

November 20, 2023 Town Board Meeting Minutes

The second regular meeting of the Kingsbury Town Board was conducted on November 20, 2023, at 6 Michigan Street, Hudson Falls, NY.

MEMBERS PRESENT:

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

OTHERS PRESENT:

Todd Humiston, Dog Control and Code Enforcement
Michael Graham, Highway Superintendent
Sean Akins, Councilman Elect
Highway: Herb Strong & Mike LaRose
Residents: Dennis Kelly, Dan Colomb
Industrial Park Business Owners: David Brindle,
Mike Rozell, Jim Merger, Robert Holmes, John Hodgkin

The meeting was called to order at 6:30 pm by Supervisor Hogan and opened for the order of business with the Pledge of Allegiance led by Councilman Haessly.

A **motion** by Councilman Lindsay seconded by Councilman Haessly and carried by a vote of 5 ayes to accept the minutes of the November 6, 2023, Town Board Meeting as submitted by the Town Clerk.

Supervisor Hogan reported the IDA had requested a zoning change related to the rec park. At this time Chairman O'Brien has rescinded the request to change the recreation. They would like to continue with the request for a zoning change for the outside storage. The proposed Local Law to amend the zoning will be revised by Attorney Meyer for a meeting in the future; then to Board will schedule a Public Hearing.

Some of the business owners expressed their concern of not receiving notification of the Public Hearing for the Proposed Local Law to amend the Zoning. They were reassured they would be notified of any future changes.

A **motion** by Councilman Lindsay seconded by Councilman Doyle and carried by a vote of 5 ayes to adopt the 2024 Fire Protection District Contract and the 2024 Budget.

A **motion** by Councilman Washburn seconded by Councilman Lindsay and carried by a vote of 5 ayes for approval for Supervisor Hogan to sign the annual contracts as follows:

Kingsbury Volunteer Hose Co. No. 1, Inc. \$288,400.00
Hudson Falls Free Library Association \$43,600.00
Senior Center of the Kingsbury Fort Edward Area, Inc. \$16,700.00

A **motion** by Councilman Doyle seconded by Councilman Haessly and carried by a vote of 5 ayes for the following Budget Transfer:

TOWN OF KINGSBURY - BUDGET TRANSFER: NOVEMBER 20, 2023

FUND		DESCRIPTION	GL	AMOUNT
WATER	FROM:	TRANSMISSION & DISTRIBUTION	7.8340.4	\$ 3,017.85
	TO:	SOURCE OF SUPPLY	7.8320.4	3,017.85
	PURPOSE:	QUEENSBURY WATER BILLING (2023 FINAL)		

A **motion** by Councilman Lindsay seconded by Councilman Haessly giving permission for the CDL Training Program (BOCES) to use a spot in the back of the Highway Garage to practice backing and parking; a certificate of insurance has been provided.

A **motion** by Councilman Haessly seconded by Councilman Washburn and carried by a vote of 5 ayes to appoint Paige Zahaba as the second alternate on the Planning Board. At the last Board meeting the Board appointed Dave Russell. Mr. Russell would like to see a younger person in the alternate position but would be willing to help at any time.

Code Enforcement Officer Todd Humiston reported that the IDA is looking at lot line adjusting and merging some parcels in the Industrial Park and then selling them to an individual who lives in the RA – 1A District with the intention of merging them with their RA-1A zoned property. Half would be in the Industrial Park and half of it would be in the RA-1A zoned property, leaving it up to interpretation by Code Enforcement Officers to allow that property to be used as an Industrial use. He recommends the lots should be removed from the Industrial Park to remove any future problems. The discussion continued. There is no objection from the Board if the lots are merged; Code Enforcement Officer Humiston will work with the IDA and Attorney Meyer.

A **motion** by Councilman Lindsay seconded by Councilman Doyle and carried by a vote of 5 ayes authorizing the Comptroller to re-levy any water accounts that have a balance due after November 20, 2023.

CODE ENFORCEMENT & DOG CONTROL OFFICER REPORT: The Planning Board received complaints about the solar company on Vaughn Road. One complaint was about a truck with an inaccurate GPS going on the wrong property which got stuck; the property owner was not upset everything was taken care of. The other complaint was about intersections being blocked, the truck was delivering pellets to a resident and not part of the solar company.

WRITTEN REPORTS:

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

Code Enforcement Officer: No. Permits 11; Fire Inspections 3; Building Inspections 19; Total Fees \$2,150.40

Dog Control Officer: Seizures 2; Written Warning 1; Mileage 58,560

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Town Clerk: Paid to EnCon \$2,471.57; Paid to Supervisor: \$5,726.36; Paid to the Village of Hudson Falls \$170.00; Paid to Ag & Markets for Population Control \$201.00; Paid to the Department of Health \$112.50

Town Comptroller Receipts \$77,432.88; Disbursements \$185,974.24

Town Justice for August Fees Collected: \$15,128.00

Town Justice for September Fees Collected: \$7,934.50

Assessor Sales

A **motion** by Councilman Doyle seconded by Councilman Haessly and carried by a vote of 5 ayes for the following resolution:

WHEREAS, Teamsters Local 294 has requested to be recognized as the exclusive collective bargaining agent for certain employees in the Town's Highway Department; and

WHEREAS, Teamsters Local 294 has presented confirmation to the Town's Labor Counsel that it has obtained signed authorization cards from a majority of the employees in the proposed bargaining unit; and

WHEREAS, the Town is willing to recognize Teamsters Local 294 as the exclusive collective bargaining agent for the bargaining unit described in this resolution;

NOW, THEREFORE, it is

RESOLVED, that the Town Board hereby voluntarily recognizes Teamsters Local 294 as the exclusive collective bargaining agent for a bargaining unit consisting of all full-time Motor Equipment Operators (MEOs) and Water Superintendent, and excluding the Superintendent of Highways, the Deputy Superintendent of Highways, part-time employees, per diem employees and all other employees of the Town.

A **motion** by Councilman Lindsay seconded by Councilman Washburn and carried by a vote of 5 ayes to enter into an executive session at 6:55 pm to discuss pending litigation. Highway Superintendent Graham and Councilman-elect Sean Akins were invited to the executive session.

A **motion** by Councilman Washburn seconded by Councilman Lindsay and carried by a vote of 5 ayes to exit the executive session at 7:03 pm.

There being no further business before the Board the meeting was adjourned at 7:03 pm.

Respectfully submitted,

Cynthia Bardin, Town Clerk