

The first regular meeting of the Kingsbury Town Board was conducted on April 1, 2019 at the Kingsbury Town Hall at 6 Michigan Street, Hudson Falls.

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

OTHERS PRESENT: Michael Graham, Highway Superintendent  
Todd Humiston, Dog Control Officer  
Mary Ordway, Town Comptroller  
Town Residents: Ken Spaulding, Jeff Zappieri, Pattye Nicolls, Jolene & Jerry Caruso & Les Macura  
Dave Meager & Ryan Haig, Amsure Insurance

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 Haessly.

The minutes of the March 18, 2019 Town Board Meeting were accepted as submitted by the Town Clerk on a **motion** by Councilman Washburn seconded by Councilman Freebern and carried by a vote of 5 ayes.

Supervisor Hogan introduced Dave Meager of Amsure Insurance; Dave Meager introduced Ryan Haig a co-worker of his. Mr. Meager summarized the insurance for the Town of Kingsbury. The Town is self-insured with NYMIR which was established by the Association of Towns. Mr. Meager stated there is not a lot of change in the policy this year, the premium is lower and proceeded to give an overview of the highlights. He explained the property insurance takes in all the Town buildings with a blanket coverage of almost 3 million dollars and replacement cost coverage. If the amount of a loss exceeds \$5,000.00 the deductible of \$500.00 is waived. General liability falls into various categories. The limit is one million but the Town has a 5-million-dollar umbrella for any general liability claim and the same would be true for an automobile claim or a public official's claim. The most common are streets and roads claims if there is an auto accident on a Town of Kingsbury road. Another general liability coverage is potable water, if claims are made that the water you are providing is making people sick. Security breach is limited to \$50,000.00. Security breach means that your computer system gets breached and personally identifiable information gets compromised. On June 1, 2019 NYMIR will expand the coverage from \$50,000.00 to \$250,000.00 and will include ransomware and do it without raising the premium. The Public Official's policy applies to all elected and appointed officials including volunteers in regard to sexual harassment, violation of civil rights and discrimination in hiring. The automobile coverage includes employees and volunteers as insureds. NYMIR will replace a dump truck that is 10 years or newer at a replacement cost. Other coverages include crime coverage, disability benefits policy and a surety bond to protect the Town. The Town of Kingsbury is part owner of the NYMIR which was attained by paying a capitalization fee the first 5 years. NYMIR gives back the capitalization fee over the next 4 years. Mr. Meager will have a check in the amount of \$681.79 to the Town in approximately two months. The renewal premium will be \$35,717.78 after the Town is reimbursed the capitalization fee.

Councilman Doyle asked now that the Town is part-owners of the company is there was any situation where NYMIR would experience a catastrophic loss where the Town would be responsible for an additional contribution. Mr. Meager explained that NYMIR buys re-insurance to take part of the risk for

the insurance company and 60% of the towns, cities and villages in New York State are insured with NYMIR.

Dog Control Officer Todd Humiston gave a presentation of the Dog Control Program. He explained the basics of his job is he gets a call, answers the call and follows the Local Law and the Ag & Markets Article 7 law. In 2014 he started a school program. Next week is National Dog Bite Prevention Week and he is scheduled to give presentations in Hudson Falls, Fort Ann and Fort Edward School Districts totaling more than 500 students. The students are given items to take home a coloring book, crayons, a packet to teach the other people at home, the Town Guide with Dog Owner Responsibilities and the rabies vaccine schedule. The students are encouraged to go home and share what they have learned with family and friends. Water bottles have been added with a logo which may remind them how to react if approached by a dog. Mr. Humiston has a packet on display for residents to see. The cost of the program is shared with Fort Ann and Fort Edward.

Mr. Humiston is speaking at the Ag & Markets conference again this year.

The social media page set up by Humiston has 1800 followers, the site is used when a dog is picked up; recently 3 dogs have been picked up and all the owners were found through the social media page and redeemed by their owners. The social media page is not used to file complaints.

Special events include rabies clinics and adoption clinics which Mr. Humiston tries to attend. Councilman Freebern stated Todd Humiston does a good job. Supervisor Hogan stated Todd does a phenomenal job and the County thinks well of Todd also. Todd stated he appreciates the support from the Town.

A **motion** by Councilman Washburn seconded by Councilman Doyle and carried by a vote of 5 ayes to set a public hearing to amend the industrial zoning district by extending the existing Industrial Zone along Route 196 on May 20, 2019.

#### TOWN CLERK REPORT:

Local Laws No.'s 1 & 2 for amendments and changes to the Dog Control Laws have been received and filed by the Secretary of State. The increase in the dog licensing fees will be in effect when the May renewal letters are sent to dog owners.

A Town of Fort Edward resident received a call on Saturday indicating the Town of Kingsbury caller ID; the caller was selling insurance. Comptroller Mary Ordway verified it was a Town of Kingsbury number, stated there is nothing we can do about it; it is happening all of the time because they are getting into our phone system. A discussion followed. Councilman Haessly stated the public should know and suggested the Town notify the Sheriff's Department. Supervisor Hogan will notify the Sheriff's Department and also put it on Twitter.

The Town Clerk reported she occasionally receives a call from someone interested in purchasing the former Dix Drive-In property. The property has been sold but the "For Sale" sign is still on the property. Superintendent Michael Graham will see that the sign is removed from the property. Supervisor Hogan will let Mr. Schermerhorn, the owner of the property, know the Town is removing the sign.

Town Clerk reported it is time to renew the Kingsbury Cemetery Maintenance Agreement.

#### COMPTROLLER REPORT:

Mary Ordway reported the Annual Financial Report for 2018 was filed on March 21, 2019 with the Office of the New York State Comptroller, a copy is available with the Town Clerk.

Debbie Bell was successful in renewing the dental plan, there will be no increase once again this year. A **motion** by Councilman Freebern seconded by Councilman Haessly and carried by a vote of 5 ayes to renew the dental plan effective from June 1, 2019 until May 31, 2020. Mary Ordway stated 23 people on the group program have rollovers, if you do not use your allotted amounts, they will allow you to roll

them over the next year and you can have more expensive work done. The rollover amount is pretty huge.

#### DOG CONTROL OFFICER REPORT:

Todd Humiston reported the annual inspection from Ag & Markets was satisfactory. After a meeting this morning it was determined that Countryside can continue to adopt unredeemed dogs.

#### HIGHWAY SUPERINTENDENT REPORT:

Michael Graham reported the parking lot for the court has been started and should be complete by the end of the month. He has gone out to bid for structures, there will be 2 catch basins and a dry well which will be approximately \$4,200.00. The biggest expense will be the pavement, the \$10,000.00 JCAP grant will offset that cost.

Graham has received complaints about a local farmer leaving mud on town roads after working in their fields. He is concerned this will be a hazard to other vehicles travelling on the road. Graham has talked to the farmer about this problem with no result. Supervisor Hogan will contact Town Attorney Jeffrey Meyer and ask if it is appropriate to request a letter be sent to the farmer.

Graham will contact Dave LaRose to sweep the streets which is usually done by mid-April.

#### COUNCILMAN REPORT:

Councilman Washburn reported we have issues with the toilets in Town Hall. After speaking with retired Councilman Paul Bromley Washburn recommends the Town purchase tank toilets to get the flow it needs. The highway guys can do the toilet swap and do the necessary repairs. They will have to go into the wall and do some piping. To replace the four toilets the cost will be approximately \$1,300.00.

Councilman Haessly reported he and Councilman Washburn had met to discuss the proposed expansion of the sewer and have scheduled a meeting with Joe Brillling and the Washington County Sewer District. Councilman Washburn reported they could stop by the County to pick up maps associated with the current sewer lines in the Town.

A **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes giving permission to Councilman Haessly to attend the Introduction to Government Accounting on May 21 – 23, 2019, the cost being \$85.00.

Councilman Doyle would like to schedule a meeting with the water committee.

#### SUPERVISOR REPORT:

Washington County EOC received some census track data back and they have made their recommendations to accept the changes made by the US Census Bureau. They have increased the number of tracks in the Town of Kingsbury location. Laura Oswald the Co-Ordinator of the EOC has advised we accept those; it allows for more specific grant funding within each respective community. Supervisor Hogan has the following annual reports available for anyone to review: LDC, the County Local Development Corp., the Office of the Aging, the Department of Social Services, the Youth Bureau, and the Washington County's Department of Public Works. The data for the Office of Aging and Social Services is fascinating, there has been a reduction in the Social Services and Office of the Aging expenditures, they do a phenomenal job.

Colleen Mager of the Hudson Falls School District, a member of Roots & Shoots would like to open discussions with the Town about plans for the 50<sup>th</sup> Anniversary of Earth Day next year. A discussion followed. Supervisor Hogan suggested possibly students could assist with the planning of having solar panels installed at the landfill owned by the Town.

The Board and the public discussed the progress of the expansion of the bike path. Highway Superintendent Michael Graham stated State Route 196 will be closed for two weeks. The road will be taken out and a box culvert will be installed allowing bicyclists to travel under the road.

A **motion** by Councilman Haessly seconded by Councilman Freebern and carried by a vote of 5 ayes for Supervisor Hogan to sign up for the National Grid's Opt-In Program. Under National Grid's Opt-In Program National Grid will replace high intensity discharge HID roadway street lights that have reached the end of their life with energy efficient LED roadway lights at no cost at the time of failure. In addition to upgrading failed streetlights at no cost, it can also provide savings on future utility bills from the reduced energy usage associated with LED streetlights.

A **motion** by Councilman Haessly seconded by Councilman Washburn and carried by a vote of 5 ayes for Supervisor Hogan to sign the Municipal Report of Special Franchise Activity (RP-7114).

A **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes to accept the reports of certain officer for the month of March as follows:

Dog Control Officer: Complaints/Calls 79 ; Unlicensed Dogs 39; Seizures 3 ; Bites Investigated 1; Mileage 455 with 25 charged to Fort Edward & 161 charged to Fort Ann

Town Clerk: Paid to EnCon \$;155.89 Paid to Supervisor \$2,168.62; Paid to NYS Dept. of Health \$90.00; Paid to the Village of Hudson Falls \$20.00; Paid to Ag & Markets for Population Control \$144.00

For February: Town Justice; Fees Collected: \$32,828.88

**PUBLIC COMMENT:**

Ken Spaulding commented the Post-Star stated the Town Board had deferred from making a decision on the PILOT application for Sandy Hill Vision LLC. Mr. Spaulding asked what was meant by deferred. Supervisor Hogan responded by saying he was not sure what they meant by deferred. Mr. Nikas chose to pursue the 485b which is available to anyone instead of the PILOT, the Town Board was not required to make a determination on the project. Mr. Spaulding asked if in the future when someone comes to the Board requesting a PILOT could the Board please consider if the applicant has received grant money. The Board agreed they could certainly do that.

A **motion** by Councilman Doyle seconded by Councilman Freebern and carried by a vote of 5 ayes to enter into an executive session at 8:10 PM to discuss the employment of a certain person and a potential legal matter.

A **motion** by Councilman Washburn seconded by Councilman Freebern and carried by a vote of 5 ayes to exit the executive session at 9:35 PM. No action was taken in the executive session.

There being no further business before the Board a **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes to adjourn the meeting at 9:35 PM.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk

<http://www.kingsburyny.gov>