

The second regular meeting of the Kingsbury Town Board was conducted on March 23, 2015 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

ABSENT: Henry Freebern, Councilman

OTHERS PRESENT: Jeffrey Meyer, Attorney for the Town

Michael Graham, Superintendent of Highways

Ross Cortese, Code Enforcement Officer

Paul Loding, Town Historian

Dave Meager, Adirondack Trust Insurance

Max Mc Donnell, Kingsbury/Fort Edward Senior Center Director

Kevin Hayes, Washington County Administrator

Al Nolette, Washington County Treasurer

Gillian Black from Solar City

Residents: Bill Heil, Chuck Friedman, Dennis Kelly, Dennis Kelly, Stacy

Davis, Robert Newell

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 minutes of the March 9, 2015 Town Board Meeting were accepted as submitted by the Town Clerk.

Dave Meager of Adirondack Trust Insurance presented an overview of the current insurance carried by the Town. Mr. Meager shopped the market for the Town to make sure the Town was getting the best pricing and coverage. Mr. Meager explained that the Town would save \$6,000.00 with little change to the coverage; with a recommendation that the Town insure with New York Municipal Insurance Reciprocal (NYMIR). Mr. Meager explained that the Reciprocal was formed in 1985, when there was an insurance crisis. The Reciprocal insures more than half of the public entities in New York State, with the best coverage, because that is all they do is to insure towns, cities, villages and counties. Mr. Meager commented that the Town of Kingsbury is the only municipality in Washington County not insured by NYMIR. Mr. Meager explained that there has never been a need for the Town to insure with NYMIR;

coverage was always found at a lower rate with another provider. Mr. Meager explained that with the Reciprocal the Town must pay a \$545.43 capitalization fee each year over a 5 – year period. Mr. Meager commented that on April 5, 2015 the insurance coverage will need to be renewed. Mr. Meager presented a premium summary as follows:

HCC Annualized Expiring - \$39,622.00

HCC Renewal Proposal - \$40,442.88

NYMIR Proposal - \$33,920.56

A **motion** by Councilman Bromley seconded by Councilman Doyle and carried by a vote of 4 ayes to accept the NYMIR proposal contingent upon final attorney approval review.

Kingsbury/Fort Edward Senior Center Director Max McDonnell presents an update as follows:

A Special 2014 Summary and 2015 Planner Presentation for the Town of Kingsbury Monday, March 23, 2015

Welcome to the Senior Center of the Kingsbury and Fort Edward Area, Inc.

Our goal is to introduce new and interesting ways, for older adults to stay independent, and age well in their community, within a modern upbeat setting.

You can reach us at OUR website: www.seniorcenterkfe.com Visit us at 78 Oak Street Hudson Falls, or call us at 747-9352 or email us at maxmcdonnell@yahoo.com

Check out our calendar or newsletter for various events and activities.

2015 Goals

Community Interaction and Involvement:

Let's reach out and get the word out in the community, about OUR senior center.

Reach out and connect with “baby boomers” and seniors at subsidized and market rate senior apts, adult care facilities, family type homes for adults, retirement living, and nursing homes. Reach out and connect with area churches, libraries, schools, clubs and organizations such as the Amer. Legion, AARP, Rotary, VFW, Elks, K of C, Eagles, Rogers Island Visitors Center...restaurants, museums, and attractions.

Marketing the center through aggressive advertising / promotion campaigns. Increase volunteering at the center. Creative and innovative fundraising ideas and efforts.

Informative presentations. The senior center facility is available for small parties and gatherings, special occasions, family reunions. Full kitchen is available, capacity for 50 people. For more information call Max McDonnell @ 747-9352.

2014 Summary and Totals

Senior Volunteer Hours	1,074
RSVP Volunteer Hours	752

Total Volunteer Time/Value	1,826
Total In-Kind Cash (actual \$dollars)	\$1,744
Total Value in \$dollars	\$41,176
Meals / Lunches served	4,452
Bus Transportation (pick up and delivery)	2,740
Senior Center Website visits	15,705

2015 Fundraising Schedule

Easter Ham Raffle 4/2/15
Spring Card and Board Game Party 4/25/15
Spring Bake and Craft Sale @ Earl Towers 5/14/15
2nd Annual Chicken BBQ 5/31/15
4th Annual Spaghetti Dinner 9/26/15
Fall Card and Board Game Party 10/17/15
Fall Bake and Craft Sale @ Earl Towers 11/12/15
Christmas / Holiday Turkey Raffle 12/17/15

Be sure to visit OUR website, for more about us, senior center news, programs, services, activities calendar, resources, and contact information. Help make a difference... donate...volunteer.

In closing, I would like to thank the Town of Kingsbury for the \$ money you give the senior center.

John Max McDonnell
Director

Councilman Bromley thanks Max McDonnell for his work with the Senior Center. Supervisor Lindsay commented that Max has done an excellent job operating the Senior Center for 5 years.

Kevin Hayes, Washington County Administrator and Al Nolette, Washington County Treasurer attended the Board Meeting to speak about a Government Efficiency Plan that was established in the 2014 State budget. The plan requires local governments to come up with a plan to save 1% of their 2014 tax levy for three years (2016, 2017,2018). There is no penalty if it's not achieved and the actual tax levy does not have to be reduced. The main requirements are to comply with the tax cap and make the best effort to meet the efficiency plan. The efficiency plan must be filed by June 1, 2015, in order to be eligible for tax rebate checks in 2016. Washington County alone exceeds the 1% requirement, and would like each Town and Village within the County to agree to join the County in the efficiency plan, by resolution, with the County being the lead agency to file one report to the State. This process must be complete in order for the rebate checks to be issued for 2015 and 2016.

Mr. Nolette commented that he hopes this is a kick-off of conversations between the County, Town and Villages to continue their effort to remain efficient and save the taxpayers money. He also commented that the Town had already demonstrated an example of the efficiency plan by making a motion to change insurance carriers to save the Town approximately \$6,000.00. Mr. Hayes stated that any savings starting in 2012 can be added to the Government Efficiency Plan.

Mr. Hayes stated that workers' compensation coverage is being allocated in a different way. Prior to 2012, claims were shared among all municipalities based on the following formula: 25% prior payroll, 25% assessed property value, and 50% 3-year average. Starting in 2012 each municipality will be responsible for actual claims, but only up to the first \$20,000.00 for the lifetime of each claim. The County will pay 100% of all EMS & fire department claims. Payments for claims occurring prior to 2012 will be pooled and allocated to all municipalities based on 90% payroll and 10% assessed property value. If payments for any single claim go above \$20,000.00, the amount over will become part of the pool allocated. Under this new method, each municipality has more control over their payments. If claims are low going forward, payments will decrease accordingly. The County Treasurer will be collecting the payroll information each quarter in order to meet State requirements. Mr. Nolette requested that the Town send him the quarterly reports, he will compile the report and cut the check. The change will be more efficient. He requests the reports be in his office by the 25th of each month.

The Board will act on the resolution to participate in the Local Government Efficiency Plan at the next Town Board Meeting on April 13, 2015.

Paul Loding, Town Historian presented his annual report for 2014. Mr. Loding reported that he is a member of the Kingsbury Volunteer Hose and had responded to a call on Route 149 almost to Route 4 about a year ago. The call was for a power line that had come off a house that he had never seen before. Mr. Loding knew it was an 18th century house but could not understand why he had never seen the house before. Approximately $\frac{3}{4}$'s of a mile from the house is a cemetery, that he refers to as the Brayton Cemetery. The first four people that were buried there in the 18th century were all Brayton's. Mr. Loding spoke with the Town Sole Assessor, Colleen Adamec, and discovered the house had recently undergone changes. A wrap-around enclosed porch on three sides and green asbestos shingles had been removed. Doing further research, Mr. Loding is convinced the Brayton's lived there.

Approximately a year and a half ago Mr. Loding was contacted about a damaged headstone in Baker Cemetery, one of the Town-owned cemeteries. The headstone belonged to Mintus Northup and was in three pieces, with one piece missing. A movie was released soon thereafter about Solomon Northup, son of Mintus, but does not mention Solomon living in New York State. A new head stone has been placed in Baker Cemetery. Loding stated that the front of the headstone is about Mintus and the back of the headstone talks about his son Solomon. It is unknown where and when Solomon passed away. Loding encouraged everyone to visit Baker Cemetery to view the headstone.

Mr. Loding received a call from Carmen Fritz, owner of the Kingsbury General Store. She had been told that there was a dance hall upstairs in the building. Mr. Loding asked her if the floor moved. She did not know if the floor moved or not. Mr. Loding commented that 18th century and early 19th century buildings

that had a ballroom or a dance hall had springs in the floor. Loding explained they are not metal springs, but pieces of wood similar to lathe, positioned so that if people are on the floor above they will move, so the floor above does not go through the ceiling below. Mr. Loding visited the Kingsbury General Store and going up a very narrow stairway, discovered there is still a stage upstairs. Mr. Loding asked the owner if it was ok to jump on the floor and the owner said it was ok. Mr. Loding jumped and he was absolutely amazed how the floor gave, you could feel the floor working.

Mr. Loding reported that he is working on a second book for Hudson Falls and Kingsbury, similar to the first book he wrote. On the top of each page on the new book will be an old photograph. On the bottom of each page will be a recent photograph of the same location. Mr. Loding made a request that if anyone knew someone in the Town that may have some old photographs to please contact him. Supervisor Lindsay and Councilman Bromley suggested that Mr. Loding contact Marion Hitchcock and Sterling Harrington.

A **motion** by Councilman Doyle seconded by Councilman Collins and carried by a vote of 4 ayes to post the following roads per Superintendent of Highways, Michael Graham:

TOWN OF KINGSBURY, NEW YORK

POSTING OF TOWN ROADS

Pursuant to Section 1660, Subdivision 11(a) of the New York State Vehicle and Traffic Law, vehicles with a gross weight of over eight (8) tons shall be temporarily excluded from the roads listed below effective from the erection of the signs designating the exclusions, until removal of the signs at the discretion of the Superintendent of Highways.

Bentley Road, County Line Road, Crowley Road, Dean Road, Geer Road, Green Barn Road, Hartman Road, Hendee Road, Mud Pond Road, Pattens Mills Road, Rock City Road, Sanford Ridge Road, Stone Schoolhouse Road, Tripoli Road and Underwood Road.

By Order of the Kingsbury Town Board,

Cynthia A. Bardin, Town Clerk

Dated: March 20, 2015

Published: March 24, 2015

Supervisor Lindsay reported that he had been working with Attorney Meyer on the referendum on Resolution # 3 adopted by the Board on February 9, 2015. The Board must decide if they are going to use absentee ballots. Attorney Meyer stated that we are not required to provide absentee ballots if the resolution states that we are not using absentee ballots. Councilman Doyle asked who is eligible to vote. Attorney Meyer responded that anyone qualified to vote in a Town election can vote in this special election. Meyer also stated that you do not have to be registered to vote, but you have to be able to register to vote and you must be a resident and 18 years of age.

Supervisor Lindsay commented that originally the Board had discussed having two polling sites, but it cannot be done very easily. Having two polling sites would require more inspectors and it would be difficult to determine where the inspectors would be placed. Supervisor Lindsay suggested the election be held at the Kingsbury Volunteer Hose Co. He also commented there is no charge to use the voting machines, but there will be a fee to transport them @ \$60.00 per hour for approximately 3 hours. Lindsay suggested the districts could be split by setting up two tables with 6 to 8 inspectors @ \$10.50 per hour for 10 hours. The County can print the ballots for the Town @ \$5.00 per book of 50. Supervisor Lindsay suggested the referendum be held on May 15, 2015 at the Kingsbury Volunteer Hose Co. Supervisor Lindsay also reserved the Kingsbury Volunteer Hose Co. on April 29, 2015 at 7 p.m. to conduct an informational meeting to the public.

Councilman Collins asked if it was possible to use paper ballots instead of the voting machines. The Board discussed the option of using a paper ballot provided by the Town Clerk. After discussion it was decided the voting machines should be used, as it is the process that voters are used to and it takes the question out of the results. Supervisor Lindsay stated the Town would have to sign an Operations Agreement for the use of the voting machines.

A **motion** by Councilman Bromley seconded by Councilman Collins and carried by a vote of 4 ayes to adopt the following resolution for a public referendum for the approval of a bond resolution for the renovation and construction of a new Town Hall:

TOWN BOARD OF THE TOWN OF KINGSBURY

COUNTY OF WASHINGTON, STATE OF NEW YORK

Resolution No. 5 of 2015

Adopted March 23, 2015

Introduced by PAUL BROMLEY

who moved its adoption

Seconded by WILLIAM COLLINS

RESOLUTION TO PROVIDE FOR A PUBLIC REFERENDUM FOR THE APPROVAL OF A BOND RESOLUTION FOR THE RENOVATION AND CONSTRUCTION OF A NEW TOWN HALL FOR THE AFORESAID PURPOSES

BE IT RESOLVED, by the Town Board of the Town of Kingsbury (the "Town"), in the County of Washington, on this 23rd day of March, 2015, as follows:

WHEREAS, on February 9, 2015, the Town Board of the Town of Kingsbury, duly adopted Resolution No. 3 of 2015, authorizing the renovation and construction of a new town hall and authorizing the issuance of \$650,000.00 aggregate principal amount of bonds associated with the aforesaid purposes and in connection therewith (the "Resolution"); and

WHEREAS, the resolution provides by the terms thereof that it is subject to a permissive referendum in accordance with Article Seven of the NYS Town Law;

WHEREAS, pursuant to NYS Town Law section 91, a petition was filed with the Town Clerk protesting against the Resolution and requesting a special election; and

WHEREAS, pursuant to NYS Town Law Section 92 of the Town Law, the Town Clerk has prepared and transmitted to this Board a form of the proposition for the approval of said resolution containing an abstract of such resolution concisely stating the purpose and effect thereof; and

WHEREAS, it is now desired to schedule the special election and provide for the times for the polls for such special election for the submission of a proposition for the approval of the resolution and to provide for the notice of such election and such other matters in connection therewith; and

WHEREAS, the matter having been fully discussed by all members of the Town Board.

NOW, THEREFORE, BE IT RESOLVED THAT:

WHEREAS, it is now desired to provide for the holding of a special referendum for the submission of a proposition for the approval of a Bond Resolution and to provide for the notice of such referendum and such other matters in connection therewith; and

WHEREAS, the matter having been fully discussed by all members of the Town Board.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. A special election of qualified electors the Town of Kingsbury shall be held on May 13, 2015 for the purpose of submitting a proposition for the approval of the resolution described above adopted by the Town Board on February 9, 2015. The place of the holding of such election shall be at:

Kingsbury Volunteer Hose Company No. 1, Inc.
3715 Burgoyne Avenue
Hudson Falls, New York 12839

the polls for such election shall be kept open for the purpose of voting on such proposition between the hours of 12:00 p.m. and 9:00 p.m., prevailing time, at such polling site. The proposition to be submitted at said special election shall be in substantially the form hereinafter set forth in the form of notice of such election.

2. The special election shall utilize and votes shall be cast through the use of a voting machine. Absentee ballots shall be provided for this special election.

3. Any person qualified to vote at a general election in the Town of Kingsbury may vote upon the proposition to be submitted to the aforesaid special election.

4. The Town Clerk is hereby authorized and directed to give notice of said special election by publication of a notice once in the official newspaper of the Town, said publication to be made at least ten (10) days prior to the date of said special election. In addition, the Town Clerk shall cause a copy of such notice to be posted on the bulletin board of the Town at least ten (10) days before the date of said special election. Such notice shall be in substantially the following form, to-wit:

NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN that a Special Election of the residents of the Town of Kingsbury, Washington County, New York will be held in said Town on the 13th day of May, 2015, on which date the polls will be kept open between the hours of 12:00 p.m. and 9:00 p.m. for the purpose of voting by ballot, through the use of a voting machine, upon the following proposition:

PROPOSITION NO. 1 OF 2015

Shall Resolution No. 3 of 2015, adopted by the Town Board of the Town of Kingsbury February 9, 2015 authorizing the issuance of up to \$650,000.00 in the aggregate amount of serial bonds or statutory installment bonds of the Town of Kingsbury to pay the costs associated with the renovation and construction of a new Town Hall; at a maximum aggregate cost of \$650,000.00; providing for the issuance of bond anticipation notes and pledging the faith and credit of the Town of Kingsbury to payment of said obligations and interest thereon, be approved?

Copies of Resolution No. 3 of 2015 are available from the office of the Town Clerk, 210 Main Street, Hudson Falls, New York 12839 during regular business hours.

The polling place(s) for such special election shall be at:

Kingsbury Volunteer Hose Company No. 1, Inc.

3715 Burgoyne Avenue

Hudson Falls, New York 12839

Any person qualified to vote at a general election in the Town of Kingsbury may vote upon the proposition to be submitted to the aforesaid special election. Absentee ballots shall be provided for this special election. Applications for absentee ballots are available from the Town Clerk.

5. The Town Clerk is hereby ordered and directed to prepare ballots and absentee ballots in sufficient quantity for use at said Special Election, and also prepare for the use of the election officers the necessary oaths and certificates of election, and also to procure and deliver to such election officers any and all necessary paraphernalia for the proper conduct of such election.

6. That this Resolution shall take effect immediately.

PRESENT:

James T. Lindsay, Supervisor

Richard Doyle, Councilman

William Collins, Councilman

Paul Bromley, Councilman

ABSENT:

Henry Freebern, Councilman

AYES: 4

NAYS: 0

ABSENT: 1

{Seal}

Cynthia A. Bardin, Town Clerk

Town of Kingsbury

Supervisor Lindsay commented the Town must have a discussion on solar panels and how they fit into the Town Code. Lindsay proposes that a workshop meeting be scheduled with the Town Board, the Planning Board and the Zoning Board. Code Enforcement Officer Ross Cortese commented that if it is not in the code, if it is not in one of the allowed uses or fitted into the definition of allowed uses it is a no, based on the way the Code reads. Cortese and Attorney Meyer have discussed the Town Code, the way it is. Cortese has been bombarded with questions, properties, commercial uses and the farms that sell back to the grid. Cortese has been flooded with requests and stated that better language and clarification is needed. Gillian Black of Solar City, a local company, commented that there are new regulations coming out and there will be a lot of national companies coming through this area. Supervisor Lindsay will schedule a public workshop after April 12, 2015. Mr. Black is willing to provide information to the Board.

The Town Clerk reported that she had been awarded a \$400.00 scholarship from the New York State Clerks Association towards her expenses at the NYSTCA Conference in April 2015.

A **motion** by Councilman Bromley seconded by Councilman Freebern and carried by a vote of 4 ayes giving permission for Superintendent of Highways Michael Graham to attend Highway School on June 1, 2015.

A **motion** by Councilman Doyle seconded by Councilman Collins and carried by a vote of 4 ayes giving Comptroller Mary Ordway permission to attend Finance School in Saratoga.

Councilman Doyle asked if there was a response from the Village in regard to the quote from Highlander Engineering Services to determine the cost to renovate the village-owned building on John Street to a court room to be shared by the Village and Town. Supervisor Lindsay reported that he had received a call from Mayor John Barton. The Village is not interested in the proposal; they thought it was too much money. Lindsay advised Barton that as far as the Board was concerned this was on hold until after the referendum.

A **motion** by Councilman Bromley seconded by Councilman Collins and carried by a vote of 4 ayes for Superintendent of Highways Michael Graham to purchase a 10' T 3000 stainless dump body in the amount of \$25,765.00 from Robert Green Trucks, OGS Group 40580, Award # 22746. The dump body is for a 2002 International, which should last for 10 years or more and the funds are available in the equipment fund.

Superintendent Graham read a resignation letter from Town Highway employee, Shane Hogan. Hogan has accepted a position with Washington County. Hogan's resignation will be effective on March 29, 2015. Town Clerk has been instructed to place an ad in the Post-Star.

Bill Heil asked Superintendent Graham what he was going to do with New Swamp Road. Graham stated that he is going to pave 4400 feet; as he is trying blacktop some of the busier dirt roads. Graham's plan is to use a binder course, which would be a good base and next year he will do a chip seal so the water cannot blow it apart. Mr. Heil stated that he, Chuck Friedman and the Hurd's did not feel paving was necessary on New Swamp Road. Graham suggested that a petition be circulated indicating that they did not feel the road needed to be paved. Graham commented that nothing will happen for a month and a half to two months. Mr. Heil commented "The bottom line is, it would be nice if it was paved but would be a waste of the tax-payers money."

A **motion** by Councilman Collins seconded by Councilman Doyle and carried by a vote of 4 ayes to accept the following reports from certain officers for the months of January and February:

Code Enforcement Officer: No. Permits 7, 3; Plat Fees 1 (Jan.); Site Plan 1; Total Fees Jan. \$2,893.00
Feb. \$610.00

Dog Control Officer: Complaints/Calls 19, 10; Seizures 4, 0; Unlicensed Dogs 5, 3; Bites Investigated 3, 4; Dangerous Dogs 1, 3; Mileage 183 with 51 charged to F.E., 214 with 95 to F.E.

Town Clerk: Paid to EnCon \$217.31, \$94.48; Paid to Supervisor \$4,921.23, \$1,831.36;
Paid to NYS Dept. of Health \$45.00, \$45.00; State Share of Bingo 85.54, 90.06; Paid to the Village of
Hudson Falls \$130.00, \$40.00; Paid to Ag & Markets for Population Control \$166.00, 104.00

Town Comptroller: Receipts \$1,835,477.86, \$27,963.00; Disbursements 229,102.20,
415,567.50

Town Justice: Fees Collected \$5,710.50, \$10,736.00

PUBLIC COMMENT: No public comment

There being no further business before the Board a **motion** by Councilman Doyle seconded by
Councilman Bromley and carried by a vote of 4 ayes to adjourn the meeting at 9:20 p.m.

Respectfully yours,

Cynthia A. Bardin, Town Clerk