

The second regular meeting of the Kingsbury Town Board was held on April 25, 2016 at the Kingsbury Town Hall at 210 Main Street, Hudson Falls.

MEMBERS PRESENT: Dana Hogan, Supervisor  
Paul Bromley, Councilman  
William Collins, Councilman  
Richard Doyle, Councilman  
Henry Freebern, Councilman

OTHERS PRESENT: Matt Fuller, Town Attorney  
Michael Graham, Superintendent of Highways  
James Chase, Water Superintendent  
Mary Ordway, Comptroller  
Ross Cortese, Code Enforcement Officer  
Todd Humiston, Dog Control Officer  
Dave Meager, Adirondack Trust Insurance  
Chris Krahling, Agricultural Stewardship Association  
Dale & Joan Prouty, Kingsbury Cemetery Association  
Tim Havens, Resident  
Jerry & Jolene Caruso, Residents

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

On a **motion** made by Councilman Freebern seconded by Councilman Collins and carried by a vote of 5 ayes the minutes of the March 28, 2016 and April 11, 2016 Town Board Meeting were accepted as submitted by the Town Clerk.

Supervisor Hogan introduced Dave Meager of Adirondack Trust Insurance. Mr. Meager presented an overview of the proposed Summary of Insurance. Mr. Meager explained the Town is currently insured with NYMIR (New York Municipal Insurance Reciprocal) which was created by the Association of Towns when it was difficult for municipalities to obtain affordable insurance. NYMIR insures only public entities; they insure Washington County and every Town and Village in Washington County. Mr. Meager stated the Town saved approximately \$6,000.00 last year by insuring with NYMIR. The premium for the proposed policy will decrease from last year's premium; due to the sale of the former Highway Garage on Dix Avenue.

Supervisor Hogan requested Town Clerk to read the Notice to Bidders for T-Shirts for the various recreation programs. Supervisor Hogan opened and read the bids as follows:

Hallwear: \$7,353.75

ProMarket Solution: A total was not available; individual prices for each style were indicated on the bid. The Board acknowledged acceptance of the bids and Recreation Director Debbie Battiste will review the bids.

Supervisor Hogan introduced Chris Krahling of the Agricultural Stewardship Association. The mission of ASA is farmland protection in Washington and Rennselear Counties. Mr. Krahling would like a letter of support for a PDR Application (Purchase of Development Rights) for a 120 – acre property on New

Swamp Road. A **motion** by Councilman Freebern seconded by Councilman Collins and carried by a vote of 5 ayes for Supervisor Hogan to sign the following letter of support:

David Behm  
Division of Land and Water Resources  
NYS Department of Agriculture & Markets  
10B Airline Drive  
Albany, NY 12235

Re: Endorsement letter for Four Winds Farm

Dear Mr. Behm:

The Town of Kingsbury fully endorses the Agricultural Stewardship Association's (ASA) Farmland Protection Implementation Grant proposal to the NYS Department of Agriculture and Markets for a perpetual conservation easement on Four Winds Farm. The 120-acre property is located on New Swamp Road, just off State Route 196, and is owned by the Nims family. The property is leased to Jimmy Crowley for critical support hay land for his dairy operation.

The Property is located within the Town of Kingsbury, which has adopted a Right to Farm Life Law in 1992 and a zoning ordinance in 1985 (last revised 2005). As evidenced by these ordinances, the Town is very supportive of working farms and their importance to the economy both locally and county-wide.

We are delighted to partner with ASA and show our support for the protection of Four Winds Farm. If the project is awarded state funding, we understand that ASA, as the grant applicant, will be responsible for administering the grant, and holding and enforcing the conservation easement.

We urge the Department to give favorable consideration for this application.

Sincerely,

Dana Hogan  
Town Supervisor

Joan Prouty, of the Kingsbury Cemetery Association was present at the meeting to discuss the renewal of the Cemetery Maintenance Agreement. A discussion followed, after which a **motion** by Councilman Freebern seconded by Councilman Doyle and carried by 5 ayes to approve a Cemetery Maintenance Agreement with the Kingsbury Cemetery Association; with the option of having a 3-year term subject to the Town Board's appropriation in the budget process.

Water Superintendent James Chase reported the in the past year the water in the Industrial Park has shown low chlorine levels. The water is not unsafe, but does not meet NYS standards and must be chlorinated. Mr. Chase reported it will cost the Town approximately \$15,000.00 to \$ 20,000.00 for a chlorination station. Next week Mr. Chase would like Supervisor Hogan, Highway

Superintendent Michael Graham to join him in a meeting with the Health Department to discuss this problem. He would also like to hold a water committee meeting on Monday May 2, 2016 with Councilman Freebern and Councilman Doyle to discuss his plans for the chlorination station.

Superintendent of Highways, Michael Graham reported the CHIPS money remained the same; but the NY Pave increased from \$14,000.00 last year to \$24,000.00 for the current year.

A **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes for the Supervisor, Councilman and Highway Superintendent to sign an agreement to spend Town Highway Funds as follows:

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS  
TOWN OF KINGSBURY  
YEAR 2016

Pursuant to the provisions of Section 284 of the Highway Law, we agree that monies levied and collected for the repair and improvement of highways, and received from the State for the repair and improvement of highways, shall be expended as follows:

**1 GENERAL REPAIR** The sum of \$114,519.00 may be expended for general repairs upon 53.06 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks of the renewals thereof.

**2. CAPITAL IMPROVEMENTS.** The following sums shall be set aside to be expended for the improvement of town highways; P.S. Capital \$249,200.00

Total               \$295,348.00

On the road commencing at	SANFORD RIDGE ROAD
And leading to	QUEENSBURY AVENUE
A distance of	1.1 miles, there shall be expended not over the
Sum of	\$67,627.00
Type 6	Width of traveled surface               20'
Thickness 1 ½"	Subbase PAVEMENT

On the road commencing at	NORTH STREET
And leading to	FEEDER STREET
A distance of	.20 miles, there shall be expended not over the
Sum of	\$17,542.00
Type 6	Width of traveled surface               20'
Thickness 1 ½"	Subbase PAVEMENT

On the road commencing at	DIX AVENUE
And leading to	WEST STREET
A distance of	.25 miles, there shall be expended not over the
Sum of	\$34,004.00



Agreement with the County and the Village for Code Enforcement; and the real estate deals for 210 Main Street and the former Dix Avenue Drive-In.

Councilman Freebern asked Attorney Fuller if there was any change with the purchase of the Dix Drive-In by Rich Schermerhorn. After discussion Attorney Fuller will relay a message to Schermerhorn we would like to close the sale.

The Town Clerk reported she had prepared for the Public Hearing set for May 9, 2016 for the change to the Zoning Map. The notice for the public hearing had been published, letters had been sent to the owners who would be affected by the change and the County had been notified of the proposed change.

Ross Cortese, Code Enforcement Officer reported he had received no communication from the owners of East Side. The facility is for sale and the license to operate has expired. The Town must schedule a Phase I and Phase II environmental assessment of the property. Attorney Fuller will follow up with Attorney Meyer on Monday.

Comptroller Mary Ordway would like to have a short workshop after the meeting is adjourned.

Dog Control Officer, Todd Humiston reported the annual inspection conducted by Ag & Markets received a satisfactory rating. He also reported the resident on Fairview Lane still has not licensed her three dogs; she has been to court twice and the case has been adjourned.

Superintendent of Highways Michael Graham reported they are getting ready for blacktopping and they had moved more items from the back room of Town Hall to the new Town Hall. He also reported the infiltrators had been installed at 6 Michigan Street to resolve the run-off problem unto the neighboring storage units. The sweeping had been completed by Dave LaRose.

Supervisor Hogan reported the County had approved the Code Enforcement position. There is a Public Safety meeting tomorrow to execute the dates when the County will take over some of the current responsibilities for the Town and the Village.

Councilman Bromley reported the work at the new Town Hall is winding down.

Supervisor Hogan received a letter of resignation from Town Historian Paul Loding effective on April 30, 2016. A discussion followed about a new Town Historian. Town Clerk will have an ad published ad in the Post-Star.

Supervisor Hogan reported the Annual Supervisor's report was complete and ready to be filed with the NYS Comptroller.

A **motion** by Councilman Freebern seconded by Councilman Collins and carried by a vote of 5 ayes to allow Yves Marchand and Romain Meffre, two photographers from France to photograph the Strand Theatre. The photographers are working on a documentary about historic American theaters.

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

Code Enforcement for February: No. Permits 4; Research Fees 1; Site Plans 1; Total Fees: \$501.00

Dog Control for March: Complaints/ Calls: 58; Seizures 1; Unlicensed Dogs 8; Bites Investigated 3; Mileage 538; with 85 to Fort Edward; 218 to Fort Ann

Town Clerk for March: Paid to EnCon: \$264.54; Paid to Supervisor: \$3,514.44, Paid to NYS Dept. of Health \$157.50; Paid to the Village of Hudson Falls: 120.00; Paid to Ag & Markets for Population Control: \$144.00

Town Comptroller for January: Receipts \$1,917,935.66; Disbursements \$143,654.30

February: Receipts \$133,457.28; Disbursements \$614,617.67

March: Receipts: \$36,532.04; Disbursements \$148,065.64

Town Justice for March: Fees Collected: \$13,419.48

There being no public comment and no further business before the Board a **motion** by Councilman Freebern seconded by Councilman Collins and carried by a vote of 5 ayes to adjourn the meeting at 8:22 p.m.

Respectfully submitted,

Cynthia A. Bardin, town Clerk