

The second meeting of the Kingsbury Town Board was conducted at 7 p.m. on January 25, 2016 at the Kingsbury Town Hall, 210 Main Street, Hudson Falls, NY.

MEMBERS PRESENT: Dana Hogan, Supervisor
Paul Bromley, Councilman
William Collins, Councilman
Richard Doyle, Councilman
Henry Freebern, Councilman

OTHERS PRESENT: Michael Graham, Highway Superintendent
James Chase, Water Superintendent
Ross Cortese, Code Enforcement Officer
Todd Humiston, Dog Control Officer
Mike Keenan, Town Justice
Jeffrey Meyer, Town Attorney

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 Bromley.

A **motion** by Councilman Freebern seconded by Councilman Collins and carried by a vote of 5 ayes to accept the minutes of the January 4, 2016 Organizational Meeting and the January 11, 2016 regular Board Meeting.

Town Historian Paul Loading was scheduled to speak to the Board about headstones. Mr. Loading is ill and will schedule to speak at a future meeting.

The Board has reviewed the Procurement Policy and the Credit Card policy for the Town of Kingsbury to determine if changes are necessary. A **motion** by Councilman Freebern seconded by Councilman Collins and carried by a vote of 5 ayes that no changes are necessary to the current policies.

A **motion** by Councilman Bromley seconded by Councilman Freebern and carried by a vote of 5 ayes authorizing the Town Supervisor to enter into an agreement with Countryside Veterinarian Practice as follows:

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

Resolution No. 2 of 2016

Adopted January 25, 2016

Introduced by Councilman Bromley

who moved its adoption.

Seconded by Councilman Freebern

**RESOLUTION AUTHORIZING TOWN OF KINGSBURY TOWN SUPERVISOR TO ENTER IN TO
AGREEMENT WITH COUNTRYSIDE VETERINARIAN PRACTICE, P.C. FOR TOWN DOG CONTROL
SHELTER SERVICES PURSUANT TO NEW YORK STATE AGRICULTURAL AND MARKETS LAW
ARTICLE 7**

WHEREAS, the Town of Kingsbury (hereinafter "Town") is required to have a shelter contract agreement in place pursuant to the New York State Agricultural and Markets Law Article 7; and

WHEREAS, the Town of Kingsbury has previously utilized the services of Countryside Veterinary Practice, P.C. (hereinafter "Countryside") for such shelter services for the Town's dog control; and

WHEREAS, the Town Attorney has prepared an Agreement between the Town of Kingsbury and Countryside; and

WHEREAS, the Town desires to enter in to such agreement with Countryside as outlined in the terms of the agreement to provide such services to the Town that is required by the New York State Department of Agricultural and Markets Division of Animal Industry.

NOW, THEREFORE BE IT RESOLVED THAT the Town hereby finds that the Agreement between the Town and Countryside that was prepared by the Town Attorney is acceptable; and be it further

RESOLVED, that the Town hereby authorizes and directs the Town Supervisor to sign and take all necessary steps to enter in to the agreement with Countryside, upon final attorney approval; and be it further

RESOLVED, that this resolution shall take effect immediately.

A **motion** by Councilman seconded by Councilman and carried by a vote of 5 ayes authorizing Supervisor Hogan to send a letter to the NYS Comptroller to request a Performance Audit. Supervisor Hogan reported the last Performance Audit in the Town offices was conducted 15 years ago. A performance audit will determine if the Town is using taxpayers money effectively and efficiently to promote the common good of its citizens. The audit will provide the community with the necessary feedback that the Town is operating as effectively as our community deserves.

A **motion** by Councilman Bromley seconded by Councilman Collins and carried by a vote of 5 ayes to accept Reports of the Code Enforcement Officer as follows:

August 2015: No. Permits 12; Total Fees: \$2,118.00

September 2015: No. Permits 11; Variances 2; Site Plans 2; Total Fees: \$1,545.00

October 2015: No. Permits 13; Total Fees: \$2,430.00
November 2015: No. Permits 9; Research Fees 1; Total Fees: \$583.00
December 2015: No. Permits 8; Total Fees: \$588.00

LEGAL UPDATE:

Attorney Meyer reported part of the dedication agreement with The Quarry and the Town was after two years if the infrastructure is working properly the Town would accept it. Water Superintendent James Chase reported the entire water infrastructure has been pressure-tested and the infrastructure in the sewer lines has been pressure-tested and hammered. Chase reported there is a CD of the testing that has been completed. Everything has been working fine. There are a few broken top valves because the road has not been top-coated.

Attorney Meyer reported he had left a message with Randy Galusha of the DEC. Rich Schermerhorn is waiting for approval from the DEC for the on-site septic system proposed for the Dix Avenue Drive-In location.

Town Clerk reported she had contacted XPressPay for information accepting credit card payments for tax payments. The taxpayers would pay a \$.40 charge and 2.85% per transaction. If a check is used to pay the taxes there would be a \$2.95 fee. The Town would be charged approximately \$20.00 per month for the service. A discussion followed.

Town Clerk reported the tax levy for the Town had been paid in full as follows:

TO: Supervisor Hogan
Councilman: Bromley, Collins, Doyle & Freebern

FROM: Tax Collector: Cynthia A. Bardin

SUBJECT: 2016 Town & County Tax Collection

DATE: January 25, 2016

January 25, 2016 – Paid to Supervisor \$1,820,765.14 – Town paid in full

Code Enforcement Officer Ross Cortese reported he and Supervisor Hogan had met with Dave Armando, the Code Administrator for Washington County. Cortese also reported Mayor Barton and the County are in agreement with the plan for the County to work with the Town and Village conducting inspections and issuing building permits. Cortese explained the next step is for the attorneys to prepare an Inter-Municipal Agreement.

Supervisor Hogan reported Comptroller Mary Ordway indicated it was necessary to repeal the prior water agreement. Water Superintendent James Chase commented instead of repealing the Local Law the Local Law had been changed. Attorney Meyer commented the Board had amended the Local Law; therefore unnecessary to repeal the original.

Dog Control Officer Todd Humiston reported the Ag & Markets yearly inspection had been conducted; he had received the report today and there were no discrepancies. Humiston has been asked to speak at the annual conference about the enumeration program he implemented in August of 2015. The State is

happy with the results and the amount of revenue generated from the enumeration. He also reported he had been busy; the call volume is up due to no snow. Humiston received a micro-chip scanner which The American Kennel Club had donated to the Town. The scanner will help to identify dogs and enable Humiston to contact the owners sooner.

Superintendent Michael Graham reported things were going well. They are working on equipment, getting ready for spring because there is no snow.

Councilman Bromley reported the drywall should be hung this week and the communications wiring is installed at 6 Michigan Street. He is still hoping for the end of February for the new Town Hall to be complete.

Supervisor Hogan has been asked by Washington County Real Property to encourage farmers to attend a County Ag Plan Workshop. Washington County is in the process of updating its Agricultural and Farmland Protection Plan. The goal is to generate a new list of goals and strategies to strengthen and support the local Ag sector. There will be two farmer workshops for local farmers to attend and provide input. Colleen Adamec, Town Assessor, provided Supervisor Hogan with a mailing list of the farmers in our community. He has mailed the farmers information about the workshops; with a personal message inviting them. Supervisor Hogan will attend the workshops. The first workshop is on Monday February 8, 2016 from noon until 2 p.m.

Supervisor Hogan reported when he attended the Association of Towns Newly Elected Officers conference; document retention (via electronic email) and data back-up were topics of importance that were discussed. Attorney Meyer commented he had never heard the Board discuss these issues; but does think it is important and would recommend it. Supervisor Hogan had met with Dean Westcott; one of the services that he provides is e-mail retention and a back-up. Councilman Bromley suggested we talk to Dean Westcott. Bromley explained those services may be available with the new system: records retention on the cloud. Supervisor Hogan will research the cost of document retention and back-up.

Supervisor Hogan will report on the status of Lock 8 Way (a road to the de-watering facility) after a meeting held tomorrow at the County. A discussion followed.

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

Dog Control Officer: Complaints/Calls 29; Seizures 1; Unlicensed Dogs 6; Euthanasia 0; Summons Issued 0; Bites Investigated 3; Dangerous Dogs 1; Mileage 284 with 74 charged to Fort Edward & 100 charged to Fort Ann

Town Clerk: Paid to EnCon \$359.01; Paid to Supervisor \$2,698.07; Paid to NYS Dept. of Health \$90.00; State Share of Bingo \$731.25; State Share of Games of Chance \$30.00; Paid to Ag & Markets for Population Control

Town Justice: Fees Collected \$11,877.00

Water Superintendent James Chase requested an executive session to discuss personnel and legal issues. A **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes to enter into executive session at 7:30 p.m.

A **motion** by Councilman Freebern seconded by Councilman Collins and carried by a vote of 5 ayes to exit the executive session at 7:45 p.m.

A **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes to enter an executive session to discuss the court consolidation with Judge Keenan.

A **motion** by Councilman Freebern seconded by Councilman Collins and carried by a vote of 5 ayes to exit the executive session at 8:10 p.m.

There being no further business before the Board a **motion** by Councilman Doyle seconded by Councilman Freebern and carried by a vote of 5 ayes to adjourn the meeting at 8:10 p.m.

Respectfully submitted by,

Cynthia A. Bardin

<http://www.kingsburyny.gov>