

The second regular meeting of the Kingsbury Town Board was conducted on July 17, 2017 at the Kingsbury Town Hall at 6 Michigan Street, Hudson Falls.

MEMBERS PRESENT: Dana Hogan, Supervisor  
Paul Bromley, Councilman  
Richard Doyle, Councilman  
Henry Freebern, Councilman  
ABSENT: William Collins, Councilman  
OTHERS PRESENT Jeffrey Meyer, Town Attorney  
Ross Cortese, Code Enforcement Officer  
Michael Graham, Highway Superintendent

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.

The minutes of the June 19, 2017 Board Meeting were accepted as submitted by Town Clerk with a **motion** by Councilman Freebern seconded by Councilman Bromley and carried by a vote of 4 ayes.

A **motion** by Councilman Freebern seconded by Councilman Doyle to re-appoint Brian Heasley and William Whipple as members to the Zoning Board of Appeals for a 5-year term, beginning on August 1, 2017 and expiring on July 31, 2022.

Supervisor Hogan announced there are Public Statement Hearings scheduled for the National Grid proposed rate increase in its electric and gas delivery service. The increase is to be effective April 1, 2018 through March 31, 2019. On Tuesday July 25, 2017 there is a Public Statement Hearing scheduled in Troy, NY and on Thursday July 27, 2017 another is scheduled in Lake Placid, NY. Comments regarding the proposal can be entered by visiting the Department of Public Service website for those unable to attend.

On May 15, 2017 the Board adopted a resolution approving the settlement with Commercial Net Lease. Supervisor Hogan has authorized the County to refund Commercial Net Lease on behalf of the Town of Kingsbury with the monies being recouped through the tax levy process.

**TOWN ATTORNEY REPORT:**

Jeffrey Meyer reported he would like to request an executive session to discuss current litigation.

Aramark now supplies the Town with uniforms for the highway employees and floor mats for Town Hall and the Highway Garage. Comptroller Mary Ordway reported to Supervisor Hogan, the Town will save \$2,238.60 each year by switching to Aramark; with the savings the first year being \$2,970.36 due to an incentive offer of six weeks at no charge.

**TOWN CLERK REPORT:**

Corlie Garrow of 68 Mountainview Drive stopped at the Town Clerk's office to praise the Highway Department for doing a great job on the clean-up of fallen trees after a rain/wind storm on June 19<sup>th</sup>. Ms. Garrow is concerned that some trees leaning towards her home and neighboring homes may damage their properties. The trees are on property owned by Able Income Fund LLC at 1123 – 1125 State Route 196. The Town has unsuccessfully attempted to contact the owner in regard to Code Violations that exist on the property. At this time there is a bench warrant out for the owner due to non-appearance in Kingsbury Court to answer the Code Violations charges. Ms. Garrow has written a letter

<http://www.kingsburyny.gov>

to the owner of this property to address her concerns. Supervisor Hogan suggested the letter be sent certified mail. The Town Clerk will contact Ms. Garrow with the suggestion.

Gladys Frasier is looking for permission for the Town to participate in Turn the Towns Teal; a national awareness campaign for ovarian cancer. A **motion** by Councilman Bromley seconded by Councilman Freebern and carried by a vote of 4 ayes for Supervisor Hogan to sign a letter of support giving permission for biodegradable teal ribbons to be tied in the Town during the month of September.

Town Clerk reported the NYS DOT had installed traffic counters on Michigan Street that afternoon. The Board then discussed the pending speed limit reduction requests for the following areas: Michigan, Sunset and Division Streets; County Line Road and Vaughn Road.

The Board received copies of the USDA Rural Development's Section 504 Home Repair Loan & Grant Program. The grant provides help to very-low income owner occupants of modest single family homes in need of repair that are located in rural areas. Councilman Doyle suggested the information be posted on the Town of Kingsbury website.

The Town Clerk reported Colleen Adamec, Sole Assessor for the Town, had planted more perennials on the Town Hall property.

#### SUPERINTENDENT OF HIGHWAYS REPORT:

Michael Graham reported they had been busy with clean up of the numerous rain/windstorms. The grader purchased from Fort Ann has been used and is working out excellent. The stainless steel dump box has been ordered with delivery expected the first week of October.

#### COUNCILMAN REPORTS:

Councilman Bromley requested Supervisor Hogan to draft a letter to F.W. Webb to thank them for their great customer service. In the follow up of the construction of Town Hall, it was discovered additional materials were needed to accommodate the heating and cooling needs of the building. The organization willingly contributed the necessary materials and the Town was billed for the labor only.

Councilman Doyle is concerned with the speeding traffic on the road on which he resides and will reach out to the Sheriff's Department to set up a speed detection device.

Councilman Bromley asked if there was an update on Sterigenics installing a generator at their facility in the Industrial Park. Recently Sterigenics sought the help from Emergency Services after a power outage due to a storm. The Board is concerned with the hazardous chemical used there and the aftermath if there is a power outage. Code Enforcement Ross Cortese reported he, Steve Smith and the Fire Chief toured the facility. After discussion the Board would like the Plant Manager of Sterigenics to attend a Board Meeting to explain more about the facility and the chemical used. Ross Cortese will contact the plant manager to see if he can attend the Board Meeting scheduled for August 21, 2017.

Water Superintendent, James Chase , advised Supervisor Hogan that Mr. Alger seemed okay with the power washing and painting of the Chlorination Station on Dix Avenue.

A **motion** by Councilman Freebern seconded by Councilman Bromley and carried by a vote of 4 ayes to enter into executive session at 7:42 PM to discuss current litigation. Michael Graham and Ross Cortese were invited to attend.

A **motion** by Councilman Freebern seconded by Councilman Bromley and carried by a vote of 4 ayes to exit the executive session at 8:07 PM.

**A motion** by Councilman Doyle seconded by Councilman Bromley and carried by a vote of 4 ayes to accept the reports of certain officers for the months of May and June as follows:

June Reports:

Code Enforcement Officer: No. Permits 1; Research Fees 1; Site Plans 2; Total Fees: \$475.00

County Permit Activity Jan. 1, 2017 – June 30, 2017: 37 Permits and certificates

Dog Control Officer: Complaints/Calls 44; Seizures 2; Unlicensed Dogs 7; Bites Investigated 1; Mileage 575 with 82 charged to Fort Edward and 209 charged to Fort Ann; Dog Safety Presentation 225 Students

Town Clerk: Paid to EnCon \$937.96; Paid to Supervisor \$2,747.34; Paid to NYS Dept. of Health \$270.00;

State Share of Bingo \$292.50; Paid to the Village of Hudson Falls \$132.00; Paid to Ag & Markets for Population Control \$141.00

Town Comptroller: Receipts \$96,339.38; Disbursements \$243,216.97

For May:

Town Justice \$25,336.32

There being no further business before the Board a **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote 4 of ayes to adjourn the meeting at 8:08 PM.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk