

The first regular meeting of the Kingsbury Town Board was conducted on May 7, 2018 at the Kingsbury Town Hall at 6 Michigan Street, Hudson Falls.

MEMBERS PRESENT: Dana Hogan, Supervisor
Richard Doyle, Councilman
Henry Freebern, Councilman
William Haessly, Councilman
Dan Washburn, Councilman

OTHERS PRESENT: Michael Graham, Highway Superintendent
Todd Humiston, Dog Control Officer
Mary Ordway, Town Comptroller
Ross Cortese, Code Enforcement Officer
Jerry & Jolene Caruso, Town Residents
Gwendolyn Craig, The Post Star

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 Haessly.

The minutes of the April 16, 2018 Town Board Meeting were accepted as submitted by the Town Clerk on a **motion** by Councilman Freebern seconded by Councilman Haessly and carried by a vote 5 of ayes.

A **motion** by Councilman Freebern seconded by Councilman Washburn and carried by a vote of 5 ayes giving permission to Recreation Director Debbie Battiste to go out to bid for T-shirts for the 2018 Recreation Program.

Town Clerk reported it was necessary to make a change in the contact call list for the fire alarm system. In the event of an emergency Supervisor Hogan will be called first, Town Clerk Cynthia Bardin will be contacted second and Deputy Supervisor Freebern will be contacted third.

A **motion** by Councilman Doyle seconded by Councilman Freebern and carried by a vote of 5 ayes for Supervisor Hogan to send a letter in support of S3292/A3907 to create the Safe Water Infrastructure Action Program known as SWAP. The SWAP is designed to provide municipalities with water, sewer and storm water infrastructure, an annual supplemental funding stream to support operation and maintenance activities.

Supervisor Hogan received a letter from the Sandy Hill Days Committee in regard to placing an ad in the 2018 Sandy Hill Day ad book. The Board would like to place an ad and agreed to use the same photo of the Town Hall that was used last year in the ad book.

A **motion** by Councilman Freebern seconded by Councilman Washburn and carried by a vote of 5 ayes to accept the reports of certain officer for the month of April as follows:

Code Enforcement Officer: Variances 1; Site Plan 2; Total Fees \$600.00
March – no activity reported

Dog Control Officer: Complaints/Calls 39; Unlicensed Dogs 5; Summons Issued 0; Mileage 586 with 173 charged to Fort Edward & 162 charged to Fort Ann; Safety Presentations 13 with 540 students

<http://www.kingsburyny.gov>

Town Clerk: Paid to EnCon \$252.24; Paid to Supervisor \$2,915.59; Paid to NYS Dept. of Health \$112.50; Paid to the Village of Hudson Falls \$312.00; Paid to Ag & Markets for Population Control \$138.00

Town Comptroller: Receipts \$97,536.67; Disbursements \$183,891.18

For March – Town Justice; Fees Collected: \$23,849.90

Assessor: Sales Transmittal Report

TOWN CLERK REPORT:

The Town Clerk reported she had received a certified letter from Borgos & DelSignore to provide a Notice and a request for a waiver from the 30-day filing requirement for a liquor license to David Mattes, the new owner of The Rock Sports Bar located at 1066 State Route 196.

Town Clerk reported she will be out of the office from May 9th to May 11th.

COMPTROLLER REPORT:

Mary Ordway met with Lynn Derway who works for NYCLASS; which stands for New York Cooperative Assets Securities System. NYCLASS is a short-term, highly liquid investment fund, designed specifically for the public sector. NYCLASS provides the opportunity to invest funds on a cooperative basis in short-term investments which are carefully chosen to yield favorable returns while providing maximum safety and security. NYCLASS is structured in accordance with New York State General Municipal Law. The Municipal Cooperation Agreement is administered by an elected Governing Board of up to fifteen members. A board member must either be a participant, a participant's chief financial officer, another designated officer or employee of the participant who has knowledge and expertise in financial matters. The Board of NYCLASS retains the services of Public Trust Advisors LLC located in Denver who provides administrative and marketing services to NYCLASS. Comptroller Ordway is interested because at this time Glens Falls National Bank is currently paying .1% interest and NYCLASS is currently yielding 1.62%. She explained there is a Municipal Cooperation Resolution which must be passed by the Board so the Town is able to participate in the plan. A **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes authorizing Comptroller Mary Ordway to be the key contact for NYCLASS. A **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes to adopt the Municipal Cooperation Resolution; pending Town Attorney review.

Municipal Cooperation Resolution

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o (section 119-o) empowers municipal corporations [defined in Article 119-n to include school districts, boards of cooperative educational services, counties, cities, town, and villages and districts] to enter into, amend, cancel, and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers, and duties on a cooperative or contract basis:

WHEREAS THE Town of Kingsbury wishes to invest portions of its available investments funds in cooperation with other corporations and/or districts pursuant to a municipal cooperation agreement;

WHEREAS THE Town of Kingsbury wishes to assure the safety and liquidity of its funds;

Now, therefore, it is hereby resolved as follows:

That Comptroller Mary Ordway is hereby authorized to execute and deliver the Cooperative Investment Agreement in the name of and on behalf of the Town of Kingsbury.

Key Contact Signature	Town Comptroller Title
Mary Ordway	Date

A **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes to include New York Cooperative Liquid Assets Securities System (NYCLASS) as an official depository for deposit and safekeeping of Town funds; pending Town Attorney review.

Debbie Bell of the Capital Financial Group, Inc. has been the contact for health and dental insurance for many years. Ms. Bell is leaving Capital Financial Group, Inc. and will be employed with Asset Strategies. Comptroller Mary Ordway is requesting the Town Board appoint Ms. Bell as our broker of record. Mary explained the insurance won't change, Ms. Bell will be able to sell the same insurance plans because it is community rated, it does not matter who the broker is and the commission is built into the premium. A **motion** by Councilman Freebern seconded by Councilman Haessly and carried by a vote of 5 ayes to appoint Debbie Bell of Asset Strategies as the broker of record for the Town. Councilman Doyle has no objections but would like the Town to research other options in July; the current health insurance policy will expire September 30, 2018.

Dog Control Officer Todd Humiston uses his personal cell phone for all calls related to Dog Control. A **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes to reimburse Dog Control Officer Todd Humiston \$40.00 per month (to be paid quarterly) for cell phone charges.

DOG CONTROL OFFICER REPORT:

Todd Humiston reported he has three pending legals: the draft of the update of Dog Control which is being prepared by Attorney Stockwell, a dangerous dog case and contempt for non-payment on a dangerous dog case. The Dog Safety Program for students is complete for this year; with 13 presentations for 540 students. Supervisor Hogan commented he witnessed a child using techniques taught by Humiston when approached by a dog. Todd Humiston will attend the Dog Control Officer Conference on Wednesday and Thursday and he will be teaching a class. On Saturday May 5, 2018 a rabies clinic was conducted at the Kingsbury Highway Garage with approximately 70 to 80 rabies shots administered.

HIGHWAY SUPERINTENDENT REPORT:

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

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS
TOWN OF KINGSBURY

YEAR 2018

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 REPAIRS. The sum of \$116,800 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 or the renewals thereof.

2 CAPITAL IMPROVEMENTS. The following sums shall be set aside to be expended for the improvement of town highways; \$296,800
Total \$413,600.00

On the road commencing at	State Route 4
And leading to	VAUGHN ROAD
A distance of	1.98 miles, there shall be expended not over the
Sum of	\$171,907
Type 6 TOP	Width of traveled surface 20'
Thickness 1 ½ "	Subbase PAVEMENT

On the road commencing at	State Route 4
And leading to	BALDWIN CORNERS ROAD
A distance of	.31 miles, there shall be expended not over the
Sum of	\$28,063
Type 6 TOP	Width of traveled surface 20'
Thickness 1 ½ "	Subbase PAVEMENT

On the road commencing at	STATE ROUTE 149
And leading to	O'CONNOR LANE
A distance of	.08 miles, there shall be expended not over the
Sum of	\$4,991
Type 6 TOP	Width of traveled surface 20'
Thickness 1 ½ "	Subbase PAVEMENT

On the road commencing at	COUNTY ROUTE 41
And leading to	TOW PATH ROAD
A distance of	.26 miles, there shall be expended not over the
Sum of	\$20,494
Type 3 BINDER	Width of traveled surface 18'
Thickness 2 ½ "	Subbase GRAVEL

On the road commencing at	PLEASANTVIEW DRIVE
And leading to	DEAD END PLEASANTVIEW DR.
A distance of	.19 miles, there shall be expended not over the
Sum of	\$31,277
Type 3 BINDER	Width of traveled surface 20'
Thickness 3"	Subbase GRAVEL

Executed in duplicate this

7TH DAY OF MAY 2018

Supervisor

Councilman

Councilman

Councilman

Councilman

Highway Superintendent

Superintendent Graham reported the total cost would be \$255,791.00; the amount in the 2018 budget is \$296,800.00.

The highway crew has been cutting some trees and did a small project on a culvert on New Swamp Road.

Superintendent of Highways Michael Graham invited Supervisor Hogan to a banquet for the Town Highway Superintendents where scholarships are awarded. Superintendent Graham explained that fundraisers are conducted by the Town Highway Superintendents and two scholarships are awarded each year to Washington County students for Mechanical Engineering & Electrical Engineering. The student receives \$2,000.00 for college and the other scholarship is for \$1,000.00 at ACC. Supervisor Hogan thanked Superintendent Graham for the invitation to the banquet, he had no idea the fundraising for scholarships occurred.

COUNCILMAN REPORT:

Councilman Haessly expressed his concern with the placement of handicapped parking and the entrances at the proposed Cumberland Farms. Code Enforcement Ross Cortese explained Cumberland Farms has received no approval at this time and are re-applying to the Planning Board.

Councilman Haessly is also concerned with the status of sewer and water billing. Comptroller Ordway stated she does not believe it has gone anywhere. Supervisor Hogan will touch base with Attorney Matt Fuller.

Councilman Haessly visited the Highway Garage and is working on a USDA Grant. Superintendent of Highways has prepared a list of priorities.

Councilman Doyle reported that he, Councilman Haessly, Assessor Colleen Adamec and Attorney Meyer met to discuss the PILOT agreement with Cypress Creek. Councilman Haessly has created a spreadsheet with some possibilities. Councilman Doyle would like to do some additional analysis on how this is going to tie in between the Town and County. The Town has adopted a Local Law which grants tax exemptions for solar energy structures, but the County has not. Councilman Doyle would like to discuss it all at the same time. Councilman Doyle explained there is a sizeable difference between Assessor Adamec and Cypress Creek in the assessed evaluation for the installation. Councilman Doyle will have a suggestion for the next meeting.

SUPERVISOR REPORT:

Supervisor Hogan spoke about the DASNY Grant the Town received last year for water extensions, water connectors connecting the Town and Village water to assist in an emergency situation and quick adapt fittings for fire hydrants. Water Superintendent James Chase contacted Supervisor Hogan and stated the quick adaptors were very effective and potentially saved a life at a fire on Ninth Avenue. When the firemen arrived at the scene of the fire the resident was inside the home and got wet.

Supervisor Hogan and Water Superintendent James Chase have completed an application for another DASNY Grant for the Burgoyne Avenue water extension project. Letters of support from the Kingsbury Volunteer Fire Company and the NYS DOT office have been received.

Supervisor Hogan reported Deb Donahue has been hired as the new County Highway DPW.

Supervisor Hogan welcomed Gwendolyn Craig a new reporter for The Post-Star.

A **motion** by Councilman Freebern seconded by Councilman Doyle and carried by a vote of 5 ayes to enter into an executive session at 7:55 PM to discuss the acquisition of real property.

A **motion** by Councilman Freebern seconded by Councilman Washburn and carried by a vote of 5 ayes to exit the executive session at 8:10 PM.

There being no further business before the Board a **motion** by Councilman Doyle seconded by Councilman Washburn and carried by a vote of 5 ayes to adjourn the meeting at 8:10 P.M.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk