

The second regular meeting of the Kingsbury Town Board was held on April 28, 2014 at 7:00p.m. at 210 Main Street, Hudson Falls, NY.

MEMBERS PRESENT: James Lindsay, Supervisor  
Paul Bromley, Councilman  
Henry Freebern, Councilman  
Richard Doyle, Councilman

ABSENT: William Collins, Councilman

OTHERS PRESENT: Michael Graham, Highway Superintendent  
Jeffrey Meyer, Attorney for the Town  
Paul Loding, Town Historian  
Jane Havens, Strand Revival Committee Chairperson

The meeting was called to order by Supervisor Lindsay and opened for business with the flag salute led by Councilman Freebern.

**Motion** was made by Councilman Freebern, seconded by Councilman Bromley and carried by a vote of 4 ayes to accept the minutes of the meetings held on April 14<sup>th</sup> and April 21, 2014.

Supervisor Lindsay opened the T-shirt bids that were received for the summer recreation program. The first was from Hall Wear for \$8,208.50 and the second being from W.B. Mason with no final total showing. Comptroller Mary Ordway and Recreation Director, Debbie Battiste will review the bids, if in order they will be awarded at the next Town Board Meeting.

LEGAL UPDATE:

The public hearing remains open on the Zoning Revisions as the proposed revision continues to be discussed. The proposed local law has been forwarded to the Washington County Planning Board. Upon receipt and consideration of their feedback, the Town Board will be able to act on the proposed local law.

Attorney Meyer reported that the Wheelabrator Article – 7 tax assessment repeal would be getting its fourth judge as Justice Christine Clark has been appointed to the Appellate Division for the 3<sup>rd</sup> Department. Attorney Meyer requested that the Town Board hire a personal consulting service to assist in this matter.

Attorney Meyer asked the Town Board to hire an engineer or broker for the sale of the Highway Garage on Dix Avenue. Attorney Meyer reported that the approximate costs would be \$2,000 for the Phase 1 and \$10,000 for the Phase 2. A **motion** by Councilman Bromley, seconded by Councilman Freebern and

carried by a vote of 4 ayes to do a Request for Proposal. The bids would be returned for the May 12, 2014 Town Board Meeting.

**Motion** by Councilman Bromley, seconded by Councilman Freebern and carried by a vote of 4 ayes to set a public hearing for May 12, at 7:05 p.m. for the adoption of a local law authorizing a partial real property tax exemption under section 458-a of the New York State Real Property Tax Law for a Veteran's Alternative Exemption to Gold Star Parents. A Gold Star Parent is the parent of a child who died in the line of duty while serving in the United States armed forces during a period of war.

Attorney Stefanie Bitter from Bartlett, Pontiff, Stewart & Rhodes and Tony Dawson and James Riccardi, present owners of Spa City Recycling and Anthony Morrow from East Side Auto were present to represent Northeast Metal Recyclers. They are attempting to obtain a license to start a scrap recycling operation, including car crushing, on property located at 2323 Route 149 in the Town of Kingsbury, currently East Side Metals and Recycling. Dawson, Riccardi and Morrow would lease the property with the intent to purchase at a later time. The results of a DEC inspection will be available April 30, 2014. After much discussion it was decided to wait before any final decision was made. If necessary a special board meeting will be conducted on Monday May 5, 2014, otherwise the matter will be on the agenda of the May 12, 2014 Town Board meeting.

**Motion** made by Councilman Freebern, seconded by Councilman Doyle and carried by a vote of 4 ayes to extend the junkyard license to Eastside Metals and Recycling for two weeks or until the next Town Board meeting on May 12, 2014.

Supervisor Lindsay reported on the possible expansion of Sewer District # 2. The next step for the Town Board is to identify what parcels should be included in the expansion, schedule a public hearing and receive feedback from residents.

#### REPORTS:

Town Historian Paul Loding reported that he had been asked to do another book and is seeking pictures to use. He has yet to sign a contract, but the book will have pictures of different locations portraying the past and the present. Loding also spoke of the passing of Nikki Piscitelli who was the famous lady that made hundreds of May baskets, stating that it will not be the same this May 1st.

#### WRITTEN REPORTS:

**Motion** by Councilman Freebern, seconded by Councilman Doyle, carried by a vote of 4 ayes to accept the reports of certain officers for the months of February and March.

Code Enforcement Officer: No. Permits 3; Total Fees: \$515.00

Dog Control Officer – February & March: Complaints/Calls: 10/22; Seizures: 3/0; Unlicensed dogs: 7/14; Euthanasia: 0/0; Summons issued: 0/0; Bites investigated: 0/3; Mileage: 97/100

Town Clerk: Paid to EnCon: \$493.91; Paid to NYS Dept. of Health: 490.00; Paid to the Village of Hudson Falls: \$114.00; Paid to Ag & Markets for Population Control: \$107.00

Town Comptroller: Receipts: \$82,374.17; Disbursements: \$129,409.36

Town Justice: Fees Collected: \$11,260.50

Superintendent of Highways, Michael Graham requested permission to have Dave LaRose sweep the roads. **Motion** by Councilman Bromley, seconded by Councilman Freebern and carried by a vote of 4 ayes to have the roads swept.

Superintendent Graham reported that he has yet to receive the new truck ordered six months ago. Graham has contacted the salesman and the fleet manager with no response. He has tried to contact Joe Carbone, the president or vice president of the company and also no response at this time. He did receive word that the truck was never ordered and they would be willing to order a 2015 model at the same cost of the 2014 truck. Superintendent Graham will continue to contact Carbone for more information.

The rabies clinic was held on May 3, 2014 at the new location of the Town Highway Garage.

Strand Revival Committee Chairperson Jane Havens reported that the meetings conducted in the past few weeks have been very productive. Jane has talked to many people and discovered there is much enthusiasm and support in the community for this project to be successful. Much discussion followed in regard to re-locating the current Town offices. Chairperson Haves strongly feels that the new location must enable the current staff to function as efficiently as they presently do.

Councilman Bromley asked Town Attorney Meyer about a business in the Industrial Park. Dean Column was given approval to do business, but he was not to have outside storage, at this time there is a big mess at his business. Councilman Freebern observed that many businesses in the park have become an eyesore. It was suggested that Code Enforcement Ross Cortese send letters to the business owners requesting that they clean up their property.

Supervisor Lindsay reported that after four years, the town would be modifying their ad for the Sandy Hill Days ad book. The Town of Kingsbury will be placing a full-page ad for \$90.00.

Supervisor Lindsay reported that we are still working on the issue at Derby Park. He has contacted Mrs. Webster on Coleman Avenue to let her know the town will be netting the ball park, but it may not be ready for opening day.

Supervisor Lindsay reported that the Senior Center has contacted four municipalities requesting help to repair the parking lot of the Senior Center. Superintendent of Highways Michael Graham reported an estimated quote of \$10,000. More discussion will be had concerning this.

**Motion** by Councilman Freebern, seconded by Councilman Doyle, carried by a vote of 4 ayes at the end of the year or the first part of next year to spend \$12,500.00 for our share in a sewer district study.

**Motion** by Councilman Freebern, seconded by Councilman Bromley to hold a public hearing on May 12, 2014 at 7:05 on the alteration of boundaries on the map of current water districts in the Town of Kingsbury to include seven tax map parcels inadvertently left out of current maps which have no road frontage and are currently connected to existing parcels already benefitted by the current water districts of the town.

At 9:45 p.m. a **motion** made Councilman Bromley, seconded by Councilman Freebern and carried by a vote of 4 ayes to enter into executive session to discuss litigation.

At 10:07 p.m. a **motion** made by Councilman Freebern, seconded by Councilman Bromley, carried by a vote of 4 ayes to exit the executive session.

**Motion** by Councilman Freebern, seconded by Councilman Bromley, carried by a vote of 4 ayes to hire Larry Farbstein at \$250 per hour to assist in the Wheelabrator matter.

There being no further business before the board a motion by Councilman Freebern, seconded by Councilman, carried by a vote of 4 ayes to adjourn the meeting at 10:10p.m.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk

<http://www.kingsburyny.gov/>

