the town clerk to share this information and then reached out to an ENCON officer. He stated that should the coyote be seen again I should direct the person to call 911. The nearest officer would be sent to the scene. The coyote was not seen or reported again.

9/9- I received a call from a man on Lower Allen who informed me a dog had shown up in his side yard the day before over the holiday weekend. He did not recognize the dog and knocked on all the neighbors doors on the block and no one seemed to know the dog. He brought the dog into his home and she was friendly and kind with his children. He noticed she smelled quite bad and was shaking her head and ears a lot. He also noticed she appeared to have recently had puppies and her skin was in bad shape. I picked up the dog and called for a WCS deputy to meet me at the kennel. This dog was in a state of neglect and appeared to have been dumped in the neighborhood by someone. I felt a police report should be filed so there was record of the issue should someone come forward to claim her. A recent complaint about a messy backyard breeding operation possibly taking place in Hudson Falls caused me to wonder if this dog was connected to that issue. A bit of research that afternoon at the kennel with the staff and responding officer pointed to this dog being an independent case. The dog was not claimed and it was reported to me by the kennel staff near the end of the month that she is doing much better. She has retained her sweet personality and the gentleman who found her has expressed interest in possibly adopting her when she is healthy enough to be adopted into a permanent home.

9/16- I received a call from a brand new resident on Co Rt 43 who informed me her dog was missing. Not knowing the area, she was afraid the dog had wandered or chased a rabbit and did not know how to get back to her new home. I posted the dog online, asked people in the area to check their outdoor cameras, and put the owner in touch with Alifie's Rescue to see if they could bring in their drone. Within an hour the dog was spotted by a neighbor and was back home. The owner stated she would be sure the dog had a new license with the new address.

9/17- I visited a condemned property at 13 Liberty St to check for a dog. A local cat rescue had been working there to trap and remove cats. It was reported that a dog was thought to be heard inside the empty home. I visited the property, knocked on all the doors, looked into the windows and large doors out back and did not see or hear a dog. There was no evidence that a dog had been there recently. In August I had spoken to the property owner who lives out of state and received permission to be on the property if an animal related call came in which would require me to be there. I confirmed the permission in a text message to have it in written form. The town's deputy clerk informed me she was familiar with the people who had been living there and to the best of her knowledge they had taken their dogs with them when they vacated the property. There was no probable cause to attempt to enter the building and I considered the matter closed.

Shannon Celeste NACI Fort Edward DCO

Treasurer's Summary Report

Town of Fort Edward

GENERAL FUND

September

Cash Account Balances As Follows:

Account No	GENERAL FUND	Prev Month	Current Per
A00.0200.000	Cash in Checking	26,542.99	81,594.36
A00.0201.000	Cash in Time Deposits	805,781.97	605,781.97
A00.0391.000	Due from Other Funds	0.00	100,000.00
Total Balance of Cash Accts:		832,324.96	787,376.33

Account No	Disbursements	Amount
A00.1355.400	Assessors/Contract.Exp.	730.00
A00.1410.400	Clerk/Contractual	39.96
A00.1420.400	Attorney/Contract.Exp.	2,000.00
A00.1620.400	Buildings/Contract.Exp.	3,328.96
A00.5132.400	Garage/Contract Exp.	918.19
A00.5182.400	St.Light-Contractual	367.52
A00.7180.400	Beach & Pool-Contractual	5,704.20
A00.8160.400	Refuse/Garb-Contract.Exp.	3,458.90
A00.8560.400	Trees-Contractual	560.00
A00.9060.800	Health Ins.	665.00
Total Disbursements from Fund:		17,772.73

Account No	General Journal Adjustments	Amount
A00.0200.000	Cash in Checking	72,824.10
A00.0201.000	Cash in Time Deposits	-200,000.00
A00.0391.000	Due from Other Funds	100,000.00
A00.0630.000	Due to Other Funds	0.00
A00.1010.100	Board/Pers.Services	1,847.68
A00.1110.100	JUSTICE PERSONNEL	10,627.62
A00.1220.100	Supervisor/Pers.Serv.	3,377.33
A00.1255.000	Clerk Fees	-254.49
A00.1355.100	Assessors/Pers.Serv.	7,650.00
A00.1410.100	Clerk/Pers.Serv.	12,175.57
A00.1603.000	Registrar Fees	-510.00
A00.2130.000	Landfill Tickets	-5,064.00
A00.2544.000	Dog Licenses	-274.00
A00.2610.000	Fines/Fees & Forfeits	-988.00
A00.2701.000	Refnd Prior Yr Expenditur	-26.88
A00.2770.000	Miscellaneous Revenues	-790.00
A00.3001.000	State Aid - Per Capita	-37,450.00
A00.3510.100	Control of Dogs-Pers Serv	1,834.50
A00.4020.100	Regis/Vit.Stat-Pers.Serv.	506.55
A00.5010.100	Supt.of Hwy Personnel	8,834.19
A00.7180.100	Beach/Pool-Personnel	4,814.14
A00.7510.100	Historian/Pers.Serv.	138.67
A00.8160.100	Refuse/Garbage-Pers.Serv.	6,283.20
A00.9030.800	Social Security	4,443.82
A00.9060.800	Health Ins.	10,000.00
Total Adjustments to Fund:		0.00

TOWN OUTSIDE VILLAGE

Cash Account Balances As Follows:

Account No	TOWN OUTSIDE VILLAGE	Prev Month	Current Per
B00.0200.000	CASH ACCOUNT	59,093.59	52,857.55
Total Balance of Cash Accts:		59,093.59	52,857.55

Date: 10/05/2026
Time 10:21:00AM

Treasurer's Summary Report

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Town of Fort Edward

Account No	Disbursements	Amount
B00.3620.400	Bldg Inspect-Contractual	61.62
B00.7410.400	Library/Contract Exp.	7,500.00
Total Disbursements from Fund:		7,561.62

Account No	General Journal Adjustments	Amount
B00.0200.000	CASH ACCOUNT	1,325.58
B00.0630.000	Due to Other Funds	0.00
B00.2110.000	Zoning Fees	-150.00
B00.2590.000	Permits	-550.00
B00.3620.100	Bldg Inspect-Personnel	3,597.36
B00.8010.100	Zoning/Pers.Serv.	2,016.21
B00.8020.100	Planning/Pers.Serv.	630.00
B00.8020.400	Planning/Contract.Exp.	-7,346.75
B00.9030.800	Social Security	477.60
Total Adjustments to Fund:		0.00

HIGHWAY FUND - OUTSIDE VILLAGE

Cash Account Balances As Follows:

Account No	HIGHWAY FUND - OUTSIDE VILLAGE	Prev Month	Current Per
DB0.0200.000	Cash Account	62,151.72	47,378.45
Total Balance of Cash Accts:		62,151.72	47,378.45

Account No	Disbursements	Amount
DB0.5110.400	Gen.Repairs/Contract.Exp.	2,442.86
DB0.5130.400	Machinery-Contractual	2,178.76
DB0.5140.400	Misc-Contractual	10,000.00
DB0.5142.400	Snow Removal-Contractual	5,160.57
DB0.9060.800	Health Insurance	1,600.00
Total Disbursements from Fund:		21,382.19

Account No	General Journal Adjustments	Amount
DB0.0200.000	Cash Account	6,608.92
DB0.0630.000	Due to Other Funds	-100,000.00
DB0.5110.100	Gen.Repairs/Personnel	31,571.34
DB0.5142.100	Snow Removal-Pers Service	78.54
DB0.9030.800	Social Security	2,421.26
DB0.9060.800	Health Insurance	10,000.00
DB0.9730.600	Bond Anticipation Note	48,863.01
DB0.9730.700	BAN-Interest	456.93
Total Adjustments to Fund:		0.00

Parks + Rec

Cash Account Balances As Follows:

Account No	BOA DOWNTOWN	Prev Month	Current Per
H21.0200.000	CASH	2,050.00	2,050.00
Total Balance of Cash Accts:		2,050.00	2,050.00

1 COPHP HIGH Ded

Cash Account Balances As Follows:

Account No	BROWNFIELD OPPORTUNITY AREA	Prev Month	Current Per
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Date: 10/05/2026
Time 10:21:00AM

Treasurer's Summary Report

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Town of Fort Edward

H90.0200.000	CASH	-471.86	19,528.14
Total Balance of Cash Accts:		-471.86	19,528.14
Account No	General Journal Adjustments		Amount
H90.0020.400	CDPHP CHARGES		-20,000.00
H90.0200.000	CASH		20,000.00
Total Adjustments to Fund:			0.00

MUNICIPAL

Cash Account Balances As Follows:

Account No	MUNICIPAL	Prev Month	Current Per
J00.0200.000	Cash Account	16,975.84	13,784.56
Total Balance of Cash Accts:		16,975.84	13,784.56
Account No	Disbursements		Amount
J00.1620.400	Buildings Contractual		3,191.28
Total Disbursements from Fund:			3,191.28

SPECIAL LIGHTING

Cash Account Balances As Follows:

Account No	SPECIAL LIGHTING	Prev Month	Current Per
SL0.0200.000	Cash Account	18,868.92	15,392.71
Total Balance of Cash Accts:		18,868.92	15,392.71
Account No	Disbursements		Amount
SL0.5182.400	Street Lighting-Cont.		3,476.21
Total Disbursements from Fund:			3,476.21

SPECIAL WATER

Cash Account Balances As Follows:

Account No	SPECIAL WATER	Prev Month	Current Per
SW0.0200.000	Cash Account	179,349.64	177,407.52
Total Balance of Cash Accts:		179,349.64	177,407.52
Account No	Disbursements		Amount
SW0.8320.400	Water-Contractual		1,316.08
Total Disbursements from Fund:			1,316.08
Account No	General Journal Adjustments		Amount
SW0.0200.000	Cash Account		-626.04
SW0.0630.000	Due to Other Funds		0.00
SW0.8320.100	Water Personnel		581.55
SW0.9030.800	Social Security		44.49
Total Adjustments to Fund:			0.00

SPECIAL WATER DISTRICT 2

Cash Account Balances As Follows:

Treasurer's Summary Report

Town of Fort Edward

Account No	SPECIAL WATER DISTRICT 2	Prev Month	Current Per
SW2.0200.000	CASH	71,745.09	60,714.45
Total Balance of Cash Accts:		71,745.09	60,714.45
Account No	Disbursements		Amount
SW2.8320.400	WATER- CONTRACTUAL		10,782.21
Total Disbursements from Fund:			10,782.21
Account No	General Journal Adjustments		Amount
SW2.0200.000	CASH		-248.43
SW2.0630.000	DUE TO OTHER FUNDS		0.00
SW2.8320.100	WATER- PERSONNEL		230.76
SW2.9030.800	SOCIAL SECURITY		17.67
Total Adjustments to Fund:			0.00

TRUST AND AGENCY

Cash Account Balances As Follows:

Account No	TRUST AND AGENCY	Prev Month	Current Per
T00.0200.000	Cash Account	42,318.99	46,893.63
Total Balance of Cash Accts:		42,318.99	46,893.63
Account No	General Journal Adjustments		Amount
T00.0017.000	DEFFERRED COMPENSATION		0.00
T00.0018.000	State Retirement		-507.22
T00.0020.000	CDPHP		-2,949.62
T00.0020.100	AFLAC		-1,117.80
T00.0021.000	State Income Tax		0.00
T00.0022.000	Federal Income Tax		0.00
T00.0026.000	Social Security		0.00
T00.0085.000	Payroll Savings		0.00
T00.0200.000	Cash Account		4,574.64
T00.0391.000	Due from Other Funds		0.00
Total Adjustments to Fund:			0.00

LOCAL LAW NO. 2 OF 2026
A LOCAL LAW OF THE TOWN OF FORT EDWARD
PROHIBITING BATTERY ENERGY STORAGE SYSTEMS
WITHIN THE TOWN OF FORT EDWARD

BE IT ENACTED by the Town Board of the Town of Fort Edward, Washington County, New York, as follows:

SECTION 1.

TITLE: **This Local Law shall be known as the "Battery Energy Storage System Prohibition Law of the Town of Fort Edward."**

SECTION 2.

AUTHORITY: This Local Law is adopted pursuant to:

- A. Article IX of the New York State Constitution;
- B. Municipal Home Rule Law §10;
- C. Town Law Articles 4 and 16;
- D. The Town's police powers to protect public health, safety and welfare; and
- E. The Town's zoning and land use authority.

SECTION 3.

LEGISLATIVE FINDINGS: The Town Board hereby finds and determines that:

- A. Large-scale battery energy storage systems present unique and substantial risks to public health, safety and welfare.
- B. Lithium-ion battery systems have been associated with thermal runaway events capable of generating intense fires, explosions, toxic gases, and prolonged combustion lasting for days or weeks.
- C. Such events may release hazardous substances including hydrogen fluoride, carbon monoxide, volatile organic compounds, heavy metals, and other contaminants.
- D. Existing firefighting techniques are often ineffective in immediately extinguishing lithium-ion battery fires and may require extensive quantities of water and prolonged emergency response.

E. Nationally reported battery storage fires have resulted in evacuations, road closures, environmental contamination concerns, and significant public safety risks.

F. The Town of Fort Edward is a densely developed municipality characterized by compact residential neighborhoods, mixed-use districts, schools, churches, businesses, parks, municipal infrastructure, and limited separation distances between land uses.

G. The Town lacks sufficient undeveloped land areas capable of providing substantial safety buffers between battery energy storage facilities and surrounding residential and commercial uses.

H. Emergency response capabilities within the Town and surrounding area may be insufficient to adequately manage a catastrophic battery storage fire or explosion without placing emergency personnel and residents at substantial risk.

I. Due to the Town's proximity to residential neighborhoods, historic districts, public gathering places, transportation corridors, and municipal infrastructure, a battery storage incident could have severe and widespread consequences.

J. The Board further finds that no presently available mitigation measures can fully eliminate the risks associated with thermal runaway, toxic gas release, explosion hazards, and long-duration fires associated with battery energy storage systems.

K. The Board therefore determines that battery energy storage systems are incompatible with the Town's existing development pattern, population density, emergency response capabilities, and community character.

L. The prohibition established herein is necessary to protect the public health, safety and welfare of Town residents.

SECTION 4.

PURPOSE: The purpose of this Local Law is to protect the health, safety and welfare of Town residents by prohibiting the siting, construction, installation, expansion, operation and maintenance of battery energy storage systems within the Town of Fort Edward.

SECTION 5.

DEFINITION: BATTERY ENERGY STORAGE SYSTEM (BESS)

Any rechargeable energy storage system, including batteries, battery modules, battery racks, battery containers, inverters, transformers, switchgear, cooling systems, fire suppression equipment, control systems, and associated equipment, that stores electrical energy for subsequent use, distribution, or transmission.

The term includes: lithium-ion, sodium-ion, flow battery, lead-acid, nickel-based, metal-air,

solid-state, or any other electrochemical energy storage technology.

The term shall include both principal and accessory uses, whether stand-alone or integrated into another facility.

The term shall not include:

Batteries contained within consumer products;

Emergency backup batteries serving a single-family dwelling;

Batteries integral to motor vehicles;

Uninterruptible power supplies used solely within buildings and having an aggregate storage capacity of less than 20 kilowatt-hours.

SECTION 6.

PROHIBITION:

A. Battery Energy Storage Systems are hereby prohibited throughout all zoning districts within the Town of Fort Edward.

B. No person, corporation, partnership, limited liability company, utility, governmental entity, or other entity shall construct, install, locate, operate, expand, maintain, or permit a Battery Energy Storage System within the Town of Fort Edward.

C. No building permit, zoning permit, special use permit, site plan approval, variance, subdivision approval, certificate of occupancy, operating permit, or other municipal approval shall be issued for a Battery Energy Storage System.

