

The second regular meeting of the Kingsbury Town Board was conducted on December 17, 2018 at the Kingsbury Town Hall at 6 Michigan Street, Hudson Falls.

MEMBERS PRESENT: Dana Hogan, Supervisor  
Richard Doyle, Councilman  
Henry Freebern  
William Haessly, Councilman  
Dan Washburn, Councilman

OTHERS PRESENT: Michael Graham, Highway Superintendent  
Todd Humiston, Dog Control Officer  
Gwen Craig, Post Star  
Emily Walten, Glens Falls Hospital

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

Councilman Washburn requested corrections to the minutes; Town Clerk had indicated the Highway Superintendent wanted to purchase a grader, the request was to purchase a paver. The minutes of the December 3, 2018 Board Meeting were accepted as submitted by Town Clerk with a **motion** by Councilman Doyle seconded by Councilman Haessly and carried by a vote of 5 ayes with corrections.

Supervisor Hogan instructed the Town Clerk to read the notice for a public hearing to amend provisions of the Animal Control Law and to amend provisions of the fee schedule relating to dog impoundment and licensing. Supervisor Hogan opened the public hearing at 7:03 PM. Dog Control Officer Todd Humiston suggested changes in the proposed changes for Animal Control. Humiston would like to increase the penalty amounts for offenses as follows:

First offense – not less than \$50.00 instead of \$25.00 and not more than \$200.00 instead of \$100.00

Second offense if violated within preceding 5 years: not less than \$100.00 instead of \$50.00 and not more than \$500.00 instead of \$200.00

Third offense if violated within the preceding 5 years: not less than \$250.00 instead of \$100.00 and not more than \$1,000.00 instead of \$500.00 or imprisonment for not more than 15 days, or both.

He would also like to add to the fee schedule that service dogs are exempt from a licensing fee. A discussion followed. Councilman Doyle suggested" it shall be unlawful for any person to permit poultry to run at large in the Town of Kingsbury should be stricken from the proposed law. The public hearing was tabled at 7:19 to allow the Board to review the recommended changes.

Supervisor Hogan received a call from Bill Nikas asking if the Board would have any objection to him applying to the IDA for Pilot payments on the former Masonic Temple. After discussion the Board has no objection.

Supervisor Hogan instructed Town Clerk to read the Notice for the Town to advertise for the furnishing and delivery of propane to the Highway Garage at 437 Vaughn Road. The Town received one bid from Vadnais Fuels, LLC. Superintendent Graham opened the bid in the presence of Deputy Clerk Sylvia Weaver and Confidential Secretary to the Comptroller Michelle Radliff. A **motion** by Councilman

Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes to award the bid to Vadnais Fuels, LLC for the per gallon Rack Price plus a fixed markup price of \$.28 over rack price.

#### LEGAL UPDATE:

Attorney Meyer has reached out to the attorney for the Hudson Falls Central School District in regard to the status of the Inter-Municipal Agreement with the school and the Village of Hudson Falls. There is no update at this time but he will continue to follow up.

#### TOWN CLERK REPORT:

Town Clerk provided copies of the credit card policy and the procurement policy to the Board in preparation of the Organizational Meeting to be conducted on January 7, 2018.

#### COUNCILMAN REPORT:

Councilman Washburn gave a follow-up from the last Board Meeting on the map plan report for the proposed sewer expansion. He reported the meeting had been pushed back once again. He would like the Town start negotiating with Chazen on their own without Fort Edward. Chazen was the lowest bidder of bids received in July 2018. Supervisor Hogan reported money had been put aside for economic development and the Town could proceed. A **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 4 ayes and 1 opposed for the Town to proceed with Chazen to prepare a map, plan and reports for the proposed expansion of the Sewer District.

Councilman Haessly mentioned an article in the Post-Star regarding a press conference at the former GE dewatering site where an agricultural grain transfer station had opened. Councilman Haessly asked how could a business operate there when no resolution had been made with a temporary bridge located on the access road. Supervisor Hogan stated he did not attend the press conference because Mary Webb, who owns a portion of the only access road to the site, had indicated the only people with a legal right to pass over the road were GE and their personnel. GE pays Mary Webb until January 1, 2019 for the use of the right of way. Supervisor Hogan stated this an issue that has been ongoing since he was Town Supervisor. The Board made a decision not to accept the road until the temporary bridge is made permanent and we have surety from the County that they will accept it. The issue with the bridge has not been solved and more importantly Mary Webb has not been paid for her right of way. A discussion followed. At this time Kingsbury really has nothing to do with this at this point because we don't have a clear title to the right of way.

#### WRITTEN REPORTS:

A **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes to accept the reports of certain officers for the month of December as follows:

Town Clerk: Paid to EnCon \$617.96; Paid to Supervisor \$2,612.90; State Share of Bingo \$292.50; Paid to the Village of Hudson Falls \$220.00; Paid to Ag & Markets for Population Control \$99.00

Town Comptroller: \$316,247.44; Disbursements \$686,997.87

#### PUBLIC COMMENT:

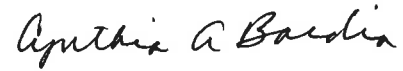
Emily Walten introduced herself as a new employee with Glens Falls Hospital. Ms. Walten attended the meeting to say hello and familiarize herself with what is going on in the Town.

A **motion** by Councilman Washburn seconded by Councilman Haessly and carried by a vote of 5 ayes to enter into an executive session at 7:55 pm to discuss possible pending litigation.

A **motion** by Councilman Doyle seconded by Councilman Freebern and carried by a vote of 5 ayes to exit the executive session at 8:18 pm.

There being no further business before the Board **motion** by Councilman Washburn seconded by Councilman Haessly and carried by a vote of 5 ayes to adjourn the meeting at 8:18 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cynthia A. Bardin".

Cynthia A. Bardin, Town Clerk