

The Town Board of the Town of Kingsbury conducted a Public Hearing on Wednesday April 8, 2026, at 6 Michigan Street, Hudson Falls, NY.

MEMBERS PRESENT: Dana Hogan, Supervisor
Scott Lindsay, Councilman
James Lindsay, Councilman
Dan Washburn, Councilman

ABSENT: Sean Akins

OTHERS PRESENT: Jack Gibbs, Resident

The meeting was called to order at 5:15 pm by Supervisor Hogan and opened for the order of business with the Pledge of Allegiance led by Councilman Scott Lindsey.

Meeting to pursuant Chapter 222 of the Code of the Town of Kingsbury titled "Solid Waste" relative to property located at 3569 Burgoyne Avenue in the Town of Kingsbury, Washington County, New York.

Councilman Akins absent but aware of the meeting gave Supervisor Hogan permission to move forward knowing we had to do within 48 hours of making announcement.

Supervisor Hogan opened the meeting with public comments, one member of the community present.

Jack Gibbs a neighbor of property in question has health and safety concerns about the property in the way it is maintained and how it affects his family being. It has just gotten progressively worse.

Supervisor Hogan: we have received commentary that rats and other kinds of infestations have been noticed in and around your home as a result. So, we are all on the same page we are in a public hearing in response to the garbage build up at 3569 Burgoyne Ave. Hudson Falls NY,12839.

Hogan read from the Town Code section 222-10 under the headline Storage of Garbage. (See Attached)

We have a file in which the Attorney for the town has asked Supervisor Hogan to essentially place in evidence. Meyer has asked to place into record in code enforcement spot documentation and notifications that were given in the last year or so and more recent certified mail along with pictures and notices taped at their front door. Brian Hart has an affidavit making him aware of this public hearing, which was taped at their door related to the litter on the ground, garbage, white plastic bags and black plastic bags.

Supervisor Hogan would like to add. This is the Town of Kingsbury Board, but tonight we are serving as a Town Health Board which is under our purview .

A motion to enter into Town of Health Board Meeting Motion by James Lindsey second by Scott Lindsey and carried by a vote of 4 ayes.

Section 222-16 Town Board hearing and order (see Attachment)

Supervisor Hogan was advised by Matt Fuller the timeline was reasonable on the situation that is occurring there. If the individual would take a day or two to clean this property, it would be cleaned. Hogan recommends and suggests a midnight deadline for Sunday April 12th at midnight. Town could then take action on its own beginning Monday April 13th at 12:01am.

Discussion: Trust of property

Discission: If property isn't cleaned up by resident/owner the town will have it cleaned up at the expense of the resident/owner. The reality is we can't leave it this way.

Supervisor Hogan states if owner does not show up for court appearance we would seek a warrant for his arrest. See attached 222-14 "Penalties for offense".

Supervisor Hogan: 5:28 PM closing the Town Health Board Meeting motion by Councilman Scott Lindsey second by Councilman James Lindsey and carried by 4 ayes. We are adjourned from our health board meeting.

5:29 back to our regular Town Board Meeting.

Supervisor Hogan: Our attorney for the town will draft a document letting resident of home know they have until midnight Sunday 4/12/2026 to clean up.

Supervisor Hogan will reach out to see about the cost of an estimate to clean up.

**TOWN BOARD OF THE TOWN OF KINGSBURY
COUNTY OF WASHINGTON, STATE OF NEW YORK**

Adopted April 8, 2026

Introduced by JAMES LINDSEY
who moved its adoption
Seconded by SCOTT LINDSEY

**RESOLUTION PURSUANT TO
CHAPTER 222 OF THE CODE OF THE TOWN OF KINGSBURY
CONCERNING PROPERTY LOCATED AT
3569 BURGOYNE AVENUE,
TOWN OF KINGSBURY, WASHINGTON COUNTY, NEW YORK**

WHEREAS, pursuant to Chapter 222 of the Code of the Town of Kingsbury titled “Solid Waste”, the Town Board of the Town of Kingsbury has the authority to find that a violation of said Chapter may exist, or may become dangerous or unsafe to the public; and

WHEREAS, the Town’s code enforcement officer has commenced action relative to property at 3569 Burgoyne Avenue in the Town of Kingsbury (the “Property”), and has presented the Town Board with photographic evidence and information presented at this meeting which, if true, could constitute dangerous and unsafe conditions at the property; and

WHEREAS, the Town Board set a public hearing pursuant to Chapter 222 of the Code of the Town of Kingsbury relative to the Property whereat any persons wishing to be heard could appear and be heard by the Town Board; and

WHEREAS, the Town Board, having held the public hearing on April 8, 2026 and having called the matter 3 times with no one appearing on behalf of the property owners or occupants and Mr. Jack Gibbs, the adjoining property owner having offered information and testimony relative to the deplorable condition of the Property; and

WHEREAS, the Town Board having considered the foregoing is prepared to render determinations and findings pursuant to Chapter 222 of the Code of the Town of Kingsbury titled “Solid Waste”.

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby finds as follows:
Based on the photographs and testimony of the Town’s Code Enforcement Officer, the Property contains garbage, waste and debris that have attracted vermin such as rats and similar animals, and constitutes a threat to the health, safety and welfare of the public. Immediately adjoining the Property is a food

1. service establishment which is in such close proximity to the Property as to be under the influence from the garbage, waste and debris at the Property. These conditions constitute a health and safety hazard rendering these circumstances unsafe to the public and are dangerous.

2. The Town's Code Enforcement Officer has advised that he has attempted to contact the owner and tenant of the Property to seek compliance with the proper clean-up of the Property, which attempts have been ignored.
3. The above constitute a material threat to the healthy, safety and welfare of the public and constitute dangerous conditions rendering the current status of the property unsafe; and be it further

RESOLVED, that the Town Board hereby directs that notice be sent to the Property owner and served at the Property and by mail to the Property owner in such form and pursuant to those requirements set forth in Chapter 222 of the Code of the Town of Kingsbury, such that if the Property is not cleaned up including removal of all trash, debris and other garbage as the Town Supervisor may approve, on or before 12:01 am on April 13, 2026, the Town Supervisor with the assistance of the Town Code Enforcement Officer or such other employees of the Town as the Town Supervisor may in his discretion determine, shall clean up or cause to be cleaned up and removed from the Property, all trash, debris and other garbage, so as to render the Property safe and free from such trash, debris and other garbage; and be it further

RESOLVED, that the costs of such actions by the Town be tracked and billed as provided for in said Chapter 222 of the Code of the Town of Kingsbury; and be it further

RESOLVED, that the Town Supervisor be, and he hereby is, authorized to take such other and further action or cause to be taken such other and further action as he may deem necessary to carry out the provisions of this resolution; and be it further

RESOLVED, that this resolution shall take effect immediately.

Supervisor Hogan: Adjourned 5:29 PM

Respectfully submitted,

Billy Jo MacDuff, Town Clerk

TOWN OF KINGSBURY, NEW YORK

NOTICE OF ORDER

**IN ACCORDANCE WITH CHAPTER 222 OF THE CODE OF THE TOWN OF
KINGSBURY, TITLED "SOLID WASTE"**

Re: 3569 BURGUYNE AVENUE, TOWN OF KINGSBURY,
WASHINGTON COUNTY

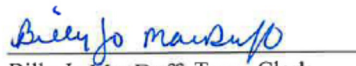
PLEASE TAKE NOTICE, that upon the resolution of the Town Board, the Town of Kingsbury has found the property at 3569 Burgoyne Avenue in the Town of Kingsbury (the "Property"), contains garbage, waste and debris that have attracted vermin such as rats and similar animals. The Property constitutes a material threat to the healthy, safety and welfare of the public and constitute dangerous conditions rendering the current status of the Property unsafe. These finding were based upon the photographic evidence and report of the Code Enforcement Officer of the Town of Kingsbury. The Property shall be cleaned up including removal of all trash, debris, and other garbage as the Town Supervisor may approve, on or before 12:01 am on April 13, 2026.

PLEASE TAKE FURTHER NOTICE that in the event the owner or occupant of this Property neglect or refuse to remove all trash, debris, and other garbage from the Property, the Town may clean up or cause to be cleaned up and removed from the Property, all trash, debris, and other garbage, so as to render the Property safe and free from such trash, debris and other garbage.

PLEASE TAKE FURTHER NOTICE that all expenses incurred by the Town in connection with the proceeding to remove all trash, debris, and other garbage shall be a charge against the Property and shall be assessed, levied and collected in the same manner of special ad valorem levy.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF KINGSBURY, DATED APRIL 8, 2026.

Dated: April 9, 2026



Billy Jo MacDuff, Town Clerk
Town of Kingsbury