

The first regular meeting of the Kingsbury Town Board was conducted on August 11, 2014 at 7 p.m. at the Kingsbury Town Hall, 210 Main Street, Hudson Falls, NY.

Present: James T. Lindsay, Supervisor

Paul Bromley, Councilman

Henry Freebern, Councilman

William Collins, Councilman

Absent: Richard Doyle, Councilman

Also Present: Michael Graham, Highway Superintendent

Matt Fuller, Town Attorney

Doreen Simmons, Attorney for Weitsman

Anthony Marro, Eastside Metals & Recycling Corp.

Bill Toscano

The meeting was called to order by Supervisor Lindsay at 7 p.m. and opened for business with the Flag Salute led by Supervisor Lindsay.

There were no corrections or additions to the minutes for the Town Board meeting held on July 28, 2014.

Doreen Simmons, Attorney for Weitsman, reported that they are still in negotiations with the Marro Family in the purchase of Eastside Metals & Recycling. Attorney Simmons is optimistic that by the end of the week they will have an update on the status of the sale. She also reported that Dale Vollmer has met with Supervisor Lindsay, Code Enforcement Officer Ross Cortese and Town Attorney Jeffrey Meyer. Dale Vollmer is an Environmental Engineer who has been hired by Weitsman to make sure that the facility is properly geared up and to make sure that the training is appropriate. He will be making periodic audits and routinely being present for environmental compliance.

Supervisor Lindsay reported that Weitsmen had presented an application for a new junkyard license to include vehicle dismantling and a check for \$200.00. Attorney Simmons did speak to Supervisor Lindsay in regard to scheduling a public hearing. After discussion it was decided to wait until a contract has been signed for the sale before scheduling a public hearing.

Councilman Freebern questioned what he had read in the newspaper in regard to Weitsman requesting to operate with extended hours. Anthony Marro explained that Eastside Metals & Recycling was not operating all the hours they were allowed. Attorney Simmons reported that she believes they would like to operate from 7 a.m. to 6 p.m.

Supervisor Lindsay reported that the extension of the Eastside Metals & Recycling Inc. junkyard license will expire on August 28, 2014. Anthony Marro explained that they may request another 30 – day extension. Attorney Fuller suggested the Town Board wait until the second regular meeting on August 25, 2014, when the status of the Eastside sale to Weitsman can be reported. Attorney Simmons will be in contact with Attorney Fuller on Friday August 15, 2014 with an update on the progress of the sale.

Superintendent Lindsay, Superintendent of Highways, Michael Graham and Water Superintendent, James Chase met with Aaron Koonsman from the NYS Department of Health in regard to the chlorination system being built on Dix Avenue. The cosmetic work must be complete by October 15, 2014, including: the fence, the driveway and planting grass. Superintendent Graham reported that he will start back-filling the structure tomorrow and build a culvert pipe so they can widen the driveway.

Supervisor Lindsay reported that Royal Wood Shavings missed the last meeting and no date has been set for their return. Attorney Fuller reported RWS should be at the August 20, 2014 Planning Board meeting.

Attorney Fuller reported on the progress of the Washington County Sewer District II Expansion into Kingsbury. On a spreadsheet that has been created there are approximately 1,000 parcels. Attorney Meyer has been sorting through the parcels to create a similar class code and an approximate cost. Supervisor Lindsay reported that he had talked to some of the small business owners on Dix Avenue and explained to them there would be a small charge while the infrastructure is being built in front of their home.

Supervisor Lindsay reported that Dr. Joel Solomon has signed the letter of intent for the Town of Kingsbury to purchase 6 Michigan Street. A resolution, which is subject to a 30 day permissive referendum, will be necessary to move funds to pay for 6 Michigan Street. The Town has \$ 101,101.00 in reserve funds. Supervisor Lindsay reported the numerous repairs that would be necessary if the Town Offices remained at their current location at 210 Main Street. Councilman Bromley told the Town Board an estimate will be available for the repairs to the Town Hall. After discussion it was decided to create one encompassing resolution to approve the contract, approve the transfer of funds and complete an evaluation of cost for repairs to the Town Hall.

Supervisor Lindsay requested an executive session at the end of the meeting to discuss litigation.

Supervisor Lindsay reported that Alpha Geo Science has completed Phase I at the former Town Highway Garage on Dix Avenue. The Town Clerk has a copy of the Phase I Report indicating that a Phase II must be conducted. Councilman Bromley noticed that the cost of the Phase I was much higher than the estimate of \$3,200. The bill received from Alpha Geo Science was for approximately \$6,000. Attorney Meyer will question why the cost for the Phase I was much higher than the projected estimate.

Supervisor Lindsay received a call and a letter from Village Mayor, John Barton, about parcels owned by the village, located in the Town becoming tax exempt status. Town Assessor Colleen Adamec said this must be done in writing according to Real Property Law 406(3). A **motion** by Councilman Collins, seconded by Councilman Collins and carried by a vote of 4 ayes to allow the parcels to be tax exempt status.

Supervisor Lindsay has received a request from Village Mayor, John Barton to help with repairs necessary at Derby Park. Derby Park is owned by the Village, but the Town Recreation Program uses the Park for different activities. Supervisor Lindsay also reported that there are a group of folks in the village that want to start raising funds for the improvement of Derby Park. Supervisor Lindsay would like to have a meeting after Labor Day with himself, Debbie Battiste, Recreation Director and other Recreation Committee members to discuss what is needed at Derby Park.

Supervisor Lindsay also reported that Comptroller, Mary Ordway and Recreation Director Debbie Battiste had a productive meeting last week to discuss the recreation program and the future of ordering T-shirts for the recreation program.

Recreation Director Debbie Battiste reported that she is not certain if the Men's Softball Program will continue next year.

Supervisor Lindsay also reported that money had been budgeted for the last two or three years for the basketball courts at Derby Park, but no work has done. Supervisor Lindsay suggested that a session should occur to discuss where money should go in the improvement of Derby Park.

Supervisor Lindsay also reported that The Washington County Courthouse will be named after Judge Thomas Mercure in a ceremony on September 12, 2014 at 5 p.m. Judge Mercure is well known in the judicial circuit in New York State.

Supervisor Lindsay also reported that 2015 Budgets are being prepared.

Supervisor Lindsay updated the status of the new 911 Communication Center in Washington County. The former center was 12 years old and had an 8-year life. The project cost \$750,000. A grant was received for \$500,000, which were funds generated from surcharges on landlines and cell phones and another is possible for \$211,000 from the NYS Police Sharing Services. The new system (CAD-Computerized Assistance Dispatch) has GPS capabilities which enable the closest call concept when an emergency call comes in. It also allows the patrol car to run license plates from their own vehicles.

Councilman Bromley asked the status of the sale of the former Dix Avenue Drive-In property to Schermerhorn. Supervisor Lindsay commented that he received a call from an interested party in the property and referred them to Craig Darby. Craig Darby was hired by the Town to find a buyer for the property. The Town Board discussed returning the check to Schermerhorn, it would not indicate that we are not interested in the sale, but if other parties show interest the Town should follow-up. Attorney Meyer feels the contract has not been signed by Schermerhorn because of the language in the contract about Schermerhorn being included in the sewer district. Meyer requested the Town Board make no decision until the next Town Board Meeting on August 25, 2014.

Superintendent Michael Graham reported that the pad for the sand pile was complete; they will start hauling sand from the former location to the pad tomorrow. Graham was hoping to work on the steel beams for the grizzly, but the weather for Tuesday and Wednesday may not co-operate with that plan.

Graham was assured by the engineer that the prints for concrete will be ready by the next meeting, at that time he would like the Town Board's permission to go out to bid for concrete.

Graham gave an update on the Town Line Road Project. The culvert pipe ordered will not be ready until mid-September. Due to DEC regulations you are not allowed in the streams after October 1. It was decided that work needed to be done on Town Line Road be post-phoned until spring. Graham will continue to do what work he can on this project, preparing for completion in the spring.

A **motion** by Councilman Collins, seconded by Councilman Freebern carried by a vote of 4 ayes to allow Superintendent Graham to temporarily reduce Town Line Road to a five (5) ton limit, within the Town of Kingsbury. Town of Argyle will post at the other end of Town Line Road.

Graham also reported that the 4 mobile lifts for the Highway Garage were on order. Graham also reported that the pick-up truck ordered is being built this week or next week.

A **motion** by Councilman Bromley seconded by Councilman Freebern and carried by a vote of 4 ayes to go into executive session at 8 p.m.

There being no further business before the board, a **motion** by Councilman Collins, seconded by Councilman Freebern and carried by a vote of 4 ayes to adjourn the meeting at 8:20 p.m.

Respectfully submitted by,

Cynthia A. Bardin, Town Clerk

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