

July 19, 2021 Town Board Meeting Minutes

The second regular meeting of the Kingsbury Town Board was conducted on July 19, 2021 at 6 Michigan Street, Hudson Falls, NY.

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

OTHERS PRESENT: Todd Humiston, Enforcement & Dog Control Officer
Rebecca Pomainville, Town Comptroller
Town Residents: Dennis Kelly, Celeste McDonald, Dan Colomb,
Lorraine Forcier

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 Councilwoman Havens.

A **motion** by Councilman Doyle seconded by Councilman Washburn and carried by a vote of 5 ayes to accept the minutes of the June 21, 2021, Town Board Meeting as submitted by the Town Clerk.

Supervisor Hogan stated the first item on the agenda is the Bid Award for the Kingsbury Landfill Community Solar Development. Supervisor Hogan explained in April 2020, the State of New York indicated solar energy could be located on landfills, former industrial sites, and brownfields. Supervisor Hogan and Councilman Doyle have gone through the process for the feasibility of solar on the Town landfill; this is just a bid to get some proposals, the Board is not moving forward at this time. The Town Clerk reported no bids were received. Councilman Doyle stated it is indicative of the problem with the Town landfill being very small and very steep which would have presented problems for any developer.

Supervisor Hogan stated the next item on the agenda is a resolution to approve the CHPE LLC Project (Champlain Hudson Power Project). The Board had not received the documents. Supervisor Hogan would like a recess later in the meeting to give the Board an opportunity to review the documents and approve the resolution.

Comptroller Rebecca Pomainville reported the lease on the postage machine will expire in October. She received quotes to replace the existing machine, leasing a new comparable machine and purchasing a new comparable machine. She recommends the Town stick with the existing leasing company and lease a new machine. A **motion** by Councilman Washburn seconded by Councilman Doyle and carried by a vote of 5 ayes that the Town continue leasing with Quadient for the postage machine.

The Comptroller reported the health insurance renewal came in with a 3% increase; she recommends the Town renew the existing plan; she could find no savings elsewhere. Councilwoman Havens stated based on renewals the Town could go with the Comptroller's recommendation because the cost is the same across the Board. She was approached by Jager & Flynn who would like to make a presentation to the Town because it is the services of your agent where the great value is. Jager & Flynn cannot give the Town a better deal on the health insurance, but they have some new products that are very helpful to a Town, the Comptroller and to the employees. Councilwoman Havens distributed information to the Board; the Comptroller stated she has talked to Jager & Flynn in the past. Councilwoman Havens would like the Comptroller to consider allowing Jager & Flynn to make a presentation. After discussion the Board will conduct a Special Meeting at 6 pm on August 2, 2021, before the regularly scheduled meeting to be conducted at 7 pm.

A **motion** by Councilman Haessly seconded by Councilman Washburn and carried by a vote of 5 ayes for a resolution to apply for funding through the 2021 consolidated funding application for the NYS Department of State – Smart Growth Comprehensive Planning Grant:

TOWN OF KINGSBURY

RESOLUTION NO. 4 OF 2021

RESOLUTION TO APPLY FOR FUNDING THORUGH THE 2021 CONSOLIDATED FUNDING APPLICATION (CFA) FOR THE NYS DEPARTMENT OF STATE (DOS) - SMART GROWTH COMPREHENSIVE PLANNING GRANT

WHEREAS, the Town of Kingsbury, after due consideration, has determined that it is desirable and in the public interest to undertake the necessary activities for the submittal of a grant application under the 2021 NYS DOS Smart Growth Comprehensive Planning Grant CFA for the development of a Smart Growth Comprehensive Plan replacing the Town’s current 1973 Plan; and

WHEREAS, the Town has established a Comprehensive Plan Committee (CPC) to guide preparation of the new Comprehensive Plan; and

WHEREAS, the Town is prepared to commit funds for the required match of the program totaling 10% of total project costs.

NOW THEREFORE BE IT RESOLVED, that the Town of Kingsbury Town Board authorizes and directs Supervisor Hogan to submit an application for “Smart Growth Comprehensive Planning Project” under the Smart Growth Planning Grant through NYS DOS and to execute all documents necessary for the implementation of this work relating to the financial and/or administrative processes of the grant program.

BE IT FURTHER RESOLVED, to the extent any or all actions hereby authorized have been executed and/or performed by the Supervisor all are hereby ratified and confirmed and this Resolution take effect immediately.

On a motion by Councilman Haessly seconded by Councilman Washburn, the foregoing Resolution was adopted on a vote of 5 Ayes, 0 Nays and 0 Absents. The Supervisor declared the Resolution adopted.

Town Board present were:

VOTE	AYE	NAY
Supervisor Hogan	X	
Councilman Doyle	X	
Councilman Haessly	X	

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municipal water or sewer you are going to grab a lot of the residential developments. The combination of the two will be in a position where anything big coming into the Town of Kingsbury could be subject to the moratorium if the Board is willing to consider and that is the direction they want to head. Commercial and industrial projects generally do not use a lot of water and sewer, it is not a 20 lot sub-division. If you are doing a combination of things where you are disturbing more than 10 acres and you are creating more than 10 lots or you are not connecting to existing water and sewer; the combination of those different items puts the Town in a position to actually truly grab the larger projects, based on a prior conversation of what the Board wants to do and what they want to do to move forward in the community, give the Comprehensive Committee time to act, allow some kind of zoning discussion that would naturally follow the Comprehensive Plan. What would not be included is a 3 lot sub-division in a rural area where someone wants to build a house, so it does not completely shut down everything. The moratorium could be tailored so it would not grab anything in the Industrial Park; it would provide the flexibility as things move forward and the sewer district is constantly trying to plan and update. These are his thoughts but needs direction in terms of numbers, this is where he is headed assuming the Board is interested in pursuing a moratorium.

Councilman Haessly stated there are a lot of projects proposed and it does need looking at and they don't know where the zoning is headed.

Supervisor Hogan stated the Board received a letter from the Planning Board Chairman, Robert Dingman sharing his concerns with large scale projects. A discussion ensued. Supervisor Hogan suggested the Town Engineer, Enforcement Officer Todd Humiston and Attorney Meyer meet to develop some parameters to satisfy the Town Board, based on input from the Town Board. Enforcement Officer Humiston asked what is the concern of the Board ; if it is water and sewer infrastructure and the worry of putting in more septic, and wells, that would be more individuals that may not want to vote for public water and sewer in the future because they have new a new well and septic system causing for a problem to go to municipal and water in 3 or 4 years, he thinks they could put a number on it. If it is large-scale projects the Board may have to do a size concern.

Councilwoman Havens stated the Board represents the residents in Kingsbury. She thinks the Master Plan is the perfect opportunity to receive feedback from the residents in September and October. She is concerned many projects are going to try to jump the gun and get in as fast as they can before something changes. She would like to stop and take a breath and receive feedback from the residents. She does not want to hinder business and if there are projects out there and they feel like the Board is styming them, she does not want them to think that. She stated what is the problem with Kingsbury looking like it does right now for 2 years; the Master Plan may be an 18 month to 2 year process.

Councilman Washburn stated he would like to see Dix Avenue have more businesses. More businesses mean more taxes.

Enforcement Officer Humiston stated we have the Industrial Park and would not like to see a blanket, stop all development because it has water and sewer, all the proper connections needed. The concerns with many of the projects right now is the infrastructure. The discussion continued.

Supervisor Hogan read a portion of the letter received from the Planning Board Chairman Dingman expressing his concerns about water and sewer which prompts the Planning Board to ask that large-scale projects be put on hold until such time as a reasonable formula is established relative to water and septic needs which would require either municipal water or sewer connection. It is not the within the purview of the Planning Board to define large-scale projects but he asks that part of the definition include the volume of water that will be consumed and disposed of onsite. Hopefully, completion of a new Master Plan will resolve major issues but at this time, it is imperative that Code issues must be updated and clarified to reflect where we are in 2021. Supervisor Hogan suggested the Town Engineer, the Town Attorney Meyer and Enforcement Officer Humiston meet to discuss parameters to meet the Planning Board's request and asked if the Board would be open to his suggestion.

Councilman Doyle stated they are referencing connection to sewer and water but the sewer is not controlled by the Town which will be a problem. Water is not everywhere and may not have the opportunity to connect to water. With these problems a lot of development in the Town of Kingsbury will be put on hold. In his experience in the past of trying to expand municipal water in a town is more difficult than in a village. He is concerned this may drive out a lot of development; maybe that is what people in the community want, but if we get development, it keeps taxes down. He has a problem with the concept of them having to hook up to municipal sewer and water. The discussion continued.

Enforcement Officer asked what the plan was if residents needed to replace their wells and septic systems. Supervisor Hogan stated they talk to the Town Engineer or the Code Enforcement Officer, what is their option? Enforcement Officer Humiston responded they will have an uncertified system and they will not be able to sell their house. Councilman Doyle asked if it was an exiting house or a new development. Enforcement Officer Humiston stated if you have an existing well or sewer that needs to be replaced, they will not get a certificate of occupancy if they are within a hundred feet of a well or

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sewer. The houses that have 50 feet wide lots on Nolan Drive, Blenor and Burgoyne Avenue by the fire house; their lots are not big enough to have a 100 foot separation. These houses will never be sold, when a property search is conducted by the Town it will be indicated they have an open violation.

Enforcement Officer Humiston stated the Town needs to put in water lines into light residential areas that do not have the 100- foot separation for water and sewer.

Councilman Doyle stated in the past people have voted and turned down new water lines; it is subject to permissive referendum, and they can vote it down. Wells on Harrison Avenue were contaminated from East Side and they still voted down public water.

Councilman Haessly asked where the Town stood with the new waterline on Burgoyne Avenue. Attorney Meyer stated the engineer is doing work now and once the district boundaries are finished being described, the notices can be sent out, the Board gets resolutions then the planning report can be prepared it can be disclosed, published, and then the people in that district can say they do not want it.

Councilman Haessly stated it is difficult to expand the water district. Attorney Meyer agreed; when the drive-in was sold, it was conditioned on site plan approval for a senior living facility. There is an easement and a waterline that would give neighboring streets off Vaughn Road if it were to be built as approved, along a boundary line to be able to provide water to that area. The Planning Board received comments from the residents voicing opposition to municipal water.

Councilman Doyle stated he is not against trying to find a solution, he feels whatever is done will limit them. He agrees Todd, Jeff and the Town Engineer come up with a solution

Attorney Meyer stated the larger question is the opposition to the use or the impact. At this time the Planning Board is hearing opposition to the use, that is where the questions are coming from. The Engineer is saying there are huge impacts the Town needs to address. The Town Board and the Planning Board are getting a push and pull between what is the impact and what is the use, what is the vision for the community, can this be safely used, they don't want their bills to increase and will their taxes go up. These are large policy discussions that are circling impact with everything getting mixed together. They could get together to get some ideas for the Board to let them know where the impacts are critical as expressed by the Town Engineer. The higher density areas are more susceptible to those impacts; Dix Avenue, Route 4. And that could help guide the conversation and help Jane as the Comp Plan continues to move forward. These are global questions for the Board to answer.

Supervisor Hogan stated the letter from the Planning Board was the impact.

Attorney Meyer stated if an application is a permitted use, the Planning Board is looking at its impact.

Councilman Haessly stated if a permit gets approved by the Planning Board as things stand right now, it is good for a long time. Attorney Meyer stated it is good forever.

Councilman Haessly stated if a plan gets approved they can sit on it forever; he feels there should be a sunset on it, if you do not do anything with it the permit will lapse. Enforcement Officer Humiston stated the Planning Board has expressed concern with that as well.

Enforcement Officer Humiston, Attorney Meyer and the Town Engineer will meet and report to the Town Board at the Town Board Meeting scheduled for August 16th.

TOWN CLERK REPORT:

Town Clerk asked if the Board would like to move forward with emailing meeting announcements, meeting changes, etc. to interested Town residents. Supervisor Hogan would be open to that if the privacy of the emails was assured so when the emails go out it does not list everyone's email it just goes to them. The Comptroller will assist in setting up. Supervisor Hogan suggests a message be added to indicate the Town does their best to communicate to the best of their ability, but we cannot promise this is a fail safe message.

FOIL request received from the attorneys for Kingsbury Solar, LLC for a copy of the minutes of the June 21, 2021, Town Board Meeting. A draft copy of the minutes was sent after review and approval from Attorney Meyer.

ENFORCEMENT OFFICER & DOG CONTROL OFFICER:

Enforcement Officer Humiston reported the fire and building inspections are going good.

Supervisor Hogan asked if people were complaining about it, Humiston replied not at this time.

The Fort Ann Dog Control Officer covered when Dog Control Officer Humiston was out of the office; she did a great job and was very busy. When he returned to the office there were 3 dangerous dog complaints.

COUNCILMAN REPORT:

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Councilman Washburn asked about the status of upgrading the computers in Town Hall, is there an option for Adirondack Tech to write the RFP.

Supervisor Hogan had a conversation with Teri McNall, the Washington County IT Director who stated the Town can work with a vendor to assist in writing an RFP; then it can be put out to bid.

Attorney Meyer would like to see the RFP when complete.

Supervisor Hogan stated once we receive a bid the Town can work on a potential plan.

Councilman Washburn will reach out to Adirondack Tech to see if they are open to the plan.

Comptroller Rebecca Pomainville asked if this should be worked into the budget for next year.

Councilman Washburn is not thinking a 5-year plan and would like to in the very near future purchase a server and computers. The Comptroller would like some numbers, she will start preparing the budget next month.

Councilwoman Havens asked if the Board had an opposition to the LaBerge Group receiving a copy of the Town letterhead for future documentation with the Town in regard to the Master Comprehensive Plan.

The Board expressed no opposition.

LaBerge will file for the second grant on July 30, 2021,

The Committee is working on contacts through the end of the month, everyone has been given a group; transportation, parks and recreation and businesses.

A meeting has been scheduled for August 5, 2021; Nicole Allen of Laberge would like to meet with the committee; she will be bringing survey questions. Community involvement will be mid-September through October, with everything summed up before Thanksgiving.

On June 22, 2021, Councilman Havens and the Town Clerk met with Maria McCashion of the NYS Archives. In August 2020 a new retention and disposition schedule was released by NYS which gave an opportunity to look at how everybody keeps records.

Maria McCashion spent time in the basement and talked about the storage of documents, better use of space and a grant that may be available for shelving. Councilwoman Havens will try to meet with departments in the month of August to discuss maintaining their records. Councilwoman Havens also spoke with Michelle Radliff and asked that she be the one to notice Planning and Zoning Meetings; Michelle will work with Todd to get all the information. The Comptroller provided Councilwoman Havens with a folder of job descriptions. Councilwoman Havens found some to be generally vague; there are summations which lead people wondering exactly what detail is under their purview. She will review them and see how they relate to the new archive record program and going forward if there is any lawsuit situation, we have excellent records to check.

Councilwoman Havens stated in a conversation on public safety, the opting in or out of marijuana, she has learned from an outside entity law enforcement was not given the tools to handle this situation.

SUPERVISOR REPORT:

Supervisor Hogan has a conference call on Thursday with Assemblywoman Carrie Woerner and Ag & Markets related to the notification of biosolid fertilizer when it is used in our community.

WRITTEN REPORTS:

A **motion** by Councilman Haessly seconded by Councilwoman Havens and carried by a vote of 5ayes to accept the reports of certain officers for the month of as follows:

Town Clerk: Paid to EnCon \$214.47; Paid to Supervisor \$4,905.27; Paid to the Village of Hudson Falls \$; 160.00; Paid to Ag & Markets for Population Control \$133.00

Enforcement Officer: No. Permits 11; Variances 1; Inspections: 1 Total Fees: \$1,518.00

Dog Control Officer: Complaints/Calls 8; Seizures 4; Unlicensed Dogs 7: Euthanasia 1; Mileage 352 (50,033)

Town Comptroller: Receipts \$172,003.40; Disbursements \$169,155.41

Town Justice: Fees Collected April \$19,715.00, May \$11,712.00

Assessor Sales

PUBLIC COMMENT:

Lorraine Forcier worked with Kevin Egan of Spectrum to get a survey of Geer Road; the survey has been completed.

They found 25 houses eligible for cable. If one house were to get Spectrum installed it would cost a little over \$70,000.00;

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if all 25 houses had Spectrum the cost would be \$3,100.00 per household. She asked if there were any grants that could be worked with, the installation cost of \$3,100.00 and a monthly bill would make the total cost painful.

Supervisor Hogan received a call from Kevin Egan who gave a summary and stated there may be a scenario where the Town of Kingsbury, if willing could contribute a portion of the cost. His concern with the Town paying a portion is another neighborhood asking for the same. One thing that may work is, the Town will be receiving the American Resource Recovery Funds, part of that allows for broadband. At the County level, 5 million will be set aside because federal money can be used as a match. The discussion continued.

Mr. Columbe asked if the Town had ever looked at the benefit of apartment houses compared to single-family homes; he stated the Town of Queensbury conducted an analysis and is not looking to build any more apartments because they got more bang for their buck on homes. Councilman Washburn stated we get more for apartment buildings; the discussion continued.

Supervisor called for a 5-minute recess at 8:21 pm for the Board to have an opportunity to review a resolution for approval of the Champlain Hudson Power Express Project.

The meeting resumed at 8:28 pm.

The Board discussed the details of the terms for the PILOTS and tax abatements for the Champlain Hudson Power Express Project.

Attorney Meyer stated the model resolution was fine from a legal standpoint fine and totally acceptable. Attorney Meyer brought to the Board's attention the term "substantial" in the resolution. There is language in Section 1," the Town hereby approves the payment terms to be contained in the PILOT agreement, as substantially described in Schedule A and does this expose the Town to abate and switch. PILOT payments are supposed to be based on construction costs which in theory are not going to go down and as a percentage should not go down much". The IDA used the term substantially because they are expecting the construction cost to change, but not significantly and they are asking that the municipalities adopt the resolution, so they do not have to keep coming back every time a number changes.

After discussion the following resolution was adopted:

PILOT/HOST COMMUNITY APPROVAL RESOLUTION
TOWN OF KINGSBURY CHPE LLC PROJECT

Board Member Councilman Haesslv offered the following resolution, and moved its adoption:

RESOLUTION NO. 3 of 2021

RESOLUTION APPROVING (A) THE PAYMENT TERMS AND CONDITIONS OF A CERTAIN PILOT AGREEMENT TO BE ENTERED INTO BETWEEN COUNTIES OF WARREN AND WASHINGTON INDUSTRIAL DEVELOPMENT AGENCY AND CHPE LLC IN CONNECTION WITH THE CHPE LLC PROJECT AND (B) THE PAYMENT TERMS AND CONDITIONS OF CERTAIN HOST COMMUNITY BENEFIT AGREEMENTS TO BE ENTERED INTO BETWEEN COUNTIES OF WARREN AND WASHINGTON CIVIC DEVELOPMENT CORPORATION AND CHPE LLC IN CONNECTION WITH THE CHPE LLC PROJECT.

BE IT ENACTED by the Town Board of the Town of Kingsbury, New York (the "Town Board"), as follows:

WHEREAS, pursuant to Title I of Article 18-A of the General Municipal Law of the State of New York, as amended (the "Enabling Act") and Chapter 862 of the 1971 Laws of New York, as amended, constituting Section 890-c of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act"), the Board of

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Supervisors of Warren County and the Board of Supervisors of Washington County have heretofore appointed the Chairman and members of Counties of Warren and Washington Industrial Development Agency (the "Agency") and have duly caused to be filed in the office of the Secretary of State of the State of New York the certificates required by Section 856 of the Act; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, CHPE LLC, a New York State limited liability company (the "Company"), has submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the "Project") for the benefit of Company, said Project consisting of the following: (A)(I) the acquisition of an interest in the Company's interest in certain upland parcels of land and in the Company's interim permit and easement issued or to be issued by the New York State Office of General Services ("OGS") in relation to submerged State-owned land, such upland and submerged lands located in the Towns of Putnam, Dresden, Whitehall, Fort Ann, Hartford, Kingsbury and Fort Edward, and Villages of Whitehall, Fort Ann and Fort Edward, Washington County, New York (collectively, the "Land"), (2) the construction, installation and equipping on or under the Land of a fully-buried, up to 1,250-megawatt ("MW") high-voltage direct current ("HVDC") electric transmission line and related infrastructure (collectively, the "Improvements") and (3) the acquisition and installation thereon and therein of certain

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related machinery and equipment, including but not limited to, two (2) five-inch diameter HVDC transmission cables (collectively, the "Equipment") (the Land, the Improvements and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to be used and operated by the Company as a portion of an electric power transmission line from the U.S.-Canada border to New York City; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, in connection with the undertaking of the Project, the Company will execute and deliver (A) a certain payment in lieu of tax agreement (the "PILOT Agreement") by and between the Agency and the Company, pursuant to which the Company will agree to pay certain payments in lieu of taxes with respect to the Project Facility, and (B) certain host community benefit agreements (collectively, the "Host Community Benefit Agreements," and, individually, a "Host Community Benefit Agreement") by and between the Counties of Warren and Washington Civic Development Corporation (the "CDC") and the Company, pursuant to which the Company will agree to pay certain host community benefit payments to the CDC pursuant to each Host Community Benefit Agreement for the benefit of (1) the Town of Kingsbury (the "Town") and the Towns of Putnam, Dresden, Whitehall, Fort Ann, Hartford, Kingsbury and Fort Edward, (2) Washington County, (3) the Putnam Central School District, the Whitehall Central School District, the Fort Ann Central School District, the Hudson Falls Central School District and the Fort Edward Central School District, and (4) the Villages of Whitehall, Fort Ann and Fort Edward; and

WHEREAS, the Agency desires that the Town of Kingsbury, through its Town Board, as one of the affected tax jurisdictions with respect to the Project Facility, adopt a resolution indicating whether the Town Board agrees to the terms of the (A) proposed PILOT Agreement, and (B) the proposed Host Community Benefit Agreements;

NOW, THEREFORE, BE IT RESOLVED by the Town Board, as follows:

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Section 1. For the purpose of satisfying the requirements contained in the Agency's Uniform Tax Exemption Policy (the "UTEP Policy") and the Act, the Town Board hereby (1) acknowledges notification of any deviation from the Agency's UTEP Policy, (2) waives any formal notice from the Agency of any deviation from the Agency's UTEP Policy, (3) approves the payment terms to be contained in the PILOT Agreement, as substantially described in Schedule A attached, and (4) approves the payment terms to be contained in the Host Community Benefit Agreements, as substantially described in Schedule A attached.

Section 2. The Town Supervisor of the Town is hereby authorized, on behalf of the Town of Kingsbury, to execute and deliver a consent to the PILOT Agreement for the purpose of evidencing its approval to the proposed payment terms of the PILOT Agreement, said PILOT Agreement to contain the terms described in Schedule A attached, with such changes, variations, omissions and insertions as the Town Supervisor of the Town shall approve, the execution thereof by the Town Supervisor of the Town to constitute conclusive evidence of such approval.

Section 3. The Town Supervisor of the Town is hereby further authorized, on behalf of the Town of Kingsbury, to execute and deliver a consent to the Host Community Benefit Agreement relating to the Town for the purpose of evidencing its approval to the proposed payment terms of the Host Community Benefit Agreement, said Host Community Benefit Agreement to contain the terms described

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in Schedule A attached, with such changes, variations, omissions and insertions as the Town Supervisor of the Town shall approve, the execution thereof by the Town Supervisor of the Town to constitute conclusive evidence of such approval.

Section 4. The officers, employees and agents of the Town of Kingsbury are hereby authorized and directed for and in the name and on behalf of the Town of Kingsbury to do all acts and things required or provided for by the applicable provisions of this Resolution in order to ensure compliance with such provisions as they relate to the execution and delivery of the PILOT Agreement and the Host Community Benefit Agreement, and to execute and deliver all such additional certificates, instruments and documents, and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.

Section 5 _____ This resolution shall take effect immediately.

The resolution was seconded by _____ Councilman Washburn and the resolution was duly adopted by a vote on roll call.

Supervisor Hogan — Aye

Councilman Doyle — Aye

Councillnan Haessly — Aye

Councilwoman Havens — Aye

Councilman Washburn — Aye

)ss.
COUNTY OF WASHINGTON)

I, the undersigned Town Clerk of the Town Board of the Town of Kingsbury, DO HEREBY CERTIFY that the preceding Resolution was duly adopted by the Town Board of the Town of Kingsbury at a regular meeting of the said Town Board of the Town of Kingsbury duly called and held on July 19, 2021; that said Resolution was entered in the minutes of said meeting; and that I have compared the foregoing copy with the original thereof now on file in my office and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I FURTHER CERTIFY that (A) all members of said Town Board of the Town of Kingsbury had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Town Board of the Town of Kingsbury present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Kingsbury, New York this 20th day Of —July—' 2021 •

BY: 
Town Clerk of the Town of Kingsbury, New York

There being no further business before the Board the meeting was adjourned at 9:05 pm.

Respectfully submitted,

Cynthia Bardin, Town Clerk