

August 7, 2023 Town Board Meeting

The first regular meeting was conducted on August 7, 2023, at the Kingsbury Town Hall, 6 Michigan Street, Hudson Falls.

PRESENT: Dana Hogan, Supervisor
Richard Doyle, Deputy Supervisor
William Haessly, Councilman
James Lindsay, Councilman
Dan Washburn, Councilman

OTHERS PRESENT: Mike Graham, Highway Superintendent
Todd Humiston, Code Enforcement & Dog Control Officer

The meeting was called to order by Supervisor Hogan at 6:33 pm and opened for the order of business with the Flag Salute led by Councilman Doyle.

The minutes of the July 17, 2023, Town Board Meeting and the July 25, 2023, Workshop for the Comprehensive Plan, were accepted as submitted by the Town Clerk with a **motion** by Councilman Lindsay and seconded by Councilman Washburn and carried by a vote of 5 ayes.

Supervisor Hogan recommended the Public Hearing for the Plan of Dissolution of Kingsbury Sewer District One remain open; Attorney Meyer is not at present at the meeting. Washington County Public Works passed a resolution to have a Public Hearing on the topic on August 18th at 10:05 am at the Washington County Building. The Public Hearing will remain open until the Town Board Meeting on August 21, 2023.

Health Insurance quotes were forwarded to the Board on July 28, 2023, from the Comptroller. There is a 13% increase; the Comptroller feels the current plan is still the most cost-efficient plan available. Councilman Doyle suggested there be a change in the structure of the plan by increasing the deductible, which should lower the premium. He would like to see the increase be around 10%.

Supervisor Hogan will ask the Comptroller to contact Debbie Bell to see if there are any plans available with a higher deductible but a lower premium and receive an answer by August 21st for the next Board Meeting.

A **motion** by Councilman Washburn seconded by Councilman Doyle and carried by a vote of 5 ayes to accept the HRA Electronic Administration Agreement for the processing of the Health Reimbursement Arrangement.

Supervisor Hogan received a call from Kevin Polunci, HFCSD Executive Director of Business, to discuss a request made by the Village of Hudson Falls. There was a meeting with Mayor Barton, Mr. Nikas, a Village Trustee and Mr. Polunci asking if the school would provide support for a Park Manager at Derby Park due to some of the issues that had occurred at the park. The Town of Kingsbury funds the Recreation Program which is administered by the school. Mr. Polunci explained that their partnership is based on the funding that is provided by the Town of Kingsbury taxpayers. The Town budgets approximately \$100,000.00 a year to fund the Recreation Program. Mr. Polunci explained in the meeting it is not something he could do because it is not part of the Intermunicipal agreement; a Park Manager is not part of the recreation program. Mayor Barton contacted Supervisor Hogan and asked if the Town would fund a park manager. The estimated cost is approximately \$10,000.00 with someone there between 5 pm and 9 pm. The Board discussed possibly paying half; \$5,000.00. Supervisor Hogan will check with Attorney Meyer, the Town has an intermunicipal agreement that is established and will paying a park manager fall within the IMA.

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A **motion** by Councilman Haessly seconded by Councilman Lindsay and carried by a vote of 5 ayes to extend the moratorium on High Density Dwellings until November 5, 2023. The moratorium could be extended after November 5, 2023, if you are in the process of updating your Comprehensive Program.

A **motion** by Councilman Washburn seconded by Councilman Haessly and carried by a vote of 5 ayes to accept the resignation of the part-time Deputy Court Clerk.

Judge White would like to have retired Deputy Clerk Sherry Ostrander return one day a week at her same rate of pay. A **motion** by Councilman Haessly seconded by Councilman Doyle and carried by a vote of 5 ayes for Sherry Ostrander to return as Deputy Court Clerk one day a week.

The Board discussed the process of replacing the Town Clerk who will be retiring in December 2023. At the last meeting it was discussed to place an ad on Indeed which included a basic skills question. The applicants would be funneled into one system; Councilman Doyle and Councilman Haessly will be provided with login information to review the applicants. Afterwards there was discussion about placing an ad in the Post-Star and accepting paper applications.

The Board discussed the cost of placing an ad in the Post-Star. Councilman Haessly suggested placing the ad in the Chronicle and directing them to Indeed to apply. He feels the community should be aware of the Town Clerk position being available.

Councilman Haessly made a **motion** to run an ad in the Chronicle newspaper directing them to Indeed, Councilman Lindsay seconded the motion.

Councilman Doyle agrees with Councilman Haessly about noticing the community. The Post-Star is the paper of record for the Town and suggested the ad should be published in the Legal Notices in the Post-Star.

Councilman Haessly amended the **motion** to run a legal ad in the Post-Star for one day and direct them to an Indeed link, seconded by Councilman Doyle and 3 nay votes; Supervisor Hogan, Councilman Lindsay and Councilman Washburn; the motion did not pass.

After discussion a **motion** by Councilman Washburn to post the Town Clerk position on Indeed, place a notice in Town Hall and a notice on the website. The motion was seconded by Councilman Lindsay and carried by a vote of 5 ayes.

CODE ENFORCEMENT OFFICER & DOG CONTROL OFFICER REPORT:

The enumeration for the licensing of dogs will be started soon. Residents in the Town and Village will receive a flyer in the mail with information to license their dog.

Todd Humiston will be covering for the Fort Ann Dog Control Officer next week.

Todd Humiston asked if there was any way the Town could move away from the requirement of having an official newspaper due to the Post Star being published 3 days a week and unable to view notices placed online in the Post Star. The Board continued to discuss possibilities of noticing meetings and Public Hearings.

A **motion** by Councilman Haessly seconded by Councilman Doyle and carried by a vote of 5 ayes to accept the following budget amendment:

BUDGET AMENDMENT #002 - 2023: Burgoyne Ave Waterline Extension; and

WHEREAS: The Town of Kingsbury (TOWN) was awarded a grant from the NYS Department of Transportation (NYSDOT) in an amount not to exceed \$250,000.00 (Two hundred-fifty thousand dollars and no/100) to extend the waterline on Burgoyne Avenue (Contract No. D040172); and

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WHEREAS: Town obligations for the Burgoyne Ave Waterline Extension project include:

- \$40,090.00 (Forty thousand ninety dollars and no/100) Kathleen Suozzo, P.E., PLLC, for the engineering phases of the project inclusive of two contracts
- \$221.23 (Two hundred twenty-one dollars and 23/100) Post Star Legal Ads
- \$8,500.00 (Eight thousand five hundred and no/100) Creighton Manning Engineering LLP for the survey services
- \$294,350.00 (Two hundred ninety-four thousand three hundred fifty dollars and no/100) Bellamy Construction Co., Inc., for the construction phase
- \$4,982.03 (Four thousand nine hundred eighty-two dollars and 03/100) Bellamy Construction Co., Inc. Change Order #1

WHEREAS: The current total cost for the waterline extension equals \$348,143.26 (Three hundred forty-eight thousand one hundred forty-three dollars and 26/100) and exceeds the NYSDOT grant amount by \$98,143.26 (Ninety-eight thousand one hundred forty-three and 26/100); and

WHEREAS: A special assessment will be billed by Town to the NYS DOT water account for the total amount of Bellamy Construction Co., Inc. Change Order #1; and

WHEREAS: Federal Covid Relief (ARP Act) Funds were received in July 2021 and can be partially allocated for water infrastructure investments.

WHEREAS: Budget Amendments require Legislative approval; therefore, be it

RESOLVED: That the Town Board authorizes the Town Comptroller to the following Budget Amendment:

Increase Revenue:	10.4991 (Federal Aid, Water Capital Projects)	\$93,161.23
Increase Revenue:	10.5031 (Interfund Transfers)	\$4,982.03
Increase Appropriation:	10.8340.23 (Transmission & Distribution, Construction)	\$98,143.26
Increase Revenue:	7.1030 (Water Special Assessments)	\$4,982.03
Increase Appropriation:	7.9950.9 (Water Transfer to Capital Project Fund)	\$4,982.03

HIGHWAY SUPERINTENDENT REPORT:

Highway Superintendent Graham received three quotes to seal & stripe the 3 parking lots. The lowest quote was received in the amount of \$4,000.00 from Alex Deyette. A **motion** by Councilman Haessly seconded by Councilman Washburn and carried by a vote of 5 ayes to accept the bid from Alex Deyette in the amount of \$4,000.00 for the paving of 3 parking lots for Town Hall and Town Court parking.

Superintendent Graham attended an overview of the CHPE Project. The total project length is 331 miles from Canada through New York State. It is a 1250-megawatt project and will replace 50% of the Indian Power Plant. The Town is in area 2 and they are hoping to be complete by April 2024 and completely done with the project in July 2025. The Board continued to discuss the project.

COUNCILMAN REPORT:

Councilman Doyle talked about the Comprehensive Plan Workshop that was conducted on July 25, 2023, at the Kingsbury Hose Company and was surprised to hear the concerns about solar. He reminded

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everyone the Town has passed a Local Law regarding solar. Nicole Allen is working on the final edit of the Plan. The Town encourages farms but due to many factors more farmlands may be converted to single family homes. There is concern about farmers that have sold their development rights. There will be one more meeting to present the final Comprehensive Plan; then the Town can start working on changing some of the zoning laws .

Councilman Haessly stated the Town should start planning where they are going to develop roads to expand growth. The young people have no place to go.

SUPERVISOR REPORT:

Kathleen Suozzo sent a Modification Proposal for the Burgoyne Avenue Water Main Project requesting an additional \$15,000.00 due to additional services which were provided. Supervisor Hogan would like to recommend the Public Works Committee, Councilman Doyle and Councilman Haessly to review the request. This will be discussed at the next Town Board Meeting on August 21, 2023.

A **motion** by Councilman Doyle seconded by Councilman Haessly and carried by a vote of 5 ayes to enter into an executive session at 7:36 pm to discuss personnel matters related to an employee, no action is anticipated. Code Enforcement Todd Humiston was invited to the executive session.

A **motion** by Councilman Washburn seconded by Councilman Haessly and carried by a vote of 5 ayes to exit the executive session at 7:57 pm.

There being no further business before the Board a **motion** by Councilman Doyle seconded by Councilman Haessly and carried by a vote of 5 ayes to adjourn the meeting at 7:57 pm.

Respectfully submitted,

Cynthia Bardin, Town Clerk