

The second regular meeting of the Kingsbury Town Board was conducted on December 18, 2017 at the Kingsbury Town Hall at 6 Michigan Street, Hudson Falls.

MEMBERS PRESENT:	Dana Hogan, Supervisor Paul Bromley, Councilman William Collins, Councilman Richard Doyle, Councilman Henry Freebern, Councilman
OTHERS PRESENT	Michael Graham, Highway Superintendent Todd Humiston, Dog Control Officer Dan Washburn, Councilman Elect James Chase, Water Superintendent James Lindsay, Retired Town Supervisor Jeffrey Meyer, Town Attorney Jerry Caruso, Town Resident

Supervisor Hogan opened the meeting with a request for a moment of silence for retired Village Police Officer Rick Diamond who had passed away unexpectedly over the weekend.

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 Collins.

The minutes of the December 4, 2017 Board Meeting were accepted as submitted by Town Clerk with a **motion** by Councilman Bromley seconded by Councilman Freebern and carried by a vote of 5 ayes.

At the Board Meeting conducted on November 20, 2017 the Board discussed the opening of bids received by the Town. Attorney Meyer explained smaller projects where you are not expending hundreds of thousands of dollars; the department head may open the received bids prior to the Board Meeting in the presence of other people.

Supervisor Hogan read the Notice to Bidders for Hydrants, Pipes, Valves, etc. The Town had received three bids which had been opened by Water Superintendent James Chase in the presence of the Deputy Town Clerk and Code Enforcement Officer Secretary. The bids received were as follows:

Core & Main LP - \$36,980.36

Blair Supply Corp. - \$36,295.63

EJ Prescott, Inc. - \$33,542.83

Water Superintendent Chase had reviewed the bids and stated everything was comparative in each one and all items we listed in each bid. Superintendent Chase stated there is a balance in the grant of \$41,600.00; with the permission of the Board would like to add two more hydrants, 10 pipe restraints with rods and 360 feet of 8 inch pipe. A **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes to accept the bid from EJ Prescott with the additional items requested totaling \$41,597.63.

Supervisor Hogan reported he had been approached by Karen LaRose, owner of progressive Motorsports, who expressed concern over the dumping of a bag of hypodermic needles in her lot which is located across the street from Town Hall/Town Court. Ms. LaRose indicated to Supervisor Hogan that this is the second time this has occurred and requested the Town of Kingsbury install security cameras to monitor the traffic in that area. Ms. LaRose is also concerned due to the inventory of recreational vehicles located in her lot. Supervisor Hogan stated he had done a little research on security cameras

<http://www.kingsburyny.gov>

and had seen the security cameras at Michael's Garage. A discussion followed. Councilman Bromley commented there was money available through the Justice Court Assistance Program. Attorney Meyer commented there was a law passed in New York State in September and you cannot video tape on other people's property; therefore the Town could not install security cameras to monitor the lot owned by Progressive Motorsports. Supervisor Hogan will check with Justice Michael Keenan in regard to applying for a grant for the installation of security cameras for Town property. Councilman Bromley commented the infra-structure is inside the building for the installation of internal security.

Supervisor Hogan opened a discussion about the intent of Cypress Creek Renewables to construct a solar energy system at 40 Aviator Way. The Board discussed Local Law No. 1 of 2014 which permits the real property tax exemptions for qualified solar and wind energy structures. Councilman Doyle suggested the Board continue the discussion in January when the newly elected Councilman Dan Washburn and William Haessly were present. Supervisor Hogan suggested it be the second Board Meeting of the month when Attorney Jeffrey Meyer would also be present.

A **motion** by Councilman Freebern seconded by Councilman Bromley and carried by a vote of 5 ayes for the following:

**RESOLUTION OF THE GOVERNING BODY OF THE
Town of Kingsbury
RATIFYING AN AGREEMENT FOR ADVANCE PAYMENT
AND
AUTHORIZING Dana Hogan TO EXECUTE
CLOSING PAPERS ON BEHALF OF Town of Kingsbury**

WHEREAS, the State of New York has taken or is in the process of taking a portion of the land owned by the Town of Kingsbury through the process of eminent domain for the purpose of improving Main Street;

WHEREAS, the State has offered to pay the Town of Kingsbury the sum of \$450.00 for a portion of the Town of Kingsbury's property along Main Street as depicted on Map(s) 48, as Parcel(s) 52;

WHEREAS, an agreement to accept said money (an Agreement for Advance Payment) has been signed on behalf of the Town of Kingsbury by Dana Hogan.

WHEREAS, the Town Board of the Town of Kingsbury is the governing body of the Town of Kingsbury; and

WHEREAS, the Town Board is meeting on this 18th day of December 2017, after proper notice to consider this matter; and

WHEREAS, the Town of Kingsbury wishes to ratify the Agreement for Advance Payment and to appoint Dana Hogan as Kingsbury Supervisor, as the person to execute closing Papers on behalf of the Town of Kingsbury;

**IT IS, UPON MOTION DULY MADE AND SECONDED,
RESOLVED ON THIS 18TH DAY OF DECEMBER 2017;**

THAT, the Agreement for Advance Payment is hereby accepted and ratified;

THAT, Dana Hogan is hereby designated as the person to execute any and all

closing papers with regard to this transfer to the State of New York.

Certification of the Town Clerk of the Town of Kingsbury

The undersigned Town Clerk of the Kingsbury Town Board hereby certifies that the foregoing resolution was made, seconded and approved by a vote of the Kingsbury Town Board at a meeting held at 6 Michigan Street, Hudson Falls on the 18th day of 2017.

Signed on this 18th day of December 2017.

Cynthia A. Bardin, Town Clerk

By: _____

LEGAL UPDATE:

Attorney Meyer reported Kevin Phelan is compiling his report on the results of the Phase II conducted at East Side located on Route 149. The report will be complete in a couple of months and will be shared with the DEC.

A **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes to adopt a resolution to include parcels in the water district for the former Richard Michon property on Dean Road which has been split into 3 parcels.

Councilman Doyle stated prior to the retirement of Supervisor James Lindsay the Board passed a resolution in regard to Retirement Medical Benefits. The resolution contained a portion offering Councilman Bromley the eligibility for medical insurance upon retirement. A **motion** by Councilman Doyle seconded by Councilman Freebern and carried by a vote of 5 ayes to rescind the eligibility of Medical Insurance benefits to Councilman Paul Bromley upon his retirement which will be effective on December 31, 2017. The resolution to offer Councilman Paul Bromley eligibility for Medical Insurance upon retirement was adopted on December 14, 2015; rescinding the eligibility for medical benefits for Councilman Bromley upon retirement will be the only change made to the resolution. Councilman Bromley does not wish to receive the medical insurance benefit and stated “When you’re done, you’re done.”

TOWN CLERK REPORT:

Town Clerk reported she is preparing an agenda for the 2018 Organizational Meeting. The Board would like to schedule the meeting for January 2, 2017.

Town Clerk reported she had received a call from a resident on Burgoyne Avenue who had a deceased cat in their front yard. The Town Clerk contacted the Washington County Department of Public Works because the cat was on a county road; they stated they only pick up large deceased animals the size of a deer. The Town Clerk contacted Bill Underwood who operates Adirondack Wildlife Pest Control who offered to pick up and dispose of the deceased cat. Councilman Freebern suggested the Town Clerk send him a card to thank him.

CODE ENFORCEMENT REPORT:

Supervisor Hogan reported Code Enforcement Officer Ross Cortese is compiling a list of “zombie” homes. At this time 2046 County Route 43 has a burned structure which is vacant and is unsightly. Code Enforcement Ross Cortese agrees it is a public nuisance and the burned structure should be removed. Supervisor Hogan stated we need to send a notice the owner to take remediation efforts to remove the

home. A **motion** by Councilman Freebern seconded by Councilman Bromley and carried by a vote of 5 ayes giving Code Enforcement Ross Cortese permission to proceed with serving a notice to the owners of 2046 County Route 43. Supervisor Hogan stated there may be other “zombie” homes to be addressed.

Water Superintendent James Chase stated they are encountering many homes that are abandoned; they owe so much money they just walk away. He does not believe he can legally shut off the water to a home if there is a boiler. If he shuts off the water it could explode the boiler. He has one home he could not get into, it flowed over 3 million gallons of water. This is something for the future Board to think about. Attorney Meyer believes the Town has the authority to turn off the water.

DOG CONTROL REPORT:

Todd Humiston reported he is working with Attorney MaryEllen Stockwell on a memorandum of understanding with the Moreau Emergency Clinic for emergency service on weekends. The Moreau Emergency Clinic does not sign contracts; Attorney Stockwell feels they should sign some type of contract.

HIGHWAY SUPERINTENDENT REPORT:

Michael Graham reported everything went with the first couple of storms. Michael Graham would like a resolution for no parking on Town roads from 6 p.m. until 6 a.m. In years past the no parking notice was from midnight until 6 a.m. A **motion** by Councilman Freebern seconded by Councilman Collins and carried by a vote of 5 ayes for no parking on Town Roads or within 8 feet from the shoulder of the road from 6 pm to 6 am until March 31, 2018.

Michael Graham thanked retiring Councilman Collins and Councilman Bromley and said it was a pleasure working with them.

Councilman Freebern stated it had been an honor and pleasure working with Councilman Collins and Councilman Bromley.

Councilman Bromley said he had a good time; the Town of Kingsbury is a great place to raise a family and he, as most of the Board, was born and raised here. Anybody that gets to be on the Town Board should try to bring more than themselves to the Town Board and get what you can to the table. He appreciates the opportunity to serve on the Town Board.

Councilman Doyle echoed the sentiments of everyone else; it has been a pleasure serving with Councilman Collins and Councilman Doyle.

SUPERVISOR REPORT:

Supervisor Hogan read the following proclamations to the retiring Councilman:

PROCLAMATION FROM THE TOWN OF KINGSBURY

IN RECOGNITION OF WILLIAM COLLINS

FOR HIS DISTINGUISHED SERVICE TO

THE TOWN OF KINGSBURY

Whereas, William Collins has served the Town of Kingsbury since 1998 in his position of Town Councilman; and

Whereas, William Collins will retire from his position as Councilman effective December 31, 2017; and

Whereas William Collins has served this community in numerous capacities including Town Councilman ,a member of the Hudson Falls Rotary Club and a member of the Sandy Hill Days Committee; and

Whereas, the citizens of the Town of Kingsbury have been most fortunate to have had a person of his loyalty and dedication; and

Whereas, we deeply appreciate the contributions William Collins has made to our Town government and to the progress of our community;

Now, therefore it be resolved... we extend our appreciation to William Collins for his twenty years of service as Councilman and our best wishes for happiness in all his future endeavors.

Dana Hogan, Supervisor

PROCLAMATION FROM THE TOWN OF KINGSBURY

IN RECOGNITION OF PAUL BROMLEY

FOR HIS LEADERSHIP AND DISTINGUISHED SERVICE TO

THE TOWN OF KINGSBURY

Whereas, Paul Bromley has served the Town of Kingsbury since 2006 in his position of Town Councilman; and

Whereas, Paul Bromley will retire from his position as Councilman effective December 31, 2017; and

Whereas, Paul Bromley's untiringly devoted twelve years to our community during a period of time that projects were initiated through his leadership which will continue to have a revitalizing and growing impact on our community far beyond his term of office; and

Whereas, Paul Bromley was unique in his sensitivity for doing what was best for the entire community, and he had courage in expressing his convictions and a special way of dealing with complex issues; and

Whereas, if there was one characteristic that distinguished Paul Bromley's career as a public servant, it was his enormous capacity for hard work as project manager in the construction of the Town

Highway Garage and the Renovation and Construction of the Town Hall; and

Now, therefore..express our deep appreciation and thanks to Paul Bromley for his services rendered to the citizens of our community while serving as a member of the Kingsbury Town Board.

Dana Hogan Supervisor

Supervisor Hogan stated Councilman Bromley and Councilman Collins have been a great asset to the Board and the job he has taken as Supervisor is very easy due to the fact that we have such a great people on the Town Board, in the Town Hall and the Town Highway.

Supervisor Hogan reported Dennis Kelly of Kelly Feeds had donated the Christmas wreaths for Town Hall; he would like to formally thank him for the donation of the wreaths for Town Hall.

A **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes to accept the reports submitted by Sole Assessor Colleen Adamac.

PUBLIC COMMENT:

Retired Supervisor James Lindsay stated he needed to thank his people. He thanked Councilman Collins for his service for the ten years that he was Supervisor; they had many controversial issues put before them including the former Dix Avenue Drive-In, East Side, Town Halls, and Highway Departments. He did not know how he could thank Councilman Bromley for everything he had done. Lindsay stated they had many disagreements and if the federal government and the state government could work the way this Town Board does, this would be a much better state and country. There were many disagreements about the new Town Hall and 95% of the time Councilman Bromley was right on the money. He thanked Councilman Bromley; he made his life much easier in the projects of the highway garage and the Town Hall.

Supervisor Hogan announced we are planning a luncheon, a going away party for the retired councilman.

There being no further business before the Board a **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes to adjourn the meeting at 8:00 pm.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk