

The first regular meeting of the Kingsbury Town Board Meeting was conducted on September 8, 2020 at the Kingsbury Town Hall at 6 Michigan Street, Hudson Falls.

MEMBERS PRESENT:

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

OTHERS:

Enforcement Officer, Todd Humiston  
 Highway Superintendent, Michael Graham  
 Town Comptroller, Rebecca Pomainville  
 Town Attorney, Jeff Meyer  
 Town Resident, Mr. Renny Devine  
 Town Resident, Mr. & Mrs. Forcier  
 Town Resident, Mr. & Mrs. Dave Allen  
 Town Resident, Mr. & Mrs. Greg Couture  
 Town Highway Dept., Mr. Dennis Sullivan  
 Town Resident, Mr. Jerry Caruso  
 Town Resident, Dave Fleury

The meeting was called to order at 7 PM by Supervisor Hogan and opened for the order of business with the Flag Salute and Pledge of Allegiance led by Councilman Washburn.

The minutes for the August 17<sup>th</sup>, 2020 were unavailable.

Supervisor Hogan moved the Public Comment session ahead of the agenda items. Town Resident Renny Devine has lived at 321 Geer Road since 1977. He built his home in Kingsbury as he thought it was peaceful beautiful land; raised 2 children and still loves his road and area. He feels putting a solar farm in this area will change the entire environment of their area and make our homes less desirable to sell as we get older. From another view there are bigger farms out there growing hay, alfalfa and corn; where are they going to rent land when the solar farm goes in. Where are the deer, turkeys and other game animals going to roam and feed when solar takes over? This solar farm is just the tip of an iceberg, it is a cancer that cannot be cured. This will change our environment, the aesthetics of the land and the value of our resale of our home. The current solar farm could be placed on the old GE site in Hudson Falls or Fort Edward. Warren County has a couple of places, old Ciba Geigy plant as well as old landfills through our counties. Leave the country to be country, stop the nonsense now. According to the New York State Environment of Quality Review Act, SEQR, it requires all State and local agencies to consider environmental impacts with social and economic impacts. 200 acres of farmland in a district zoned agricultural residential is an environmental impact. With regards to economic social impact study, no one took into consideration that our home values may

drop. No one from the Planning Board ever asked our opinions on anything. We basically have had taxation without representation, and this is bull. Everybody should have been notified on Geer Road from here all the way up and down around Vaughn Road, this is a joke. Peckham's is a joke. Peckham's already did this in Chestertown, they are not good neighbors. Look at the homes they bought that are deteriorated on Geer Road now. One is a historical home; it was the Marns farm for years which is the one next to mine and the windows are broken out in the back. I am going to have a come to Jesus meeting with Peckham's as soon as I can get a hold of them guys. They have been avoiding me, but I am going over to the plant. I have had enough. I have been trying to be a good neighbor, but the point now is the gloves are off. I do not want the solar farm. I talked to many neighbors that are here tonight, several on Geer Road right before I came here tonight, and nobody ever got notified of this project of this magnitude. Someone from the Planning Board should renege because we did not get notified, we did not have a voice in this. The Planning Board should renege everything that they did. Mr. Devine stated Matrix is commercial. Matrix is selling power to the lines; it is commercial. The area we live in is zoned residential/agricultural not commercial.

Supervisor Hogan thanked Mr. Devine and asked if there was anyone else for public comment.

Dave Forcier of 318 Geer Road had asked has this project had definitely been approved and what is that process and once the Planning Board approves it does it go to the Town Board or is this a done deal?

Supervisor Hogan asked Town Attorney Meyer to answer Mr. Forcier's question.

Town Attorney Jeff Meyer responded the Planning Board did perform its customary thorough review of the project for site plan applications and notice requirements that they be published in the paper. There is not a requirement of notification to the neighbors and personally I can tell you that the Chairman of the Planning Board requested the applicant to talk to the neighbors to be sure they understood what was going on. In terms of the process the application has been approved. There is no additional approval required by the Planning Board at this time unless the project changes which is unlikely but not impossible because once they start putting shovels in the ground, they may find something unexpected and would have to go back to the Planning Board. The only remaining item is they had asked to negotiate our pilot agreement which is a reduction in taxes that would end up coming before this Board but the site itself and those approvals have been granted.

Supervisor Hogan asked Mr. Forcier if he had a follow up question?

Mr. Forcier asked is there a moratorium? Is this the only solar project that has been approved and when is it supposed to start, like site prep?

Supervisor Hogan replied we currently do have a solar moratorium. There were other approvals, Cyprus Creek being one. There was a general conversation regarding the current approved solar arrays and future solar array site plans.

Enforcement Office, Todd Humiston spoke and advised they cannot start anything until they demo houses and do minor repairs to the historic house. The plan is to keep the historic house. This is all part of the site plan and must be done before they can get subdivisions or get any work done. I have not seen any demo permits come through yet.

Mr. Forcier asked if the property is zoned residential/agricultural and Matrix is sub-leasing this, is Matrix considered a commercial entity that is leasing agricultural land for their commercial purpose?

Town Attorney, Jeff Meyer replied, it is not necessarily who the owner is, it is the use of the property. Currently it is permissible to have solar panels in all zones in the Town of Kingsbury if provided space, setbacks and all requirements are met. It does not matter if it is Matrix or Peckham's as anyone can install solar panels on their property.

Mr. Forcier asked if this is State rules or Town of Kingsbury rules?

Town Attorney, Jeff Meyer responded, these are local laws Town of Kingsbury.

Dave Allen from 304 Geer Road asked if they have done any environmental impact studies? I was under the influence that behind my house and Dave's house there were wetlands, and I was told all I could do on it was farm. So, if that is the case why can solar panels be there?

Town Attorney, Jeff Meyer said wetlands were reviewed as part of the Planning Board process and wetlands were delineated as it was not a disturbance because the frame work is being screwed into the ground, essentially like a large cork screw, there is no concrete pad so there is no disturbance. A rack is placed onto the corkscrew to hold the solar panel.

Dave Allen stated he would like to make a recommendation outside this project. When you put notifications in the newspaper for projects, also post it on your website. Honestly, I think everybody here will agree, how many people do you think really read those? When you talk about a project of this magnitude there should be another means of communication for what is going on in our neighborhoods. If that would have been the case, we all would have been here. Maybe shame on me because I do not read those notices and I do not get the Post Star anymore. If I would have known we could have provided some input like some protection, like a vegetation barrier. I understand there is a landscape plan which I have not seen. Projects at this magnitude somebody should knock at a door and come to notify the people that are going to be impacted.

Supervisor Hogan responded and advised that we have started the process of changing the way we notice meetings now. Todd Humiston our Enforcement Officer has recently made some recommendations prior to this becoming an issue or concern; about putting signs up, larger signs very similar to how the Public Auction signs are that you see around town; as well as having some discussion about sending out mailers as part of the project. These are all valid points. This was over about a year period where these Planning Board

meetings have occurred. We do our best, but we have 2 or 3 people come to our meetings at given night. I am glad you are here; this where sometimes it is after the fact and that is the challenge.

Lorraine Forcier from 318 Geer Road said she was completely frustrated over the entire process because the minimum obligation was met, and I feel like my opportunity to have any input has been completely taken away from me, it is a done deal. What can I do at this point? I cannot do anything. There was a notice in the paper two times, in the classified section. Your home is your biggest asset, it is your jewel, you want to protect it and that was completely snuck under my nose and taken away. No one was at the meeting because no one knew about it. I believe at one of the meetings a gentleman was asked is there anybody here? No one was ever there as we just found out about this 2 or 3 weeks ago. It has been going on since 2017, a long time. What is the magnitude of this project? I heard it is in the millions of dollars. How does a project that is that big and has an impact get past people for 2 years?

Supervisor Hogan answered, people do not come to public meetings.

Mr. Forcier said I am glad you are taking steps to address this in the future, going forward. It is too late for me but I hope it does not happen in the community again elsewhere. I hope in the future you notify the public in a bigger way, for projects of this magnitude. I will contact Matrix myself; I have interests.

Supervisor Hogan said we are certainly moving forward in that direction and asked the Town Attorney if by coming to a Public Meeting does the public have any grounds to deny the application approval, based on the way the laws are written? Attorney Meyer replied no.

