

Town of St. Armand
Public Hearing – Rockledge Sewer District 6:30 pm
Regular Board Meeting - Immediately Following
Tuesday, May 19, 2026

A Public Hearing and Regular Board Meeting of the Town of St. Armand was held on the above date and time via webinar and in person at the Town Hall, Bloomingdale, NY. The meeting was advertised and made available to the public.

BOARD MEMBERS PRESENT:

Town Supervisor Davina Thurston, Deputy Supervisor Karl Law, Councilperson Donna Whitelaw, and Councilperson JP O’Neil were present at the meeting.

A quorum of the Board was in attendance.

BOARD MEMBER EXCUSED: Councilperson Raymond Tempestilli was excused from the meeting.

TOWN EMPLOYEES PRESENT: Town Clerk Barbara Darrah and Alex Amell, Town Clerk in training.

EXCUSED: Highway Superintendent Doug Snickles, and Water Superintendent Jonathan Nielsen and Wastewater Superintendent Joshua Woodruff, due to training.

GUESTS FROM THE COMMUNITY: In-person attendees: Nancy Bernstein, Aaron Cerbone, Patrick Hogan, Kathleen Hogan, and Sheridan Swinyer.

On-line attendees: Don Amell, Josh Colby, Jay Federman, Vadym Roiko, Dave Salamy, Lauri Salamy, and Daria Vashchylenko.

Supervisor Thurston opened the Public Hearing at 6:30 p.m. and asked all present to join in the Pledge of Allegiance. Supervisor Thurston asked Town Clerk Barbara Darrah to read the Public Hearing Notice aloud:

TOWN OF ST. ARMAND NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of St. Armand, Essex County, New York, will conduct a PUBLIC HEARING on Tuesday, May 19, 2026, beginning at 6:30 PM for the purpose of the Rockledge Sewer District Formation followed by the Regular Board Meeting.

Public Hearing Rockledge Sewer District Formation followed by Regular Board Meeting, Tuesday, May 19, 2026, 5:30 – 8:30 PM (America/New_York) Please join my meeting from your computer, tablet or smartphone: <https://meet.goto.com/898570437>. You can also dial in using your phone. Access Code: 898-570-437. United States: [+1 \(872\) 240-3412](tel:+18722403412). This Notice was published in the Adirondack Daily Enterprise on May 11, 2026.

Supervisor Thurston provided previous background steps done on the Rockledge Sewer District:

Just for a little bit of background, this, the Rockledge Sewer District formation has been about two years in the making. You might remember we did a map plan and report; MJ Engineering did that for us a few 18 months ago or so. So currently the residents of the Rockledge area that are on the sewer, the residents actually own the lines. So it's very hard to get 20 people in a room and everyone agree that everyone's going to pay X amount of dollars to fix a line that's broken. So we are going to form a district there and do tax collection like we do for the water so that we can aid them if and when something happens. So at this time, I would like to offer the floor to anyone in person or online who would like to speak in favor or against formation of the Rockledge Sewer District. Anyone online? If you don't have audio, you can chat and we will read the chat if you're unable to speak. There were no questions, comments, or concerns from the audience.

Supervisor Thurston asked the Board if they have any questions, comments, or concerns?

Deputy Supervisor Karl Law: I think this is a huge step in the right direction. This has been, like you (Thurston) said, two years in the making. And now with the formation of this, if something does happen we can always apply for grants. Whereas before, with them not being in the district, we weren't able to do so. This is a good thing for them, absolutely.

Supervisor Thurston: Okay, if there are no public comments, I'd like a motion to close the public hearing at 6.33 PM.

Deputy Supervisor Karl Law made a Motion to close the Public Hearing. The Motion was seconded by Councilperson Donna Whitelaw.

Supervisor Thurston: At this time, we will move into the regular board meeting.

First on the agenda is the Highway Department, Highway Department Monthly Report.

HIGHWAY DEPARTMENT MONTHLY REPORT

Town of St. Armand Highway Report for May 19, 2026
Submitted by Highway Superintendent Douglas Snickles

- 1. Started picking up sand.
- 2. Worked a little at ball field, putting up batting cage.
- 3. Attended an 8-hour training in Upper Jay.
- 4. Got a small load of black dirt to fix lawns where fire hydrant repair was done.
- 5. Home Town Hero Banners will be up before Memorial Day.
- 6. Cleaned up and mowed Franklin Falls Cemetery for Memorial Day.
- 7. Paving will start at the end of June.
- 8. The sand will be completely collected by the end of this week.
- 9. A ditch was dug for Josh at the Transfer Station.

Guest Warrene McCarthy asked when the sand would be swept from River Road?
Supervisor Thurston replied: I think he was going to start River Road Wednesday, I think he said, tomorrow. So they'll be done within the next 10 days.

There were no further questions regarding the Highway department.

WATER DEPARTMENT REPORT

Town of St. Armand Water Report for May 19, 2026
submitted by Water Superintendent Jonathan Neilson

Water Treatment Plant Updates

- 1. Meter Reads, Reader swap outs, Chlorine Residual Testing, Daily testing at the Plant
- 2. Routine Endyne Labs were collected and sent out this month for E-coli, Total Coliform (all ok)
- 3. Dig safe permits
- 4. The annual Water Withdrawal permit sent completed and sent to NYS DEC
- 5. Repaired lawn across from water treatment plant from a past water main break.
- 6. PFOA and Well Field purchase meetings (still waiting on closing for well field land)

General Maintenance

- 1. Minor repairs in the town hall for office staff
- 2. Installed new fan in the board room

There were no questions regarding the Water Department Report.

WASTEWATER DEPARTMENT

Town of St. Armand Wastewater Report for May 19, 2026
Submitted by Wastewater Superintendent Joshua Woodruff

- 1. Daily operations and samples of the PTB and the WWTP.
- 2. Monthly DMR's to State and Federal Government.
- 3. Monthly Labs to Endyne Lab in Plattsburg.
- 4. Installed new chemical feed pump at WWTP
- 5. Electrical conduit for ultra sonic flow meter (couldn't pull new wire through old conduit: had to dig new)
- 6. NYRWA annual conference.

There were no questions regarding the Wastewater Report.

WATER/SEWER CLERK

Water and Sewer Clerk’s Monthly Report for May 19, 2026 Board Meeting

The 2nd quarter billing for 2026 (January 1 – March 31, 2026) was completed on April 12, 2026. The due date for second quarter payments was Monday, May 11, 2026. Late fees were applied on unpaid balances and the 2nd quarter was closed on May 15th, 2026.

The receivables balance is currently \$31,362.00

Submitted by
Barbara Darrah
St. Armand Water and Sewer Clerk

There were no questions regarding the Water and Sewer Clerk’s report.

CODE ENFORCEMENT REPORT

St. Armand Code Enforcement Report for May 19, 2026 - prepared on May 13, 2026
Submitted by CEO Rodger Tompkins

New Residential Building Permits Issued Since Last Report: 1
New Water or Sewer Line Permits Issued Since Last Report: 0
Extension of Residential Building Permits Issued Since Last Report: 0
Commercial Building Permits Issued Since Last Report: 2
Certificates of Completion Issued Since Last Report: 0
Stop Work Orders Issued Since Last Report: 0
Demolition Permits Issued Since Last Report: 0
Solar PVS Permits Issued Since Last Report: 0
New Short Term Rental Permits Issued Since Last Report: 0
Code Violations Issued Since Last Report Issued: 0
Sewer Code Violations Issued Since Last Report: 0
Total number of Residential Building permits issued for the year 2026: 5
Total number of Residential Certificates of Completion issued for the year 2026: 0
Total number of Commercial Building permits issued for the year 2026: 2
Total number of Commercial Certificates of Completion issued for the year 2026: 0
Total number of Demolition permits issued for the year 2026: 1
Total number of Demolition Certificates of Completion issued for the year 2026: 0
Total number of Short Term Rental Permits Issued for the year 2026: 0
Total number of Solar permits issued for the year 2026: 0
Total number of Solar Certificates of Completion issued for the year 2026: 0
Total number of Code Violations issued for the year 2026: 4
Total number of Code Violation Certificates of Completion issued for the year 2026: 0
Total number of Sewer Code Violations issued for the year 2026: 0
Total number of Sewer Code Violation Certificates of Completion issued for the year 2026: 0
Amount of fees collected for Code Office since last report: \$210.00
Amount of fees collected for Water Department since last report: \$0
Amount of fees collected for Sewer Department since last report: \$0
Total amount of Water/Sewer fees collected via Code Office since last report: \$0
Total amount of fees collected via Code Office for the year 2026: \$370.00

There were no questions regarding the Code Enforcement Officer report.

TOWN JUSTICE REPORT

St. Armand Town Court Report for April 2026

Total fines and surcharges collected for the month of April 2026: \$1,385.00
Total collected year-to-date: \$2,974.00
Total parking fines for April 2026: \$0.00
Total parking fines year-to-date: \$0.00

There were no questions regarding the Town Justice Report.

Supervisor Thurston announced the floor would now be given to those in the audience to make public comments regarding the Local Law to ban the BESS system. This is not a Public Hearing. The Public Hearing will be held at a later date.

There were no audience members present or online wishing to make public comments.

RESOLUTIONS # 39 - # 45 OF 2026

RESOLUTION # 39 OF 2026

TOWN BOARD OF THE TOWN OF ST. ARMAND
ESSEX COUNTY, NEW YORK, EXTENDING
THE TOWN SEWER DISTRICT TO INCLUDE
ROCKLEDGE SUBDIVISION

Deputy Supervisor Karl Law, who moved its adoption, offered the following Resolution:

WHEREAS, the Town Board of the Town of St. Armand duly adopted a resolution on April 23, 2026, calling a public hearing to be held on May 27, 2026, at the Town Hall in Bloomingdale, New York, for the purpose of considering a proposal to establish a Town Sewer District in said Town to comprise the area hereinafter described in accordance with certain maps, plans and a report filed with said Town Board on January 2026; and

WHEREAS, notice of said public hearing was duly published in the manner and within the time provided by law and said public hearing was duly held at the time and place aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, residents of the Rockledge area petitioned the Town of St. Armand to establish a new sewer district to serve those residents in the Towns of St. Armand and North Elba along Rockledge Lane, Saranac Lane, and Forest Hill Avenue, which has sewer infrastructure that is not serviced by Town Sewer District, requesting that their parcels, located on the Town’s Tax Map Sections 32.39 and 32.9, be connected to the St Armand Sewer District (the “Sewer District”); and

WHEREAS, the purpose of this action is to supplement previous resolution #94 of 2024 which was intended to establish the Rockledge Sewer District but did not include the required findings that the proposed district benefited the property and property owners, that all benefited properties were within the limits of the district, and the proposed district is in the public interest; and

WHEREAS, the Town has reviewed the map and plans prepared by, M.J Engineering and Land Surveying, P.C. and updated on April 14, 2026, to study the extension of the Sewer District to have municipal sewer service available for the Rockledge parcels; and

WHEREAS, copies of the petition, map and plans describing the above have been made available for inspection by the public in the Town Clerk’s Office; and

WHEREAS, the following is intended to describe the bounds of the proposed Rockledge Sewer District in the Town of Saint Armand, Essex County, New York as shown on the map entitled “Rockledge Sewer District” prepared by Essex County Real Property Tax Service, dated 5/18/2023 updated 4/14/2026:

Beginning at the point located at the northeast corner of parcel 32.38-1-2.000 of the Town of Saint Armand and continuing 494-feet southerly along the easterly bounds of parcel 32.38-1-2.000, then easterly 52-feet across the Rockledge Lane right-of-way, to a point located at the northwest corner of parcel 32.38-1-2.000 on the eastern side of Rockledge Lane;
Thence easterly along the northerly bounds of parcel 32.38-1-2.000 to a point located on the northeast corner of parcel 32.38-1-2.000, and continuing southerly along the easterly bounds of parcel 32.38-1-2.000, to the northeast corner of parcel 32.38-1-4.100 and continuing southerly along the easterly bounds of parcel 32.38-1-4.100 to the southeast corner of parcel 32.38-1-4.100;
Thence westerly across the southerly bounds of parcel 32.38-1-4.100 to a point located at the northeast corner of parcel 32.38-1-4.200 and continuing northerly along the easterly bounds of parcel 32.38-1-4.200 to a point located at the northmost corner of parcel 32.38-1-4.200 and continuing westerly along the

northerly bounds of parcel 32.38-1-4.200 to its intersection with the eastern bounds of parcel 32.38- 1-5.100;

Thence southeasterly along the easterly bounds of parcel 32.38-1-5.100 to a point located at the easternmost corner of parcel 32.38-1-5.100 and continuing southwesterly along the southern bounds of parcels 32.38-1-5.100, 32.38-1-5.200, and 32.38-1-6.000 to a point located at the southeast corner of parcel 32.38-1-6.000 of the Town of Saint Armand and its intersection with the northeast corner of parcel 32.9-3-9.000 of the Town of North Elba and continuing westerly along the southerly bounds of parcel 32.38-1-6.000 to a point located at the southwest corner of parcel 32.38-1-6.000; thence southerly along the westerly border of parcel 32.9-3-9.000 to the southwest corner of parcel 32.9-3- 9.000;

Thence westerly 64-feet across Forest Hill Ave to a point located at the southeast corner of parcel 32.38-1-8.000 and continuing westerly along the southerly bounds of parcel 32.9-3-8.000 to the southeast corner of parcel 32.9-3-10.000 and continuing westerly along the southerly bounds of parcel 32.9-3-10.000 to a point at the southernmost corner of parcel 32.9-3-7.000 and the southeast corner of parcel 32.9-3-11.00;

Thence westerly along the southerly bounds of parcel 32.9-3-11.000 to the southeast corner of parcel 32.9-3-12.000 and continuing westerly along the southerly bounds of parcel 32.9-3-12.000 to the southeast corner of parcel 32.9-3-13.000 and continuing westerly along the southerly bounds of parcel 32.9-3-13.000 to the southeast corner of parcel 32.9-3-14.000 and continuing westerly along the southerly bounds of parcel 32.9-3-14.000 to the southeast corner of parcel 32.9-3-2.000 and continuing westerly along the southerly bounds of parcel 32.9-3-2.000 to the southeast corner of parcel 32.9-3-1.000 and continuing westerly along the southerly bounds of parcel 32.9-3-1.000 to the southwesterly corner of parcel 32.9-3-1.000;

Thence westerly 45-feet across Rockledge Lane to a point located at the southeast corner of parcel 32-9-3-15.000 and continuing westerly along the southerly bounds of parcel 32.9-3-15.000 to the southwest corner of parcel 32.9-3-15.000;

Thence easterly along the southerly bounds of parcel 32.38-1-79.000 of the Town of Saint Armand to the southeast corner of parcel 32.38-1-79.000 and continuing northwesterly along the easterly bounds of parcel 32.38-1-79.000 to the southwest corner of parcel 32.38-1-78.000 and continuing northerly along the westerly bounds of parcel 32.38-1-78.000 to the southwest corner of parcel 32.38-1-77.000 and continuing northerly along the westerly bounds of parcel 32.38-1-77.000 to a point located at its intersection with the southwest corner of parcel 32.38-1-1.000;

Thence easterly along the northerly bounds of parcel 32.38-1-77.000 to a point located at the northeast corner of parcel 32.38-1-77.000 and continuing 46-feet across the easterly bounds of parcel 32.38-1-1.000 to the northmost corner of parcel 32.38-1-36.2000 and continuing 17-feet across the easterly bounds of parcel 32.38-1-1.000 to the eastmost corner of parcel 32.38-1-22.000 and continuing northeasterly along the westerly bounds of parcel 32.38-1-22.000 to the northmost corner of parcel 32.38-1-22.000 and continuing southeasterly along the northerly bounds of parcel 32.38-1-22.000 to the eastern corner of parcel 32.38-1-22.000;

Thence easterly across Saranac Lane to a point located at the southwest corner of parcel 32.38-1-24.000 and continuing northerly along the westerly bounds of parcel 32.38-1-24.000 to the northwest corner of parcel 32.38-1-24.000 and continuing easterly along the northerly bounds of parcel 32.38-1-24.000 to the northmost corner of parcel 32.38-1-24.000 and its intersection with the westerly bounds of parcel 32.38-1-13.200 and continuing northerly along the westerly bounds of parcel 32.38-1-13.200 to the southwest corner of parcel 32.38-1-13.100;

Thence northerly along the westerly bounds of parcel 32.38-1-13.100 to the southwest corner of parcel 32.38-1-2.000 and continuing northerly along the westerly bounds of parcel 32.38-1-2.000 to the northwest corner of parcel 32.38-1-2.000 and continuing easterly along the northerly bounds of parcel 32.38-1-2.000 to the northeast corner of parcel 32.38-1-2.000, said point is also the point and place of the beginning.

WHEREAS, in accordance with Town Law § 209-d, the Town Board set a public hearing, entering same into its minutes, and published a public notice which: recited a description of the boundaries of the proposed expansion to the Sewer District sufficient to identify the lands included therein, detailed the improvements proposed, stated the cost of the extension to the typical property (\$1,589.70), provided that the a map, plan and report describing the same were on file in the Town Clerk's office for public inspection and specified the time when and place where said board would meet to for the public hearing to hear all persons interested in the subject thereof; and

WHEREAS, the Town Board caused a copy of the above detailed notice, which listed the public hearing date of May 27, 2026 to be published at least once in the official paper, the first publication thereof to be not less than ten nor more than twenty days before the day set therein for the hearing and caused a copy thereof to be posted on the sign-board of the Town maintained by the Town Clerk, not less than ten nor more than twenty days before the day designated for the hearing; and

WHEREAS, the Town Board held a public hearing to discuss the extension of the Sewer District on May 27, 2026 at 5:30 P.M. in Town Hall; and

WHEREAS, the Town Board has determined that the notice of hearing was published and posted as required by law, and is otherwise sufficient; and

WHEREAS, the Town Board acknowledged that the petition is signed, acknowledged or proved as required by law and is otherwise sufficient; and

WHEREAS, the Town Board has determined that that Property and Petitioners are benefitted entering the Property into the Sewer District; and

WHEREAS, the Town Board has determined that all potential properties and property owners benefitted are included within the limits of the proposed extension of the Sewer District; and

WHEREAS, the existing collection system infrastructure will remain as it currently exists relative to configuration and condition. Not capital improvements are anticipated as part of the proposed district formation. Therefore, there are no project costs for new infrastructure associated with the proposed district.; and

WHEREAS, the cost of operation and maintenance of the district to the typical property will be \$1,589.70, charged by the Town of St Armand to the residents served by Rockledge Sewer District. WHEREAS, the Town Board has determined that it is in the public interest to add the Property to the Sewer District.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of St. Armand, as follows:

- (a) That the petition is signed, acknowledged or proved as required by law and is otherwise sufficient;
- (b) The existing improvements and facilities as detailed in the said map, plan and report for the proposed district are satisfactory, sufficient, adequate and appropriate;
- (c) That all the property and property owners within the proposed district are benefitted thereby;
- (d) That all the property and property owners benefitted are included within the limits of said proposed district; and
- (e) That the proposed district and the facilities are in the public interest.

BE IT FURTHER RESOLVED, the establishment of said proposed Rockledge Sewer District to comprise the area more particularly described as follows is hereby approved; and

BE IT FURTHER RESOLVED, upon this resolution taking effect, the Town Clerk shall file an application in the office of the New York State Comptroller in Albany, New York, for permission to establish said sewer district in accordance with the provisions of Town Law Section 209-f.

BE IT FURTHER RESOLVED, the Town shall file with the New York State Department of Environmental Conservation and such other State agencies having jurisdiction, if any, such applications as are or may be required by law for the issuance of permits authorizing the establishment and operation of said District, and this resolution is adopted subject to obtaining such permits and approvals.

BE IT FURTHER RESOLVED, that this resolution is subject to a permissive referendum in the manner provided for in Article Seven of New York State Town Law

This Resolution was duly seconded by Councilperson JP O’Neil, and adopted upon a roll-call vote as follows:

Supervisor Davina Thurston	AYE
Deputy Supervisor Karl Law	AYE
Councilperson Donna Whitelaw	AYE
Councilperson JP O’Neil	AYE
Councilperson Raymond Tempestilli	ABSENT

Barbara J. Darrah
St. Armand Town Clerk

Dated: May 19, 2026

RESOLUTION # 40 OF 2026 RESOLUTION INTRODUCING PROPOSED LOCAL LAW
NO. 4 FOR THE YEAR 2026 ENTITLED “TOWN OF
ST. ARMAND PROHIBITING UTILITY SCALE BATTERY
ENERGY STORAGE SYSTEMS IN THE TOWN OF

ST. ARMAND”

Councilperson JP O’Neil, who moved its adoption, offered the following Resolution:

BE IT RESOLVED that the Town of St. Armand Town Board hereby introduces proposed Local Law No. 4 of 2026 entitled “A Local Law Prohibiting Utility Scale Battery Energy Storage Systems in the Town of St. Armand” reading and provided as follows:

TOWN OF ST. ARMAND LOCAL LAW NO. 4 OF 2026 A LOCAL LAW PROHIBITING UTILITY SCALE BATTERY ENERGY STORAGE SYSTEMS IN THE TOWN OF ST. ARMAND

Be it enacted by the Town Board of the Town of St. Armand as follows:

Section I. TITLE.

A local law prohibiting certain Battery Energy Storage Systems (“BESS”), titled “Prohibition on Utility Scale Battery Energy Storage Systems

Section 2. PURPOSE.

Utility scale BESS pose a unique hazard with regard to technology used in such batteries and tendency of the batteries to catch fire. The Town of St. Armand (the “Town”) relies upon its volunteer fire companies to combat fires in the Town and its first responders, also volunteers, in the evacuation of homeowners when necessary. Most of these BESS are remote monitored which means that often no or little notice is provided to the Town and first responders, when such fires occur. Moreover, in the majority of the Town there is no public water available for firefighting which places additional burdens on the volunteer fire companies. The Town seeks to mitigate the impacts of BESS facilities on the Town’s natural resources. The Town also recognizes that New York State has sought to promote renewable energy generation and storage, but such policies do not warrant the establishment of BESS facilities in every municipality where local safety, environmental and land use concerns are of the upmost importance. The United States Environmental Protection Agency (the “US EPA”) recognized the very real dangers present by BESS facilities and issued a three page “Safety Guidance” brochure for the potential siting of BESS facilities. The Town has concerns that a fire a BESS facility could release harmful toxins into the air affecting the air quality at neighboring properties and schools within the Town. Moreover, the Town is primarily a residential community. Such prohibition will protect residential areas, enhance public safety, and protect and preserve groundwater supplies and water bodies. The Town also finds that BESS facilities function

primarily as commercial energy storage operations and do not constitute public utilities. Moreover, the Town has determined that BESS facilities also pose disproportionate risk to the public health, safety, and welfare, such that no new BESS facilities shall be permitted in the Town. The Town has studied the regulations of numerous municipalities and their regulations of BESS facilities, including, but not limited to Town of Yorktown, the Town of Carmel, the Town of Duanesburg, the Town of Montgomery, the Town of Ossining, and the Town of Southampton. The Town also will not consider BESS facilities public utilities subject to a public necessity use variance. For those reasons this local law is adopted to advance and protect the public health, safety, and welfare of the Town by prohibiting Utility Scale BESS.

Section 3. AUTHORITY.

This local law is adopted pursuant to Sections 10, 20 and 22 of Municipal Home Rule Law. The Town Board, after careful review, has determined that it is not in the public’s health, safety, and welfare to prohibit Utility Scale BESS, of any kind, including but not limited to those Utility Scale BESS associated with the electric transmission grid or with solar or wind projects.

Section 4. DEFINITIONS.

For purposes of this Local Law, the following terms shall have the meanings respectively set forth below:

BATTERY ENERGY STORAGE SYSTEM, UTILITY SCALE: One or more devices assembled together, capable of storing energy in order to supply energy at a future time with an aggregate energy capacity greater than 20KW or are comprised of more than one storage battery technology in a room or enclosed area.

Section 5. BAN.

Utility Scale Battery Energy Storage Systems are prohibited in the Town of St. Armand.

Section 6. ENFORCEMENT.

1. **Enforcement Officer.** The provisions of the chapter shall be enforced by the Code Officer or any other person designated by the Resolution of the Town Board.

2. A violation of this chapter is hereby declared to be an offence, punishable by a fine not exceeding \$1,000.00 or imprisonment for a period not to exceed six months or both, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not exceeding \$1,500.00 or imprisonment for a period not to exceed six months, or both. However, for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this chapter shall be deemed misdemeanors, and for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. Each day’s continued violation shall constitute a separate and distinct violation.

3. In addition, this law may be enforced by civil or criminal means which includes injunctive relief.
Section 6. SEVERABILITY.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

Section 10. EFFECTIVE DATE.
This local law shall take effect immediately upon tis adoption and filing with the New York Secretary of State.

BE IT INTRODUCED this 19th day of May, 2026 by the Town Board of the Town of St. Armand, Essex County, New York.

This Resolution was duly seconded by Deputy Supervisor Karl Law, and adopted by Roll Call Vote as follows:

Town Supervisor Thurston	AYE
Deputy Supervisor Karl Law	AYE
Councilperson Donna Whitelaw	AYE
Councilperson JP O’Neil	AYE
Councilperson Raymond Tempestilli	ABSENT

By order of the Town Board of the Town of St. Armand.

Dated: May 19, 2026

Barbara J. Darrah
St. Armand Town Clerk

RESOLUTION # 41 OF 2026

TOWN BOARD AUTHORIZATION FOR TOWN
SUPERVISOR TO APPLY FOR WEST MAIN STREET
ENGINEERING GRANT AND AUTHORITY TO SIGN
ASSOCIATED DOCUMENTS

Councilperson Donna Whitelaw, who moved its adoption, offered the following Resolution:

WHEREAS, the Town of St. Armand Board fully supports the application for an Engineering Planning Grant through Environmental Facilities Corporation for the Wastewater Collection System upgrades on West Main Street and the adjacent Maple Lane, and

WHEREAS, the Town of St. Armand has had an Inflow and Infiltration Study conducted by AES Northeast in 2019 and this study has shown many issues with the West Main Street and adjacent Maple Lane wastewater collection system, and

THEREFORE, BE IT RESOLVED; the Town of St. Armand Board does support the application for the EPG Grant via EFC to conduct further investigation of the needs for upgrades for the West Main Street and Maple Lane wastewater collection system and adjacent collection system.
BE IT FURTHER RESOLVED, the Town Board of the Town of St. Armand hereby authorizes Davina Thurston, Town Supervisor to sign all documents associated with this grant.

This Resolution was seconded by Councilperson JP O’Neil and duly adopted by Roll Call vote as follows:

Supervisor Davina Thurston	AYE
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Deputy Supervisor Karl Law	AYE
Councilperson Donna Whitelaw	AYE
Councilperson JP O’Neil	AYE
Councilperson Raymond Tempestilli	ABSENT

Barbara J. Darrah
St. Armand Town Clerk

Dated: May 19, 2026

RESOLUTION # 42 OF 2026 TOWN BOARD AUTHORIZATION FOR TOWN
SUPERVISOR TO APPLY FOR THE NY PLAYS
GRANT AND AUTHORITY TO SIGN
ASSOCIATED DOCUMENTS

Deputy Supervisor Karl Law, who moved its adoption, offered the following Resolution:

WHEREAS, the Governor of New York State, Kathy Hochul, has announced a new grant entitled, “NY Plays”, and

WHEREAS, this grant is for use in updating community playgrounds throughout NY, and the applications for this grant run from May 4 – June 14, 2026, and

WHEREAS, a Motion was done by the Town Board of the Town of St. Armand on February 19, 2026, to approve funds for AEDA to provide plans for a pavilion on the Youth Field, and

WHEREAS, this grant would tie in with additional funds to purchase new playground equipment.

THEREFORE, BE IT RESOLVED; the Town of St. Armand Board does support Town Supervisor Davina Thurston in applying for the NY Plays grant, and

BE IT FURTHER RESOLVED, the Town Board of the Town of St. Armand hereby authorizes Davina Thurston, Town Supervisor to sign all documents associated with this grant.

This Resolution was seconded by Councilperson Donna Whitelaw, and duly adopted by Roll Call vote as follows:

Supervisor Davina Thurston	AYE
Deputy Supervisor Karl Law	AYE
Councilperson Donna Whitelaw	AYE
Councilperson JP O’Neil	AYE
Councilperson Raymond Tempestilli	ABSENT

Barbara J. Darrah
St. Armand Town Clerk

Dated: May 19, 2026

RESOLUTION # 43 OF 2026 RESOLUTION OF CONDOLENCE FOR
TOWN OF ST. ARMAND RESIDENT
ERRYL FRANCIS WILLETTE

Town Supervisor Davina Thurston, who moved its adoption, offered the following Resolution:

WHEREAS, Erryl Francis Willette was a long time resident of the Town of St. Armand, and

WHEREAS, Erryl passed away on April 25, 2026, after a sudden and tragic accident, and

WHEREAS, Erryl was a true friend, a father, a grandfather, a brother, and an uncle to so many in the community, and

WHEREAS, Erryl graduated from the Saranac Lake High School, served in the Marine Corps, worked oil platforms, graduating from electrical and electronics technical College in Pennsylvania, and retired from the Adirondack Correctional Facility as Plant Utility Engineer after many years of service to New York State.

THEREFORE, BE IT RESOLVED, the Town Board of the Town of St. Armand, with and on behalf of the constituents of the Town of St. Armand hereby offer their most sincere condolences to the family of Erryl Francis Willette, expressly his wife Leona and children Christopher, Mathew, and Laura, and all family and friends touched by Erryl’s life.

This Resolution was seconded by unanimous vote, and duly adopted upon a Roll Call vote as follows:

Supervisor Davina Thurston	AYE
Deputy Supervisor Karl Law	AYE
Councilperson Donna Whitelaw	AYE
Councilperson JP O’Neil	AYE
Councilperson Raymond Tempestilli	ABSENT

Dated: May 19, 2026

Barbara J. Darrah
St. Armand Town Clerk

RESOLUTION # 44 OF 2026

RESOLUTION OF CONDOLENCE FOR
TOWN OF ST. ARMAND RESIDENT
DIANE GRACE BURMAN

Town Supervisor Davina Thurston, who moved its adoption, offered the following Resolution:

WHEREAS, Diane Grace Burman, was a long time resident of the Town of St. Armand, and

WHEREAS, Diane passed away on April 29, 2026, after a sudden illness, and

WHEREAS, Diane was a true friend, a mother, a grandmother, a sister, and an aunt to so many in the community, and surrounding areas.

WHEREAS, Diane earned a Bachelor of Business Administration degree, Magna Cum Laude, Class of 2003, operated her own day care, served as a Cub Scout leader, was a former member of St. Bernard’s PTA and school council, worked as a Human Resource Manager, real-estate agent and customer service. She served a term as President of the Bloomingdale Volunteer Fire Department Ladies Auxiliary and a member of the St. Armand Youth Task Force. Diane was active in politics and served as an election poll worker.

THEREFORE, BE IT RESOLVED, the Town Board of the Town of St. Armand, with and on behalf of the constituents of the Town of St. Armand hereby offer their most sincere condolences to the family of Diane Grace Burman, expressly her husband Thomas Burman, children and all family and friends touched by Diane’s life.

This Resolution was seconded by unanimous vote, and duly adopted upon a Roll Call vote as follows:

Supervisor Davina Thurston	AYE
Deputy Supervisor Karl Law	AYE
Councilperson Donna Whitelaw	AYE
Councilperson JP O’Neil	AYE
Councilperson Raymond Tempestilli	ABSENT

Dated: May 19, 2026

Barbara J. Darrah
St. Armand Town Clerk

RESOLUTION INTRODUCING PROPOSED LOCAL
LAW NO. 3 FOR THE YEAR 2026 ENTITLED
“TOWN OF ST. ARMAND LOCAL LAW
AFFECTING A TEMPORARY MORATORIUM
WITHIN THE TOWN OF ST. ARMAND ON THE
DEVELOPMENT AND CONSTRUCTION OF
CERTAIN SOLAR ENERGY SYSTEMS

Councilperson JP O’Neil, who moved its adoption, offered the following Resolution:

**TOWN OF ST. ARMAND, ESSEX COUNTY, NEW YORK PROPOSED
LOCAL LAW NO. 3 OF THE YEAR 2026**

Be it enacted by the Town Board of the Town of St. Armand as follows:

Section 1. TITLE.

This Local Law shall be known as the "Town of St. Armand Moratorium on the Development and Construction of Certain Commercial Solar Energy Systems".

Section 2. AUTHORITY AND INTENT; FINDINGS; PURPOSE.

A. Authority and Intent.

This Local Law is intended to be consistent with and is adopted pursuant to the authority granted to the Town Board of the Town of St. Armand under the New York State Constitution and the Laws of the State of New York, including but not limited to the following authorities: New York State Constitution Article IX, § 2 (c); Municipal Home Rule Law §§ 10 and 20 through 27; Statute of Local Governments § 10; and the State Environmental Quality Review Act and its implementing regulations.

This Law is a land use regulation, which is intended to act as and is hereby declared to exercise the permissive "incidental control" of zoning and land use law that is concerned with the broad area of land use planning and the physical uses of land within the Town.

B. Findings.

The Town Board hereby finds that it is in the interest of public health, safety and welfare to address, in a careful and thorough manner, the activities prohibited by Section 4 of this Local Law. In order to accomplish this, the Town requires a reasonable period of time to further study the potential impacts and effects on land,

the environment and the public in general caused by such activities, and to consider possible amendments to the Town's laws and/or comprehensive plan to address the same.

C. Purpose.

The purpose of the Local Law is to enable the Town of St. Armand to stay the construction, operation, and establishment of, and the submission and processing of applications for permits, zoning permits, special permits, zoning variances, building permits, operating permits, site plan approvals, subdivision approvals, certificates of occupancy, certificates of compliance, temporary certificates, and other Town-level land use approvals respecting the activities prohibited by Section 4 of this Local Law, for a reasonable time, so as to allow the Town time to study the potential impacts, effects, and possible controls over such activities and to consider possible amendments to the Town's laws and comprehensive plan to address the same. The Town Board finds that a moratorium of twelve (12) months duration, coupled with an “unnecessary hardship” variance procedure and a provision for the “grandfathering” of legal, pre-existing non-conforming uses, will achieve an appropriate balance of interests between (i) the need to safeguard public health, safety and welfare, as well as the character and other resources of the Town of Middletown; and (ii) the rights of individual property owners.

Section 3. DEFINITIONS.

For purposes of this Local Law, the following terms shall have the meanings respectively set forth below:

BUILDING-INTEGRATED SOLAR ENERGY SYSTEM --- A combination of Solar Panels and Solar Energy Equipment integrated into any building envelope system such as vertical facades, semitransparent

skylight systems, roofing materials, or shading over windows, which produce electricity for onsite consumption.

COMMERCIAL SOLAR ENERGY SYSTEM - A solar energy system that primarily produces energy that is fed directly into the grid primarily for off-site sale or consumption, or any solar energy system with a nameplate generating capacity of 1 megawatt or more. Commercial solar energy systems include building-integrated, roof-mounted and ground-mounted solar energy systems that meet or exceed the above-stated nameplate generating capacity.

COMMUNITY SOLAR SYSTEM - A large, off-site solar array (solar farm) that allows multiple electricity customers – including renters, homeowners and businesses – to subscribe to a share of the energy produced and receive credits on their monthly utility bills.

GROUND-MOUNTED SOLAR ENERGY SYSTEM --- A Solar Energy System that is anchored to the ground via a pole or other mounting system, detached from any other structure that generates electricity for onsite or offsite consumption.

NON-COMMERCIAL SOLAR ENERGY SYSTEM --- A solar energy system with a nameplate generating capacity of less than 1 megawatt that is incidental and subordinate to another use on the same parcel and which primarily produces energy for on-site consumption. Non-commercial solar energy systems include building-integrated, roof-mounted and ground-mounted solar energy systems that do not exceed the above-stated nameplate generating capacity.

PERSON --- Any individual, public or private corporation for profit or not for profit, association, partnership, limited liability company, limited liability partnership, firm, trust, estate, and any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

ROOF-MOUNTED SOLAR ENERGY SYSTEM --- A Solar Energy System located on the roof of any preexisting and/or legally permitted building or structure that produces electricity for onsite or offsite consumption.

SOLAR ENERGY EQUIPMENT --- Electrical material, hardware, inverters, conduit, storage devices/structures, or other electrical and photovoltaic equipment associated with the production of electricity from solar energy.

SOLAR ENERGY SYSTEM --- The components and subsystems required to convert solar energy into electric energy suitable for use. The term includes, but is not limited to, Solar Panels and Solar Energy Equipment. The area of a Solar Energy System includes all the land inside the perimeter of the Solar Energy System, which extends to any interconnection equipment.

SOLAR PANEL --- A photovoltaic device capable of collecting and converting solar energy into electricity.

TOWN --- The Town of St. Armand, Essex County, New York.

TOWN BOARD --- The Town Board of the Town of St. Armand.

Section 4. MORATORIUM AND PROHIBITION.

A. From and after the effective date of this Local Law, no application for a permit, zoning permit, special permit, zoning variance (except as contemplated by Section 7 of this Law), building permit, site plan approval, subdivision approval or any other Town-level approval shall be accepted, processed, approved, approved conditionally, or issued for the construction, establishment, use or operation upon any land, body of water, building or other structure located within the Town any of the following:

- (i) Commercial Solar Energy Systems;
- (ii) Community solar system;
- (iii) any and all Solar Energy Equipment incident to the development and operation of a Commercial Solar Energy System.

B. This moratorium and prohibition shall be in effect beginning on the effective date of this Local Law and shall expire on the earlier of (i) that date which is six (6) months after said effective date, or

(ii) the effective date of a duly enacted repeal of this Local Law.

C. This moratorium and prohibition shall apply to all real property within the Town.

D. Under no circumstances shall the failure of the Town Board or the Town Code Enforcement Officer to take any action upon any application for a permit, zoning permit, special permit, zoning variance, building permit, site plan approval, subdivision approval, or other Town-level approval constitute an approval by default or an approval by virtue of expiration of time to respond to such application.

Section 5. PENALTIES.

A. Compliance Orders. The Code Enforcement Officer is authorized to order, in writing, the remedying of any condition or activity found to exist in violation of this Local Law. If the condition or activity is not

remedied after the issuance of a compliance order, then an appearance ticket may be issued as provided hereinafter.

B. Appearance Tickets. The Code Enforcement Officer is authorized to issue appearance tickets for any violation of this Local Law. Any person who violates any provision of this Local Law shall be deemed guilty of a violation and, upon conviction thereof, shall be subject to a fine of not more than

\$250 per violation. Each week's continued violation shall constitute a separate, additional violation.

C. Civil Penalty. In addition to those penalties prescribed herein, any person who violates any provision of this Local Law shall be liable to a civil penalty of not more than \$2,500 for each day or part thereof during which such violation continues. The civil penalties provided by this section shall be recoverable in a civil action instituted in the name of the Town of St. Armand.

D. Injunctive Relief. An action or proceeding may be instituted in the name of the Town of Middletown, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of this Local Law. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Town Board.

E. Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or penalty available to address any violation of this Local Law. Any remedy or penalty specified in this section and/or any other remedy or penalty provided by law, may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section. In addition to the above-provided remedies, the Town Board may also seek reimbursement to the Town for costs incurred by the Town in identifying and remedying each violation, including but not limited to, reasonable attorney's fees.

Section 6. GRANDFATHERING OF LEGAL, PRE-EXISTING NON-CONFORMING USE.

Notwithstanding any provision hereof to the contrary, any application for the development or construction of a Commercial Solar Energy System and/or related Solar Energy Equipment that is or has been submitted prior to the effective date of this Local Law, as well as any Solar Energy System that is currently being operated within the Town in accordance with all applicable laws and regulations and in compliance with all valid permits required to be issued by the New York State Department of Environmental Conservation ("DEC") and all other federal, state and local regulating agencies, shall be considered pre-existing, non-conforming uses and shall be allowed to continue, subject, however, to the provisions of this Section.

Any expansion of a lawful, pre-existing nonconforming use as defined in this Section shall not be grandfathered hereunder, nor shall any substantive change or amendment not requested by the Town's Planning Board be allowed to a validly pending application for a Commercial Solar Energy System and/or Related Solar Energy Equipment. Such proposed expansions and/or unsolicited application changes/amendments instead shall in all respects be prohibited as contemplated by Section 4 hereof.

Section 7. SEVERABILITY.

If any word, phrase, sentence, part, section, subsection, or other portion of this Local Law, or the application thereof to any person or to any circumstance, is adjudged or declared invalid or unenforceable by a court or other tribunal of competent jurisdiction, then, and in such event, such judgment or declaration shall be confined in its interpretation and operation only to the provision of this Local Law that is directly involved in the controversy in which such judgment or declaration is rendered, and such judgment or declaration of invalidity or unenforceability shall not affect or impair the validity or enforceability of the remainder of this Local Law or the application hereof to any other persons or circumstances. If necessary as to such person or circumstances, such invalid or unenforceable provision shall be and be deemed

severed herefrom, and the Town Board of the Town hereby declares that it would have enacted this Local Law, or the remainder thereof, even if, as to particular provisions and persons or circumstances, a portion hereof is severed or declared invalid or unenforceable.

Section 8. SUPERSEDING INTENT AND EFFECT.

It is the specific intent of the Town Board that this Local Law shall supersede any inconsistent provisions of Sections 267, 267-a, 267-b, 274-a, 274-b and 276 of the Town Law of the State of New York, as well as all other inconsistent provisions of local ordinances, local laws, or local resolutions or policies of the Town of Middletown, including but not limited to provisions of the aforementioned state and local laws, ordinances, resolutions or policies that require the approval, or affect a default approval of land use applications within certain statutory time periods.

Section 9. GENERAL PROVISIONS.

- A. The Code Enforcement Officer is hereby designated as the enforcement officer for purposes of interpreting and enforcing this Local Law.
- B. The section and other headings and titles to clauses and phrases in this Local Law are for convenience only, and shall not be used or construed to limit or define the scope or application of the clauses and phrases so following such headings or titles. Each section of this Local Law, whether in the nature of a preamble or otherwise, is a material part of this Local Law.

Section 10. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the New York Department of State in accordance with Section 27 of the Municipal Home Rule Law.

BE IT FURTHER RESOLVED that the Town Board of the Town of St. Armand shall hold and conduct a public hearing on the foregoing proposed local law on the 27th day of May, 2026, at 5:30pm, to hear any and all persons concerning the same.

This Resolution was duly seconded by Councilperson Donna Whitelaw, and adopted by Roll Call Vote as follows:

Town Supervisor Davina Thurston	AYE
Deputy Supervisor Karl Law	AYE
Councilperson Donna Whitelaw	AYE
Councilperson JP O’Neil	AYE
Councilperson Raymond Tempestilli	ABSENT

By order of the Town Board of the Town of St. Armand.

Barbara J. Darrah
St. Armand Town Clerk

Dated: May 19, 2026

MOTION TO PAY MONTHLY BILLS

The payment vouchers for May’s bills were presented for the Board’s approval as follows:

- General Vouchers # 108 - # 130 in the amount of \$ 21,288.69
- Trust and Agency Vouchers # 10 - # 11 in the amount of \$ 238.57
- Highway Vouchers # 54 - # 65 in the amount of \$ 8,846.99
- Water & Sewer Vouchers # 60 - # 73 in the amount of \$ 11,121.66
- Fire Protection Fund Vouchers # 14 in the amount of \$ 5,070.79

Deputy Supervisor Karl Law made the Motion to approve payment of May’s bills. The Motion was seconded by Councilperson Donna Whitelaw. A Roll Call Vote was as follows:

Supervisor Davina Thurston	AYE
Deputy Supervisor Karl Law	AYE
Councilperson Donna Whitelaw	AYE
Councilperson JP O’Neil	AYE
Councilperson Raymond Tempestilli	ABSENT

All in favor. Motion carried.

MONTHLY REPORT FROM THE SUPERVISOR

Supervisor Thurston requested approval for the April 2026 Supervisor’s Report. Councilperson Donna Whitelaw made the Motion to approve the Supervisor’s Report for April. The Motion was seconded by Deputy Supervisor Karl Law.

All in favor. Motion carried.

MOTION TO APPROVE MEETING MINUTES

Deputy Supervisor Karl Law made the Motion to approve the Regular Board Meeting Minutes for the April 23, 2026, Meeting Minutes. The Motion was seconded by Councilperson JP O’Neil.

All in favor. Motion carried.

TOWN CLERK’S MONTHLY REPORT

Town Clerk Barbara Darrah reported the following Town Clerk revenue collected for the month of April 2026:

Dog Licenses (6): 4 FS 2 FU	\$ 56.00
Certified Death Certificates (1)	\$ 10.00
Total Revenue:	\$ 66.00
Total Checks Written:	\$ 66.00
Town Supervisor: A \$ 46.00, B \$ 10.00, NYS Dept. of A&M \$ 10.00	

OLD BUSINESS

* Street Crossing Signs: Supervisor Thurston reported the signs have been received. Two have been installed and the other two will be installed this week

* Bloomingdale Welcome Sign: The Bloomingdale sign on the Oregon Plains Road has been stolen again. Thurston reported the incident to the State Police and they did come out and do a report. Thurston stated it is very frustrating that someone has done that, and suggested that the sign not be replaced at this time. The Board agreed not to replace the sign at this time.

Deputy Supervisor Karl Law: The last time this happened they used some sort of an electric tool like a sawzall and it cut it off. This time what happened?

Supervisor Thurston replied: I’m not sure. I know that the highway crew when they installed it the second time had put special screws on it so it's possible that it was cut off but it's not worth it to just keep replacing it so everyone's in agreement on that.

* RelCom Quote - Supervisor Thurston: We did get a quote from RelCom. RelCom is a phone system; the new company that won the bid with Essex County. Right now we are with Twin State, but we can piggyback off of the County’s contract with RelCom. The quote would be \$6 ,631.65. That does include the service agreement. That amount is not budgeted for this year, so we could continue with Twin

State for the rest of this year and put RelCom into the budget for next year. We're not currently having problems, but probably will soon because those phones are quite old and to Twin State has been good to us for years, but it's getting to the point anytime you call them for anything, they charge you \$200 for a 15-minute service call even over the phone. That's quite a bit, and we have a monthly fee. I would like to know how the Board wants to proceed.

Deputy Supervisor Karl Law: Well, if you think we're going to be fine until the end of the year, then I'd say we work on it in the budget workshops.

Councilperson Donna Whitelaw: I agree.

Councilperson JP O'Neil: All right, I'm fine with that.

Councilperson Donna Whitelaw: So I guess my question is, say we have issues two months from now, can we always opt into this?

Supervisor Thurston: Yes. If something bad happens between now and the end of the year, we can absolutely move forward with RELCOM and do that. All right, so we'll put it in for the budget then. Thank you.

* Robocall Update – Supervisor Thurston reported the number of Robocall responses received was 174 to sign up, which is a lot. That's good that people want to hear from us and be informed. OnSolve is the company that Essex County partners with right now. This was a County bid, so we can Piggyback on their bid. We have two options here: The first one is basically \$150.00 which is 15 cents a call up to 1,000 calls. I do think that one would be sufficient for us. If we thought we were going to have a lot of calls many time over, the second option is an annual subscription and it's a flat fee of \$1,304.10. The first option of \$150.00 would increase if we have more than 1,000 calls. I think we would be fine with that because last year we had three water breaks that we would have made the calls on at 174, we're still under the thousand dollars. Supervisor Thurston asked the Board and they agreed that the 1,000 calls option would be the one to go with. Supervisor Thurston invited anyone present or online that if they have not reached out for the Robocall yet, to contact the Town Hall and they would get you signed up.

* Zoning Survey – Supervisor Thurston announced that we received the zoning surveys and a Special Board Meeting was planned for May 27th at 5:30 pm at the Town Hall. That Special Board Meeting is two-fold as it will be a Public Hearing on the Town Clerk's salary increase, which has to be done as a local law. Immediately following, there will be a zoning survey workshop, basically, where we'll go through all of the surveys, count them up, see how many were for zoning and see how many are against, read the comments and decide in which direction to go from there. That's May 27th at 5:30 pm.

* Well Field Grant – Supervisor Thurston reported that the state has finalized their review of the grant application and all of the survey and documents have been approved for the well field purchase. The Town will have a closing date set in the next couple of weeks. Thurston reported after 116 years in the making, we are finally going to get it done. The Board thanked Supervisor Thurston for her work on obtaining this grant and purchase of the well field. Supervisor Thurston announced that the Town received one grant from WQIP in the amount of \$300,000 to purchase the well field land from Paul Smith's College, adding the Town would now be able to own our land, apply for all kinds of grants; different grants, and on top of that, will be able to ensure protection of our recharge site for our wells, providing clean water for the town forever.

* Bloomingdale Methodist Church – Supervisor Thurston reported she has heard nothing back from the realtor on the Town's offer.

* Spruce Up Saint Armand – Supervisor Thurston reported Spruce Up St. Armand is in full swing again this year. The Town provides orange trash bags and a flyer with the streets to work on. If people want to go out and pick up trash and leave orange trash bags on the sides of the roads, the highway crew will come out and pick them up. If you want to participate in that, there are the trash bags are at the end of the hall as you leave, they're in a tote with the Spruce Up St. Armand flier. It's also a great way for kids that need volunteer hours for classes or Boy Scouts, whatever the case may be.

NEW BUSINESS

* Veterans Memorial Park Fence - Supervisor Thurston publicly thanked Sheridan Swinyer, present at the meeting, along with Robert Snickles for building a six-foot-high, 64-foot-long privacy fence along the Veterans Memorial Park border, which now blocks a dumpster and parking lot. The Board and others present commented on how nice the fence looked.

* Veterans Memorial Park Banner – Supervisor Thurston presented the idea to the Board of adding a patriotic banner to attach to the newly built privacy fence. She met with Jen from Adirondack Solar who can design the vinyl banner from AI, and Brian Goetz, who owns a vinyl business can create the banner from the design. The banner would be approximately four feet high and 60 feet long, and includes all the hardware, grommets, etc. for less than \$600.00. Supervisor Thurston stated she was sure between our crews the installation would not be a problem. Compared to painting and maintenance of the fence, a banner would be easily replaceable and cost effective. This project would have to wait until this fall as the fence still has to be sealed before the banner goes up. The banner could still be installed and then taken down when it's time to seal the fence.

Samples of the designs were visible on the screen to view. Supervisor Thurston stated she would like the Veterans Task Force to weigh in heavily on this because it was all volunteer work from them. She noted the Veterans Task Force raised \$144,000.00 for the Veterans Memorial Park. A favorite banner displayed mountains, an eagle, and the American flag. Supervisor Thurston reported that every single person that she has shown the six images to, everyone's been drawn to that one.

Supervisor Thurston: We'll let the task force decide, I would like to ask for a Motion to approve up to \$600.00 to purchase the banner and hardware and have it installed as soon as possible. Occupancy Tax funds will be used for this purchase.

*** MOTION ***

Councilperson JP O'Neil made a Motion to approve up to \$600.00 for the purchase of the fence banner for the Veterans Memorial Park banner and hardware, using Occupancy Tax funds. The Motion was seconded by Deputy Supervisor Karl Law.

* Youth Playground Fence – Supervisor Thurston reported the black fence for surrounding the playground has been installed. The Board approved the purchase and installation of the fence last fall. Positive feedback has been received from users of the playground and others. There are three entrances to the playground and the gate operates in both directions to prevent a child getting trapped in it.

Deputy Supervisor Karl Law: I was always worried that children were going to run into Roosevelt Lane from the playground and the feedback has been positive for the fence. It looks great, too.

QUESTIONS, COMMENTS AND CONCERNS:

Supervisor Thurston asked the Board member if they had anything they wanted to bring up. There were no questions, comments or concerns from the Board.

Supervisor Thurston asked the Public if they had anything to discuss, and if present on line, to please feel free to speak or use the chat.

Supervisor Thurston: I'm sorry, Barb, did you have something?

Barbara Darrah: I just would like to know if Jen Everett is here?

Jen Everett did acknowledge she was present in the Board Room.

Barbara continued to the Board: Before Jonathan left for training, he had talked to us about Jennifer's adjustment at her Oregon Plains Road property and what was happening at her house with the water during the winter. Her original bill last quarter (2nd qtr.) was \$1,087.78 for the measure of 42,400 gallons of water used. Jonathan went to the house to see if a repair of the reader or meter was necessary, and reported that he felt that they were both working fine from the ongoing readings that followed. He reported to me that he did measure the line at the house and it was two feet down and he felt that was not sufficient and that he didn't understand how that was ever allowed to be that shallow. His suggestion was that we do an annual adjustment on this property every second quarter. An annual adjustment for the bill to be what we had calculated for eight years on the second quarter would be eighteen thousand six hundred and twenty-five gallons.

Supervisor Thurston: That was eight years or eight quarters?

Barbara Darrah: Eight years of the second quarter

Supervisor Thurston: Eight years of the quarter, okay.

Barbara Darrah: So it's eight quarters but it's the same quarter each year and that brought the bill to five hundred and thirty-eight dollars and sixty cents. Jen paid the larger amount. She paid it before the due date, so she has a credit. Then, if the board agrees if we do that annual adjustment we need to do a Resolution which we can prepare for the next time.

Supervisor Thurston: All right. Well, that seems fair to me. Jen, do you want to talk about that?

Jen Everett: No. I really appreciate that it was put in before we moved in, so that's 22 plus years ago it goes right under the road. It's just fair you know. That's a bad scenario.

Supervisor Thurston: Okay, so motion to approve.

JP O'Neil: So, every year we're going to prorate that or whatever you want to call it, correct?

Supervisor Thurston: Right, in the second quarter. Instead of Jen fixing the problem? Because it's Jen's line.

JP O'Neil: It may be Jen's line, but I know who was water superintendent when that was put in.

Apparently, they didn't expect it and they should never allow the shutout to be across the street.

Supervisor Thurston: I don't disagree.

JP O'Neil: It should have never been allowed to be two feet under the road.

Supervisor Thurston: Don't disagree.

JP O'Neil: So, I mean, is that over the years running that like that? Are we going to get more people saying, wow, she gets to run hers?

Supervisor Thurston: I don't know of any other scenario in the town that has that. I will tell you in Rockledge there is a line that's right near the bridge that the town put in electrodes years ago because it kept freezing and then we did end up putting a blow-off on that line and but that's a main so the main kept freezing and it was the same kind of scenario because it was too shallow. Basically, when it was installed, and that was cashier installed it in the 60s. And so the town, we did put in a blow-off line there on the main. As far as I know, and Barb can speak to this as well, Jennifer is the only line in town that we have that particular problem at. We were having a problem years ago, like 15 years ago, I was the water and sewer clerk at the time with a line up at the end of Maple that kept freezing up like that. And the town ended up, it was, again, it was a main and the town dug it up and we did coal dust and insulation and things like that. And we were able to stop that problem. Barb, is there any other in particular line like Jen's?

Barbara Darrah: No.

Supervisor Thurston: So, I think it's just the one JP.

Sheridan Swinyer: I have a question. I feel for Jen. I know what she's going through. We're going to give this credit because we didn't inspect the line or the Town's feeling that they fall on that we didn't do the line, or it wasn't inspected, or it wasn't put in properly.

Supervisor Thurston: I mean, this happened before any of us were here, you know what I mean?

Sheridan Swinyer: Because I've got, it's not a water situation, but it's along the same lines. When this water main was put in down Main Street, they cut all the sewer lines. Well, my mine has plugged up, I think, four times. It's cost me over \$3,000.00 to get it cleared out, and I've had floods and back-ups in my basement, and you know, all the stuff that goes with that. And that was because where they patched it, because I had to order a router to take a look at the line, and they patched it. It's a four-inch clay tile line. It's been there a hundred years, but they inspected the whole line, said the line's perfect. The problem is, when they patched it, they put a three-inch piece inside the four-inch line, so everything collapsed on that and it blows up and I've got to dig it up. But if we're going to take care of something because it wasn't inspected. I know there was an inspector on that job because there was that work for the water department at the time. If we're going to take care of that.

Supervisor Thurston: Well, I would say we're not taking care of her situation. We're not fixing it one bit. Either that or I'll just have to call you guys and you are going to clean it out for me. I mean if it's something that's going to keep happening.

Supervisor Thurston: I understand.

Sheridan Swinyer: You're going to have to draw a line somewhere. I know mine was inspected. I know that was inspected because it was inspected here. They worked for the water department at the time.

JP O'Neil: I know it was inspected, too. Bart Curry was the so-called clerk's work because the town didn't want to pay for the work. That never should have been done either.

Supervisor Thurston: I don't disagree with you and I mean I wish that I could go back in time and fix all these problems before they came up. Truly, I think we have to hear it one at a time when it's this kind of situation. And you know all we can do is try to be fair you know.

Sheridan Swinyer: Because that line had nothing to do with me. Absolutely nothing to do with me.

Supervisor Thurston: I agree.

Sheridan Swinyer: It didn't have anything to do with the installation line. It had to do with when they put that water main in there, it was fuller's work. And they got away with patching it up like that. If they used four inch to four inch, it wouldn't be any problem for me. We're going to hurry and throw it in as cheap as we can.

Supervisor Thurston: Just playing devil's advocate here, Sween, do you know if any of your if your neighbors had that same?

Sheridan Swinyer: The same thing, yes, Bob Snickles had this happen 3 times. He had to put a clean out in the middle of his yard. He can go and clean it out. I had to put a clean out in mine so I can get to it, but so I can't get rotor rooter to jet it because otherwise they had to go in the basement to do it. And as soon as you take them take the cap off to do that, that ends up in here in your basement.

Supervisor Thurston: So there is a precedence for that type of repair. Making it not work. It was absolutely not my thing. I don't know what to think. It's a tough problem.

Sheridan Swinyer: It's just something to look at. I had nothing to do with that. I probably will have to get Matt Raymond and it will cost me another \$2,000.00 - \$3,000.00. That will be \$6,000 I have in it.

Supervisor Thurston: You're not wrong. And, we don't want to open up a can of worms, but we also don't want to not be fair. You know what I mean? I think that the only thing that I can say is, you know, how we do our adjustments, that would be the same kind of scenario. So Sween, if that happens to you again, you know, go to the water and sewer clerk, ask for some kind of a relief or an adjustment, or if it happens to your neighbor because of that particular, they can prove to us.

Sheridan Swinyer: I've got to take it out, I'm not going to go through this this because if it freezes, if it blobs up in the middle of winter.... I've been fortunate to catch it and not have a freeze. Those sewer lines are only three, four feet underground and it goes underneath the road. So I'm fortunate it hasn't frozen out there. If it freezes, I'm done for the winter. I might as well get a hotel for the winter. I'm not going to be able to take care of it in the middle of winter. I'm absolutely going to have to do it.

Supervisor Thurston: Under the road works?

Supervisor Thurston: No, it's right under the sidewalk. So under the sidewalk, because that main goes right down through the side underneath the sidewalk.

Supervisor Thurston: Right, okay. Well, I do know that we have our sidewalk replacement budget. I just-looked at it today. I'm just trying to figure out if it's, I think it's next year that we're going to do the sidewalk in front of your house. I don't know if you want to maybe try to plan it for around that time.

Supervisor Swinyer: I don't want to take a chance on it. I go to sleep at night and dream about that thing freezing up underneath that out there. This is just a continuing problem. And now that I have it scoped, and that cost me \$600, I come up there and scope that line, and they showed me this. And then I said, the line looks perfect, because this was the problem right here. They had a film, they had a picture of that. He said, that's where the problem is.

JP O'Neil: I'd like to make a suggestion. If you get a couple of estimates, MJ Raymond and O'Leary's, he does the same stuff, he has an I-28 inside. Get a couple of estimates and bring them back to the Board. I think we should look at them and do something. It's not his fault. Again, honestly, if he hired a lawyer, we'd be digging it up, text him.

Supervisor Thurston: We have to be careful with this, JP.

JP O'Neil: I think we need to you can say you can be careful all you want it was negligence on the water sewer department; Bart Crary was the clerk of the works at the time. Therefore, it falls on the town. We own an excavator. It wouldn't take much if we dig that up; fix that when we take the sidewalk out. You can't wait another year. But I'd like to see him bring a couple of estimates and let's see what it's going to cost. And then maybe we can work something out. I just don't think he should go through another winter crossing fingers that don't freeze up again.

Councilperson Donna Whitelaw: But, there was a neighbor with the same problem now too?

JP O'Neil: Bobby (Snickles) did, too. He has a black top everywhere.

Supervisor Thurston: Alright, there's room for thought. I know you and I have talked about that issue before.

Sheridan Swinyer: The only reason I brought it up is because down the road; we're going to do something here for Jennifer.

Supervisor Thurston: But what we're doing for Jennifer is much, much different. We're still going to figure out over the next 50, 60 years what that's going to cost for the credit we're giving, or who doesn't adjust the water, you've got to go process through the SOAR plan, too.

Sheridan Swinyer: Whatever you guys decide; I just want to put it out there.

Barbara Darrah: It would be, just to make a point, the difference between her regular bill and what the average bill was, is almost \$500.00. Let me say that again: the difference between what her actual Usage bill was compared to what we were going to do for an estimated amount is five hundred dollars.

Is that what you're saying?

Barbara Darrah: No, I'm saying with the forty-two thousand gallons that actually ran, her bill was \$1,087.00, and we went with an adjustment of eight years of what her second quarter was, it came out to an average of 18,625 gallons. The difference between the two is \$500 approximately. So over the years it would add up, it would turn into thousands (credit).

Supervisor Thurston: But there was actually usage compared to the average usage is what you're saying.

Barbara Darrah: Yes, on hers.

Sheridan Swinyer: If you're going to take responsibility on that, then having it fixed might be a better solution than a long term commitment. Just chew on that.

Unidentified speaker: A repair might be a better solution than a long-term commitment.

Supervisor Thurston: I'm not sure on that. I think you'd have to run the numbers. How much it would be in the long-term compared to fixing the line?

Jennifer Everett: I do have the averages and the actual bills and the amounts for the last eight years. You probably have it, too. So, last summer it was 7200 gallons. The summer before that was 9100. The summer before that is was 8900. It's less now because there's only one person who lives in the house.

Barbara Darrah: Right, but also take into consideration that our rates change every year, right? You can't go by the amount of the bill, because the usage rates change yearly.

JP O'Neil: I would like to see Sweeney get a couple of quotes and I'd like to see you (Jen) get a couple of quotes to have your stuff fixed. Let us review them and see where everything falls and what they're really going to cost. I don't think it's as expensive as everybody thinks it's going to be. And sit down and look at it and see if we can't come up with compromise. One more month, I think, and it gets us. Right now, we've got that resolution. We can do that. But I still think we should look at these. In my own personal opinion. It's neither one of their faults. I think we should give Jen the reduction right now just so that she gets her credit on her next one.

Supervisor Thurston: I think we should give Jen the reduction right now, and we can talk about the other stuff. I'm just going to say I'm the budget officer and I know that you all know that I know our budget up, down, backwards and forwards, and I'm telling you that what you are talking about is a very dangerous thing and it's going to snowball I predict. And, we're going to get ourselves in a world of trouble very, very quickly. I'm absolutely willing to hear it out, but I am incredibly cautious about how we would proceed. I'm absolutely willing to listen and talk about ideas and talk about things that we can do and things that we can't do, but I'm incredibly cautious. I'll just say it that way.

Sheridan Swinyer: I think you need to nip it in the bud. I mean, make it a policy.

Supervisor Thurston: That's exactly right.

Sheridan Swinyer: I just feel one way somebody's getting one thing and I'm getting slighted and I'm making mine known.

Supervisor Thurston: Right, well, and I mean, I'm not trying to slight you. But, we've had other people come before this board and say my line, they installed a shut off across the street years ago and the town should dig it up and replace it for me. That's happened, you know? And the town had nothing to do with that shut off being installed where it was installed, right?

Barbara Darrah: But we haven't done that.

Supervisor Thurston: We haven't. Right, that's what I was saying, we haven't. But that scenario is just like her scenario, except their line was deep. Their line didn't freeze. Jen's line was not installed deep enough.

Barbara Darrah: But the shutoff location didn't make the water freeze.

Supervisor Thurston: Right. But I'm just saying, as an example, this person said to us, we want the town to move the shutoff to the right side of the road, because it was installed on the wrong side of the road years ago. I have no idea who installed it, you know, I don't know. The town didn't install her line either, you know what I mean? So, but I'm just playing devil's advocate right now. And saying we need to come up with a clear policy about what is it, you know, what kind of things we want to talk about and what we're willing to do and what we're willing to pay and what we're not. Because if we don't, we're going to be in a world of trouble really quickly. And we have to be fair. And that is the biggest thing to me. It has to be fair across the board, okay? I'm going to quote Don Amell right now. I am, because Don Amell was the town historian and he sat on this board for a long time, many, many years. And he's a local. He knows the town. He knows. And he's on tonight. And I remember, because I sat right where Barb was sitting, and this was brought up. Someone had a problem, and they felt the town should help because X, Y, and Z happened 25 years ago. And they wanted the town to help and pay for it. And everybody cares, you know what I mean? Like we care, we want to help our neighbors, right? But Don said, and I quote, I don't want to pay to fix your problem. Why should I pay to fix your problem? And that was kind of the way it went. And is it right that Sween and Jen had a problem that, you know, the town may have been somewhat responsible for either in 1982 or 1972, whatever it was, is that fair to ask your neighbor to pay for that? So I'm not opposed to looking at it. I am open-minded to looking at it, but I've sat here long enough. Barb has been the water and sewer clerk. I started as water and sewer clerk and town clerk in 2012. I've heard a lot and my fear is this if we don't have a policy, if we just start addressing it case by case and deciding you know the merits of it without a policy that we're going to be making some big mistakes very, very quickly that are going to cascade into a huge expense for the residents and the district. Again, I'm not opposed to hearing it out and I'm not opposed to doing something if we want to do it as long as it's fair. As long as it's clear and it's consistent for everyone.

JP O'Neil: Well let's move along with the resolution of whatever you're going to do for her as is and we'll tackle the rest down the road.

Barbara Darrah: It will be a resolution at the next meeting for the annual; I will apply the current adjustment to her account now.

Supervisor Thurston: Yes. Do you want a motion for that Barb, to give Jennifer Everett a credit of the gallons used?

Barbara Darrah: Okay, a one-time motion for this credit.

*** MOTION ***

Councilperson Donna Whitelaw made a Motion to grant an adjustment to the Water and Sewer account of Jennifer Everett for a gallon usage credit for the second quarter from 42,000 to 18,625 usage, resulting in the original bill of \$1,087.78 to and adjusted bill of \$586.60 for the second quarter bill. The Motion was seconded by Councilperson JP O’Neil. A Roll Call vote followed:

Supervisor Davina Thurston	AYE
Deputy Supervisor Karl Law	AYE
Councilperson Donna Whitelaw	AYE
Councilperson JP O’Neil	AYE
Councilperson Raymond Tempestilli	ABSENT

All in favor. Motion carried.

Supervisor Thurston: Okay, I Actually just realized before we closed we need to set a date for public hearing for the Battery Energy Storage System Local Law and the Solar Community Local Law so let's do that before we do anything. We need 30 days minimum from today. I’m going to suggest either June 18th or June 22nd. Karl, do either of those dates work for you?
Karl Law: I can find coverage at 3:00 pm, so either will work.
JP O’Neil: I won’t be in town on the 18th.
Supervisor Thurston: Then let’s schedule the Public Hearings for Monday, June 22nd at 5:30 pm. This will be for the BESS and Commercial Solar Array.

Do we have anything else to come before the Board tonight?

There was no other business.

Unidentified Guest: I just want to thank you all for your time and your effort. It’s very impressive. Thank you.

Guest Warrene McCarthy: Davina, I’d like to know what the offer was from the Town for the Bloomingdale Methodist Church?
Supervisor Thurston: We offered \$100,000.00. We said \$50,000.00 in 2026 and \$50,000.00 in 2027. That offer was a backup offer because they had an offer originally. It’s been several months so I can only assume that the other sale is moving forward.
Warrene McCarthy: Thank you.
Unidentified guest: I wanted to hear about the zoning process.
Supervisor Thurston: The original meeting was in March. One of the guests that night suggested zoning.
Unidentified guest: 0+You were very quick to get that mail out. Mine came in the beginning of April and it had an April 6th due date. I corrected it and showed the post on the envelope and postmarked it. I was concerned; I didn’t know much about it, but you explained it. I just hope people didn’t ignore the survey because of that.
Supervisor Thurston. Yes, so what happened is we have Essex County Printing print all the surveys, so they printed all the letters and the surveys and they fold them for us for \$600, so it's really inexpensive. I had done the letter up and brought it down to the County, and the gentleman that works in the printing department ended up going out on surgery and they didn't have anyone else to do these things so it took longer to get that done. The letter ended up going out with the wrong date so I apologize to everyone that that happened but I hope that people didn't throw it away because of that. People called and some people just put a note in with their return. I did put a post out on the Facebook page to let everyone know and to just ignore the date and turn it in as soon as possible. A few people did call and I just told them. They do keep trickling in. I counted the robo-caller returns because we needed an amount to know which plan to choose.
Warrene McCarthy: Can I ask another question?
Supervisor Thurston: Sure.
Warrene McCarthy: Was a structural inspection done on the Church?
Supervisor Thurston: No we never did do this structural because we were waiting to see if they would accept our offer. We didn't want to pay for a structural inspection unless we had you know unless the offer was approved. We had put the offer in of a hundred thousand, contingent upon a positive structural inspection so if they had accepted our bid we would have gone through with a structural inspection but they never approved the offer. It was someone else who put in an offer from the street before us, so I have no idea if they did a structural inspection.
Warrene McCarthy: So JP, are you still thinking that it's going to cost a tremendous amount of money?
JP O’Neil: I know it is.
Supervisor Thurston: There's no question. We all know that. At this point it doesn't look like it's going to move forward.

Warrene McCarthy: The Board is willing that if that \$100,000.00 is accepted, to put that amount of money into the building?

Supervisor Thurston: So the plan was always to leave the building as is and apply for grant funds to make repairs to the building. We had no intention of spending \$500,000 to fix that building up. That was never our plan. We had always intended to apply for grant funds for the repairs.

Warrene McCarthy: Thank you.

Supervisor Thurston: Does anyone else have any questions, comments or concerns? I think I saw a chat here.

Josh Colby (chat): Does this include residential solar?

Supervisor Thurston: No, it does not include residential solar. This is for a moratorium on commercial solar arrays. If a resident wanted to put solar panels on their roof or in their backyard or on their barn, this moratorium has nothing to do with residential only a commercial solar array.

Guest Nancy Bernstein: I would just say in the moratorium maybe you have the language clear like that the kilowatt is 25 kilowatt or less is generally the residential amount. I think you already have a permit for that. Whatever it is, that should be clear. I was just going to say because the town is looking at doing a local law for this for solar commercial solar within the township and the permit application that is something I'll send the model law and model permit to you regarding what the model laws permit. Then you'll know when you have a committee working on it, or however you do that, to look at that and adopting for your own use. I'll send it to you.

Supervisor Thurston: Wonderful. As always, we are very grateful for everything that you do, Nancy, for us and that ANCA has helped the town with. We're very grateful to you for your assistance and for the programs that you provide to us. So thank you for that.
Does anyone else have anything?

There were no other questions, comments, or concerns.

MOTION TO ADJOURN

Supervisor Thurston asked for a Motion to adjourn the Regular Board Meeting. Councilperson JP O'Neil made a Motion to adjourn the Regular Board Meeting. The Motion was seconded by Councilperson Donna Whitelaw. The Regular Board Meeting adjourned at 7 42 p.m.

All in favor. Motion carried.