

The second regular meeting of the Kingsbury Town Board was held on July 27, 2015 at 7 p.m. at the Kingsbury Town Hall, 210 Main Street, Hudson Falls, New York.

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

ALSO PRESENT: Ross Cortese, Code Enforcement Officer  
Michael Graham, Superintendent of Highways  
Jeffrey Meyer, Attorney for the Town

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

The minutes of the July 13, 2015 Board Meeting and the Special Meeting held on July 20, 2015 were accepted as submitted by the Town Clerk.

Supervisor Lindsay requested the Town Clerk read the Notice of Public Hearing as follows:

TOWN OF KINGSBURY, NEW YORK  
NOTICE OF PUBLIC HEARING  
REGULATION OF SOLAR ENERGY COLLECTORS

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Kingsbury on Monday July 27, 2015 at 7:05 pm at the Offices of the Town of Kingsbury, 210 Main Street, Hudson Falls, NY, to discuss the proposed local law regulating the use of Solar Energy Collectors; an opportunity to be heard in regard thereto will be given to any party wishing to be heard.

By Order of the Kingsbury Town Board,

Cynthia A. Bardin, Town Clerk

Dated: July 15, 2015

Publish: As soon as possible

At 7:05 pm Supervisor Lindsay opened the public hearing, there being no public comment a **motion** by Councilman Doyle seconded by Councilman Bromley and carried by a vote of 4 ayes to table the public hearing until the next Board meeting on August 10, 2015. Attorney Meyer will work with Code Enforcement Ross Cortese to send everything to the County for the next Planning Meeting.

A **motion** by Councilman Doyle seconded by Councilman Collins and carried by a vote of 4 ayes to re-appoint Sondra Michaud to the Zoning Board of Appeals for a 5-year term.

A **motion** by Councilman Collins seconded by Councilman Bromley and carried by a vote of 4 ayes for an amendment to the Social Media portion of the Employee Handbook which will remove the words " or insensitive" from the following:

Directing comments, or sharing images that are discriminatory or insensitive to any individual or group based on race, religion, gender, disability, sexual orientation, national origin, or any other characteristic protected by law.

Dog Control Officer Todd Humiston reported on the progress of Phase I of the Dog Enumeration (Census). Mailers have been sent to the residents of the Town. 122 licenses have been issued by the Town Clerk's Office; 70 are brand new licenses, 45 were updates of expired licenses and 7 were normal renewals. Humiston reported the license sales have generated \$1,620.50 since last Monday. Humiston reported with the dog license sales, the cost of the mailers will be paid for by tomorrow.

Councilman Bromley reported on the progress of the renovation and construction of 6 Michigan Street. The floor for the basement of the new Court will be poured next week. The backfilling will be complete on Wednesday.

Attorney Meyer reported he had been in contact with Craig Darby in regard to the sale of the former Highway Garage. Darby must finish his due diligence and create a title commitment. The new owner will use the facility as a garage which will not require Planning Board Review, but he must write a letter to Ross Cortese, Code Enforcement Officer, with his intent. Superintendent of Highways, Michael Graham commented that the back steps of the nearby neighbor of the old Highway Garage are located on the Town property.

Councilman Bromley asked about the status of the sale of the former Dix Drive-In to Schermerhorn. Attorney Meyer responded the last he heard, Schermerhorn is waiting for a response from the DEC. Supervisor Lindsay will contact Mr. Schermerhorn to see if there is a chance of closing on the sale before the budget for next year is prepared.

#### LEGAL UPDATE:

Attorney Meyer reported we still have a hand full of Article 7's, including Commercial Net Lease (Rite Aid) and Keylock; and a new one from Cumberland Farms.

Supervisor Lindsay reported the annual Tony Luciano Run is scheduled for August 23, 2015. The Town does not have to give permission, but appreciates the notification. The money generated from the run is donated to charitable organizations.

Supervisor Lindsay reported the Town had received a message from the Department of Environmental Conservation indicating there has been a classification change at the Kingsbury Landfill. The classification has changed from a two (2) to a four (4). A four (4) means the mitigation has worked and it is less hazardous, but is still being monitored.

The Board discussed applying for the 2015-16 Justice Assistance Program (JCAP) Grant. Supervisor Lindsay will research additional contacts for additional information. The JCAP Grant must be submitted by October 16, 2015.

A **motion** by Councilman Bromley seconded by Councilman Freebern and carried by a vote of 5 ayes giving Michael Graham, Superintendent of Highways permission to request a change of the speed limit from 55 mph to 45 mph on the following Town roads:

Hendee Road, Hartman Road, Stone Schoolhouse Road and Kingsbury Road

Superintendent of Highways Michael Graham and the Board discussed the installation of the culvert on Town Line Road. In October Graham will pave (the portion where the culvert was installed) the road with binder before winter, next spring they will put a top on it. Graham will be paving Hartman Road tomorrow and then Jakway Road with binder this year and stone and oil next year.

Graham also reported Galusha had paved the new road in the Industrial Park. Attorney Meyer commented the IDA and Galusha are arguing over who is responsible for payment of the survey for the new road. Meyer also commented once they get the survey, the title insurance and the proposed deed, it will be determined if an easement is necessary for the fire hydrant.

Supervisor Lindsay reported the County has hired a person to work with Kevin Hayes, Washington County Administrator from October until December, to learn Mr. Hayes's current job. The County will also be interviewing for Director of Emergency Services because Bill Cook is going to retire.

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 June as follows:

Code Enforcement Officer: No. Permits 13; Research Fees \$75.00; Trailer Asst's : 2; Total Fees: \$1,396.00

Dog Control Officer: Complaints/Calls: 44; Seizures: 7; Unlicensed Dogs: 17; Summons Issued: 3; Bites Investigated: 3; Mileage: 582 with 130 charged to Fort Edward, 74 charged to Fort Ann; Dangerous Dogs: 3

Town Clerk: Paid to EnCon: \$481.12; Paid to Supervisor: \$3,824.65; Paid to NYS Dept. of Health \$247.50; State Share of Bingo \$281.25; Paid to the Village of Hudson Falls: \$152.00; Paid to Ag & Markets for Population Control: \$122.00

Town Comptroller: Receipts: \$74,549.55; Disbursements: \$444,272.75

Town Justice: Fees Collected: \$12,267.50

There being no further business before the Board a **motion** by Councilman Doyle seconded by Councilman Collins and carried by a vote of 5 ayes to adjourn the meeting at 8:00 p.m.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk

<http://www.kingsburyny.gov>