Greg Couture 282 Geer Road stated Peckham is huge. You would think that they would have the decency to tell us that something about what they are doing in our neighborhood. If you have objections on that please come to the meeting.

Supervisor Hogan replied I'm glad you brought that up because on September 18<sup>th</sup> Mr. Doud, who represents Matrix, the company that is leasing a space from Peckham, indicated in the Planning Board meeting he said he likes to make contact with the neighbors before hearings so that he can show them what the project will be. I contacted Peckham last week and asked to their knowledge was that ever done? They did not know. I am going to base on the input we are getting tonight that that was not done.

Todd Humiston said he was told that that was done when reviewing the landscaping plan.

Supervisor Hogan advised neighbors they had the option to reach out to those companies as well.

Councilwoman Havens shared a similar story when she and her husband considered opening a truck/tractor pulling park on 40 acres on route 4. Over the years they contemplated on what to do with it and in 2016 they researched it and went to the

Planning Board for approval. The first thing the Planning Board advised us to do was to notify the neighbors and if you have the neighborhood support it would be beneficial to your project. We did not have the ability, never found the time to talk to the neighbors, so no one knew about our pulls and it was decided not to pursue the pulling park. Councilwoman Havens agrees with all the comments from the residents of Geer Road regarding having no notification of the proposed solar farm. She agrees better communication is necessary to move forward.

Dave Allen stated Matrix has a lot of gall coming and wanting a tax break for the solar farm. We are in the middle of a pandemic and we all know our taxes are going up. They are making millions of dollars and we have to give them a tax break? They are going to ruin the value of our homes and property. Give us a tax break, you are giving them one.

Supervisor Hogan comments what you are referring to is the PILOT payments they are requesting. Just so everyone is aware and one of the questions from Mr. Forcier was asking if this is a done deal and moving forward. I do not get the impression this is a done deal yet. This was public information discussed at the IDA meeting. You will hear me be very vocal at the IDA meetings, in opposition. It was advised to me that they are not moving forward unless they get a pilot arrangement from the School and the County because those are the big tax numbers. The school rate of thirteen dollars per thousand is big and the County tax rate is approximately six or nine per thousand. I was advised if they do not get that it is not economically feasible to move forward. I can tell you the County voted against providing pilots. My opinion is they tried to circumvent the school, town and county and tried to work with the IDA for a pilot. The IDA considered a pilot and since have voted against a pilot. Based on my conversations with the school district officials they have been historically opposed to offering pilots, particularly over 10 years. One of the reasons the IDA took up the discussion is because Governor Cuomo signed a Excel Rated Renewal Growth Recovery Act in the early part of 2020 and as part of that they wanted to look at the IDA to give them a County wide pilot which would essentially supersede the Town, County and School. They did not do that. I think Mr. Devine probably went to the school board meeting to make sure that if the Matrix shows up to request the pilot, he is going to be there to vocalize his position against it. I encourage you to keep an eye on the agenda and if this topic comes up to go to that meeting. I am not in favor of pilots with these people and made myself clear on this. I am not entirely sure this project is moving forward without a pilot.

Councilman Haessly asked would you explain to these people what optout means, so they have a better understanding?

Supervisor Hogan explained New York State has a law called RPTL487. Some years ago Governor Cuomo initiated that Real Property Tax Law which essentially said every community school in a municipality in the State of New York is automatically opted in so you must negotiate a pilot for solar rays or you have the option to negotiate a pilot with solar rays if you remain opted in.

Town Attorney Jeff Meyer solar, wind, global energies are essentially exempt from taxation, but municipalities can opt out of that exemption and essentially tax it as a paramount development.

