

The second regular meeting of the Kingsbury Town Board was conducted on Monday, August 26, 2013 at the Kingsbury Town Hall, 210 Main Street, Hudson Falls, NY.

MEMBERS PRESENT: James T. Lindsay, Supervisor
Paul Bromley, Councilman
William Collins, Councilman
Richard Doyle, Councilman
Henry Freebern, Councilman

ALSO PRESENT: Michael Graham, Highway Superintendent
Kara Lais, Attorney for the Town
Jeffrey Meyer, Attorney for the Town
Mary Ordway, Town Comptroller

The meeting was called to order by Supervisor Lindsay at 7:00 p.m. and opened for order of business with the Flag Salute led by Councilman Freebern.

Motion by Councilman Bromley, seconded by Councilman Freebern and carried by a vote of 5 ayes to accept the minutes of the meeting held on August 12, 2013 as submitted by the Town Clerk.

At 7:05 p.m. the Supervisor instructed the Town Clerk to read the notice of public hearing relating to the application for a junkyard license by Earth, Waste and Metals located at the former Washington County Transfer Station site located on Route 196. Supervisor Lindsay stated that Mr. Kevin Elnicki is currently leasing the transfer stations from Washington County and operating under the county's DEC agreements for a period up to five years. Supervisor Lindsay opened the public hearing for public comments at 7:06 p.m.

Mr. Frederick Gage of 164 Martindale Avenue stated he was opposed to this application and he is against the sale of this valuable land by the county. He is also concerned about the use of the county's DEC agreement, tearing apart cars and expressed his concerns that East Side Recycling is being treated differently than Earth, Waste and Metals.

Mr. Joe Bernard of Burgoyne Avenue asked if Earth Waste and Metal has to operate under the same regulations as East Side.

Mr. Elnicki stated he was trying to comply with all the rules and regulations the Town requires and he is attempting to run a professional business. He also stated he is waiting for a building permit on his scale house.

Councilman Bromley stated that East Side needed a special permit with DEC to handle cars as they have had historical issues of non-compliance.

Supervisor Lindsay stated he attempted to contact Bill Lupo at DEC for an interpretation about Mr. Elnicki using the county's agreement under the lease.

Mr. Gage also stated that this area was in the middle of the Harrier Hawk habitat prior to Washington County building the transfer station. He also stated that since 1991 no leachates have been found in the brook of the aquifer and he hopes that will remain clean

Mr. Elnicki invited anyone who wished to tour his facility to come out any time. The Town Attorney cautioned the board members that no more than two should go out at one time or a notice of a public meeting would be required.

The Town Board left the public hearing open for further discussion.

LEGAL UPDATE:

Councilman Bromley asked about the status of the letter of credit from East Side. Kara had spoken to East Side's attorney and they are in the process of setting up another bank account to complete this.

Councilman Doyle asked what the status was regarding the receiver of taxes position. Kara reported that everything was on schedule and in order.

REPORTS:

The Town Clerk reported that she had been working on getting the polls ready for the Primary Election on September 10. The polls have been consolidated as far as workers in the sites. There is a Republican Primary in Kingsbury for Supervisor and a countywide Conservative Opportunity to Ballot.

She reported she had been contacted by Steve Peluso from NYS Taxation and Finance. He wants to come to one of our town board meeting and give a presentation about the resigning up for basic STAR eligible residents and he will stay after to help residents sign up.

Supervisor Lindsay reported that Ross Cortese is on vacation this week. He knows that Ross has been working on the building permit for the scale house for Mr. Elnicki. He also stated that Glens Falls Labels is interested in purchasing Lot 11 in the Industrial Park for a 2-phase expansion project.

Comptroller Mary Ordway stated she had given the board members a spreadsheet regarding the amount of money the Town has saved on health insurance. She stated the Town could renew the current insurance policy with a 6% increase or we had the option to increase the deductibles for the plans. **Motion** by Councilman Freebern, seconded by Councilman Bromley and carried by a vote of 5 ayes to continue with the current medical insurance plan with the same deductibles.

Highway Superintendent Michael Graham reported the highway garage facility is coming along very nicely. The firewall footing has been poured and the center piers have been

backfilled. He expects the steel part of the building to arrive in about 2 weeks. Councilman Bromley stated \$500,000 has been spent on the building this week.

Mary Ordway reported a budget amendment was necessary.

To: CHIPS 4.3501 \$27,000

Additional appropriation 4.5112.2 \$27,000

Michael Graham stated he would like to use this money to finish Geer Road and Crawford Land and all the town roads would be 20 feet wide. **Motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes approving the budget amendment.

WRITTEN REPORTS:

Motion by Councilman Freebern, seconded by Councilman Collins and carried by a vote of 5 ayes to accept the reports of certain town officers for the month of July as follows:

Code Enforcement Officer: No. Permits 5; Total Fees \$541.00

Dog Control Officer: No report.

Town Clerk: Paid to EnCon \$326.90; Paid to Supervisor \$2,489.32; Paid to NYS Department of Health \$202.50; State share Of Bingo \$292.50; State share of Games of Chance \$15.00; Paid to the Village of Hudson Falls \$101.00; Paid to Agriculture and Markets for Population Control \$120.00.

Town Comptroller: Receipts \$66,081.62; Disbursements \$360,280.07

Town Justice: Fees Collected \$11,208.00

There were no further Public Comments made.

There being no further business to come before the Town Board, **motion** by Councilman Freebern, seconded by Councilman Bromley and carried by a vote of 5 ayes to adjourn the meeting at 8:15 p.m.

Respectfully submitted,

Holly E. Mabb, RMC/CMC

<http://www.kingsburyny.gov>