

The second regular meeting of the Kingsbury Town Board was conducted on April 15, 2019 at the Kingsbury Town Hall at 6 Michigan Street, Hudson Falls.

MEMBERS PRESENT: Dana Hogan, Supervisor
Richard Doyle, Councilman
Henry Freebern
William Haessly, Councilman
Dan Washburn, Councilman

OTHERS PRESENT: Michael Graham, Highway Superintendent
Todd Humiston, Dog Control Officer
Jeffrey Meyer, Town Attorney
Jane Havens, Town Resident
Jolene & Jerry Caruso, Town Residents

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

A **motion** by Councilman Haessly seconded by Councilman Washburn and carried by a vote of 5 ayes to accept the minutes of the April 1, 2019 Town Board Meeting as submitted by the Town Clerk.

Supervisor Hogan reported three applications had been received for the Code Enforcement Officer position. Councilman Doyle and Councilman Haessly have received copies of the applications for their personal review. Supervisor Hogan requested an executive session to discuss personal matters related to the out- going Code Enforcement Officer.

Comptroller Mary Ordway indicated to Supervisor Hogan that the town investment policy needed to be updated to include NYSCLASS investments. She suggested the Board check with Attorney Meter on how to go about that. Attorney Meyer stated the current investment policy which is twenty plus years old contains language that the Town Board can designate an official repository, everything the Board did is fine as far as NYCLASS is concerned.

Town Clerk reported there is surplus equipment in the basement including two typewriters that do not work. The Town Clerk researched service for repairing the typewriters with no success and was unable to purchase replacement parts. Town Clerk is asking for permission to get rid of some of the surplus equipment. Supervisor Hogan suggested an inventory be complete to identify what is surplus and what should be disposed of and authorize it at a Board Meeting, that process is used at the County. Michael Graham suggested some items could be listed with Auctions International.

LEGAL UPDATE:

Attorney Meyer emailed the notice of a public hearing and the proposed Local Law to amend the industrial zoning district along the southern side of NYS Route 196. The public hearing is scheduled for May 20, 2019. Councilman Doyle asked if the notice of the public hearing will be mailed to the five property owners affected with the zoning change. Attorney Meyer stated it was not necessary; Councilman Doyle would like letters mailed.

A **motion** by Councilman Haessly seconded by Councilman Freebern giving permission to Supervisor Hogan to sign a memorandum of agreement between Washington County and Town of Kingsbury. (Document attached)

TOWN CLERK REPORT:

Judge Keenan gave permission for Ken Grant; court security officer and Sherry Grant; deputy court clerk, to assist in the prepping and scanning of court documents. Ninety boxes of court documents must be prepped and scanned by June, a requirement in the grant received from NYS.

Town Clerk submitted the following report:

TO: Supervisor Hogan
Councilman: Doyle, Freebern, Haessly & Washburn

FROM: Tax Collector: Cynthia A. Bardin

SUBJECT: 2019 County/Town Collection

DATE: April 15, 2019

Payments to Town:

January 9, 2019 - \$595,003.62
January 17, 2019 - \$655,666.43
January 23, 2019 - \$305,909.95
January 31, 2019 - \$10,238.62 (unpaid water)
February 11, 2019 - \$510.52 – Jan. bank int. – \$74.45, Penalties \$436.07
March 14, 2019 - \$3,496.13 – Feb. bank int. - \$154.74, Penalties - \$3,301.39,
Return check fee \$40.00
April 8, 2019 - \$5,565.42 – March bank interest \$20.48, Penalties \$5,544.94

Total Paid to Supervisor: \$1,576,390.69

Total Taxes Collected: \$1,566,818.62

Total Penalties Collected: \$9,282.40

Total Bank Interest: \$249.67

Return Check Fees Collected: \$40.00

DOG CONTROL OFFICER REPORT:

Todd Humiston conducted 14 Dog Safety Presentations in 3 schools with a total of 540 students present last week during Dog Bite Prevention Week.

A **motion** by Councilman Freebern seconded by Councilman Washburn and carried by a vote of 5 eyes giving permission to Todd Humiston to attend the annual Ag & Markets Conference on May 14 & May 15, 2019. A registration fee will not be charged, Todd will be speaking at the conference.

HIGHWAY SUPERINTENDENT:

<http://www.kingsburyny.gov>

A **motion** by Councilman Freebern seconded by Councilman Haessly and carried by a vote of 5 ayes for the Board and Michael Graham to sign the agreement to spend highway funds for 2019. (Document attached)

Dave LaRose will begin the sweeping of the roads this week.

There is a problem with flooding at the Schermerhorn Apartment complex located on Dix Avenue near Ginny Rae's, Graham has received three calls in the last few months. Once the water subsides, he will see what his options are to resolve the flooding problem.

The structures will arrive on Thursday for the court parking lot. The property has been cleaned of debris and clean fill has been brought in.

COUNCILMAN REPORT:

Councilman Doyle asked if a letter had been sent to the farmer who is tracking a lot of mud on town roads. Attorney stated it had not been sent out, the reason being there is no accountability to follow through and you can't force him to clean the road. Michael Graham is going to try to reach out to the farmer one more time. It was suggested the farmer build a proper entrance behind his farm to reach his back fields.

The Water Committee: Councilman Doyle, Councilman Freebern and Water Superintendent Jim Chase met this past week. The digital wi-fi meters should be installed by the end of the year.

Supervisor Hogan attended a webinar which recommended every town in New York State have a fund balance policy. This will be discussed with Comptroller Mary Ordway at a meeting in May.

Councilman Doyle requested a copy of the PILOT agreement with Wheelabrator from Sole Assessor Colleen Adamec.

Councilman Doyle and Councilman Haessly worked with Comptroller Mary Ordway on an ad for the comptroller position. Councilman Haessly suggested the appointment of a comptroller be for four years and not two. He felt the two-year appointment may discourage potential candidates. After discussion a **motion** by Councilman Freebern seconded by Councilman Washburn and carried by a vote of 5 ayes to publish the help wanted ad for 3 days in the Post-Star. Supervisor Hogan would also like to publish with HelpWanted.com or Indeed.

Councilman Doyle asked Attorney Meyer if Town residents were allowed to bury dead animals on their property. Mr. Doyle asked this due to the recent discovery of a large number of animals buried in Hartford, NY. Attorney Meyer stated the Town of Kingsbury code is not as specific as the Town of Hartford's code. Ag & Markets and the DEC regulate the fact that dead animals must be buried within 72 hours. Attorney Mayer stated a dead animal qualifies as solid waste and farmers can bury dead animals in the Town of Kingsbury.

WRITTEN REPORTS:

A **motion** by Councilman Doyle seconded by Councilman Freebern and carried by a vote of 5 ayes to accept the reports of certain officers for the month of as follows:

Code Enforcement: No fees collected

Town Comptroller for February: Receipts: \$159,121.59\$; Disbursements: \$166,117.50

For March: Receipts: \$272,661.65; Disbursements: \$ 141,267.15

PUBLIC COMMENT:

Jane Havens stated the appointment of the comptroller position should be kept at two years; you should be able to look at the appointed official every two years. She believes in audit and oversight and believes it is not a personal issue.

A **motion** by Councilman Washburn seconded by Councilman Haessly and carried by a vote of 5 ayes to enter into an executive session at 7:37 pm to discuss the employment of a particular person.

A **motion** by Councilman Haessly seconded by Councilman Freebern and carried by a vote of 5 ayes to exit the executive session at 8:44 pm.

A **motion** by Councilman Freebern seconded by Councilman Washburn and carried by a vote of 5 ayes giving permission for Court Clerk Laura Barody to purchase a metal locking filing cabinet for records to be stored in the hallway.

There being no further business before the Board a **motion** by Councilman Freebern seconded by Councilman Haessly and carried by a vote of 5 ayes to adjourn the meeting at 8:45 pm.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk