

The second regular meeting of the Kingsbury Town Board was conducted on April 17, 2017 at 7 p.m. at the Kingsbury Town Hall at 6 Michigan Street, Hudson Falls.

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

ABSENT: Dana Hogan, Supervisor

OTHERS PRESENT: Mary Ordway, Comptroller
Michael Graham, Highway Superintendent
Todd Humiston, Dog Control Officer
MaryEllen Stockwell, Town Attorney
Laura Oswald, Director of Economic Development

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

The minutes of the April 3, 2017 Board Meeting were accepted as submitted by the Town Clerk on a **motion** by Councilman Bromley seconded by Councilman Doyle and carried by a vote of 4 ayes.

The Board discussed the possibility of hiring someone for the maintenance and upkeep of the Town Hall. The discussion continued in regard as to how to advertise for a qualified person due to the high rates charged for Help Wanted by the Post Star. The Board agreed a search could begin by word of mouth.

COMPTROLLER REPORT:

Mary Ordway reported an error was made on the Standard Work Day and Reporting Resolution for Elected and Appointed Officials which had been adopted on February 21, 2017. The only correction necessary is under "Record of Activities Result" for Cynthia Bardin. A **motion** by Councilman Doyle seconded by Councilman Collins and carried by a vote of 4 ayes to adopt the corrected Standard Work Day and Reporting Resolution for Elected and Appointed Officials.(Please see attached)

Mary Ordway reported the Dental Plan for employees was due to be renewed. Debbie Bell was successful in getting Guardian to reduce their increase to zero. A **motion** by Councilman Bromley seconded by Councilman Doyle and carried by a vote of 4 ayes to renew the current policy with Guardian.

Mary Ordway reported the Town had received a check for the franchise fees for 2016 for cable in the amount of \$61,624.75. This amount was a 7.9% increase; \$4,500.00 more than last year.

DOG CONTROL OFFICER REPORT:

Todd Humiston reported he will be in Albany on Saturday April 22nd for a DCO Conference.

HIGHWAY SUPERINTENDENT REPORT:

Michael Graham reported Jack Folk will not be returning to do the mowing at Town Hall and at Town Cemeteries this year. A **motion** by Councilman Bromley seconded by Councilman Doyle and carried by a vote of 4 ayes to hire Andy Perkowski part-time, @\$14.00 per hour starting the first week of May. Michael Graham reported Dave LaRose started the sweeping of Town Roads this morning. He also reported the Posted Road Signs had been taken down.

WRITTEN REPORTS:

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

Code Enforcement Officer: No. Permits 1; Research Fees 3; Total Fees: \$125.00

Town Comptroller:

Receipts \$123,990.43; Disbursements \$133,635.80

A **motion** by Councilman Doyle seconded by Councilman Collins and carried by a vote of 4 ayes to enter into an executive session at 7:23 p.m. to discuss legal matters. Deputy Supervisor Henry Freebern invited Town Attorney Mary-Ellen Stockwell and the Director of Economic Development, Laura Oswald to the executive session.

A **motion** by Councilman Bromley seconded by Councilman Collins and carried by a vote of 4 ayes to exit the executive session at 7:43 p.m.

Following the discussion in executive session the following Bridge Resolution was adopted:

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

Resolution No. 8 of 2017

Adopted April 17, 2017

Introduced by Councilman Bromley
Who moved its adoption.

Seconded by Councilman Collins

WHEREAS, WCC is the owner and developer of certain lands located in the Fort Edward Industrial Park in the Town of Fort Edward, Washington County, New York, which lands are benefitted by a road running from NYS Route 196 south to lands of WCC, and which road is known as "Lock 8 Way"; and

WHEREAS, the development of the Industrial Park along the Champlain Canal will be beneficial to the entire region supplying needed opportunity for employment and will benefit WCC through the improvement of its lands; and

WHEREAS, the United States Environmental Protection Agency ("USEPA") and Mary Webb ("Webb") own lands upon which Lock 8 Way was constructed which was intended to and did serve as access to a certain dewatering facility for use in the Hudson River dredging project originally ordered by USEPA; and

WHEREAS, the taking order by which the USEPA obtained title provides that upon conclusion of use of said Lock 8 Way to serve the dewatering facility for which it was constructed for the USEPA may transfer its ownership to a municipality, and the USEPA has agreed to convey its portion of the Road to the local municipalities; and

WHEREAS, WCC has represented they are under contract to purchase the Webb portion of the Lock 8 Way, and has agreed that it will convey same to Kingsbury simultaneously with the conveyance from the USEPA; and

WHEREAS, the existing temporary Mabey Bridge shall be replaced with a new and permanent bridge by WCC at its sole cost and expense in accordance with the relevant design standards contained within the NYS Department of Transportation Bridge Manual based upon the anticipated industrial uses contemplated for the adjoining property, and

WHEREAS, WCC shall be responsible for all costs, engineering fees, attorney fees, and the like associated with the terms contemplated herein.

NOW THEREFORE, be it

RESOLVED, the Town of Kingsbury hereby requests the USEPA and affirms to WCC, LLC that the Town of Kingsbury is willing to accept that portion of Lock 8 Way lying and being within the Town of Kingsbury for the purposes of dedication as a public highway upon the terms and conditions contained in this resolution; and be it further

RESOLVED, that acceptance of that certain portion of Lock 8 Way lying and being within the Town of Kingsbury, including the bridge located thereon, is conditioned upon WCC, at their sole cost and expense, obtaining clear title to that certain portion of Lock 8 Way presently owned by Ms. Webb, with her being compensated fairly for the same; and be it further

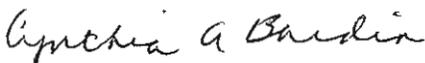
RESOLVED, WCC, at their sole cost and expense, shall construct a new and permanent bridge, crossing Bond Creek pursuant to the relevant design standards contained within the NYS Department of Transportation Bridge Manual based upon the anticipated industrial uses contemplated for the properties that would utilize Lock 8 Way; and be it further

RESOLVED, WCC at their sole cost and expense shall compensate Washington County or the Town of Kingsbury for any and all costs incurred to retain an independent qualified professional engineer for the purposes of review and approval of the proposed replacement bridge, including all supporting infrastructure and footings as applicable, said approval shall not be unreasonably withheld; conducting regular on-site inspections throughout the construction of the replacement bridge; and providing final certification that the replacement bridge has been built in accordance with the approved plans and specifications; and be it further

RESOLVED, this resolution shall take effect immediately.

There being no further business before the Board a **motion** by Councilman Bromley seconded by Councilman Doyle and carried by a vote of 4 ayes to adjourn the meeting at 7:45 p.m.

Respectfully submitted,



Cynthia A. Bardin, Town Clerk

TOWN OF KINGSBURY	LOCATION CODE:	30395	RESOLUTION NO. 9 OF 2017 - ADOPTED APRIL 17, 2017					
STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS SUBSTITUTE FORM RS 2417-A								
TITLE	STANDARD WORK DAY	SOCIAL SECURITY REGISTER NUMBR	RETIRE INO	TIER 1	CURRENT TERM BEGINS/ENDS	ACTIVITIES RESULT	RECORD OF	NOT SUBMITTED
BE IT RESOLVED, THAT THE TOWN OF KINGSBURY/LOCATION CODE 30395 HEREBY ESTABLISHES THE FOLLOWING AS STANDARD WORK DAYS FOR ELECTED AND APPOINTED OFFICIALS AND WILL REPORT THE FOLLOWING DAYS WORKED TO THE NEW YORK STATE AND LOCAL EMPLOYEES' RETIREMENT SYSTEM BASED ON THE RECORD OF ACTIVITIES.								
ELECTED OFFICIALS								
SUPERVISOR	6	DANA HOGAN		NONE	1-1-2016 TO 12-31-2017	8.09		
COUNCILMAN	6	RICHARD DOYLE			1-1-2014 TO 12-31-2017	1.02		
TOWN CLERK	6	CYNTHIA BARDIN			1-1-2014 TO 12-31-2017	24.50		
TOWN JUSTICE	6	MICHAEL KEENAN			1-1-2014 TO 12-31-2017	22.95		
HIGHWAY SUPT.	6	MICHAEL GRAHAM			1-1-2014 TO 12-31-2017	28.67		
APPOINTED OFFICIALS								
COMPTROLLER	6	MARY L. ORDWAY			01-01-2016 TO 12-31-2017	23.10		
ASSESSOR-PT	6	COLLEEN ADAMEC			01-01-2014 TO 9-30-2020	13.00		
DOG CONTROL OFFICER	6	TODD HUMISTON			01-01-2017 TO 12-31-2017	16.70		
1ST DEPUTY TWN CLERK	6	SYLVIA WEAVER			01-01-2017 TO 12-31-2017	22.75		
COMP. CONF. SECRETARY	6	MICHELLE RADLIFF			01012016 TO 12-31-2017	23.17		
REC. DIRECTOR-PT	6	DEBORAH BATTISTE			01-01-2017 TO 12-31-2017	4.12		
TOWN HISTORIAN-PT	6	JOHN MEAD			01-01-2017 TO 12-31-2017	2.23		
JUSTICE CLERK	6	LAURA BARODY			01-01-2017 TO 12-31-2017	24.12		
I, MARY L. ORDWAY, PERSONNEL OFFICER OF THE GOVERNING BOARD OF THE TOWN OF KINGSBURY, OF THE STATE OF NEW YORK, DO HEREBY CERTIFY THAT I HAVE COMPARED THE FOREGOING WITH THE ORIGINAL RESOLUTION PASSED BY SUCH BOARD, AT A LEGALLY CONVENED MEETING HELD ON THE _____ DAY OF _____ ON FILE _____ AS PART OF THE MINUTES OF SUCH MEETING, AND THAT SAME IS A TRUE COPY THEREOF AND THE WHOLE OF SUCH ORIGINAL.								
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND THE SEAL OF THE TOWN OF KINGSBURY ON THIS _____ DAY OF _____, 2017.								
Signature of Personnel Officer _____								
AFFIDAVIT OF POSTING: I, _____, BEING DULY SWORN, DEPOSES AND SAYS THAT THE POSTING OF THE RESOLUTION BEGAN ON FEBRUARY 22, 2017, AND CONTINUED FOR AT LEAST 30 DAYS. THAT THE RESOLUTION WAS AVAILABLE TO THE PUBLIC ON THE _____ EMPLOYER'S WEBSITE AT _____ (SEAL)								

TOWN OF KINGSBURY
LOCATION CODE: 30395

STANDARD WORK DAY RESOLUTION FOR EMPLOYEES
RS 2418

RESOLUTION NO. 10 of 2017 - Adopted April 17, 2017

BE IT RESOLVED, THAT THE TOWN OF KINGSBURY, LOCATION CODE 30395, HEREBY ESTABLISHES THE FOLLOWING AS STANDARD WORK DAYS FOR ITS EMPLOYEES AND WILL REPORT DAYS WORKED TO THE NEW YORK STATE AND LOCAL EMPLOYEES' RETIREMENT SYSTEM BASED ON THE TIME KEEPING SYSTEM OR THE RECORD OF ACTIVITIES MAINTAINED AND SUBMITTED BY THESE MEMBERS TO THE PERSONNEL OFFICER OF THIS BODY:

TITLE	STANDARD WORK DAY
LABORERS REC.	6
MEO'S HWY	8
JUSTICE CLERK P/T	6
PLANNING BOARD MEMBER	6
ZONING BOARD MEMBER	6

ON THIS _____ DAY OF _____, 2017

Date enacted: _____

Signature of Personnel Officer

I, MARY L. ORDWAY, PERSONNEL OFFICER OF THE GOVERNING BOARD OF THE TOWN OF KINGSBURY, OF THE STATE OF NEW YORK, DO HEREBY CERTIFY THAT I HAVE COMPARED THE FOREGOING WITH THE ORIGINAL RESOLUTION PASSED BY SUCH BOARD, AT A LEGALLY CONVENED MEETING HELD ON THE ____ DAY OF _____ 2017 ON FILE AS PART OF THE MINUTES OF SUCH MEETING, AND THAT SAME IS A TRUE COPY THEREOF AND THE WHOLE OF SUCH ORIGINAL.

I FURTHER CERTIFY THAT THE FULL BOARD CONSISTS OF 5 MEMBERS, AND THAT ____ OF SUCH MEMBERS WERE PRESENT AT AT SUCH MEETING AND THAT ____ OF SUCH MEMBERS VOTED IN FAVOR OF SUCH RESOLUTION.

IN WITNESS WHEREOF, I HAVE HERUNTO
SET MY HAND AND SEAL OF THE
TOWN OF KINGSBURY

SEAL