

The first regular meeting of the Kingsbury Town Board was held on January 11, 2016 at the Kingsbury Town Hall at 210 Main Street, Hudson Falls.

MEMBERS PRESENT: Dana Hogan, Supervisor  
Paul Bromley, Councilman  
William Collins, Councilman  
Richard Doyle, Councilman  
Henry Freebern, Councilman

OTHERS PRESENT: Ross Cortese, Code Enforcement Officer  
James T. Lindsay, Retired Supervisor  
Michael Graham, Superintendent of Highways  
Mary Ordway, Comptroller

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

The minutes of the December 28, 2015 Town Board Meeting and the Special Meeting held on December 31, 2015 were accepted as submitted by Town Clerk on a **motion** by Councilman Freebern seconded by Councilman Collins and carried by a vote of 5 ayes.

Supervisor Hogan requested that James Lindsay, retired Supervisor, approach the Board. Supervisor Hogan read and presented the following proclamation to Lindsay:

**PROCLAMATION FROM THE TOWN OF KINGSBURY**

**IN RECOGNITION OF JAMES T. LINDSAY**

**FOR EXEMPLARY AND DISTINGUISHED SERVICE TO**

**THE TOWN OF KINGSBURY**

**Whereas, James T. Lindsay has served the Town of Kingsbury since 2006 in his position of Town Supervisor; andWhereas, James T. Lindsay will retire from his position as Supervisor effective December 31, 2015; andWhereas, the citizens of the Town of Kingsbury have been most fortunate to have had a person of his capabilities and dedication; andWhereas, James T. Lindsay has been an important resource, advocate, and friend for our community;Whereas, we deeply appreciate the important contributions James T. Lindsay has made to our Town government and to the progress of our community;Now, therefore it be resolved... we extend our appreciation to James T. Lindsay for his ten years of service and our best wishes for happiness in all his future endeavors.**

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**Henry Freebern, Deputy Supervisor**

The Board received copies of the Procurement Policy and the Credit Card Policy which they will review and discuss at the next Board Meeting on January 25, 2016.

Code Enforcement Officer Ross Cortese explained the resolution for the Exemption of Matters of Local Concern from County Planning Review. It is a boiler plate resolution that all the municipalities must agree to submit certain planning and zoning actions to the Washington County Planning Board for their review and recommendation. The resolution must be agreed upon and signed by the Town Board, Planning Board and Zoning Board. A **motion** by Councilman Bromley seconded by Councilman Freebern and carried by a vote of 5 ayes for Supervisor Hogan to sign the following agreement:

Resolution No: 1 of 2016

Date: January 11, 2016

**TITLE: Exemption of Matters of Local Concern from County Planning Review**

WHEREAS, the Washington County Planning Board was created by the Washington County Board of Supervisors as provided by Article 12 B of the General Municipal Law; and

WHEREAS, the provisions of General Municipal Law Article B, Section 239 l and m (GML 239) require local municipal bodies in Washington County to submit certain planning and zoning actions to the Washington County Planning Board for said Board's review and recommendation unless excepted by an agreement approved by the municipal body; and the County Planning Board that such matter is of a local rather than an inter-municipal or county-wide concern; and

WHEREAS, it is in the interest of the County and local municipal bodies for a local municipal body to be able to take action on matters of local concern without being bound by the referral requirements of GML 239; and

WHEREAS, having such an agreement for exception of matters which are not of an inter-municipal or county-wide concern is not detrimental to the County or the Town of Kingsbury Planning Board; and

WHEREAS, the Washington County Planning Board has established a process for exempting matters and actions of local concern from the referral requirements of GML 239; now, therefore, be it

RESOLVED, that the attached agreement entitled "*Exemption of Matters of Local Concern from County Planning Review Agreement*" shall exempt actions of local concern under this agreement from the referral requirements of GML 239 shall exist between the County Planning Board and the Town of Kingsbury Planning Board; and be it further

RESOLVED, that said agreement shall apply to zoning reviews and actions of the Town of Kingsbury Planning Board; and be it further

RESOLVED, that a copy of this resolution with the attached agreement shall be provided to the Washington County Planning Board; and be it further

RESOLVED, that this agreement shall take effect immediately.

Carried: 5

Introduced by: Ross Cortese, Code Enforcement Officer

Ayes: 5

Motion by: Councilman Bromley

Nayes:0

Seconded by: Councilman Freebern

{Seal}

Signature: \_\_\_\_\_

Town of Kingsbury Planning Board, Authorized Official

Councilman Doyle reported he had received an email from Attorney Meyer alerting him that the Fee Schedule for the amended water rates had an error on the Commercial Users gallons used per month. The letter incorrectly indicated 15,000 gallons, the resolution read 12,500 gallons. After discussion it was decided Comptroller Mary Ordway will write a letter to enclose with the January bill to the Commercial users, with the correction.

Town Clerk reported there was still an open seat on the Board of Assessment Review. Town Clerk asked permission to post a notification in the Community portion of the Post Star, at no charge, seeking applications for the position. The Board gave permission for the Town Clerk to have the notice published. Comptroller Mary Ordway volunteered to accept the position. Councilman Bromley asked if there would be a conflict of interest. Supervisor Hogan will check with Attorney Meyer to make sure there is no conflict of interest.

