

The second regular meeting of the Kingsbury Town Board was conducted on Monday, April 22, 2013 at the Kingsbury Town Hall, 210 Main Street, Hudson Falls, NY.

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

ALSO PRESENT: Francis P. Cortese, Code Enforcement Officer
Michael Graham, Superintendent of Highways
Mary Ordway, Comptroller
Kara Lais, Attorney for the Town

The meeting was called to order by Supervisor Lindsay at 7:00 pm. and opened for order of business with the Flag Salute led by Councilman Freebern.

Motion by Councilman Bromley, seconded by Councilman Collins and carried by a vote of 5 ayes to accept the minutes of the meetings held on April 8 and April 16, 2013 as submitted by the Town Clerk.

Supervisor Lindsay introduced David Meager, our agent, from Adirondack Trust Insurance Company. Mr. Meager reviewed the Summary of Insurance for the Town and noted that the increase in premiums is due to an outstanding claim against the Town. A motion for dismissal is pending in court and awaiting the judge's decision.

Supervisor Lindsay introduced Joseph Brilling, Director of the Washington County Sewer Agency. Mr. Brilling discussed the up date on the capacity of the sewer system and stated he would be applying for another grant in the near future to assist with a study for the upper end of the district which includes the out of district users in Kingsbury.

Supervisor Lindsay introduced Michelle Richardson to the board members. She has recently moved to the area and has shown interest in becoming a member of the Zoning Board. There is a vacancy on the Zoning Board for an alternate member. **Motion** by Councilman Freebern, seconded by Councilman Collins and carried by a vote of 5 ayes appointing Michelle Richardson as an Alternate to the Zoning Board of Appeals.

LEGAL UPDATE:

Attorney Lais stated she had prepared a resolution for the board's review, which authorizes the release of the bid package for the construction of the new highway garage facility and related work.

**TOWN BOARD OF THE TOWN OF KINGSBURY
COUNTY OF WASHINGTON, STATE OF NEW YORK**

**RESOLUTION NO. 6 OF 2013
ADOPTED APRIL 22, 2013**

**INTRODUCED BY COUNCILMAN FREEBERN
WHO MOVED ITS ADOPTION.
SECONDED BY COUNCILMAN BROMLEY.**

WHEREAS, on April 25, 2011, the Town took title to an 8.33 acre parcel of real property known as 437 Vaughn Road in the Town of Kingsbury and known as tax map parcel number 137-1-24.13 for the purpose of erecting a Town highway garage on said lot; and

WHEREAS, prior to taking title of said property on April 25, 2011, the Town Board adopted a resolution, subject to permissive referendum, authorizing the purchase of the real property to be used in the future as a highway garage pursuant to Town Law Section 220; and

WHEREAS, on April 25, 2011, the Town Board issued a Negative Declaration in connection with its findings pursuant to the State Environmental Quality Review Act (“SEQRA”), as codified under 6 NYCRR Part 617 et. seq., relative to the adoption of the April 11, 2011 resolution, whereby the adoption thereof constitutes an Unlisted Action that will not have any significant adverse impact upon the environment; and

WHEREAS, the notice for said permissive referendum for the April 25, 2011 resolution was duly published on April 27, 2011 in the Post Star and no petitions were filed during the 30-day permissive referendum period; and

WHEREAS, on August 13, 2012, the Town Board created a capital project fund and budget relating to the construction of the highway garage facility and further adopted a bond resolution authorizing the issuance of notes and/or bonds to finance the cost of the highway garage project, said resolutions were adopted subject to permissive referendum; and

WHEREAS, on August 13, 2012, the Town Board issued a Negative Declaration in connection with its findings pursuant to the State Environmental Quality Review Act (“SEQRA”) as codified under 6 NYCRR Part 617 et. seq., relative to the adoption of the April 11, 2011 resolution, whereby the adoption thereof constitutes an Unlisted Action that will not have any significant adverse impact upon the environment; and

WHEREAS, the notice for said permissive referendum for the August 13, 2012 resolutions was duly published on August 16, 2012 and August 17, 2012 in the Post Star and no petitions were filed during the 30-day permissive referendum period; and

WHEREAS, Highlander Engineering Services, PLLC, has been retained by the Town to prepare plans and specifications for the construction of the highway garage facility to be erected on Town property;

WHEREAS, said plans and specifications have been prepared and reviewed by the Town Board and a bid package has been prepared to be used to seek competitive bids in accordance with General Municipal Law Section 103 for the construction of the highway garage and related work.

NOW, THEREFORE BE IT RESOLVED THAT:

Section 1. The Town Board hereby approves of the plans, specifications and bid package, as prepared by Highlander Engineering Services, PLLC, and as presented at this meeting, for the construction of the highway department facility, which includes the general construction contract, the mechanical contract and the electrical contract. Said plans, specifications and bid package shall be incorporated herein by reference.

Section 2. In connection with the State Environmental Quality Review Act, the Town Board further examines the Negative Declarations adopted on April 25, 2011 and August 13, 2012 relative to this project and hereby declares that there have been no significant changes to this project that warrant an amendment to the Negative Declarations previously adopted by the Town Board. The Town Board hereby ratifies and affirms the Negative Declaration declared on April 25, 2011 and August 13, 2012, respectively and determines that no further environmental review is necessary.

Section 3. The Town Board hereby authorizes the release of the bid package for the construction of the highway garage facility and related work and requires that any sealed bids submitted for this project shall be received by the Town no later than Monday, May 13, 2013 at 7:00 p.m. at which time they will be publicly open and read aloud.

Section 4. The Town Clerk is directed to publish the Invitation to Bidders in the Post Star seeking sealed bids relative to the highway garage construction project.

Section 5. This resolution shall take effect immediately.

Dated: April 22, 2013

Those members present were:
James T. Lindsay, Supervisor
Paul Bromley, Councilman
William Collins, Councilman
Richard Doyle, Councilman
Henry Freebern, Councilman

Voting:
Aye
Aye
Aye
Aye
Aye

Supervisor Lindsay stated a representative from Earth, Waste and Metal, the company that recently leased the Washington County Transfer Stations was invited to attend tonight's meeting but was unable to due to a family matter. He will invited them to attend another meeting to discuss the new system of operations at the transfer stations. A discussion was had regarding whether or not the Town should require the company to obtain a junkyard license under the Town Code.

REPORTS:

Town Comptroller Mary Ordway requested permission to attend a Finance School in Saratoga on May 2 and 3, 2013. She also requested permission for she and Michelle Radliff to attend a KVS Conference to be held in Buffalo on July 22 – 25, 2013. The money for both of these schools is in her 2013 budget. **Motion** by Councilman Doyle, seconded by Councilman Collins and carried by a vote of 5 ayes authorizing Mary and Michelle to attend the schools as noted above.

Town Comptroller Mary Ordway stated that the Town has not borrowed any money for the Town Highway building but after the bids are received and awarded, we will know the actual cost of the building and will proceed with borrowing the money needed.

Town Comptroller Mary Ordway stated there would be no increase in the dental premiums this year. **Motion** by Councilman Bromley, seconded by Councilman Freebern and carried by a vote of 5 ayes opting to stay with Guardian Insurance for dental coverage for another year.

Superintendent of Highways Michael Graham requested permission to attend the Highway School to be held in Ithaca, NY June 2 through 5, 2013. **Motion** by Councilman Freebern, seconded by Councilman Doyle and carried by a vote of 5 ayes authorizing the Superintendent of Highways to attend the school.

Superintendent of Highways Michael Graham reported the property and the road leading into the new highway garage facility is ready for the contractors to enter. Extra fencing will be installed and the Sheriff's office will do some extra patrolling in the area.

Superintendent of Highways Michael Graham also reported that his crew would be assisting the Village Highway Department with some paving on the bike paths under our shared services agreement.

WRITTEN MONTHLY REPORTS:

Motion by Councilman Freebern, seconded by Councilman Collins and carried by a vote of 5 ayes accepting the reports of certain town officers for the month of March as follows:

Code Enforcement Officer: No. Permits 4; Total Fees \$474.00.

Dog Control Officer: Complaints 13; Seizures 1; Unlicensed Dogs 11; Bites Investigated 2; Mileage 122.

Town Clerk: Paid To EnCon \$210.72; Paid to Supervisor \$6,473.85; Paid To NYS Dept. of Health \$135.00; Paid to Village of Hudson Falls: \$160.00; Paid to NYS Ag and Markets for Population Control \$125.00

Town Comptroller: Receipts \$37,237.25; Disbursements \$141,959.94.

Town Justice: Fees Collected: \$9,607.75.

PUBLIC COMMENTS:

Mr. Dennis Kelly of County Line Road reported that Royal Wood Shavings Manufacturing, Inc. was working until 4:00 a.m. on Saturdays. He was under the impression that there was not to be any work on the weekends.

There being no further business to come before the Town Board, **motion** by Councilman Bromley, seconded by Councilman Freebern and carried by a vote of 5 ayes to adjourn the meeting at 8:34 p.m.

Respectfully submitted,

Sylvia Weaver, Deputy Town Clerk

<http://www.kingsburyny.gov>