

The first regular meeting was conducted on Monday April 13, 2015 at the Kingsbury Town Hall, 210 Main Street, Hudson Falls, NY.

MEMBERS PRESENT: James T. Lindsay, Supervisor  
Paul Bromley, Councilman  
Richard Doyle, Councilman  
Henry Freebern, Councilman  
William Collins, Councilman

ALSO PRESENT: Michael Graham, Superintendent of Highways  
Ross Cortese, Code Enforcement Officer  
Tony Garcia - American Legion  
Jane Havens, Strand Revival Committee Chairperson  
Mr. & Mrs. Michael Horrigan  
Mr. Potvin  
Bill Heil & Bill Richmond – New Swamp Road residents  
Dennis Kelly

The meeting was called to order by Supervisor Lindsay at 7 p.m. and opened for order of business with the Flag Salute led by Councilman Bromley.

The minutes of the March 23, 2015 Town Board Meeting were accepted as submitted by the Town Clerk.

Supervisor Lindsay introduced Tony Garcia of the American Legion. Mr. Garcia gave a presentation on Annual Awards for Law Enforcement Officer of the Year and Firefighter of the Year. Mr. Garcia is asking authorization from the Town Board for the American Legion to present the awards annually. The public ceremony will be conducted at American Legion Post 574 on 72 Pearl Street; on May 14, 2015 at 11:30 a.m. Supervisor Lindsay will represent the Town. The Board authorized the annual awards and thanked the American Legion for their efforts. A **motion** by Councilman Doyle seconded by Councilman Bromley and carried by a vote of 5 ayes to support the Annual Awards.

A **motion** by Councilman Bromley seconded by Councilman Freebern and carried by a vote of 5 ayes to authorize the Town to participate in the Local Government Efficiency Plan as follows:

#### **RESOLUTION # 6 OF 2015**

**TITLE:** To authorize the Town of Kingsbury to participate in the Local Government Efficiency Plan.

**WHEREAS** the State of New York has required each local government unit to file a Government Efficiency Plan with the New York State Division of Budget (DOB) and

**WHEREAS** the County is looking to be the lead governmental unit for filing the Plan, now, therefore be it

**RESOLVED** that the Town of Kingsbury hereby agrees to work with the County and submit ideas for the plan which will save at least 1% of the 2014 combined tax levy amount of all participants, and be further

**RESOLVED** that the Town of Kingsbury agrees to make its best effort to implement the Plan beginning in 2017 to 2019, and be it further

**RESOLVED** that the Town Board authorize their Chief Financial Officer to certify the Government Efficiency Plan.

Supervisor Lindsay received a copy of a resolution from the Village Board to share Court facilities with the Town as follows:

**RESOLUTION – SHARE COURT FACILITIES WITH TOWN**

Upon motion made by Trustee Cook, seconded by Trustee VanAernem and carried

**WHEREAS**, in an effort to save its taxpayers substantial sums by eliminating the need to pay approximately \$300,000.00 for a new court facility, the Village Board is willing to allow the Town of Kingsbury to use the Village Courtroom at Village Hall to conduct town court business on the terms and conditions set forth therein.

**NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:**

The Village of Hudson Falls agrees to enter into an inter-municipal agreement with the Town of Kingsbury, effective immediately, on the terms and conditions contained herein.

2. The Town of Kingsbury would pay its prorata share of the building expenses per a formula to be mutually agreed upon and in a form approved by the NYS Comptroller or NYS Office of Court Administration.
3. The Town of Kingsbury will provide at its cost adequate security personnel to monitor the activities and behavior of those individuals utilizing the town court facilities.
4. The Town and the Village will use their best efforts to formulate a convenient plan of court operations and a schedule of court-related activities, including the potential use of the courtroom during post-village hours, to isolate and separate as best as possible the court attendees from the village residents having non-court related business at Village Hall.
5. The Village Board will use its best efforts to dissolve the Village Court, thereby merging it into the Town Court in order to save additional taxes, benefitting both Town and Village taxpayers.

|            |                   |     |
|------------|-------------------|-----|
| Roll Call: | Trustee Horrigan  | Aye |
|            | Trustee VanAernem | Aye |
|            | Trustee Cook      | Aye |
|            | Trustee Gallagher | Aye |
|            | Mayor Barton      | Aye |

Supervisor Lindsay commented that is a step forward and stated the Board should meet with the Village Board very soon. Councilman Bromley commented the Village Board should provide a cost to the Town Board before a meeting is scheduled.

Supervisor Lindsay commented that everything is moving forward for the Special Election to be held on May 13, 2015 from 12p.m. – 9 p.m. Lindsay reported that an Informational Meeting will be held on April 30, 2015 at 7 p.m. at the Kingsbury Volunteer Fire Company. The Town will hire eight (8) inspectors and

there will be two voting machines for the election. Supervisor Lindsay reported the Special Election will cost the Town approximately \$1,000.00.

Town Clerk reported the Absentee Ballots and Ballot Return envelopes had been printed in her office. The envelopes to mail the ballots have been ordered and when received will be printed and mailed. A total of 60 Absentee Ballots will be mailed.

A **motion** by Councilman Bromley seconded by Councilman Freebern and carried by a vote of 5 ayes giving Superintendent of Highways Michael Graham permission to hire Dave LaRose to sweep the Town roads at the same cost as last year.

Superintendent Graham reported he had received a letter from New York State in regard to repair on a bridge on Baldwin's Corners Road. The weight limit will be reduced from sixteen (16) tons to twelve (12) tons and the State will begin repair work soon.

A **motion** by Councilman Bromley seconded by Councilman Doyle and carried by a vote of 5 ayes authorizing Supervisor Lindsay to sign an Undertaking for the benefit of The New York State Department of Transportation in connection with work affecting state highways (For use by New York municipalities and federal agencies). The Undertaking is signed annually, this Undertaking shall have a term of twenty (20) years and will be kept on file to facilitate the issuance of future permits to which it will apply.

Bill Heil presented Superintendent Graham with a petition; signed by himself and nine other residents of New Swamp Road. The residents/property owners of New Swamp Road are not in favor of the proposed partial paving of 4400 feet of New Swamp Road. Bill Richmond, who had also signed the petition, was in attendance of the meeting to express his opinion on the proposed paving of New Swamp Road. Mr. Richmond has lived on New Swamp Road for nineteen (19) years and has no issue with New Swamp Road being a dirt road. Superintendent Graham explained the procedure that would be used for the proposed paving. A discussion followed after which Superintendent Graham will communicate with the residents of New Swamp Road.

Code Enforcement Officer Ross Cortese suggested that a joint meeting with the Kingsbury Town, Planning and Zoning Boards be held on Monday April 20, 2015 at 7 p.m. Supervisor Lindsay explained the purpose of the meeting will be to discuss solar energy and solar farms.

Cortese reported that Rich Schermerhorn will not be attending the Planning Board Meeting scheduled for April 15, 2015. They are waiting for approval from DEC in regard to the proposed septic system. Cortese reported that Matt Tougas and Chris Cook will be in attendance of the meeting. Mr. Tougas would like to open a café and mini-golf facility on Route 4. The other project is in the former East Side facility on Burgoyne Avenue. Chris Cook would like to open a limo service at that location.

Supervisor Lindsay reported that Attorney Meyer had drawn up a resolution to modify the existing Town of Kingsbury Employee Handbook Section 806 entitled "Medical and Dental Insurance". Lindsay stated that the Town has always worked very hard to keep down the cost of health and dental insurance. Supervisor Lindsay proposes that the Town introduce a 2-tier system, with no change with the current employees. Any new employee, effective immediately, would contribute ten per cent of the policy cost. A resolution is necessary because it is a change in the Town Employee Handbook. Councilman Doyle feels that everyone should pay a portion of their health and dental benefits. Jane Havens commented

there may be a discrimination law to be enacted soon, which would not allow a new hire to be charged and a current employee not be charged for health insurance coverage. Councilman Bromley suggested the Town contact the Association of Towns for further information. Supervisor Lindsay reported the Town's insurance costs have not increased over the last 5 years; the Town has been able to maintain the benefits for the employees without incurring an increase. A discussion followed, the Board did not act on the resolution, and it was decided to wait until the current insurance expires, to see what is offered by the insurance company.

Superintendent of Highways Michael Graham has received approximately 50 applications for an open position in the Highway Department, created with the resignation of Shane Hogan. After discussion the Board determined the new hire will have full benefits, with a starting wage of \$14.00, with a possibility of contributing to Health and Dental benefits in the future.

**PUBLIC COMMENT:**

Mr. Potvin questioned if he was right to assume that if the Village and the Town agree to share Court Facilities, the permissive referendum will disappear. Supervisor Lindsay stated that we are 30 days away from the election, the permissive referendum will take place and the people should be allowed to speak. Councilman Bromley explained that there have been several discussions in the last 2 or 3 years about consolidating the Village and Town Courts. It has become a revolving target and the Board has decided they must move forward, it is the Board's intent to do what they think is best. Until we have a good program with hard numbers the Board cannot make a decision as to whether both courts should be in the same building. Mr. Potvin commented if you have an agreement in place the people should be aware of it. Supervisor Lindsay commented information is available in the newspapers and information will be provided at the Informational Meeting on April 30, 2015.

Jane Havens questioned if the Town and Village Judges would participate in the proposed workshop with the Village and Town Board in regard to sharing the Court Facilities. Supervisor Lindsay commented the Judges have been involved in the past.

Jane Havens questioned when the absentee ballots have to be turned in. Town Clerk stated the absentee ballot applications are available in the Town Clerk. The absentee ballots must be post-marked the day before the election and received in the Town Clerk's Office not later than 7 days or received at the polling site before close on the day of the election.

Jane Havens questioned the topic of the Zoning/Planning Workshop to be held on April 20, 2015. Cortese stated the public is invited at which time solar farms and the commercial uses of solar panels will be discussed.

There being no further business before the Board a **motion** by Councilman Freebern seconded by Councilman Collins and carried by a vote of 5 ayes to adjourn the meeting at 8:20 p.m.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk

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