

## August 21, 2023 Town Board Meeting Minutes

The second regular meeting of the Kingsbury Town Board was conducted on August 21, 2023, at 6 Michigan Street, Hudson Falls, NY.

### MEMBERS PRESENT:

Dana Hogan, Supervisor  
Richard Doyle, Councilman  
William Haessly, Councilman  
James Lindsay, Councilman  
Dan Washburn, Councilman

### OTHERS PRESENT:

Rebecca Pomainville, Comptroller  
Michael Graham, Highway Superintendent  
Todd Humiston, Code Enforcement Officer &  
Dog Control Officer  
Sean Akins, Councilman Candidate

The meeting was called to order at 6:30 pm by Supervisor Hogan and opened for the order of business with the Pledge of Allegiance led by Councilman Haessly.

A **motion** by Councilman Doyle seconded by Councilman Lindsay and carried by a vote of 5 ayes to accept the minutes of the August 7, 2023, Town Board Meeting as submitted by the Town Clerk.

Supervisor Hogan stated the first item on the agenda is the Continuance of the Public Hearing for the Dissolution of Kingsbury Sewer District One which had been tabled last month. This had been passed by Washington County last week. Attorney Meyer stated the Board must formally approve the resolution. Councilman Lindsay asked if there was any information on the wetlands issue; on the parcels they wanted removed. He looked at the parcels and most of the parcels that have wetlands are still viable parcels; only a small portion of them are wetlands. Attorney Meyer stated it has not gone any further one way or another. Councilman Lindsay is concerned by taking the parcels out the rest of the people will be paying an ungodly amount. Attorney Meyer stated the hard part about moving parcels out of the district happens when there is debt. The consolidating and the dissolution and creation is not going to incur debt, yet it is the second step. There would still be a window where the IDA could put together an argument to the Sewer District to remove them once they are no longer Kingsbury's. It would be a continuing conversation that would occur.

Supervisor Hogan closed the Public Hearing at 6:35 pm.

A **motion** by Councilman Haessly seconded by Councilman Lindsay and carried by a vote of 5 ayes to adopt a resolution dissolving the Kingsbury Sewer District One and approving the extension of the Washington County Sewer District as drafted. Resolution attached.

At the Board Meeting conducted on August 7, 2023, the Board requested the Comptroller contact Debbie Bell to see if there was a health insurance policy with a higher deductible and a lower premium. Councilman Doyle had suggested employees pay a portion of the premium because it had increased 13%. Comptroller Rebecca Pomainville reported there was no other health insurance policy that provided less expense to the Town. Councilman Doyle stated it would be an additional \$20,000.00 cost to the Town with the increase. The Comptroller stated there has been a reduction in the Town expenses and by utilizing the HRA the expenses have been considerably less this year. Councilman Doyle is concerned with the tax cap, because the health insurance is a large budget item. This is something that could be discussed at budget time. A **motion** by Councilman Doyle seconded by Councilman Washburn and carried by a vote of 5 ayes accepting the health insurance plan at the renewable rates.

Councilman Washburn and Councilman Doyle reviewed the Burgoyne Avenue Waterline Extension proposal from Kathleen Suozzo. Councilman Washburn reported after discussion it was determined there was a provision in the contract with Kathleen that allowed for additional changes that she would be able to bill for additional time. Councilman Doyle reported after reviewing the contract, the Town has no recourse but to pay the additional amount. Rebecca stated the contract was a quote not a firm price; it was an estimate based on 3 years ago; with the amount of time that was spent to get a best guess as to how time the project would take with the additional time and regular changes and fluctuations. Right now, the Town must finish submitting claims to get the grant reimbursement. Kathleen still has a considerable amount of time working with the State in getting the Town's grant funds. The change order is to cover the additional cost.

Councilman Haessly stated he recalled getting quotes on the project. Councilman Washburn stated we did and in the future the Town should look at the language a little more in depth to make sure it is a set price and not for estimated budgeted hours. Councilman Haessly stated that was a quote and has come back to the Town for money for a survey which should have been in the design cost. Councilman Doyle stated they agreed with him, but the contract language does specify in detail to be reimbursed for actual. He suggests in the future any projects the Town put in a maximum amount the Town will reimburse up to. Councilman Haessly asked what the additional amount was. The Comptroller replied it is \$15,000.00. Councilman Doyle recommends the Town pay it. A **motion** by Councilman Washburn seconded by Councilman Lindsay and carried by a vote of 4 ayes: Supervisor Hogan, Councilman Doyle, Councilman Lindsay and Councilman Washburn and 1 opposed: Councilman Haessly, for the Town to pay the additional amount of \$15,000.00 to Kathleen Suozzo.

A **motion** by Councilman Lindsay seconded by Councilman Washburn and carried by a vote of 5 ayes to accept the resignation of Dakota Dillon from the Highway Garage. Highway Superintendent Graham stated he found a better paying position. There will be a new employee starting after Labor Day, but they are still down one employee. The pay for the Highway employees will be reviewed at budget time.

A **motion** by Councilman Haessly seconded by Councilman Lindsay and carried by a vote of 5 ayes to accept the resignation of Planning Board member Randy Getty. Code Enforcement Humiston suggests the position be posted. The Comptroller will post the position on Indeed. The Comptroller will include an insert in the water bills for the available position and the Town Clerk will notify the Community email members.

Dave Meager of NYMIR sent an email regarding the coverage on the Highway Garage. He included an option of increasing the deductible to \$5,000.00 which must be done on all buildings and contents. A **motion** by Councilman Washburn seconded by Councilman Haessly and carried by a vote of 5 ayes to accept the higher deductible and lower premium from NYMIR.

A **motion** by Councilman Doyle seconded by Councilman Washburn and carried by a vote of 5 ayes to accept the following budget transfers to shift money around for year-end calculations:

**TOWN OF KINGSBURY - BUDGET TRANSFER: AUGUST 21, 2023**

<b>FUND</b>	<b>DESCRIPTION</b>	<b>GL</b>	<b>AMOUNT</b>
<b>GF-WT</b>	FROM: SUPERVISOR-CONTRACTUAL	1.1220.4	\$ 300.00



## August 21, 2023 Town Board Meeting Minutes

TOWN CLERK REPORT: Town Clerk reported the tax levy for the school taxes reflects a 0% increase as it has the last two years.

CODE ENFORCEMENT & DOG CONTROL OFFICER REPORT: Todd Humiston has been talking to the fire department about mandating Knox boxes on any of the commercial buildings that have fire box systems. The fire department has had issues with people that should not be taking an hour for the fire company to get the calls. The Knox box would eliminate the problem. It is something that is allowed in the Code but he is not certain if it has to be put into Local Law. Attorney Meyer stated it allows for it. He would like the Board's permission to work with the fire department to mandate the type of box that they recommend at a cost of approximately \$500.00. It is a lock box that they will put a building key in and there is a special key to open it. Councilman Haessly would like a written request from the fire company mandating Knox boxes. Todd Humiston will contact the fire department and the discussion will resume at the next meeting.

Humiston would like to request an executive session to discuss a follow-up from the last meeting regarding the personnel of a particular employee.

COMPTROLLER REPORT: The Court has requested the hiring of a part-time deputy clerk, Brittany McCavanaugh, at \$16.00 an hour, 15 hours a week. In addition, they would also like to continue to have Sherry Ostrander for about 6 hours a week for the next few weeks to train the new Deputy Court Clerk. Councilman Haessly asked if it was in their budget, The Comptroller had already checked and there is enough money in their budget. A **motion** by Councilman Haessly seconded by Councilman Lindsay and carried by a vote of 5 ayes for the Court to hire a part-time deputy clerk at \$16.00 an hour for 15 hours a week and have Sherry Ostrander work 6 hours a week to train the new deputy clerk for a few weeks.

The Comptroller reported the contract the Town has with a fixed price for electricity has expired and has gone up dramatically in the last few months. She is seeking permission to receive quotes and go with the lowest fixed price for 12 months or stick with National Grid. A **motion** by Councilman Doyle seconded by Councilman Washburn and carried by a vote of 5 ayes to enter into a 12-month contract with the lowest fixed price for electricity. The lowest fixed price currently is with Constellation at .1099 for 12 months.

HIGHWAY SUPERINTENDENT REPORT: Superintendent Graham thanked NYS DOT for millings from a road project on Route 4. Paving should be complete by Thursday.

In September it is in the budget to rent a screen as they do every two years. There is extra money in the snow budget from last year, and he would like to rent a loader for a month to double production to screen sand and millings and topsoil piles also. The loader is under state contract at \$5,500.00 a month. A **motion** by Councilman Lindsay seconded by Councilman Haessly and carried by a vote of 5 ayes for Superintendent Graham to rent a loader on state contract for \$5,500.00 for the month of September.

COUNCILMAN REPORT: Councilman Washburn reported it was great to see the community support for the funeral procession for recently deceased Ed Sharrow, Sr. who was a 65-year volunteer fireman in Fort Ann. The procession came through Hudson Falls up Route 4 with firetrucks set up with flags.

Councilman Lindsay commented the paving of the American Legion parking lot looks great.

Councilman Doyle reported there were no additional comments regarding the draft of the Comprehensive Plan were received by August 15, 2023. Nicole Allen will make the necessary corrections and changes and complete the final version by the end of the week. The next step would be to conduct

## August 21, 2023 Town Board Meeting Minutes

another Public Meeting for the Comprehensive Master Plan Committee to accept the final version; it will be scheduled for September 18, 2023, at 6:30 pm before the regular Town Board Meeting. If accepted the plan would go to the Town Board for acceptance and then to Washington County for comment. An executive session has been requested to discuss personnel matters.

**SUPERVISOR REPORTS:** The Boulevard and Warren Street intersection has created a lot of interaction for the Town and for the Village. He has reached out to the Town of Queensbury and through the Washington Co. DPW to the Warren Co. DPW. He has been advised that there should be a resolution within the next several days.

### **WRITTEN REPORTS:**

A **motion** by Councilman Doyle seconded by Councilman and carried by a vote of ayes to accept the reports of certain officers for the month of July as follows:

Code Enforcement Officer: No. Permits 2; Fire Inspections 1; Site Plans 1; Total Fees \$1,571.00

Dog Control Officer: Seizures 1; Tickets Issued 5; Mileage 57,642

Town Clerk: Paid to EnCon \$342.98; Paid to Supervisor \$4,002.11; Paid to Village of Hudson Falls \$150.00; Paid to Ag & Markets for Population Control \$139.300; Department of Health \$112.50

Town Comptroller: Receipts \$122,217.14; Disbursements \$326,590.34

Town Justice for June: \$5,696.00

Assessor Sales

A **motion** by Councilman Doyle seconded by Councilman Washburn to enter into an executive session at 7:07 pm to discuss personnel matters. Code Enforcement Officer Humiston was invited to the executive session. No action is anticipated.

A **motion** by Councilman Washburn seconded by Councilman Lindsay and carried by a vote of 5 ayes to exit the executive session at 7:40 pm. The meeting was adjourned.

Respectfully submitted,

Cynthia Bardin, Town Clerk