Supervisor Hogan stated if you stay opted in you have the ability to negotiate a pilot on your own. Municipalities have the authority to then say we are not going to do that, we're going to opt out and we are going to tax it just like you would the Hogan farm or your house or anybody else's house based on the assessment that our assessor comes up with. Washington County has opted out it was a 16 to 1 vote, and I voted to opt out of that. The school district to my understanding also opted out of that law. The Town of Kingsbury has remained opted in. There are some benefits to be opted in. In my opinion you retain more authority and control over the process. We have remained opted into that process and we have a solar law that is in place that spells out exactly what in lieu of taxes will be in our community, but it is only for 15 years. Most of them want 25 to 40 years. That is kind of the difference between opt in and opt out. Right now, most of these solar companies would like everybody to have one authority that could negotiate a pilot that will satisfy everybody in the county. The authority in Washington County, was the IDA. Several weeks ago, and after about a month and a half of discussion, I made it very clear we do not want you to have this authority. We do not want you doing any of this on our behalf. Leave it, stay out of Washington County and stay out of Kingsbury is the message I sent. The IDA voted not to undertake solar pilot arrangements, there will be no solar pilots for the time being. They can change the policy tomorrow but right now they got the feedback that we do not want them negotiating solar projects on our behalf. So now they must individually negotiate with the school and the county. As Dave Allen had said, our assessor can come in, make a determination and an evaluation on the assessment. Dave Allen had asked what they are worth; Supervisor Hogan heard anywhere from thirty million or today they think it is six or seven million. The assessor thinks it is worth fifteen million. Right now, at fifteen million between the county and school tax they would pay that per rate on the fifteen hundred that is a significant number and my understanding is they are not comfortable at that number at this time. That is why I say keep an eye on the county and school agendas. I think that is where that next step will be at the school board. I cannot say for certain but that is what I would recommend.

Supervisor asked if anybody else had any questions or public comment?

Councilman Haessly mentioned the state of New York announced a big plan for solar energy the New York State Energy Development Authority and they are going to contract people to look for good sites to put in solar. With that right now we do not have a lot in place to say we are going to protect farmland and we do not have a lot of input in that. The state of New York is looking for a lot of places to put solar in and that is why this board is looking for how we are going to address the zoning requirement for solar. As part of the pilot agreement this board has put together an agreement or resolution law which says they are going to be taxed on equipment based on per megawatt of power they produce. The land value remains with the assessor. They are going to know their numbers of what the power is going to be with their panels. Our dilemma right now is that they state is looking for our farmland and Mr. Devine said they are going to use up all that usable farmland. Currently I know a farmer who has stopped all farming and he told

me he is being paid ten to fifteen dollar's an acre. When these solar companies come in, they will pay a lease agreement that exceeds that a little bit, but more than that they pay all the taxes. The owner of the land gets the agricultural exemption on their taxes. Given the choice if you were a land owner and someone said we will give you so much per acre and we will pay all your taxes or the county is just giving you a agricultural exemption which way do you think he is going to go? They are going to take whatever gives them more dollars. That is going to take away our agricultural land for solar power. Some of you may be aware there is also a power deal bringing power from Canada with a line goes through New York City. It gets buried from Lake Champlain through the town of Dresden where it pops out of the ground and is a single cable filled with copper. That adds to our base of assessment and is taxable.

Therefore we have a moratorium so we can look at all of this and manage where solar farms go in. The point is we were caught a little off guard in my opinion. The state is pushing this on small towns.

Supervisor Hogan broke in and said back in April a cluster of these came up from the Governor's office and they had identified priority zones. Priority zones were landfills, brown fields and abandoned sites. Councilman Mr. Doyle and I have a conference call to discuss solar panels on the Kingsbury landfill. It does not make sense to put it in an agricultural field. That was one of the concerns the Board had and decided to issue a moratorium. I am personally not in favor of these going into these green pastures out in the middle of the country where people buy land for the view. You did not buy land out there so you could be next to the library and the bus route. I hope you know I am sensitive to everything you guys are saying. I listened to everything everyone is saying tonight, and I am not entirely certain it is a done deal. I think there are some other things that need to fall. I think the pilots are going to be a big piece of this as well.

A neighborhood guest spoke up and said our voices can be heard now. Before we knew nothing about this.

Supervisor Hogan responded and said well I will tell you again we were harping on the pilot issue for the last two months and we have video proof of that and if you ever want to listen to the audio and video of the IDA meeting I would encourage you to do so and that was at the support of this board. They were all supporting me as well encouraging me to have those conversations and I did.

Resident Dave Allen said we have a dairy farm over on Vaughn Road that has been outgrowing itself for how many years? There's cows and cows and cows, there is no land left in Kingsbury to buy, between Walker and Ideal Dairy, they cannot get grants if they do not have land to feed their cows with the solar farms they are putting in.

Supervisor Hogan replied you will hear some farmers say we want the right to be able to do what we want with our land. In Moreau the farmers are saying we want to be able to put solar panels on their farm because it helps us pay the bills. It is a balancing act. It is a challenge. I understand, I think it was Mr. Forcier who said people have the right to use their land they want to. Whether you agree with Peckham or not it is their land. We wish they approached it a different way.

Mr. Forcier agreed with the planning board, the moratorium as that is what is important. This project, the way I look at it, it is what it is but going forward it is a balancing act between property rights and business to be profitable, continue to grow and as well as taking care of the residences. I trust in what I have heard tonight it sounds very good. We are trusting you to kind of watch over us. Watch out for us a little bit I know that is difficult, you have a lot of interests, thank you.

Councilwoman Havens wanted to add there is nothing more powerful than a grass roots effort and nothing more satisfying than a grass roots effort that accomplishes its goal for the positive benefit of the group, via residents, neighbors. I just want to encourage you from here going forward. Whatever it was that brought this to your attention take that energy and enthusiasm. Kitchen readings go a long way, come together as a group of neighbors, meet, discuss it and share information. Someone may have time to organize, somebody has time for one meeting, somebody has time to share something. Do that, from this process forward and hopefully we get a resolution to your satisfaction that everybody is comfortable with and you will all be part of the process. It is very empowering as a grass roots effort. Good luck.

A town resident asked where are the maps?

Supervisor Hogan replied Todd can get those for you.

Enforcement Officer Todd Humiston replied he could get landscaping maps.

Supervisor Hogan asked if anyone else had any comments, any topic? No replies. Thanked everyone, said we really do appreciate it.

Supervisor Hogan moved to item #I on the agenda, the Greater Glens Falls Agreement. He verified the Board received a copy from the Town Clerk and verified that the Comptroller reviewed it and is comfortable with the agreement. A **motion** by Councilman Doyle, seconded by Councilman Washburn and carried by a vote of 5 ayes giving permission to Supervisor Hogan to sign the Greater Glens Falls Transit Agreement.

Supervisor Hogan moved to item II on the agenda; for Board approval for Judge Malvuccio to apply for a grant from the Justice Court Assistance Program. Supervisor Hogan stated you may recall 2 years ago under our prior Comptroller and prior Town Justice the court submitted a grant request to pave the parking lot. We got the grant, unfortunately the grant needed to be used in a specific time period and was not completely used, therefore the Town needed to return the unused portion of the funds. Justice Malvuccio and Court Clerk Laura Barody are resubmitting for the remaining funds. Supervisor Hogan must draft a letter saying the Town Board supports the Town Court in submitting that application for those funds to pave the overflow parking lot. A **motion** by Councilwoman Havens, seconded by Councilman Doyle and carried by a vote of 5 ayes giving permission to Judge Malvuccio to apply for a grant with the Justice Court Assistance Program.



Agenda item III is a Court Parking Lot discussion. Councilman Haessly stated we are looking for a grant fund so the Town will hold off any further discussion at this time.

Supervisor Hogan stated the Town received the grant in March two years ago and we are hoping it will be a similar timeframe. Highway Supervisor Graham has already started the process of getting estimates to submit with the application. The photographs are done and the final piece to meet the October deadline is the letter of support from the Town Board. I am going to draft a letter saying our Town Board by resolution dated September 8<sup>th</sup>, 2020 supports this application.

Councilman Haessly explained where the additional land/parking lot was and why it was needed for court for additional parking; especially in the winter to get vehicles off the street. The grant would save the Town money. It costs about \$15,000 to \$20,000 based on quotes obtained by Highway Supervisor Michael Graham.

Supervisor Hogan moved onto item IV of the agenda, Employee Retirement Discussion. Councilman Haessly said we have one employee that is eligible to retire now, especially if the state offers retirement incentives. He has special technical skills that will require at least 6 months to a year of training for a new employee to become sufficient at this position. The Board discussed hiring an individual at a previous board meeting. Councilman Haessly recently had a conversation with our employee, and he said it might be just a few months for a deal to come through for an early retirement. You may know the state is in fiscal tough shape and one of the ways they manage their problems is to offer special early retirement.

Councilwoman Havens recently spoke to this employee and asked if there was a job description to what he does. He did not know and she asked him to write a job description. If he could give us a list of duties that would help us decide where to go to look for a replacement.

Supervisor Hogan asked is this a highway department employee? Councilwoman Havens replied yes. Is the highway employee under Highway Superintendent Graham and is he getting involved in this? Supervisor Hogan asked Superintendent Graham if he had someone in mind? He responded he has someone; we have looked at someone and it has been discussed. He stated he would have to work under the current Water Superintendent's license for a year. The new employee can still work under the retired persons' license.

Councilwoman Havens asked do we have a highway employee retiring in October? Superintendent Graham answered yes. Councilwoman Havens asked does the town do anything? That will be discussed in the Highway Superintendent report.

Supervisor Hogan asked about agenda V Salary Survey was that also included with the Retirement Discussion? Councilman Haessly replied we are going to hold it until the Comptroller is here. Supervisor Hogan said we would table Salary Survey until next meeting.

Supervisor Hogan moved on to agenda item VI Discussion to Schedule a Public Hearing to Rescind Firearms Law – Chapter 136 of the Kingsbury Town Code.

Councilwoman Havens said in our last meeting in the discussion about firearms on Town property, Enforcement Officer Humiston had mentioned polling everyone that worked in a town building. She chose to contact people outside of work hours so that anyone could speak freely. She asked them their opinion on allowing firearms on Town property. Before I give you the tally on it, I want to say this it's in my human nature and running as a republican and who I was going out and looking for votes I knew the majority of the makeup of a lot of the board of the people I spoke with and everyone had an independent answer. Everyone spoke professionally, confidently, shared their opinion and it is a mixed bag of answers. We have intelligent independent thinkers that work here, and I was so impressed by it. I was really impressed by everyone's kindness and answering being honest and they gave me their answer so that I could categorize and substantiate their answer with different comments. Simply I am going to say that the answers came this way; there were six people that had no preference either way two supporting rescinding the law, there were six keeping the law as is, one was a no response, two were conditional responses, one was I did not poll because they were retiring immediately and two people that I called twice each and did not reach them but will before a public meeting is conducted. I will find out their answer and add it to the poll because I think everybody must be included. My personal feeling it was true as you can see a mixed bag of answers. There was no compelling answer one way or the other. So, what I would like to know is what the residents feel? A gentleman came in my store last week and he was doing an amendment to his pistol permit and he lives in Warren county. They are doing it all by mail. He purchased his firearm in the evening he came back the next morning and I said that was fast. He said remember our government works for us and I found that very enlightening in that moment. I thought I am going to make sure whatever I am doing I am going to work for the residents. So, we here at the town, work for the residents. I would like to move a **motion** to rescind Law #136 per the document that you have there and request a public hearing so that we can hear what the residents can think about this law.

Supervisor Hogan said O.K. asked if anyone would like to second? **Motion** seconded by Councilman Haessly. Supervisor Hogan asked for comments? A Town resident asked what is Law #136? Councilwoman Havens replied right now there is a ban on firearms on town property and rescinding it would allow firearms on Town property. Supervisor Hogan asked the Town Attorney Jeff Meyer if rescinding that law would allow somebody to walk into Town Hall with a shotgun strapped to their back and attend a public meeting? Town Attorney replied yes.

Councilman Doyle stated he did not think this was the direction the Board was going. He thought the Board was going to make some adjustments to the existing law and we still have the issue with court which is in here. Attorney Meyer stated is a law with the Office of Court Administration not allowing firearms in the court office. He does not think the Board can just rescind without putting something in place with some type of restriction in place. He stated he supports the 2<sup>nd</sup> amendment, but as Supervisor Hogan just pointed out there is a difference in long guns and handguns. The gentleman that was in our last meeting said I would be ok allowing long guns on the property but not in the building. If someone came in to get a hunting license you don't want to make them unknowingly in violation by

leaving their firearm in their vehicle, but they don't need to bring their hunting rifle into the building to get a hunting license. A licensed concealed carry holder, I thought, is where we were going, and I am certainly ok with anyone licensed without restrictions would be able to carry. That is where I thought we were headed; those are my comments.

Councilwoman Havens said after the last meeting, that evening and the next day her son's girlfriend (who is a law student) and she were going to write a new firearms law. She searched all night after the meeting for laws that structure firearms that do not ban them. She could not find anyone that had one. We could not find municipalities that ban firearms. She spoke to Attorney Meyer and he referenced some and brought me up to speed. What I she found was a lot of laws detailing what you could do, with the absence of the restriction. So, more words being put into a law could then put us in another jeopardizing situation, wording or rewording. What she found was the absence of laws detailing stuff myself. What she did think about law abiding citizens will always be law abiding citizens. If someone chose to do something wrong, there is no gun law on the books today that has ever prevented or mitigated any type of an incident that that law was written to justify it. Federal background checks are very important, and they are very good. She knows that because that is what she does. Beyond a federal background check your history is on file with the FBI. No gun laws put on the books have ever hindered a crime. There has never been anyone that has stopped doing something because of the laws. If somebody was going to do something that becomes a mental incapacity that no one can foresee. She says this from experience. Councilwoman Havens went on to describe her daily firearm experiences. She always feels safe even when denying a sale and not uncomfortable. In the end she did not want to reword the current law.

Councilman Washburn commented Dana brought up a good point where a law abiding citizen isn't going to do something to jeopardize but if it is not against the law and somebody was to try and intimidate and bring in an AR15 or shot gun and they were upset, they could be a law-abiding citizen and make us all very uncomfortable in that situation. Where if that same person came in, they had a carry concealed the second they show that they are breaking the law. At that point they can be arrested. If they carry a long rifle in here, there is nothing we could do if we do not have a law in place. There was some conversation about what kind of law would be broken. Supervisor Hogan stated if the Board rescinds the law the Town could be subjected to someone entering Town Hall with a shotgun in their hand.

Town Clerk stated she sells the hunting licenses and if the law is rescinded, they could come in and buy a hunting license while carrying a shotgun and I cannot say a word? Supervisor Hogan spoke and said if they have a shot gun or long rifle and the current law is rescinded immediately my understanding is yes, they could do that. The Town Clerk replied she would not be comfortable with that at all and does not think anyone in the office would be. It would be very intimidating

Todd Humiston interjected it is a security risk too. There is a reason the government buildings do not allow firearms. I have been stationed in Alaska, Texas and Oklahoma that are pro-gun states and government buildings do not allow firearms because it is a security risk. You see a gun on government property it gives you time to protect yourself or react.

If you allow it, it will become second nature and you will not know when a criminal or non-abiding citizen is there. They are political buildings, and we are in a very high political time in our country right now and this is a bad idea. In Alaska you can buy a handgun and conceal it immediately, no background checks or waiting period. You can sell them in a high school at gun shows. You can buy it, carry and conceal it immediately. Yet, you cannot carry on government property.

Councilwoman Havens spoke and said in all due respect to everyone there are government buildings in towns in our county and outside of our county Essex, Washington where they do not ban them. The question would be in all those towns that have never had a law on the books how many of them have had an incident? For instance, someone goes and buys a hunting license and carries their gun in the building; from all the hunters that come into my store that is just not the way they operate. How many of these entities that do not have a law on the books and have had an incident?

Supervisor Hogan commented we have a law in place right now and we are within a 1,000' of two schools. I do not think there is any or a good, reason to rescind the law. I am a 2<sup>nd</sup> amendment supporter as well, I have a carry concealed permit, I would not want to rescind any of these laws. The law is written now where we can make exceptions where we need them. I think any change is just poor policy from the Town of Kingsbury. Would anyone else like to make any comments?

Councilman Haessly commented I do not agree with that.

Supervisor Hogan asked what do you disagree with?

Councilman Haessly yes, I personally disagree with that. I do recognize there are some concerns and obviously there is some middle grounds that allows for concealed carry permits in a holder and provide for the security of the building. I also drafted what could be an alternative that would address Councilman Doyle's, Councilman Washburn's and the Town Clerk's concerns.

Supervisor Hogan commented we have a current motion on the floor to address the current motion and we must address that first before we go onto the next one. Any further comment on this specific motion that is on the floor? Any comments on rescinding the current law in place right now? No replies. Let us take a vote; In favor of rescinding the current law #136 of the code of the Town of Kingsbury?

