

Supervisor Raymond explained how a public hearing is run and told all present Attorney Walsh will be giving a brief overview of the proposed local law.

ATTORNEY WALSH EXPLANATION ON PROPOSED LOCAL LAW #1-2024

Our current ordinance was first adopted in 1996 and there have not been any real changes made to it since that time. Attorney Walsh explained there are definitions that need to be tightened up or clarified along with other things that need to be cleaned up with the zoning ordinance. The Town has contacted CT Male and Associates to help with updating the Planning and Zoning Ordinance. Attorney Walsh explained there will be a temporary hold on different types of construction that would require using the zoning and planning code. Attorney Walsh walked everyone through the proposed Local Law. She explained that it will be set for six months, but, if things move faster it can be rescinded before the six months or if it takes longer it could go on beyond the six-months. Attorney Walsh told all present there has been a lot of development in the Lakefront portion of the Town, however the moratorium will be instituted town wide. Under this moratorium the Planning and Zoning Boards will not accept any new applications. The Town Building Department will issue permits on any open permits, there will be a certified Building Inspector available to make inspections. You will need to make an appointment to have her meet with you and any projects with the Planning and Zoning Board that already have approval can apply for a building permit. Projects not requiring a building permit can still move forward, such as clearing your land, putting in a well, or excavation. Attorney Walsh explained under the current wording in Section 6 of the moratorium you can apply for a “hardship waiver,” you will need to apply for this to the Town Board for their approval or denial.

Attorney Walsh stated even before tonight, there have been a number of residents and contractors who have offered feedback, specifically concerning the way the proposed moratorium language is written regarding regular, routine building permits that won’t be able to move forward during the moratorium without a hardship waiver. Because of this feedback, Attorney Walsh prepared an amendment to the Proposed Local Law, which could be considered by the Town Board following the public hearing. It would be as follows under Section 4 between the 2d and 3d bullet and will read:

“The Town Building Department may issue building permits so long as the project does not require approval from the Town Planning board and/or the Town Zoning Board of Appeals, Otherwise,

Attorney Walsh told all present if this amendment is agreed to by the Town Board, this would take care of all of the routine matters concerning building within the town. The above amendment is not within the wording of the original proposed local law. It came about because of the concern from listening to the public. This local law is not meant to harm anyone; the Town Board wants to do things correctly for its residents. This review of the code has been a long time coming. Attorney Walsh thanked everyone for their time.

Supervisor Raymond also said that no one is trying to hurt anyone, the Town Board is trying to get a handle on things like short term rentals, solar arrays, etc. It is time to look at the ordinance

of 1996 and make sure the residents of Edinburg are protected. Bradley Brownell asked if he could ask a question, he wanted to know if the Town was going to follow the zoning ordinance or the building code or septic codes. Supervisor Raymond told him that the Town is still going to issue permits based on the Uniform Fire Prevention and Building Code, that has to be followed. The Zoning Ordinance is a different code in itself.

Supervisor Raymond told all present they will be looking at definitions such as junk, some of the definitions may have to be expanded that is why the Town has gone out to get professional help with this project. Supervisor Raymond told the audience that the Town Board recognizes that people want to do work in April and May and they also understand this is not only a hardship to residents, but also to builders.

OPENING OF PUBLIC HEARING

Supervisor Raymond called to order a public hearing on proposed Local Law # 1 of 2024 at 4:18 pm at the Edinburg Town Hall. explained this Local Law is establishing a six-month moratorium prohibiting the review and approval of applications for land use approvals in the Lakefront Residential, Low Intensity, Rural Use and Resource Management Districts.

PRESENT:

Supervisor	J. Raymond
Town Board Member	T. Edwards
Town Board Member	M. Evans
Town Board Member	G. Greco
Town Board Member	M. Penino
Attorney	M. B. Walsh

ALSO PRESENT:

Highway Superintendent	W. Seelow
Solid Waste Coordinator	J. Olmstead
Town Clerk	D. Ferguson

Residents and Interested Individuals see attached sign in sheet

READING OF THE LEGAL NOTICE

Town Clerk Ferguson read the public hearing notice as it was run in The Leader Herald.

****A copy is attached****

PUBLIC COMMENTS

Supervisor Raymond told everyone that persons would be heard who had signed up on the sign in sheet to speak.

1. **Michael Haskell** stood and spoke to the Town Board concerning a project he has been working on for some time now. Mr. Haskell told the Board he is looking to expand his property to a multi-generational home for the future. He told the Board he has been working with the Town of Edinburg and the Planning Board for over two years. He said he engaged T. Anthony, Building Inspector, concerning building another home on the property. (Already has one home on the property) that is located on Sinclair Road. He also was involved with the Adirondack Park Agency in January of 2022, he was told that

the options were favorable and he could likely subdivide the property. The current home is up by the road; he would like to build a second home down by the lake. He was in contact with the Planning Board in 2022 when it was recommended to him that each lot would need 100 feet of road frontage, he has 200 feet. I was guided or advised by the Building Inspector to make the lot 50 feet on each side of the roadway going to the lake, he would have the minimum acreage. Mr. Haskell said his plans were unfavorable from the County, he was told by T. Anthony, Building Inspector, that it was compliant, the Planning Board said it was not approvable and asked for drawings to assess, it came back to Mr. Haskell with a formal denial. He was told he could appeal and come to the Planning Board. We came up with a second plan, a private road, which T. Anthony agreed with. Mr. Haskell engaged his engineer. The second plan was, he believes, submitted to the Planning Board, the feedback was not an approved plan. T. Anthony, Building Inspector, told Mr. Haskell he felt it was compliant, a private road would be to service three or more lots and Mr. Haskell is only looking to put in two lots. Mr. Haskell has hired a new engineer and an attorney. Mr. Haskell came back to the Board with a legal right-of-way, which would be 50 foot of frontage on the lakefront. Mr. Haskell said he has been trying to work with the Board, (Planning), for two years and he is trying to be compliant, he has a builder lined up and he has had to put him off for 6 months. Supervisor Raymond told Mr. Haskell the Town Board understands and they appreciate his time.

2. **Travis Mitchell, Engineer for M. Haskell** spoke representing Mr. Haskell he told the Town Board his firm got involved, they looked at the Town code and with a land use attorney. Per the code Mr. Haskell should not have been on the Planning Boards agenda. They went away from that meeting thinking they should have gone in front of the Zoning Board of Appeals but did not get a solid answer. They were turned away; they were told they needed an APA permit this is not the process. It is not a part of the Town code and it is not the process. To have a permit from the Adirondack Park Agency is just not logical. This has been a very frustrating process for Mike.
3. **Jackie Nichols, Resident, Owner Shelby's 4 Corners Diner** stated the six-month moratorium is going to affect her restaurant. It is going to affect her financially; builders come to her restaurant. She does however believe the zoning ordinance needs to be updated as soon as possible.
4. **Paula Blackwell, Resident** said she addressed the Town Board and said according to Bradley Brownell her building will not be affected, but, she said she does have a problem, things can be done little by little to keep in compliance a little at a time. She is very disappointed with the Board. The moratorium can go on for a year and it can be extended for up to a year at a time.
5. **Paul Prest, Resident** took the floor he agreed with J. Nichols, this will cause a ripple effect, it will not only hurt the contractor, this whole area is going to be affected for this six month. If I am a contractor, I am speaking to a friend about this. Why would anyone waste their time to build in Edinburg? It is going to affect everyone, in the long run. It will affect Brownell Lumber, it is ridiculous. I have never had an issue with Terry, I do not know what happened with you and him. He was right there, he called me back he followed up, he showed up. Here in this little Town of Edinburg it is a gem, everyone wants to help everyone out. It is a great community. Supervisor Raymond told Mr. Prest the board will not discuss personnel matters in a public meeting.