SECTION 7.

ENFORCEMENT:

A. The Town Code Enforcement Officer shall administer and enforce this Local Law.

B. Upon determination that a violation exists, the Town may issue stop-work orders, notices of violation, appearance tickets, and may pursue any lawful remedy.

C. The Town may seek injunctive relief in a court of competent jurisdiction.

SECTION 8.

PENALTIES: Any person violating this Local Law shall be subject to:

A. A civil penalty not exceeding One Thousand Dollars (\$1,000) per day for each day the violation continues;

B. Removal of the prohibited facility at the violator's expense; and

C. Such other remedies as may be authorized by law.

SECTION 9.

SEVERABILITY: If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part directly involved in the controversy.

SECTION 10.

SUPERSESSION: To the extent permitted by law, this Local Law shall supersede any inconsistent provisions of the Town Code.

SECTION 11.

SEQRA DETERMINATION: The Town Board hereby determines that this Local Law constitutes a Type II action pursuant to 6 NYCRR § 617.5(c), as it relates solely to the organization and administration of a local governmental body and does not involve a change in land use or development policy. Therefore, no further review under the State Environmental Quality Review Act is required.

SECTION 12.

EFFECTIVE DATE: This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York in accordance with the provisions of the Municipal Home Rule Law.

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

Resolution No. 22 of 2026
Adopted October 13, 2026

Introduced by _____
who moved its adoption

Seconded by _____

**RESOLUTION SETTING A PUBLIC HEARING CONCERNING THE REVISED MAP,
PLAN AND REPORT FOR THE FORT EDWARD CANALSIDE ENERGY PARK WATER
DISTRICT PURSUANT TO ARTICLE 12 OF THE TOWN LAW**

WHEREAS, pursuant to Town Law § 191, the Town Board of the Town of Fort Edward (the “Town Board”) accepting a petition from the Counties of Warren and Washington Industrial Development Agency (the “Agency”) requesting that the Town Board establish the Town of Fort Edward Canalside Energy Park Water District (the “District”) in accordance with the Map, Plan and Report, as included in the petition; and

WHEREAS, following a public hearing duly noticed and held on March 9, 2026, the Town Board adopted Resolution No. 16 of 2026 on March 9, 2026, which authorized the establishment of the Town of Fort Edward Canalside Energy Park Water District; and

WHEREAS, following the establishment of the Town of Fort Edward Canalside Energy Park Water District several amendments were made to the Map, Plan and Report, specifically relating to Phase II of the water district improvements; and

WHEREAS, pursuant to the State Environmental Quality Review Act (“SEQR”), the Agency reviewed the proposed amendments to the Map, Plan and Report, and determined that said action constituted an Unlisted Action as defined by SEQR, and adopted an amended Negative Declaration dated July 20, 2026, determining that the action will not result in any significant adverse environmental impacts, thereby satisfying the requirements of SEQR; and

WHEREAS, on September 21, 2026, the Agency adopted Resolution No. 16-26 approving the amendments to Map, Plan and Report, which Map, Plan and Report was prepared by LaBella Associates, PC and was most recently amended September 10, 2026; and

WHEREAS, the Agency has presented said amended Map, Plan and Report to the Town Board and requested that the amendments be approved by the Town Board following a hearing thereon as required by Town Law section 196.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Town Board hereby acknowledges receipt of the amended Map, Plan and Report prepared by LaBella Associates PC as most recently amended September 10, 2026.

Section 2. The Town Board hereby schedules a public hearing in accordance with Town Law section 196 to be held at the Town Offices, located at 118 Broadway, Fort Edward, New York, on the 9th day of November 2026, at 7:00 pm, to consider the amendments to the Map, Plan and Report, specifically as the amendments relate to Phase II of the water district improvements.

Section 3. The Town Board hereby directs that a detailed copy of the amended Map, Plan and Report be kept on file in the office of the Town Clerk, where it shall remain available for public inspection during regular business hours.

Section 4. The Town Board hereby directs the Town Clerk 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 section 196.

Section 5. This resolution shall take effect immediately.