

The second regular meeting of the Kingsbury Town Board was conducted on August 21, 2017 at the Kingsbury Town Hall at 6 Michigan Street, Hudson Falls.

MEMBERS PRESENT:	Dana Hogan, Supervisor Paul Bromley, Councilman William Collins, Councilman Richard Doyle, Councilman
ABSENT	Henry Freebern, Councilman
OTHERS PRESENT	Michael Graham, Highway Superintendent Todd Humiston, Dog Control Officer Jeffrey Meyer, Town Attorney Justin Fitzpatrick & Kevin Wagner of Sterigenics Brian King, Kingsbury Volunteer Fire Chief Ian Borlang, Town Resident

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 Bromley.

The minutes of the July 17th and August 7th Board Meeting and the July 25th Health Insurance Meeting were accepted as submitted by Town Clerk with a **motion** by Councilman Bromley seconded by Councilman Doyle and carried by a vote of 4 ayes.

Supervisor Hogan introduced Justin Fitzpatrick, plant manager of Sterigenics, located on Park Road. Fitzpatrick had been invited to a Town Board Meeting to give feedback to the Board after a power outage and the concern expressed in regard to the safety of residents as a result of the power outage at the plant. Mr. Fitzpatrick introduced Kevin Wagner from the corporate office of Sterigenics to answer any questions that he was unable to. Initially Mr. Fitzpatrick had been informed the power would not be turned on until Tuesday, which would be a 5 day stretch without power. Fitzpatrick contacted corporate and was advised to get a generator if the outage was for more than 48 hours. Mr. Fitzpatrick explained they process all of their cycles in a non-flammable state and they are processed under a vacuum. If we ever have a leak it is air leaking into the chamber not out of the chamber. Mr. Wagner stated there are plants all over the world like the plant in Kingsbury and outages have occurred in the past, sometimes as long as a week, because they run under a vacuum with the gas in the chamber they can hold for a long time. Wagner stated it is safer to hold rather than get temporary power in the plant; they want to make sure all their instruments are running 100%. With the deep vacuum in the chambers they do not know how long it would last; it could last a month or it could last 2 months. You would see a slight rise in pressure after time; but the chambers have seals and gaskets. They also have monitoring equipment to detect any gas leaking out of the chambers. The operation has a lot of safety built into it and they are in the process of up-grading a lot of the controls in their plant; making sure if they did have something go wrong there is safety built in and automatic controls would kick in which not allow them to continue their process. Mr. Fitzpatrick explained during an outage all the valving and systems fail shut. Councilman Bromley stated that it sounded like Sterigenics was in a crisis event with the power outage; concerned that they needed power and it was needed in a short length of time. This occurrence triggered the Board to be concerned that a public hazard may be created. Fitzpatrick stated he feels some of the concern came from word of mouth, his concern was safety first. Fitzpatrick contacted corporate, it was decided to get temporary power and empty the chambers of the gas. Supervisor Hogan spoke of his concern at the time of the outage; Washington County Public Safety personnel and the fire company were taken away from the jobs they were doing to address the issue at

Sterigenics. Supervisor Hogan would like to be reassured that in the event of a future outage; Sterigenics have a procedure in place so that that Public Safety and the fire company do not have to be utilized and they can handle it on their own.

Councilman Bromley stated it was a pretty sizeable event for the Town, but in reality it was not, it could have been a lot worse. Councilman Bromley asked if we were to have a really serious event and the power grid were knocked out , does Sterigenics feel they should have stand by power on-site all the time. Mr. Wagner does not feel it is necessary to have a permanent back up system installed. Mr. Wagner stated if an outage were for an extended period of time, for example weeks, he could see installing it. Mr. Wagner stated fortunately the state they run under, they work with a very flammable gas but it is under a vacuum pressure with nitrogen and there is no air in the chamber which puts the gas in a non-flammable state. The pumps are designed to fail safe and do not allow anything to escape from the very thick steel chamber. Mr. Wagner also stated if they do decide to obtain temporary power they now know where it is available.

A **motion** by Councilman Bromley seconded by Councilman Collins and carried by a vote of 4 ayes to accept \$3,068 in state aid for 2017 Recreation Programming.

TOWN CLERK REPORT:

Town Clerk announced there will be an Interfaith Breakfast with Assemblywoman Carrie Woerner and Senator Kathy Marchione on September 14 at 9 am at the Saratoga Springs Methodist Church. The event will explore opioid addiction and recovery in Saratoga and Washington Counties with open discussion, reflection and prayer led by local leaders in the faith and human services communities.

Town Clerk announced there is a vacancy to be filled on the Board of Assessment Review Board.

Town Clerk reported she is preparing for the 2017-18 Hudson Falls Central School District tax collection.

LEGAL UPDATE:

Attorney Meyer reported it is pretty quiet and he is working on preparing a file to access the East Side property on Route 149 to conduct a Phase II.

HIGHWAY SUPERINTENDENT REPORT:

Michael Graham reported he will be paving Park Road, Bardin Road and Casey Road next week. The surplus grader will be advertised on Auctions International; the Town would like \$35,000.00.

Councilman Bromley asked about MS 4 for Ideal Dairy. Code Enforcement Officer Ross Cortese responded they have a Stormwater Permit and they have inspections every week because they are over the 5 acre allowance. Cortese receives reports every week.

SUPERVISOR REPORT:

Supervisor Hogan received a letter with a formal request from counsel of Dr. James Keller of North Country Property Holdings, LLC, North Country Veterinary Referral Center LLC and Countryside Veterinary Medical Group to re-negotiate the PILOT Agreement under a different company name. The Board will review the request and table the issue until the next Board Meeting on September 18, 2017.

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

Code Enforcement Officer: Variances 1; Site Plan 2; Total Fees \$600.00

Dog Control Officer: Complaints/Calls 41; Seizures 3; Dangerous Dogs 1; Unlicensed Dogs 5; Summons Issued 1; Bites Investigated 4; Mileage 441 – 31 to Fort Edward & 123 to Fort Ann

Town Comptroller: Receipts \$69,428.31; Disbursements \$332,354.37
Town Justice: Fees Collected \$27,691.00

PUBLIC COMMENT:

Ian Borlang commented he had heard that a lot of the culverts were going to be replaced after the last big rainstorm. Mr. Borlang would like to make sure the culvert at the corner of Hendee, Hartman and Stone Schoolhouse Road is included in this project. Borlang stated during the storm two issues arose; the first being the water level was up to the road on Hartman Road and secondly; 10 or 15 years ago when they widened the road they also raised the culvert. When they raised the culvert it stopped his property from draining properly; his footing drain is now below the culvert. If the culvert is replaced Borlang would like to increase the size of the culvert and change the elevation of the culvert back to its original configuration. A discussion followed. Michael Graham will meet with Mr. Borlang.

There being no further business before the Board a **motion** by Councilman Doyle seconded by Councilman Bromley and carried by a vote of 4 ayes to adjourn the meeting at 7:30 PM..

Respectfully submitted,

Cynthia A. Bardin, Town Clerk