6. **Eric Fancher** spoke he wanted to know how the Board picked the engineering firm you guys are using. How was that brought into the Town of Edinburg, Mr. Fancher said he works for a bridge firm and he wants to know how was this firm hired were there applications or what. Supervisor Raymond told Mr. Fancher the Town of Edinburg is familiar with CT Male and the Town of Edinburg does not have to go out to bid for engineering services.
7. **Peter Allen, Contractor**, Peter stated his question is with a hardship, he will have to come and make an appointment with the Board. Supervisor Raymond told him if the Town Board accepts the Attorney's recommendation for the amendment to the proposed local law for a regular permit that does not have to go in front of the Planning and or Zoning Board you just need to get a routine building permit that doesn't need to go in front of the Zoning or Planning Board. Mr. Allen said for a regular permit I do not have to come before the Town Board, no, you just need to submit it to the Building Inspector.
8. **Keith Brownell, Contractor, Owner of Brownell Lumber and Hardware**, Keith suggested that this amendment should be put in writing. He also stated if a builder needs and inspection, they need it NOW. Supervisor Raymond told him generally speaking the inspections will be on Tuesdays. She said she may get additional help from surrounding towns for the time being and if so the inspections could be also on Thursdays or Fridays. Supervisor Raymond said the Building Department will do as it has always done, it worked will the Terry and all of the previous Building Inspectors. Supervisor Raymond stated if a builder knows they are going to need an inspection they should let the Town of Edinburg Building Department know in advance.
9. **Angela Brownell, Owner of Brownell Lumber and Hardware**, Mrs. Brownell asked the Board to hold off on the Moratorium until the Fall. She told the Town Board that the builders are getting their jobs lined up for the following year during the spring and summer months. They are trying to get their work lined up so that they and their families do not starve over the next six months. A. Brownell, stated they have just recovered from COVID, and now you are going to put a moratorium in for six months, this needs to be readjusted. Please consider putting the moratorium off for six months.

PUBLIC HEARING CLOSED 4:43 PM

Supervisor Raymond thanked the speakers and declared the public hearing closed at 4:43 pm. Supervisor Raymond told all present that the Board would take a five-minute break before beginning the Town Board meeting, if anyone wished to leave they could.

CALL TO ORDER

Supervisor Raymond called to order the regular January meeting of the Edinburg Town Board at 5:00 pm at the Edinburg Town Hall.

PRESENT: The same as the above for Town Board members

ALSO PRESENT:

Highway Superintendent	W. Seelow
Town Clerk	D. Ferguson

Residents and Other Public in Attendance

Following as noted on sign in sheet

APPROVAL OF THE DECEMBER 14TH AND JANUARY 5TH MINUTES

MOTION TO APPROVE: TOWN BOARD MEMBER PENINO

SECOND: TOWN BOARD MEMBER GRECO, ALL IN FAVOR, ANY OPPOSED, NO, MINUTES ARE APPROVED

PUBLIC COMMENTS

Supervisor Raymond told all present this was the time that the Town Board sets aside for anyone from the public wished to comment. No one responded. Supervisor Raymond

Reports

Saratoga County Monthly Reports

Mortgage Tax Receipts-
Sales Tax Distribution –
Mortgage Tax Distribution –

Town Officials Monthly Reports

Building Inspector – Dec.
Dog Control Officer –
Highway Superintendent's Diesel and Gasoline Inventory – 12/30/2023
Justice – Dec.

Supervisor's Financial Reports - Highway and General -
Town Clerk – Dec.