The Board received a report from Town Clerk as follows:

TO: Supervisor Hogan  
Councilman: Bromley, Collins, Doyle & Freebern

FROM: Tax Collector: Cynthia A. Bardin

SUBJECT: 2016 Town & County Tax Collection

DATE: January 11, 2016

January 11, 2016 – Paid to Supervisor \$474,116.68

The Town Clerk had recently received a request from a grand-parent asking if he could have a poster that featured the Recreation Commission Fall soccer teams. The poster is displayed in the lobby area of the Town Hall. He would like to give the poster to his grand-daughter. After discussion Debbie Battiste, Recreation Director and Tom Darfler decided the Recreation Committee should keep the poster. Their feelings are if they give it away to one grandparent, they should be prepared to offer it to many more that may want one. There would also be a privacy issue; as many children are on the poster with their teams.

Councilman Doyle asked the Town Clerk if she had any information about making tax payments in installments. Town Clerk reported she had contacted Washington County Treasurer Al Nolette and was waiting for a return call. Supervisor Hogan will speak with Nolette at a finance committee meeting tomorrow morning.

The Town Clerk reported the contract with Countryside Veterinary had expired on December 31, 2015. After discussion the Town Clerk will contact Countryside Veterinary and the Town Attorney.

Code Enforcement Ross Cortese reported he had received a text from Dennis Kelly on Saturday January 9, 2016. Kelly stated that RWS was operating at 3:30 pm on that day. RWS is to cease operations at 3 pm on Saturday for the week. Cortese contacted Plant Manager Don Student immediately. Student stated they were not running. Cortese told him the Town had received an official complaint and RWS would be notified and the Town will not tolerate this.

Cortese reported there was no change with East Side; they continue to have their doors closed.

Cortese reported there will be a Planning Board Meeting on January 20, 2016. Dennis Vadnais would like to place propane storage tanks on Towpath Road.

Comptroller Mary Ordway reported she had worked with Dean Westcott of Northeast Information Systems about a phone system for the new Town Hall. In about two years you will not be able to get parts for the current system used by the Town. The total cost of a new telephone system would be \$26,081.00 and is under State Contract. At this time it is necessary to get everything on order. Mr. Westcott has asked for a 50% deposit of the cable contract and 50% of the Mitel System labor and installation for a total of \$8,996.00 and approval for Supervisor to sign the contracts. A **motion** by Councilman Bromley seconded by Councilman Freebern and carried by a vote of 5 ayes for Supervisor Hogan to sign the contracts and for Comptroller Ordway to issue a deposit check to Northeast Information Systems in the amount of \$8,996.00.

Cornerstone is the Town's current telephone service provider. Primelink is a provider of telephone service and will match the long-distance cost per minute. Primelink is a different system than Cornerstone. The contract with Primelink is marked "confidential" and "proprietary". Comptroller Ordway would like to have Dean Westcott and the attorney review the contract because she does not understand it. Councilman Bromley made a request to read the contract. Comptroller Ordway would like to make sure there is no duplication of services with Northeast and Primelink. Comptroller Ordway stated Primelink comes with good references. After discussion a **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes giving permission for Supervisor Hogan to sign the contract with Primelink, contingent upon attorney review.

Councilman Bromley stated tentatively the new Town Hall will be open on March 1, 2016.

Superintendent of Highways Michael Graham reported the new loader was delivered on Wednesday January 6, 2016. Graham also reported they had been cutting brush at Route 149 and Kingsbury Road.

Councilman Doyle announced he had some requests. He would like the number of miles in each township in Washington County for comparison purposes for costing. Doyle also requested a cost of the expenses of the new Town Hall. He would also like an additional meeting of the committee studying the water rates to assign cost for future development. Councilman Doyle would like to contact some solar companies to see if we could get some kind of solar array to off-set the Town's street lighting costs.

Comptroller Ordway reported the Town received a \$30,000.00 grant from the Justice Court Assistance Program for the Court at the new Town Hall.

Supervisor Hogan reported on the status of the Dix Avenue Drive-In pending sale to Rich Schermerhorn. Schermerhorn is waiting for an approval from DEC for the septic system. Attorney Meyer reached out to

Randy Galusha of the DEC in regard to the status of Schermerhorn's application. Galusha confirmed that Schermerhorn is waiting upon department approvals and the plans have been with the DEC for an extended period of time, they will be reviewed and comments will be sent in the next two weeks.

Supervisor Hogan has received a request to serve as a contact with the Town of Kingsbury as part of the municipal sponsorship on the bike path feasibility study. Jeanne Williams, President of the Feeder Canal Alliance, Laura Oswald, Director Economic Development for Washington County and Aaron Frankenfeld of the Adirondack/Greater Glens Falls Transportation Council would like the Town of Kingsbury to participate in a consideration of funding for a feasibility study in an attempt to link the bike path from Fort Ann to the Feeder Canal Bike Path. Municipal sponsorship essentially means the Supervisor would have to participate in meetings, review study materials and also assist with public outreach. No funds will be needed from the Town. A discussion followed. Supervisor Hogan will send an e-mail to Aaron Frankenfeld to let him know he will serve as a contact.

Supervisor Hogan received an email with a complaint about the fire at RWS. Code Enforcement Officer Cortese followed up and has a fire inspection scheduled for January 27, 2016.

Supervisor Hogan requested an executive session to discuss the court consolidation.

A **motion** by Councilman Freebern seconded by Councilman Collins and carried by a vote of 5 ayes to enter into executive session at 8:00 p.m.

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

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 8:10 p.m.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk