

The second meeting of the Kingsbury Town Board was conducted on Monday December 30, 2013 at the Kingsbury Town Hall, 210 Main Street, Hudson Falls, NY. to

MEMBERS PRESENT: James T. Lindsay
Paul Bromley, Councilman
Richard Doyle, Councilman
Henry Freebern, Councilman
William Collins, Councilman

ALSO PRESENT: Michael Graham, Superintendent of Highways
John Aspland, Attorney for the Town

The meeting was called to order by Supervisor Lindsay at 7 pm and opened for order of business with the flag salute led by Supervisor Lindsay.

Motion by Councilman Freebern, seconded by Councilman Collins and carried by a vote of 5 ayes to accept the minutes of the meeting held on December 9, 2013.

WRITTEN REPORTS:

Motion by Councilman Freebern, seconded by Councilman Collins and carried by a vote of 5 ayes to accept the reports of certain officers for the months of October and November.

Code Enforcement Officer: November No. Permits 11: Total Fees \$1,298

Dog Control Officer: October Complaints Calls 20; Seizures 8; Unlicensed dogs 11; Euthanasia 2: Bites Investigated 3: Mileage 135.

November Complaints/Calls 29; Seizures 3; Unlicensed dogs 46; Euthannasai 12; Bites Investigated 5; Mileage 179.

Town Clerk October: Paid to EnCon \$6,327.61; Paid to NYS Dept. of Health \$112.50; Paid to the Village of Hudson Falls \$382; \$ Paid to Ag & Markets for Population Control \$125.

November: Paid to EnCon \$1444.27; Paid to NYS Department of Health \$67.50; Paid to Village of Hudson Falls \$104.00; Paid to Ag & Markets for Population Control \$71.00.

Town Comptroller October: Receipts \$49,232.49; Disbursements \$162,825.31
November Receipts: \$253,991.97; Disbursements \$ 411,251.30

Town Justice November: Fees Collected \$8,896

At the December 9, 2013 town board meeting the councilman were given proposed amendments in Chapter 80 & A84 of the Code of the Town of Kingsbury, they will be discussed in a January meeting.

Supervisor Lindsay attended a meeting with transmissions developers. The power line would start in Canada, end in Manhattan and the contractor would sub-contract using local contractors. The transmission line would be 5 to 6 feet underground, require very little maintenance, and would be taxable. Rick Chase is willing to attend a board meeting to answer any questions about the power line. The project will start in 2015. Mr. Chase would also like a list of all the local contractors so that he could contact them to start bidding.

Supervisor Lindsay, Councilman Bromley and Superintendent Graham met with the sewer district in December. An executive session will be held at the end of the meeting to confer with our attorney to discuss concerns and possible conflicts of interest.

LEGAL UPDATES: On December 6th a walk-thru was conducted with Town Attorney John Aspland, Town Assessor, Colleen Adamec and Councilman Bromley at Wheelabrator. It was agreed that the assessed value on the building is accurate, but it is necessary to look at the financials. In order for someone to look at the financial documents, someone must sign a non-disclosure agreement. Attorney Aspland is working with general counsel to amend the language because it is very restrictive, it was limited to only the attorneys looking at the documents. The attorneys with the school district have sent a FOIL request to the IDA. The IDA for years has received monthly reports from Wheelabrator indicating how much power was generated and how much money they made from generating power on a monthly and yearly basis. Attorney Aspland would like a resolution to authorize Supervisor Lindsay to execute the non-disclosure agreement. A **motion** was made by Councilman Bromley, seconded by Councilman Freebern and carried by a vote of 5 ayes to execute a resolution for a non-disclosure agreement.

Superintendent of Highways gave an update of the progress on the new highway garage, the pump station is complete and the plumbing is progressing slowly. He is hoping to be in the new facility by mid-February and is planning an open house in the spring. Superintendent Graham was notified that the new truck on order will not be ready until the end of February, they are waiting for axles to arrive.

A discussion was had about Royal Wood and the on going problem with the noise levels. The neighbors have given up some rights, because the IDA had restrictions of zero noise in the park. Also we are still waiting for a check from Royal Wood for services provided.

PUBLIC COMMENT: George and Barbara Trombley of Vaughn Road inquired about the possibility of receiving Queensbury water. Supervisor Lindsay explained that there has been discussion about supplying more town residents with Queensbury water.

At 7:45 a **motion** was made by Councilman Bromley, seconded by Councilman Freebern, carried by a vote of 5 ayes to go into executive session to confer with Attorney Aspland.

Executive session ended at 8:45, a **motion** was made by Councilman Bromley, seconded by Councilman Freebern, carried by a vote of 5 ayes to adjourn the meeting.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk

<http://www.kingsburyny.gov>