

March 21, 2022 Town Board Meeting Minutes

The second regular meeting of the Kingsbury Town Board was conducted on March 21, 2022, 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: James Lindsay, Councilman

OTHERS PRESENT: Agricultural Stewardship Association: Chris Krahling & Laura Kipper
Daniel Lindsay, Town Resident
Michael Graham, Highway Superintendent
Jeffrey Meyer, Town Attorney
Rebecca Pomainville, Comptroller
James Chase, Water Superintendent

The meeting was called to order at 6:30 p.m. by Supervisor Hogan and opened for the order of business with the Flag Salute led by Councilman Haessly.

The minutes of the March 7, 2022, Town Board Meeting were accepted as submitted by the Town Clerk with a **motion** by Councilman Washburn seconded by Councilman Doyle and carried by a vote of 4 ayes.

Chris Krahling and Laura Kipper of the Agricultural Stewardship Association attended the meeting seeking a letter of support from the Town Board for the Lindsay Farm application to the state for Round 18 of the Farmland Protection Implementation Grants Program. The project totals approximately 238 acres located in the Town of Kingsbury which includes adjacent property owned by Hodges that Daniel Lindsay is in the process of purchasing. If the grant is awarded it would provide funding for the purchase of the conservation easement. The property remains private property, it is still an operating farm and taxes are paid on it. The main purpose is to secure the land for farming and for future farm generations. Daniel Lindsay's father, James Lindsay, currently serves as a Councilman on the Kingsbury Town Board. Mr. Lindsay was out of town for the meeting, therefore there was no reason for him to recuse himself due to a conflict of interest for the following motion:

A **motion** by Councilman Washburn seconded by Councilman Doyle and carried by a vote of 4 ayes for Supervisor Hogan to sign a letter of support to NYS Department of Agriculture & Markets conveying their support for the Daniel Lindsay Farm – Farmland Implementation Grant (Round 18) application.

Councilman Doyle asked how many acres or farms are there in Kingsbury with the conservation easement. Chris Krahling responded there are three right now, two with the Marns, another project with two separate easements and Larry Steele, 3 easements on about 456 acres and 2 projects in process. There is another one for the Marns on property they purchased about 2 years ago and Lucy Burch's farm.

Councilman Washburn asked what the turnaround time was once the application is submitted. Chris Krahling stated once the grant is awarded the turnaround could take 2 years, they are not quick projects.

The Board will continue a discussion on amendments to the Zoning Law at the next Board Meeting, Code Enforcement Officer, Todd Humiston, was unable to attend the meeting and has suggestions other than an amendment for the sunseting of Site Plan Approvals.

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A **motion** by Councilman Washburn seconded by Councilman Haessly and carried by a vote of 4 ayes to renew the current dental insurance; Guardian, there is no change in the premium.

Attorney Meyer request an executive session to discuss pending litigation.

TOWN CLERK REPORT:

The Clerk has resumed working on Records Retention; previously there was a hold on the retention of all records, it is time to move forward.

Supervisor's Report:

TO: Supervisor Hogan
Councilman: Doyle, Haessly, Lindsay, Washburn

FROM: Tax Collector: Cynthia A. Bardin

SUBJECT: 2022Town & County Tax Collection

DATE: March 21, 2022

Paid to Supervisor: January 3, 2022 - \$17,503.45
January 7, 2021 - \$385,174.41
January 14, 2022 \$859,350.84
January 21, 2022 \$512,371.26

Total Paid to Supervisor including water relevies: \$1,778,400.26

Penalties Paid to Town:

2/07/2022	\$134.09
2/14/2022	\$600.32
2/22/2022	\$245.51
2/25/2022	\$440.16
3/7/2022	\$1,566.44
3/14/2022	\$824.47
3/21/2022	\$763.69
Total:	\$4,965.18

Respectfully submitted,

Cynthia A. Bardin, Kingsbury Town Clerk

COMPTROLLER REPORT:

The Comptroller has the RFP for the paving of the Court parking lot and is seeking Attorney Meyer's approval to solicit the proposals.

A **motion** by Councilman Haessly seconded by Councilman Doyle and carried by a vote of 4 ayes for the Comptroller to solicit the RFP for the paving of the Court Parking Lot upon Attorney approval.

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The Comptroller has a training in May through the Association of Towns at the cost of \$200.00 for a 2-day conference. A **motion** by Councilman Hassely seconded by Councilman Washburn and carried by a vote of 4 ayes for the Comptroller to register for the Conference in May.

The Comptroller attended a webinar about the ARPA funding. A loss revenue calculation was done last year. The Government changed the rules in the final Rule Book, the loss revenue did not have to be calculated, everybody gets a standard allowance up to \$10,000,000.00, not to exceed the awarded grant amount. All the ARPA funds received can fall under the loss revenue under the standard allowance. A **motion** by Councilman Doyle seconded by Councilman Washburn and carried by a vote of 4 ayes for the Comptroller to choose the standard allowance and record it in April as it has been recommended.

The Comptroller stated it will be easier for the Town to utilize the funds, a lot of the strings that were attached are being cut. The Board will need to schedule workshops, community involvement will be necessary in the decision-making of how to spend the funds. A report must be filed in April as to whether any of the ARPA funds have been spent. The Town did spend \$2,000.00 to an accounting firm for the loss revenue calculation. The report will not include the cost of the IT upgrade.

Councilman Doyle asked if any of the ARPA funds could go into reserve fund balance. The Comptroller stated the funds cannot go into the reserve fund balance but can be used on government services or projects.

In the IT proposal there was a suggested vendor for cyber security for services to meet future anticipated regulations. She has reached out to our current provider that does the firewall and phone services to ask them to provide a proposal so we can see the difference in the proposals.

DOG CONTROL OFFICER:

Supervisor Hogan received a letter that the Dog Control Officer Inspection conducted on March 14th received a satisfactory rating.

HIGHWAY SUPERINTENDENT REPORT:

Superintendent Graham reported he had gone out to bid for the street sweeping. Kingsbury Sweeping (Evolution) was the lowest bidder, the cost will be over \$5,000.00. A **motion** by Councilman Washburn seconded by Councilman Haessly and carried by a vote of 4 ayes for Superintendent Graham to book Kingsbury Sweeping to sweep the Town roads in April.

Superintendent Graham would like to do things a little different this year in the Agreement to Spend Highway Funds, he reported with the CHIPS funds, the Extreme Recover, PAVE NY and combine the amount with General Repair the total is \$348,000.00. Highway Superintendents throughout the State use the total sum due to possible flooding from rainstorms, this allow him to make repairs without calling the Board to receive approval and give them more flexibility to get things done.

The roads to be paved will be Morgan Drive, Stephen Drive, Maynard Street, Crowley Road, and a short stretch on Mattison Road. Mattison will be grinded as well as paved. Peckham has a new grinding machine they want to use and will have 30 to 40 people from Peckham, Gorman and Suit-Kote there to look at it. Peckham's will take off a substantial amount of the cost to grind Mattison Road for allowing people there to view the operation of the grinder.

A **motion** by Councilman Haessly seconded by Councilman Washburn and carried by a vote of 4 ayes for the following agreement:

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS
TOWN OF KINGSBURY
YEAR 2022

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Pursuant to the provisions of Section 284 of the Highway Law, we agree that monies levied and collected for the repair and improvement of highways, and received from the State for the repair and improvement of highways, shall be expended as follows:

1 GENERAL REPAIRS The sum of \$ 100,000

May be expended for general repairs upon 53.06 miles of town highways including sluices, culverts and bridges having a span of less than five feet.

2 CAPITAL IMPROVEMENTS The sum of \$ 248,000
Shall be set aside to be expended for the improvement of town highways.

Total Estimated Cost \$ 348,000

Executed in duplicate

Supervisor

Councilmember

Councilmember

Councilmember

Councilmember

Highway Superintendent

Superintendent Graham reported Bill Nikas had contacted him in regard to Luke Lane, Alexander Lane, and Quarry Circle Extension. Typically, the Town waits until the road is three quarters built up before it is topped by the Town. Mr. Nikas asked if the Town would take the bond over, give the money to the Town and when the Town is ready it could be paved. The bond is valued at \$20,000.00, but if it costs the Town \$25,000.00, they may have to chase him for the additional amount. Attorney Meyer recommends the Town wait another year. Superintendent Graham commented it is best to wait another year due to the heavy trucks and equipment on the road in the development.

WATER SUPERINTENDENT REPORT:

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James Chase reported it is necessary for him to have more surgery. Shane Reynolds now has his water license and Jim will work with him for a couple of months; there will be things that come up that Shane does not yet know. If Shane is doing ok after that time, Jim will step away. Jim has talked to Supervisor Hogan and Highway Superintendent Graham and has agreed to keep Town keys and be available in case of an emergency. He will also maintain his water license and asks for the Town to pay for the classes. Jim also recommends a second license in case something happens; there is a new Town employee who may be interested. On March 31st, the Town will be operating under Shane's license.

COUNCILMAN REPORT:

Councilman Doyle reported the first meeting of Phase II of the Master Plan Comprehensive was conducted on March 17th. The Laberge Group is doing a lot of the work in this first part of Phase II. The next meeting is scheduled for April 26th at 6:30 pm. Ideas for projects and what could be accomplished in the Town in the next 25 years can be sent to Councilman Doyle or Supervisor Hogan.

Councilman Haessly asked Water Superintendent Jim Chase for an update on the Burgoyne Avenue Waterline Extension. Superintendent Chase responded the project is with the Department of Health; approval has been delayed due to COVID. He also stated pipe is about 8 months for delivery and HDPE pipe is 16 to 20 weeks for delivery, this is going on in the whole industry. There are also other big projects going on which will cut into the capacity that is available in the Town. The Town may have to purchase more capacity and the Water Committee should meet.

Councilman Haessly asked when the contract for the Burgoyne Avenue Waterline extension would be ready for bid. Superintendent Chase responded it is contingent on a stamped approval from the NYS Health Department. He would then meet with the Water Committee, everything would be reviewed, any recommendations from him would be a tie on that he would give to Kevin Kenyon of the NYS Department of Health for his and all approvals. Councilman asked what the duration of the project would be. Superintendent Chase responded the project would be complete in 2 to 3 weeks.

SUPERVISOR REPORT:

A letter was received from Assemblyman Matt Simpson writing to let the Town know the NYS Canal Corp to reimagine the canals and the Erie Canalway in the National Heritage Corridor is providing competitive grants to support tourism and recreation along the NYS Canal System. Funding is open to counties, municipalities, local governments, not-for-profit organizations, and Native American tribes. Applications for the grant program are due April 1, 2022. If anyone has any suggestions the Supervisor would be happy to apply for the grant.

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

Code Enforcement Officer: No. Permits 8; Fire Inspections 6; Total Fees: \$43,647.70

Dog Control Officer: Complaints/Calls 14; Seizures 1; Bites 1; Mileage 52,515

Town Clerk: Paid to EnCon \$85.12; Paid to Supervisor \$43,647.70; Paid to the Village of Hudson Falls \$380.00; Paid to Ag & Markets for Population Control \$107.00

Town Comptroller: Receipts \$141,233.67; Disbursements \$169,131.42

A **motion** by Councilman Washburn seconded by Councilman Doyle and carried by a vote of 4 ayes to enter into an executive session at 7:23 pm to discuss pending litigation and to discuss the employment of a specific employee.

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A **motion** by Councilman Haessly seconded by Councilman Doyle and carried by a vote of 4 ayes to exit the executive session at 7:55 pm. No action was taken.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk