

The first Board Meeting of the Kingsbury Town Board was conducted on December 7, 2020 at the Kingsbury Town Hall at 6 Michigan Street, Hudson Falls.

MEMBERS PRESENT: Dana Hogan, Supervisor  
Richard Doyle, Councilman  
William Haessly, Councilman  
Jane Havens, Councilwoman  
Dan Washburn, Councilman

OTHERS PRESENT: Michael Graham, Highway Superintendent  
Todd Humiston, Enforcement & Dog Control Officer  
Rebecca Pomainville, Comptroller  
Jeffrey Meyer, Town Attorney  
Alexandra and Joe Bombard, Town Residents

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

A **motion** by Councilman Doyle seconded by Councilman Haessly and carried by a vote of 4 ayes and 1 abstain from Councilwoman Havens to accept the minutes of the September 8th, September 21st and October 5<sup>th</sup> Town Board Meeting as submitted by the Town Clerk.

Councilwoman Havens reported the Board had discussed the Town Wide Master Comprehensive Plan last January. At this time there are different projects moving back and forth between the Town Board and the Planning Board. Councilwoman Havens attended a Planning Board Meeting last month to observe; there were seven items on the agenda with four of them being major projects. After the first of the year, she would like to form a committee to start updating the Town Master Plan. The Master Plan is from 1973 and after reading she believes we would like to live the same lifestyle in 2020 that we did in 1973 and appreciate rural life. She suggests that someone attend the Planning Board Meeting to observe proposed projects. She would like to check with neighboring towns to see if any have recently updated their Master Plan.

Councilman Doyle stated the Board discussed at one time and determined the Master Plan needed to be updated so the Town could access grants. He also stated it should be a joint plan with the Village. The Board could try to do it themselves, but if a firm was hired to assist, the cost would be about \$50,000.00. The Board could try it themselves to see how far they would get. He agreed with Councilwoman Havens that it is a good idea to have someone attend the Planning Board Meetings on a rotating basis.

Supervisor Hogan stated there has been a vacancy on the Board of Assessment Review. He has received a letter of interest from a former BAR member, John Murray. Mr. Murray has retired and would like to serve on the Board of Assessment Review. A **motion** by Councilman Doyle seconded by Councilman Washburn and carried by a vote of 5 ayes to appoint John Murray to the Board of Assessment Review.

Supervisor Hogan reported Town Historian John Mead is up for re-appointment. Mr. Mead was unable to attend the Board Meeting but is interested in being re-appointed. A **motion** by Councilman Doyle seconded by Councilwoman Havens and carried by a vote of 5 ayes to re-appoint John Mead as Town Historian.

A motion by Councilman Washburn seconded by Councilman Doyle and carried by a vote of 5 ayes giving permission for Supervisor Hogan to sign the following agreement:

Kingsbury Barnstormers POB 121	Club Name/Address:  Hudson Falls, NY 12839
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To           Town of Kingsbury

(Municipality — City/TownVillage)

Re:       Proposed Snowmobile Trail

\_\_\_\_\_Town of Kingsbury

(City/TownVillage) \_\_\_\_\_ (Municipality Name)

Dear Municipal Official.

On behalf of the Kingsbury Barnstormers SMC   we are writing to inform the Town

\_\_\_\_\_ (Club Name) \_\_\_\_\_ (City/TownVillage) \_\_\_\_\_ of our desire to utilize a strip of land owned by Niagara Mohawk Power Corporation, which runs through the

Town \_\_\_\_\_ of Kingsbury   for the purpose of a

\_\_\_\_\_ (City/TownVillage) (Municipality) snowmobile trail (see map enclosed). Our club has been in contact with Niagara Mohawk concerning this possibility and they have expressed their willingness to consider our request. If approved, Niagara Mohawk will be granting a License to our club to authorize the use of their property for this purpose. It should be understood that this will be for winter use only by snowmobiles (no ATV's or wheeled vehicles will be allowed at any time). Our club will also be responsible for addressing any concerns that may arise from this use and provide insurance on this trail.

Prior to granting any such authorization, Niagara Mohawk has asked for confirmation that the municipalities through which our proposed trail will operate upon Niagara Mohawk's land have no objections. Therefore, we hereby respectfully request that the appropriate municipal official indicates that your municipality does not object to having our trail on Niagara Mohawk property by affixing his/her signature where indicated below, or in lieu please provide alternative written documentation that we can present to Niagara Mohawk as evidence of such municipal lack of objection. It should be noted that Niagara Mohawk will not grant said License without written confirmation of the municipality's lack of objection.


Any correspondence, questions or concerns regarding this request should be directed to:


<https://www.kingsburyny.gov>

Dave Perkins,, President, 518-747-4609

(Insert contact information for appropriate Club official)

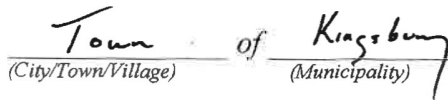
Sincerely,

  
\_\_\_\_\_  
(Club resident)

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
(Municipal Official)

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
(City/Town/Village) of (Municipality)

**TOWN CLERK REPORT:**

The No Parking on Public Highway Notice was published on November 19, 2020 at the request of Highway Superintendent Michael Graham.

Local Law No. 3 of 2020 to amend the fee schedule by resolution was filed with NYS Department of State on November 23, 2020 and sent to General Code.

**ENFORCEMENT OFFICER:**

Todd Humiston clarified that house mounted solar is ok and is not affected by the solar moratorium.

**DOG CONTROL OFFICER REPORT:**

Todd Humiston reported the Village of Hudson Falls Police took an individual to the hospital; the individual had a dog which was taken to Countryside Veterinary which is a safe-keeping hold. Humiston stated we cannot hold for law enforcement. Humiston is concerned law enforcement may not be aware of the capacity of that. He would like to reach out again and give clarification that if an arrest is made and there is a dog it is that police department's responsibility to hold the dog. Supervisor Hogan asked Humiston to give an example of what could possibly happen.

Humiston stated if a dog is seized then the owner goes to jail for 2 years technically under due process in holding their dog, (dogs are considered property) the dog has to be held at least until there is a bond hearing which determines it is their responsibility to pay for the holding and/or sign the dog over to the municipality that is holding the dog. Sometimes it can take months if not years depending on the judge and the legal system and if there is a bond hearing done. In previous times when the Town was doing it, it was costing the Town an average of \$600.00. If the person was in jail the Town Attorney would show up in court, the Town would get charged for that appearance and if the defendant did not show up for the bond hearing it would be re-scheduled for another week and the Town would be responsible for the cost of holding the dog for another week. Supervisor Hogan stated Humiston has attempted to correct this and has communicated through letters to law enforcement agencies in our Town to make sure they are aware of it. Humiston did not receive confirmation from the law enforcement agencies and is concerned the issue may occur.

Councilman Doyle asked about signs with notification of something going on being put in front of the properties. Humiston reported the notification process has started and is in full effect for Public

Hearings for Planning and Zoning. They are also doing notifications to residents with 500 feet of any proposed project. He has received calls in regard to 2 out of the 3 projects where signs have been put up. Humiston explained anything coming before the Planning and Zoning Boards will get the same treatment. Attorney Meyer stated the criteria for a Public Hearing is anything that requires a site plan review or is a sub-division.

Councilman Doyle was reading about Save Home Rule regarding solar, wind and power projects and the state is looking to pre-empt local zoning. Supervisor Hogan replied it is a renewable energy act that Governor Cuomo has enacted and will essentially take away the site plan review for alternative energy projects out of local control and be cited at the state level.

Supervisor Hogan asked Dog Control Officer Todd Humiston to share his success story of the day. Humiston replied there were a couple of Great Danes loose on Vaughn Road and he posted a picture of the dogs on his Facebook page and received 7500 views in 4 hours and the dogs were home in 3 hours. Supervisor Hogan thanked Humiston; the Facebook page is viewed by a lot of people.

#### TOWN JUSTICE:

Supervisor Hogan reported newly elected Judge White is in day 3 of his 5- day course.

#### HIGHWAY SUPERINTENDENT REPORT:

Michael Graham reported Governor Cuomo requests a COVID emergency plan for all government agencies in the event the highway employees are ill, cannot work and especially in the wintertime be unable to plow the roads. He is working with Washington County who has provided maps. The Town has 4 main plow routes, Graham will make a map of the 4 routes, highlight each route and share the map with neighboring Towns: Queensbury, Fort Ann, Argyle and Fort Edward. They will work together and if necessary, everyone will have coverage if anything happens. Cornell Local Roads has indicated an IMA with the neighboring Towns can be as simple as you want. Attorney Meyer

#### COUNCILMAN REPORT:

A **motion** by Councilman Doyle seconded by Councilman Washburn and carried by a vote of 5 ayes to enter into an executive session at 7:74 pm to discuss contract negotiations.

There being no further business before the Board a **motion** by Councilman Haessly seconded by Councilwoman Havens and carried by a vote of 5 ayes to adjourn the meeting at 8:23 P.M.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk