

A Special Meeting of the Kingsbury Town Board was conducted via teleconference on April 27, 2020.

MEMBERS PRESENT: Dana Hogan, Supervisor  
Richard Doyle, Councilman  
William Haessly, Councilman  
Jane Havens, Councilwoman  
Dan Washburn, Councilman

OTHERS PRESENT: Rebecca Pomainville, Comptroller  
Colleen Adamec, Assessor  
Michael Graham, Highway Superintendent  
Todd Humiston, Enforcement & Dog Control Officer  
Jeffrey Meyer, Town Attorney  
Dave Meager, Amsure Insurance  
Carrie Woerner, 113<sup>th</sup> District NYS Assemblywoman  
Betty Little, 45<sup>th</sup> District NYS Senator

The meeting was called to order at 6:03 PM and opened for the order of business with the Flag Salute led by Councilman Washburn.

A **motion** by Councilman Doyle seconded by Councilman Washburn and carried by a vote of 5 ayes to accept the minutes of the March 16, 2020 Board Meeting as submitted by the Town Clerk.

Assemblywoman Carrie Woerner and Senator Betty Little had been invited to attend the Board Meeting by Councilwoman Jane Havens.

Supervisor Hogan requested that Ms. Woerner give the Board an update on the COVID-19 virus from a state standpoint. Ms. Woerner stated the State is still struggling with unemployment and if we know of anyone encountering problems please contact her; she will contact the Department of Labor to prioritize getting them into the system. She was very encouraged by the news over the weekend that the Governor is serious about a regional re-opening of the economy and taking a regional approach is a very positive thing. Today the Governor established a framework for this and she encourages Washington County and the Town of Kingsbury to use this time to make a thoughtful plan for reopening. Perhaps putting a task force together including local municipalities, major employers and schools within the County putting in place a strategy for Washington County as a whole. The Governor suggested framework for re-opening and stated we should look for a trigger in a 14-day decline in hospitalizations and a decline in positive testing. Think about the reopening by staging industries; starting with manufacturing and construction and moving over time to reopening restaurants, etc. Think about what precautions should be in place, social distancing, monitoring employee's temperatures when they go into work or while they are at work. Also being mindful of health care capacity, the number of beds in hospitals, public health resources, the number of ICU beds. Think about what you are going to do in the flu season, there is some speculation that COVID-19 will return. You should stockpile the PPE that the County has for the emergency health care workers, have testing resources, have isolation facilities if it were needed and a requirement that there be no attractive nuisances opening such as the Saratoga

Race Track. The fact that the track is open will bring people to the region, so don't approve of attractive nuisances.

There is no word at this time of more specific guidelines outlined in the framework the Governor has suggested for reopening. The supply chain has been disrupted to some manufacturing facilities so there is concern if the supplies will be available when the reopening can occur. This would be an opportunity for a company in New York State to work on building a supply chain for our manufacturers.

Councilwoman Havens was speaking to Linda Govey of the Hudson Falls Central School; Ms. Govey was wondering if the Governor has an education committee set up that was working and brainstorming through their part of reopening. With some of the responses she was afraid they may not be. Could we find out if there is and could we ask for a task force for the schools.

Assemblywoman Woerner's understanding is there is an education team that is looking at education issues. Senator Betty Little stated the legislative committees are working on ideas as well. Assemblywoman Woerner stated they are working on coordinating businesses and schools to reopen at the same time to eliminate child care issues.

Senator Little stated The Board of Regents is concerned and is working with the State Commissioner. She has had calls to them on other issues like getting people certified.

Senator Little thanked the local legislators and the counties for working so hard to make sure the people can understand this and the people can continue to function. She believes we are going to be able to return to our new normal which is going to be different. We are not going to be so chummy; we are going to be staying away from people, staying home if we don't feel well, wearing masks and not have large gatherings. We are going to have to adjust and continue to live our lives and do everything differently. Senator Little stated there is a webinar tomorrow put on by Syracuse, The Small Business Association which is open to the public. Anyone with unemployment issues should hang on, they will get it, the Commissioner of Labor is trying to make this work. They have improved the computer system and people from other agencies are working on it trying to get it through. Senator Little reported people are hurting, over 500 cars showed up at the Aviation Mall for a free food give away.

The amount of testing is going to improve dramatically and every essential worker would be able to get a test if they were not feeling well following the procedure of a doctor making the appointment for you. We must continue to social distance, wear masks and get our businesses open. There are a lot of stores that could open like a grocery store with one-way traffic down the aisle and with people standing separate. We must go forward slowly.

Senator Little stated every single household must have internet; it is a necessity with students and parents studying and working online from home. Senator Little thanked the Board for everything they are doing.

Councilman Haessly asked Senator Little what could be done for farmers who have suffered a price loss in their milk. Senator Little said they are trying to use more of the milk in their food banks and through the government buying it; the State buying it. The Governor's new program is called Nourish New York. Senator Little urged everyone to buy locally to support our local businesses. She also urged businesses to prepare and submit a plan for re-opening. Councilman Haessly asked who the plan must be submitted to. Senator Little responded The Empire State Development.

Supervisor Hogan thanked Assemblywoman Woerner and Senator Little for joining the Town Board Meeting and we appreciate all they do.

Supervisor Hogan announced the first item on the agenda was guidance from NYS for Grievance Day Plans. An email was received from Real Property Director Laura Chadwick with guidance related to Grievance Day. The Board does have some options to discuss; Sole Assessor Colleen Adamec and Town Attorney Jeffrey Meyer were asked to join the meeting. The Assessor can provide some of her recommendations and Attorney Meyer can talk to the Board about some of the legalities that we may need to understand or address. A couple of the options that the Board has are they can push the Grievance Day back a month, they have the ability to do remote calling or teleconferencing or virtual meeting and welcome any suggestions from a Board member or the general public. Some of the things we do have to keep in mind from a logistical point are management of the agenda from the Board of Assessment Review, someone to assist the BAR members with controlling calls if we do go to a virtual approach and how we allow the General Public to file grievances. Attorney Meyer suggested setting up a potential designated email.

Assessor Colleen Adamec reported she is ready to go. One of the benefits with Kingsbury Grievance Day is that most generally it has been by appointment. It would not be that much of a change to give someone a designated time if we do the phone or whatever, so that would be a good idea. The grievances could be sent to her office; they can go to the State website, do them online and submit them to her. A discussion followed.

Councilman Washburn stated why would we not just push it back 30 days to give us the extra lead time.

Assessor Adamec stated it does not matter it is a decision for the Board to make.

Supervisor Hogan asked if there would be any strong objection from the Board to move Grievance Day to June to buy more time in terms of planning and allowing folks to complete their paperwork and get it to the Assessor; as well as perhaps taking advantage of the phase re-opening that could occur in our region. Supervisor Hogan asked Assessor Adamec if she could see any issue that could come up if Grievance Day were moved back a month.

The assessor stated no, because people will still have the right to be heard and they may feel a little bit more comfortable in June; we all may feel a little more comfortable in June.

Councilman Haessly suggested they could use the Town Board room and space the Board members apart and bring one person or a couple at a time by using a number system. The downside would be that it is a public meeting which needs to be recorded. With the 6 - foot spacing we could do that.

Assessor Adamec stated we could do the 6 - foot spacing, the key point is how we have done appointments in the past has worked out well because there are not that many people that show up together; they usually show up at their scheduled time. They could be asked to remain outside until the prior person is done.

Councilwoman Havens stated this not a mass gathering so why not keep Grievance Day on schedule, social distance, people could wear the masks if they feel the need. She suggested the Grievance Day stay on schedule.

Councilman Doyle would like to push Grievance Day to June as long as it is not interfering with anything else.

Attorney Meyer feels the Board should do something whether it is push it back 30 days or allow for an alternate; the Town does not have a lot going on and there is going to be a lot of anxiety in the community; it would be easier to present them with some kind of option to avoid any kind of claims after the fact of anyone saying what you could have done; you did nothing I was afraid. It is safer for the Town.

Supervisor Hogan stated he would be in favor of pushing off Grievance Day for 30 days only for a couple of reasons. First of all, it gives us more time to game plan the idea of maintaining social distancing in terms of what could be accomplished. If we do have to do a face to face meeting in the Town office, I think it is going to give the general public a safer feeling if we put push it out further and we get the apex of this matter behind us.

Attorney Meyer recommends the Board make a motion using the roll call vote.

A **motion** by Councilman Washburn seconded by Councilman Doyle and carried by a vote of 5 ayes to move Grievance thirty days.

Roll Call Vote:

Supervisor Hogan	Aye
Councilman Doyle	Aye
Councilman Haessly	Aye
Councilwoman Havens	Aye
Councilman Washburn	Aye

Supervisor Hogan stated prior to the COVID-19 shutdown we had received two applications for the Board of Assessment of Review. He would like Councilman Doyle and Councilwoman Havens to interview the candidates by setting up a conference call. Rebecca Pomainville, Town Comptroller will work with Councilwoman Havens and Councilman Doyle to set up a conference call with the candidates.

Assessor Colleen Adamec asked Attorney Meyer if June 1<sup>st</sup> would be the date for her Tentative Roll date and June 23<sup>rd</sup> be the date for Grievance Day. Attorney Meyer responded yes.

Dave Meager of Amsure reviewed highlights of the proposed summary of insurance for the Town of Kingsbury. The Town has a package policy with NYMIR. When the Town joined NYMIR they paid a capitalization fee. This year NYMIR will give back to the Town over \$1,000.00, a return capitalization fee, and they will do the same this year if the Town continues to be insured with them. Mr. Meager also approached another insurer this year, and when you include the capitalization fee refund there is approximately a \$1,400.00 savings by staying with NYMIR. Last year NYMIR returned to the Town

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\$154.08 late in the year. This was called a “return of operating reserve”, basically a return of the profits they made. Every year we can hopefully look forward to greater amounts from NYMIR as they return profit to the Town and other participants who are essentially owners of this insurance company.

Councilwoman Havens noticed there was coverage on the Supervisor and the Town Clerk/Tax Collector but none on the Comptroller. Mr. Meager stated there has never been extra bonding coverage on the Comptroller but there would be nothing that would prevent you from doing it. Mr. Meager will provide a cost for coverage of \$500,000.00 on the Comptroller for the next Board Meeting.

Supervisor Hogan requested Comptroller Rebecca Pomainville discuss budget/planning and perhaps our discussion of an austerity budget for the time being. The Comptroller went through and did a worst-case scenario based on what the Governor had said about a week ago possibly decreasing our state aid and also trying to determine what the Town may lose in sales tax and other revenues. Looking at the worst case possible would be cutting about \$58,000.00 in expenses just to the General Whole Town Fund where we will be hit the hardest. She found the engineering contractual line had about an extra \$10,000.00 and the contract for uniforms for the highway employees and mats at Town Hall was re-negotiated with a savings of approximately \$1,200.00 for the year. She is also working on revising a phone service with a savings of approximately \$1,600.00 a year. She is working on a new copier contract that will save approximately \$500.00. With trainings cancelled for employees we will save from \$400.00 to \$1,000.00. The Town has \$15,000.00 in contingency that hopefully we won't have to cut or touch. The waste removal contract has been re-negotiated with a savings of approximately \$500.00 this year. She believes that our Recreation Budget that we have not run for the past month and possibly longer will result in approximately \$30,000.00 savings. The changes will result in about \$60,000.00 in the General Fund Whole Town, with these changes and re-negotiations the Town will be all right if state aid is cut.

The Comptroller and Highway Superintendent Michael Graham attended a webinar with the State Association which gave some good information. Michael Graham stated there is a lot of uncertainty with the biggest issue being the CHIPS money. There is concern if they spend money will they be reimbursed. They were reassured they will be, with a recommendation they spend it sooner than later. CHIPS is 100% bonded and if the State tries to pull some of that money out of every dollar, 25 cents of it would be saved because it is bonded, so it is not a huge savings. The Governor is in favor of getting local infrastructure and construction projects done. They will try to get the paving done early. The State Association was talking about if they do decide to pull the funding it is not going to be right away, there would be about a three week leeway that they would say we are thinking about pulling back some money, we're not going to reimburse and it probably would be mid to late summer before that possibly happens. Right now, they say go for it, the earlier the better to get their paving done.

Supervisor Hogan stated the Comptroller had emailed The Agreement to Spend Highway Funds for the year 2020 this morning. Three items were listed for paving with one being crossed out. The Supervisor asked the Highway Superintendent if the reimbursement from CHIPS would be for the two projects that were listed. Superintendent Graham stated he was going to pave a third road but to try to cut back expenses this year and save money, he would like pave Wait Road and Hendee Road with the Board's



Type:	6 TOP	Subbase:	Pavement
Width of traveled surface:	22'	Thickness:	1.5"

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Executed in duplicate

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Supervisor

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Councilmember

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Councilmember

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Councilmember

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Councilmember

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Highway Superintendent

Due to the Board members meeting via teleconference, Attorney Meyer stated the agreement can be signed at a later time.

Superintendent Graham had talked to Fab3 before the onset of the COVID-19 agreeing to purchase a dump box for one of their spare trucks. The dump box is brand new but requires some finishing, which the highway employees are capable of doing. The materials needed to finish the dump box are in house, no additional funds would be necessary. The cost is \$3,500.00 versus \$20,000.00 for a brand new one.

Supervisor Hogan stated Mike was trying to be sensitive to the austere approach to the budget and asked the Board if there were any objections to the purchase of the dump box. There being no objections he can move forward with the purchase.

Superintendent Graham reported they are back to work and things are a little different working with half crews. The street sweeping was complete and they are working in the country sweeping roads.

Councilwoman Havens noticed a recliner on the side of Schoolhouse Road and is concerned with rural dumping. Superintendent Graham stated last week the recliner and a lot of garbage had been picked up.

The Comptroller usually assesses late fees on water bills on the 21<sup>st</sup> of each month, she is looking to get Board permission to waive fees until we open the economy. This month's late fees totaled a little over \$500.00; it is not going to impact the Town as much as it does the residents. A **motion** by Councilman Washburn seconded by Councilwoman Havens and carried by a vote of 5 ayes giving the Comptroller permission to waive late fees on Town water bills.

Supervisor Hogan announced the next item on the agenda is COVID -19 Local Enforcement Guidance. Enforcement Officer Todd Humiston stated this is the Governor's Executive Order for PAUSE for businesses and the social distancing guidelines. Some items are addressed by law enforcement and others by the Towns and Code Enforcement. The Sheriff's Department has taken the lead for this, mostly for Kingsbury by using a diplomacy approach and feels the Town should fall in line with that. He has received calls with concerns about some businesses. He has been going out asking businesses what

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they are doing to see if they are falling in line with the guidelines of essential businesses. If they are following the guidelines, they are allowed to be open; if not they educate them and if they don't follow from there, they would have to involve law enforcement and they could take action from there. He would like to continue to use the diplomacy approach and not provide any shutdowns. Most of these businesses are trying to make a living in our community and from what he has seen are all trying to do the right thing.

Supervisor Hogan asked if there were any objections to the diplomacy approach that was being taken. A discussion followed.

Supervisor Hogan announced the fifth item on the agenda was COVID – 19 Outreach, Advocacy & Exchange of Ideas. Councilwoman Havens had some suggestions and great ideas.

Councilwoman Havens stated in regard to historical documents we are stewards of everything that is going on right now. She would like to put together a resolution, a document or a book. Something that lists the President's resolution, the Governor's State of Emergency, the Washington County State of Emergency. If anyone is interested, we have a pretty dynamic Town Board because we have someone in the insurance industry, someone in the construction industry, someone in manufacturing and a gentleman with military service and a herself in two different retails. She wonders if we might put down some words on paper about our on personal experiences and open it to any of our Town employees. We should take a moment to document this and put it in the Town archives; something for a "Moment in Time".

Councilwoman Havens went into Hannaford and they were limiting butter. She contacted Assemblywoman Woerner who contacted Ag & Markets and they provided a list of farms that produce butter. They compiled the contact information and brought it to the floor manager at Hannaford. Councilwoman Havens did not get back into Hannaford to see if any contacts were made. She stated when we see things like that can we help our neighbor; help our other business

Councilwoman Havens also discussed the possible need to change packaging of some products. With schools, restaurants being closed there is not a need at this time for products in large packaging, possibly the businesses could make an investment to package products in another way; not knowing how long the pandemic will continue and to be prepared for a possible next emergency. She also stated Assemblywoman Woerner learned from Ag & Markets if the meat packaging plants close there is a 7 to 9-day lead time, so we could end up having a meat shortage but Ag & Markets is watching it. Spring turkey hunting season begins on May 1<sup>st</sup>; due to the decreasing population of the turkeys DEC had considered decreasing the bag limit from two to one, but in the light of a food situation the bag limit was left at two. Assembly Woerner also talked to the DEC about the fall hunting season and the harvesting of venison for donations.

Councilwoman Havens stated "Do we put something out just as outreach to our residents, do we send them a comforting letter or do we have an information officer?" She asked Supervisor Hogan if he had a Facebook account for the Town. Supervisor Hogan stated he does not have a Facebook page; he maintains a Twitter page. Councilwoman Havens asked if there was a protocol for communication for

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the residents from the Town Board. Councilwoman Havens continued to share her thoughts in regard to ways to reach the community during the pandemic.

The Board discussed the options of sending a message to the residents of the Town during the pandemic, whether it be a letter or an ad in the newspaper. Supervisor Hogan will contact Village Mayor Barton to see if that is something they would like to move forward with.

Councilwoman Havens likes Assemblywoman Woerner's ideas about regional advocacy about finding out about what each company is willing to do to be open. We could help facilitate getting this information together.

Supervisor Hogan stated Senator Little did contact Sam Hall because we don't have a Chamber of Commerce that is dedicated to Washington County. She did ask Sam Hall to work with the Emergency Management Team because she is part of the team of state officials who are being asked to look at the Phase re-opening. Senator Little suggested if we have an idea of a manufacturing or companies who are currently deemed non-essential right now but we could bring them back using some common sense approach to start putting them down on a list. If anyone has any suggestions or thoughts, they could send an email to him. The discussion continued.

Councilman Haessly stated he is concerned with the Kingsbury Volunteer Fire Company; due to the pandemic they are unable to conduct their fund-raising events. They should be contacted and may need additional funding when the budget is prepared for next year. Supervisor Hogan will reach out to Fire Chief Bryan King.

Councilman Haessly also stated the Board Room needs to be re-arranged to conduct public meetings using social distancing. Supervisor Hogan stated we can look at some potential re-design of the Town Board Meeting room to see if we can spread ourselves a little bit more. A discussion followed.

Councilman Doyle suggested the Town Historian document the events of the COVID-19 pandemic. Supervisor Hogan will contact Town Historian John Mead.

Councilman Haessly stated the Spectrum contract was still open at this time. A discussion followed. Attorney Meyer will forward the proposed changes to the members of the Town Board and it will be discussed at the next Board Meeting.

Councilwoman Havens reported the school is doing breakfast and lunch, one thousand meals a day which is more than they do on a regular school day. "The Good News About Town" the teachers drove around Town to the students there were rainbows stuff all over Town which is good.

Councilman Washburn believes there are people doing banners in downtown Hudson Falls; they are going to replace the veteran's placards on the light poles with pictures of the high school seniors.

TOWN CLERK REPORT:

Town Clerk requests a drop box be placed outside her office. During the pandemic residents have been placing dog license renewals, water bill payments and other correspondence in the drop box outside the Town Court Office.

The annual New York State Town Clerk Association Conference has been re-scheduled for August 2020. The Town Clerk will not be attending; this will save the Town approximately \$800.00.

Town Clerk reported fishing and hunting licenses are available online at the DEC website or by calling the DEC. Fishing licenses will become active immediately; hunting licenses will be active once tags are received in the mail, taking 10 to 14 days.

#### ENFORCEMENT OFFICER:

Todd Humiston believes the Washington County Code Enforcement Office has re-opened for business. They were telling some residents with small home projects to proceed, and when they re-opened, they could come to the office to obtain a permit. The Town is following the same procedure.

#### SUPERVISOR REPORT:

Supervisor Hogan reported some of the County committee meetings were scheduled to resume; Public Works, Public Safety.

Supervisor Hogan received masks and hand sanitizer from Tim Hardy and gave them to Max McDonald of the Senior Center. There is concern from the seniors of a phase re-opening and the threat of COVID-19 spreading; they may feel more protected wearing a mask. He also distributed masks to the Hudson Falls DPW and Police Department, our highway department and Town Hall. Masks are available to any essential businesses, senior citizens or disabled citizens who want them.

A **motion** by Councilman Washburn seconded by Councilman Haessly and carried by a vote of 5 ayes to accept the report of certain officers for the month of March:

Dog Control Officer: Complaints/Calls 31; Seizures 2; Unlicensed Dogs 3; Bites Investigated 1; Mileage 225 – 44,270

Town Clerk: Paid to EnCon \$28.34; Paid to Supervisor \$1,527.87; Paid to the Village of Hudson Falls \$150.00; Paid to Ag & Markets for Population Control \$83.00.

Town Comptroller: Receipts \$1,934,612.51; Disbursements \$2,036,226.69

Town Justice for February: Fees Collected: \$18,891.00

#### TOWN CLERK REPORT:

TO: Supervisor Hogan  
Councilman: Doyle, Haessly, Washburn & Councilwoman Havens  
FROM: Tax Collector: Cynthia A. Bardin  
SUBJECT: 2020 County/Town Collection  
DATE: April 13, 2020  
Payments to Town: January 6, 2020: \$150,037.22 - Taxes

January 14, 2020: \$628,917.10 - Taxes  
 January 24, 2020: \$830,009.46 - Taxes  
 February 14, 2020: \$665.79 – Penalties  
 March 3, 2020: \$1,839.55 – Penalties & \$20.00 Return Check Fee  
 March 13, 2020: \$1,868.05 – Penalties Collected  
 April 7, 2020: \$4,345.14 – Penalties Collected &  
 \$2.50 Interest Payment

Totals:

Taxes Collected:	\$1,608,963.78
Penalties Collected	\$8,696.03
Return Check Fee:	\$ 20.00
Interest Payment:	\$2.50
 TOTAL:	 \$1,617,682.31

There being no further business before the Board a **motion** by Councilman Washburn seconded by Councilman Doyle and carried by a vote of ayes to adjourn the first virtual meeting at 8:04 PM.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk