

The second regular meeting of the Kingsbury Town Board was conducted on March 16, 2020 at the Kingsbury Town Hall at 6 Michigan Street, Hudson Falls.

MEMBERS PRESENT: Dana Hogan, Supervisor
Richard Doyle, Councilman
William Haessly, Councilman
Dan Washburn, Councilman

ABSENT: Jane Havens, Councilwoman

OTHERS PRESENT: Rebecca Pomainville, Comptroller
Todd Humiston, Dog Control Officer & Enforcement Officer
Dennis Sullivan, Town Resident

The meeting was called to order at 7:01 p.m. by Supervisor Hogan and opened for the order of business with the Flag Salute led by Councilman Doyle.

A **motion** by Councilman Doyle seconded by Councilman Haessly and carried by a vote of 4 ayes to accept the minutes of the March 2, 2020 Meeting Minutes as submitted by the Town Clerk.

A **motion** by Councilman Doyle seconded by Councilman Haessly and carried by a vote of 4 ayes for approval to pay the Kingsbury Cemetery Association for services for 2019 in the amount of \$900.00.

Supervisor Hogan reported due to the current events related to the COVID-19 spread in the State of New York, Governor Cuomo has taken some action to mandate changes. All local governments must reduce their work force by 50% immediately. Supervisor Hogan would like to lock the Town Hall doors until further notice. A discussion followed to determine where to limit the workforce capacity. It was decided that some Town employees will be working from home until further notice and others were to remain home until further notice.

Comptroller Rebecca Pomainville stated Section 500 – 503 of the employee handbook reads that employees directed to not report for work will be paid at their regular rate of pay.

A **motion** by Councilman Haessly seconded by Councilman Doyle and carried by a vote of 4 ayes for the Town Board to approve the proposed name of “Halfway Brook” from the current name of “Halfway Creek”.

A **motion** by Councilman Washburn seconded by Councilman Haessly and carried by a vote of 4 ayes to set a public hearing on April 20th for a Local Law to reduce the number of members of the Zoning Board of Appeals. Supervisor Hogan stated: if necessary, the public hearing can be re-scheduled.

The Town of Kingsbury requested a reduction in the speed limit on Michigan, Division and Sunset Streets in June 2016. Based on their investigation they have determined an area speed limit of 30 mph is warranted.

LEGAL UPDATE:

Governor Cuomo has suspended the “Open Meetings Law” which provides municipal boards additional flexibility to conduct business while also minimizing the risk of public health.

Attorney Meyer recommends the Board adopt a resolution authorizing the Supervisor to cancel regularly scheduled board meetings where they are unnecessary. The resolution can be made to expire on September 1, 2020 or any other date the Board chooses. A **motion** by Councilman Doyle seconded by Councilman Haessly and carried by a vote of 4 ayes giving permission to Supervisor Hogan to cancel scheduled board meeting that are unnecessary until September 1, 2020.

At the Board Meeting conducted on March 2, 2020 a Town of Kingsbury resident in attendance of the meeting had requested the Board consider adopting a Local Law for the regulation of fences. The Town Attorney does not recommend we make any changes to the law. Enforcement Officer Todd Humiston has concerns. If a two-foot setback were required, on a 15,000 square foot lot, the owner would lose approximately 1,000 square feet of their property. If there is a setback requirement, would a permit would be required and if so, would he be responsible for enforcing the setback requirement. If a setback requirement is necessary the owner would have to get a survey at the cost of at least \$1,000.00, depending on the size of their lot. If we do not require a permit and we add the two-foot setback requirement in our law, when residents have property line disputes it brings it back to the Town to enforce property lines. The Town has never enforced property lines; property line disputes have always been a civil matter; this could become a costly endeavor to the Town. Enforcement Officer Todd Humiston stated he has been in this position for 10 months and this is the first complaint about fence or property line setbacks and is not necessarily a concern throughout the municipality. The Board took no action on adopting a Local Law for the regulation of fences.

ENFORCEMENT REPORT:

Todd Humiston reported the new 2020 State Codes go into effect May 12, 2020. The State has promised the Town would receive one online access and with a 5-year license, and a pdf version of the Codebook. The new sections which may be of local concern is the outdoor storage of pallets and a section for the building code of tiny houses. The new Codebook is available at the cost of \$833.00.

DOG CONTROL:

The Ag & Markets Dog Control Inspection was conducted with a satisfactory result. With the threat of COVID-19 there will probably not be the school dog safety program.

COUNCILMAN REPORT:

Councilman Haessly asked if the Town had received any applications for the Board of Assessment Review positions. Councilman Doyle reported two applications had been received; he, Councilwoman Havens and Comptroller Rebecca Pomainville will conduct interviews and make a recommendation to the Board.

Councilman Doyle reported at the March 2, 2020 Board Meeting he would like to proceed with a survey of budgets and salaries of comparable like size towns. Councilman Doyle circulated a copy of 2018 Local Government data of towns found on the State Comptroller's website. The data was sorted by population, assessed values and taxes that are levied by the towns. A discussion followed. Supervisor Hogan would like to look at other Town's overall expenses when conducting the survey. Councilman Doyle will draft a letter from the Town Board requesting information for the survey from other towns including Town of Fort Edward, Town of Fort Ann, Town of Granville and the Town of Greenwich.

Supervisor Hogan will contact Planning Board Bob Dingman in regard to a scheduled meeting on March 18, 2020. Mr. Dingman will determine if the scheduled meeting should be held.

Supervisor Hogan would like to cancel the Town Board Meeting scheduled for April 6, 2020 and schedule the next one on April 20, 2020.

WRITTEN REPORTS:

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

Enforcement Officer: No Fees Collected

Town Clerk: Paid to EnCon \$472.24; Paid to Supervisor \$2,089.33; Paid to the Village of Hudson Falls \$50.00; Paid to Ag & Markets for Population Control \$137.00

Town Comptroller: Receipts \$126,134.10; Disbursements \$1,110,460.31

A **motion** by Councilman Haessly seconded by Councilman Washburn and carried by a vote of 4 ayes to enter into an executive session 8:05 pm to discuss a pending potential legal enforcement matter.

Supervisor Hogan requested Enforcement Officer; Todd Humiston attend the executive session.

A **motion** by Councilman Haessly seconded by Councilman Doyle and carried by a vote of 4 ayes to exit the executive session at 8:18 pm.

There being no further business before the Board a **motion** by Councilman Washburn seconded by Councilman Doyle and carried by a vote of 4 ayes to adjourn the meeting at 8:18 pm.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk