

The second meeting of the Kingsbury Town Board was held on at 7 p.m. on December 28, 2015 at the Kingsbury Town Hall on 210 Main Street, Hudson Falls.

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

OTHERS PRESENT: Jeffrey Meyer, Attorney for the Town
 Michael Graham, Superintendent of Highways
 Ross Cortese, Code Enforcement Officer
 Ken Grant, Court Officer for the Village
 Dana Hogan, Supervisor Elect

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

The minutes of the December 14, 2015 meeting were accepted as submitted by the Town Clerk.

Attorney Meyer reported on the information received at the Court Consolidation meeting held at Town Hall this morning at 10 a.m. Judge Keenan contacted Matt Shivers of the Office of Court Administration via phone. Attorney Meyer commented there was some confusion as to the date when the consolidation would take place at the village and some tickets had been issued with wrong dates on them. The OCA found about the tickets and offered their assistance in the transition. Shivers sent a checklist with steps for the transition upon the dissolution of Village Courts that had been used in St. Lawrence County. Attorney Meyer explained that Court Clerk Laura Barody is going to have a lot to do. The Town will not have a lot to do but must make sure the paper work is in order. Matt Shivers will be available to assist and answer any questions concerning the transition. The Town will receive only open files; all closed existing files will remain property of the Village. Village Clerk Ellen Brayman will get a new computer system to research any closed files.

Councilman Bromley expressed his concern for no security at the New Court Room on Michigan Street. In the current location on 210 Main Street anyone entering the court room passes offices and employees before entering the court room; in the new Court Room there is a separate entrance which leaves the Court Clerk by herself. Ken Grant, Court Officer for the Village introduced himself and expressed an interest in working for the Town as Court Officer if the Town decides to employ a security officer. Supervisor Lindsay stated the Board will discuss the possibility of a security officer on Court days.

Councilman Bromley gave an update on the new Town Hall at 6 Michigan Street. The heating system is 40% complete and operational; the rest of the sheetrock will be delivered tomorrow, the wiring is almost complete and when complete the spray foam can be completed. The doors will be installed this week and the last window will be installed after the sheetrock is delivered. Supervisor Lindsay would like to move Town records into the basement area. Councilman Bromley explained that will be possible once the ductwork is complete, the lights are installed, the spray foam is complete and the floor is sealed in the basement area.

Attorney Meyer reported he had received a call from Tony Dawson to let him know that East Side does not have pollution insurance. Attorney Meyer explained it is possible for them to still make a payment to re-instate the insurance. Councilman Bromley asked if the insurance was in effect at this time. Attorney Meyer explained the insurance is not in effect but there still is coverage. He also explained to bind the coverage you must pay for the year. East Side was unable to do that and contracted with a company who has financed them for a year. East Side is to make monthly payments to the finance company and has fallen behind two months. The finance company is trying to withdraw payments to the insurance company. Councilman Freebern asked Attorney Meyer if Code Enforcement Officer Ross Cortese should go and lock up East Side. Attorney Meyer stated "That's the advice, at a minimum a violation notice." After discussion the Board decided to have Cortese serve a violation notice stating East Side must shut their doors until the pollution insurance is re-instated.

Supervisor Lindsay asked Attorney Meyer if he had any contact with Attorney Lapper (legal representative of Rich Schermerhorn) in regard to the sale of the former Dix Avenue Drive-In property. Meyer had sent an email to Lapper in December stating if you really want to close in January, you must submit something to the Planning Board by December 21st to receive approval from the Planning Board at the January Meeting. Meyer also sent another email asking if they had tried reaching out to the sewer district. Lapper's response was the project has been designed and approved for on-site septic; they are waiting on DEC and do not expect it to be much longer. Councilman Freebern asked Meyer why are they saying they are waiting for DEC. Meyer explained because he needs a permit because he will be discharging water into the ground from the septic system. Councilman Freebern asked Attorney Meyer to contact DEC to confirm that Schermerhorn is waiting for a reply from the DEC. Councilman Doyle asked if Schermerhorn had ever reached out to the Sewer District to negotiate. Meyer responded "Not really."

A discussion followed among the Board.

Attorney Meyer had received a signed copy of the signed deed from the IDA for Park Road. A resolution had been passed at the December 14, 2015 Town Board Meeting accepting dedication of a new Town Highway (Park Road) from the Counties of Warren & Washington Industrial Development Agency.

Town Clerk reported the Town/County taxes are ready for mailing. The tax bills arrive from the County unsealed in separate envelopes. The County does bundle multiple bills for taxpayers owning 5 or more parcels. The Town saved \$242.50 in postage fees by mailing multiple tax bills together to taxpayers owning two to four parcels.

Town Clerk also reported she had received no response from the ad for a BAR member. Councilman Doyle asked if former Town Clerk Holly Mabb would be interested; or if she knew someone who would be interested.

Code Enforcement Ross Cortese is concerned with the term opt-out which was mentioned by Attorney Fuller at the last Board Meeting. The Town is considering having the County take over some of the Planning/Zoning responsibilities. He explained there are things they would still want to do if this occurs. Both fire departments want Code Enforcement Officer, Ross Cortese to continue to support the fire department. Ross would still be the one to post any damage to a house or an apartment after a fire. If repairs or demolition is necessary the County would step in and issue the permit. A discussion followed; Supervisor Lindsay suggested that a meeting be scheduled with Attorney Meyer, Attorney Nikas, and Roger Wicks.

Highway Superintendent Michael Graham reported he and Dennis Sullivan had conducted a Snow Plow Safety Program at the Dix Avenue Primary School. He also reported the new sign at the Highway Garage had been installed by Dave Myers.

Councilman Doyle reported there had been another meeting with the committee studying water rates for the Town of Kingsbury. A **motion** by Councilman Doyle seconded by Councilman Freebern and carried by a vote of 5 ayes for the following resolution:

FEE SCHEDULE AS ESTABLISHED BY RESOLUTION

Rates

Residential -
 0-10,000 Gallons \$50.00 minimum, plus \$2.75 for each 1,000 gallons.
 Per Quarter

Commercial -
 0-12,500 Gallons \$62.50 minimum, plus \$2.75 for each 1,000 gallons.
 Per Month

Apartment buildings and multiple dwelling residential units having and more than 4 residential units owners shall be billed an additional \$7.25 per residential unit, and receive an additional 1,500 gallons per month for each additional residential unit.

Out of District Users All out of district users shall pay the rates established herein, plus an additional 25%

Service Fees

Service turn-off \$25.00
 Service turn-on \$25.00
 Meter testing \$25.00

Tapping Fee Schedule

Size	Fee with Meter	Fee Meter Only
¾ inch Short	\$770	\$250
¾ inch Long	\$1,230	\$250
1 inch Short	\$910	\$385
1 inch Long	\$1,380	\$385
1 ½ inch Short	\$1,150	\$550
1 ½ inch Long	\$1,800	\$550
2 inch Short	\$1,575	\$675
2 inch Long	\$2,200	\$675

Councilman Doyle requested a brief executive session to discuss personal issues.

Councilman Bromley told Supervisor Lindsay that he enjoyed working with him; even though they did not always agree. Supervisor Lindsay stated he was fortunate for the opportunity to work with a good Board; and Supervisor-Elect Dana Hogan has a good team to work with. Supervisor Lindsay proceeded to reminisce and feels he is leaving the Town in good hands with Dana Hogan.

A **motion** by Councilman Doyle seconded by Councilman Freebern and carried by a vote of 5 ayes to accept the following reports for the month of November:

Dog Control Officer: Complaints/Calls 32; Seizures 2; Unlicensed Dogs 12;
Summons Issued 2; Bites Investigated 1; Mileage 356 with 88 charged to FE & 78 to FA

Town Clerk: Paid to EnCon 1,103.67; Paid to Supervisor 2,000.69;
Paid to Ag & Markets for Population Control

Town Comptroller: Receipts 864,740.76; Disbursements 987,219.77

Town Justice: Fees Collected: 10,858.00

A **motion** by Councilman Doyle seconded by Councilman Freebern and carried by a vote of 5 ayes to enter into executive session at 8:10 p.m.

A **motion** by Councilman Doyle seconded by Councilman Freebern and carried by a vote of 5 ayes to come out of executive session.

There being no further business before the Board a **motion** by Councilman Bromley seconded by Councilman Collins and carried by a vote of 5 ayes to adjourn the meeting at 8:30 p.m.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk

<http://www.kingsburyny.gov>