

The Organizational Meeting of the Kingsbury Town Board was conducted on Monday, January 14, 2013 at the Kingsbury Town Hall, 210 Main Street, Hudson Falls, NY.

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

OTHERS PRESENT WERE: Michael Graham, Highway Superintendent
Ross Cortese, Code Enforcement
John Aspland Jr. Attorney for the Town

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 Collins.

The acceptance of the Dec. 10, 2012 meeting was put off until the next meeting.

On a **motion** by Councilman Bromley, seconded by Councilman Collins and carried by a vote of 5 ayes the following appointments were made:

Dog Control Officer (1year) Frank Diamond
Representative to the Senior Center of the Kingsbury/Fort Edward Area Inc. - James Lindsay
Investigating Officer for Bingo - William Collins
Attorney for the Town - Fitzgerald, Morris, Baker, Firth, P.C.
Budget Officer and Personnel Officer - Mary Ordway
Recreation Director (1year) Deborah Battiste
Health Officer - Town Board with no compensation
Crossing Guard: Carol Mosher, Captain, Arthur Dashnaw, Irene Field, Thomas Beadnell

On a **motion** by Councilman Freebern, seconded by Councilman Collins and carried by a vote of 5 ayes the following contracts were accepted.

Annual Contract:
Hudson Falls Free Library - \$30,000.00
Kingsbury Volunteer Hose Company No.1, Inc. \$223,795.00
The Senior Center of Kingsbury/Fort Edward Area, Inc. \$10,500.00
Countryside Veterinary Hospital for Shelter Services

The following Town Official informed the Town Board of their designations: On a **motion** by Councilman Doyle, seconded by Councilman Freebern, and carried by a vote of 5 ayes the following Designations were made:

Town Clerk Holly Mabb designates Sylvia Weaver as First Deputy Town Clerk and Michelle Radliff as Second Deputy Town Clerk .

Cynthia Bardin Receiver of Taxes and Assessments designates Linda S. Bowe as First Deputy Receiver and Frances A. Lewis, Second Deputy Receiver.

Highway Superintendent Michael Graham designates Timothy Morgan, Deputy Highway Superintendent and James Chase, Water Superintendent.

Town Justice Michael Keenan designates Laura Barody, Justice Court Clerk.

Town Supervisor Lindsay designates Henry C. Freebern, Deputy Supervisor

On a **motion** by Councilman Doyle seconded by Councilman Freebern and carried by a vote of 5 ayes the following position were designated by the Town Board.

Records Management Officer, Issuing Officer for Bingo and Games of Chance, Issuing Agent for Disabled Parking Permits and Records Access Officer - Holly Mabb

Board of Ethics: Holly E. Mabb, Walter Sutliff and Ron Baker

Official Town Newspaper - The Post Star

On a **motion** by Councilman Freebern, seconded by Councilman Doyle and carried by a vote of 5 ayes to designate Glens Falls National Bank and Trust Company as the Official Town Depository for deposit and safekeeping of all Town funds. Mr. Doyle asked if we had looked around at different banks and if not that we should .

Town Board meetings will be the second and fourth Monday at 7:00 p.m.

On a **motion** by Councilman Bromley, seconded by Councilman Freebern and carried by a vote of 5 ayes the comptroller shall have ninety (90) days after the close of the fiscal year to submit the annual Report to the Town Board and the Office of the State Comptroller. Also a copy to the Town Clerk within ninety (90) days after the close of the fiscal year and that the Town Clerk shall cause a summary of such report to be published within ten (10) days after receipt in the Post Star.

On a **motion** by Councilman Freebern, seconded by Councilman Doyle and carried by a vote of 5 ayes the mileage rate for Town Officials who use their own vehicles for Town Business was set at \$.50 cents per mile.

On a **motion** by Councilman Doyle, seconded by Councilman Freebern and carried by a vote of 5 ayes to accept Supervisor Lindsay appointments:

Recreation Commission Liaison - Henry Freebern; William Collins, alternate
Public Safety: Councilman Freebern and Councilman Doyle
Building and Grounds/Highway - Councilman Freebern and Bromley
Insurance - Councilman Collins and Doyle

Legal/Legislative - Councilman Collins and Doyle
Budget/Personnel - Councilman Collins and Bromley

Supervisor Lindsay passed out information regarding the Association of Towns meeting that is coming up incase anyone was interested in going.

Mr. Lindsay reported that he had received a letter from Upstate Appraisal Service and that they had reviewed the proposed appraisal for the 1177 & 1189 Dix Ave property . Neil Cherkosly feels based on his review of the contract and original evaluation , the \$575,000 offer seems like an excellent one for this property. This assumes that the hook-up cost into the Washington Co. sewer district would be \$2,500/unit and that around 100 units could be approved per my report. The purchaser would certainly be considered a “motivated” party based on being an abutting owner. It seems highly unlikely that anyone would pay more in the current market . The attorneys are drafting up an agreement to show cause and will take it to Judge Krogman for permission to sell the property.

Supervisor Lindsay said that he, Councilman Bromley, Mayor Barton, Mr. Cook and Jim Gallagher from the Village had met with Frank Yakubec the architect to go over some different designs for a addition to the Village Hall. They chose two designs that they thought would work and Mr Yakubeck will now develop it more with two different options. He will come up with a 3D design so that people will be able to understand them better. He should have a plan back to us by the end of February. Before there is a final decision the employee should get a chance to look it over for there input.

Councilman Bromley said that the Engineers are still working on the new Highway plans and that hopefully by April they will be ready to go to bid. Mr. Bromley stated they hope to be ready to go out for bids on the well soon.

Mr. Lindsay had received a letter from Recreation Director Debbie Battise that the Recreation commission would like to appoint Rebecca Smith to fill the vacancy of Stacey Davis. They would like to appoint Bruce Inglee as an alternate Recreation Commission member to replace Rebecca’s Vacancy. **Motion** by Councilman Freebern, seconded by Councilman Collins and carried by a vote of 5 ayes to accept these appointments.

Supervisor Lindsay reported several Budget Transfers for year ending 12-31-2012

Motion made by Councilman Freebern, seconded by Councilman Collins and carried by a vote of 5 ayes for the following transfer.

From: Budg. Prov. Other Uses	3.9620.0	26,200
To: Machinery equip	3.5130.2	26,200

Motion made by Councilman Doyle, seconded by Councilman Collins and carried by a vote of 5 ayes for the following transfer.

From: Central Garage Capital 10.513.2 1,280.00
To: Engr. Cap. Project 10.1440.4 1,280.00

Motion made by Councilman Freebern, seconded by Councilman Collins and carried by a vote of 5 ayes for the following transfer.

From: Supervisor Cont. 1.1220.4 1,300.00
To: Comptroller Cont. 1.1315.4 1,300.00

Motion made by Councilman Doyle, seconded by Councilman Bromley and carried by a vote of 5 ayes for the following transfer:

From: Bridges P.S. 3.5120.1 5,000
Bridges Contr. 3.5120.4 2,500
To: Machinery Contr. 3.5130.4 7,500

Motion made by Councilman Freebern, seconded and carried by a vote of 5 ayes for the following Budget Amendment for Year End 12-3-2012.

Increase Revenues -Sale of Equipment 3.2655 \$35,000.00
Increase Approp. Machinery Equipment 3.5130.2 \$35,000.00

Highway Superintendent Michael Graham reported that he had been having not so good reports from the state on the tow culvert on Town Line Road going over Wood Creek The pipes are wearing out and we need to repair them now. There are 2 pipes that need to be repaired as there is rot at the bottom of the two tubes. This problem is shared by the town of Argyle and the work and expenses to repair these two pipes will be shared 50-50 by the town of Argyle. The expected cost for the pipes for the relining are \$37,000 for a set that would be guaranteed for 40 years and \$44,000 for a set that would be guaranteed for 60 years.

Ross Cortese code enforcement told the board that he and Attorney Meyer have been working on Zoning changes for the Town and they would be submitting the changes to them for Board approval.

Councilman Bromley stated he understood that the berm, sound wall and storm water work was not done by RWS as they said they would do and he wanted to know what action the board could do about the failure to do so. Mr. Cortese said that he would send a letter of non compliance to them giving them a time frame to comply to having the berm, sound wall and the stabilization done. If at that time they still haven't complied the Town Board will hold a meeting to decide how to take action on them.

A **motion** made by Councilman Freebern, seconded by Councilman Bromley and carried by a vote of 5 ayes to entered into executive session at 8:00 p.m. to discus litigation.

A **motion** made by Councilman Collins, seconded by Councilman Freebern and carried by a vote of 5 ayes to enter back into regular session.

A **motion** made by Councilman Freebern, seconded by Councilman and carried by a vote of 5 ayes for Attorney Aspland to prepare settlement document to settle the Article 7 which was served by the Quarry LLC against the Town of Kingsbury in the amount stated in the petition. The board voted to assess the property at \$450,000 for 2012 and to re-evaluate it in the coming year.

There being no more business a **motion** was made by Councilman Freebern, seconded by Councilman Collins and carried by a vote of 5 ayes to adjourn the meeting at 8:29 p.m.

Respectively submitted by

Sylvia Weaver, Dep. Clerk

<http://www.kingsburyny.gov>