Other Reports

Tri-Party Collateral Agreement – 12/11,18,26 and 1/ 2, 8
Tri-Party Collateral Agreement Deposit Info – Dec.
Weekly Maintenance Report of Garbage Truck -
Recycle Center Resident Permits -12/11

Correspondence

Joint Youth Commission Contract with Northville/Northampton 2024-25 Year - \$4070.70
Department of Civil Service Policy Advisory – World Trade Center Sick Leave Reimbursement Program
Legal Notice- Fuel Bids, Local Law # 1-2024, 2024 Tax Roll and Warrant
Letter for Mr. McCauley Concerning 892 South Shore Road
Minutes, Edinburg Zoning Board of Appeals Sept. 7th and January 4th Unapproved Minutes, ZBA
NYS APA – Project No 295-2022- Brownell
NYS APA –Project Variance Application to the Adirondack Park Agency
SLPID – Saratoga Lake Protection and Improvement Dist.
NYMIR – Letter – Vehicle Fires

SUPERVISOR’S REPORT’S

Action Items

Authorizing Greenwood Industries to Include Replacement of Fascia,

Town Hall Roof Project R 22

Supervisor Raymond told the Board Greenwood Industries asked the Town to decide if they wanted the fascia replaced and if they wanted it done there would be an additional cost of \$14,000.00 the original cost to replace the fascia was \$16,000.00, Greenwood reduced it. Supervisor Raymond will need a resolution increasing the cost of the roof replacement to \$23,200.00. *A resolution will follow.*

Adoption of Local Law #1 of 2024 R 23

Supervisor Raymond spoke concerning proposed Local Law #1 of 2024. She said there were a lot of good comments from people and their concerns were heard. Supervisor Raymond would like to amend the local law to include the amendment suggested by Attorney Walsh, otherwise the Building Department will not be able to accept any applications during the six-month

moratorium. Supervisor Raymond also stated after speaking the Chairperson of the Zoning Board of Appeals they did not have any more than three applications come before them the entire 2023 year. This amendment will allow for regular building to continue during the moratorium. Attorney Walsh wanted it noted in the minutes there are certain legal requirements that the public hearing was published in the necessary time in The Leader Herald and it was referred to the Saratoga County Planning Board for comment they approved the original version of the proposed local law. The proposed local law was sent to the Adirondack Park Agency because the Town of Edinburg's code requires this. Robin Burgess from the APA said this type of local law does not have to be approved by the APA. Once we have done the work and we have the proposed changes we will send this out to the Saratoga County Planning Board and to the Adirondack Park Agency. Attorney Walsh stated any shoreline setbacks or density will have to be sent off to the APA. Attorney Walsh also stated that because this local law is a type 2 action the town does not have to go through SEQR. Supervisor Raymond wanted it made clear that this moratorium is on Planning and Zoning, not building that does not require an applicant to come before either of these Boards. Further discussion ensued as to the Boards being able to work with CT Male and Associates to update the Zoning ordinance. This local law will take effect once it is filed with the Secretary of the State. The Board agreed to pass a resolution allowing for the approval of Local Law # 1 of 2024 with the amendment being added. *A resolution will follow.*

Contract with CT Male and Associates for Building Department Needs R 24

Supervisor Raymond told the Board in order to make this process run smoothly she would like to contract with CT Male for the Town of Edinburg's Building Department needs. The person who will be doing this is Barbara Decker, she is both a Building Inspector and a Code Enforcement Official. Supervisor Raymond stated she has the certification. *A resolution will follow.*

Audit of the Justice Books R 25

Supervisor Raymond told the Board and all present that the Town Board will be auditing the Justice Books to their capability following the regular Town Board meeting. *A resolution is needed, one will follow.*

Audit of the Town Books R 26

Supervisor Raymond told the Board and the public that the Town Board must audit the Town Clerk's, and the Tax Collectors books each year, they will also be auditing them following the Town Board meeting. The Supervisor's books will be audited at a later date, because some of the information is at the accountants yet. *A resolution will follow.*

Audit of Claims R 27

General Vouchers # 1 - # 17 in the amount of \$12,135.46

Highway Vouchers # 1 - # 12 in the amount of \$22,285.84

Trust and Agency Voucher # 1 in the amount of \$568.56

The Town Board reviewed the vouchers and signed the abstracts directing the bills be paid. *A resolution will follow.*

Informational Items

Martin Luther King Day

Supervisor Raymond told all present the Town Hall will be closed on Monday, January 15th in observance of MLK day and garbage pickup will kick from Monday on North Shore to Tuesday and from Tuesday on South Shore to Wednesday.

ASSESSOR'S REPORT

The Assessor is not present tonight.

ATTORNEY'S REPORT

Attorney Walsh had nothing more to report on, she has been busy working on the proposed local law and reviewing the roof replacement contract

HIGHWAY SUPERINTENDENT'S REPORT

Highway Superintendent Seelow said he was glad to see people here tonight. He reported that the Highway Department has cut their salt usage in half they used 439 tons before the new system was in place. He stated they are still in the process of getting the system working to full capacity. Highway Superintendent Seelow told the Board the new plow blades are working great, but, they leave about three foot of snow out from the sides of the roads. The Highway Department has made their own live edges for the wings on the trucks, it has been no additional cost to the Town, we had the material. (pictures were handed to the Board), As far as brining this year they have traveled 226.74 miles and have brined 127.6 miles of road in the Town and 43.3 miles of roads to get to the Town roads. When the brining process is running at full capacity, the driver will just have to get into the truck and drive. Highway Superintendent Seelow told the Board there is a bill to WIT Advisors, this is a fee that will need to paid yearly for their support. Highway Superintendent Seelow stated this is to come from his snow removal portion of the budget, 5142.4003. Highway Superintendent Seelow is looking to pave Horse Hill, Trainer and DeGolia Roads for the 2024 year. If the prices are down, he will also pave Johnson Road.

OLD AND OR NEW BUSINESS

Supervisor Raymond asked if there was any old or new business to come before the Board at this time. There was none. Supervisor Raymond moved ahead with the meeting.

RESOLUTION LIST

Supervisor Raymond read the list of resolutions to come before the Board tonight.

- # 22 **A Resolution Authorizing Greenwood Industries to Include Replacement of Fascia, Town Hall Roof Project**
- # 23 **Adoption of Local Law # 1 of 2024 with the Amendment**
- # 24 **Contract with CT Male for Building Department Needs**
- # 25 **Audit of the Town Justice Books**
- # 26 **Audit of the Town Books, Tax Collector and Town Clerk**
- # 27 **Audit of Claims**

Supervisor Raymond asked the Board if they would like to take a separate vote on Resolutions # 22, 24,25,26 and 27. They will vote on Resolution # 23 separately. They did not, they will vote on them together.

MOTION TO ADOPT RESOLUTIONS # 22, 24, 25, 26 AND 27

MOTION: TOWN BOARD MEMBER EVANS

SECOND: TOWN BOARD MEMBER PENINO, ALL IN FAVOR, AYE

ADOPTION OF RESOLUTION # 23, LOCAL LAW # 1 OF 2024

Supervisor Raymond asked for a vote to adopt resolution #23 of 2024 with the amendment as described by Town Attorney Walsh. Town Board Member Edwards asked for an explanation of the proposed resolution. Supervisor Raymond told him the moratorium would only include building that had to go to the Planning and or Zoning Boards, all regular building would continue as has been done.

MOTION TO ADOPT

ROLL CALL

TOWN BOARD MEMBER EDWARDS AYE

TOWN BOARD MEMBER EVANS AYE

TOWN BOARD MEMBER GRECO AYE
TOWN BOARD MEMBER PENINO AYE
SUPERVISOR RAYMOND AYE

Supervisor Raymond asked for a motion to adjourn the meeting

ADJOURN 5:24 PM

MOTION: TOWN BOARD MEMBER EVANS

SECOND: TOWN BOARD MEMBER EDWARDS

Respectfully submitted,

Denise Ferguson
Town Clerk