Town Attorney Meyer corrected Supervisor Hogan and said it is introducing a local law and scheduling a public hearing; the resolution is not to rescind the law. The proposal is a written law to rescind that chapter and the resolution only sets a Public Hearing at a later date.

Supervision Hogan stated we have a motion.

Councilman Doyle stated since this is just to get public input he would vote in favor of allowing the Public to comment.

Supervisor Hogan stated he is a no.

Councilman Washburn agrees with Mr. Doyle if the public hearing is only for comment; he is not 100% in favor of rescinding the law and if it is just a conversation piece to move onto the next step he is in favor of it.

Councilman Haessly stated he is in favor of having the public hearing to review if whether the Board should rescind or replace the law.

Councilwoman Havens stated yes, and the intent is so have a public hearing to get resident input.

Supervisor Hogan stated the motion was carried,

Roll call vote:

Councilman Doyle - Aye

Supervisor Hogan - Nay

Councilman Washburn – Aye

Councilwoman Haessly – Aye

Councilwoman Havens – Aye

A **motion** to schedule a public hearing on September 21, 2020 to discuss the repeal of the current local law amending Chapter 136 regulating the possession of firearms on Town property. A **motion** was made by Councilwoman Havens and seconded by Councilman Haessly and carried by a vote of 4 ayes; with a nay from Supervisor Hogan.

Town Highway Employee, Mr. Sullivan questioned how the public will be notified? How will it read?

Supervisor Hogan explained legal notification is the Post Star, Town Clerk Board and our Town of Kingsbury website.

Councilwoman Havens asked if it is appropriate to put the notice of a public hearing on her Facebook page?

Town Attorney, Jeff Meyer answered it is permissible for anyone to drum up support in opposition in any way manner they see fit.

Town Highway Employee, Mr. Sullivan commented due to the current pandemic if we had a large response you would not use this building?

Supervisor Hogan replied probably not. We would probably schedule in a special building.

Someone asked is there a reason this is not done by mail?

Councilman Doyle responded cost. Councilwoman Havens added it would probably be \$2,500.00 to mail to all residents, minimal. Probably a three-thousand-dollar expense.

Councilman Haessly stated he is in support of Councilwoman Havens; but he does believe there is middle ground on this issue which would be acceptable to everybody. He has prepared a draft which will not become part of this evening's meeting because there is a motion for a public hearing. His feelings are he does not want citizens who bring firearms in their car not knowing that there is a law on the books that they can be punished for the possession of a firearm on Town property.

Supervisor Hogan asked if anyone knew about gun free zone laws, regarding school districts in this location where you cannot have a firearm 1,000 feet within a school district and we are not private property.

Code Enforcer, Todd Humiston answered you cannot bring any gun free zones.

Supervisor, Hogan asked Councilwoman Havens and Attorney Meyer if they were familiar with gun free zones? Councilwoman Havens has not researched this issue; but will. Supervisor Hogan would like to know the impact of a gun free zone because we are within a thousand feet of schools. It does not apply to private residences from what Supervisor Hogan understands.

Councilwoman Havens stated she was looking into some of it with schools and it is probably good to know even the education on firearms is changing in the schools also. We have 13 to 16 schools in the area since 2018 that shoot competitive trap. The schools purchase ammunition and they do not allow firearms on school property because of the state laws. They are finding that this program has become highly beneficial in a short amount of time. At one time a Superintendent could authorize a firearm on school property but that may have changed last budget of the last election.

Supervisor Hogan asked Town Attorney Jeff Meyer to find out the laws in gun free zones. What would be the impact of being within a thousand feet of a school district would be? I think we need to know that before we make any changes.

Councilman Washburn asked before we get to our next meeting is this law in front of us the only law that is going to be discussed at the next meeting?

Town Attorney Jeff Meyer responded that it is the only law that has been introduced. In New York State to adopt a local law you need to have a public meeting on it and the proposed draft needs to be in its final form at least 10 days prior to its adoption. The public hearing is on that draft. That draft can absolutely change, and if it does change the public hearing would remain open or a new public hearing can be scheduled and noticed. If any changes were to be made it is not a situation where you can change it at that meeting and adopt at that moment. If changed at the meeting public hearing continued and once in final form, then it can be later adopted. If the law changes at the scheduled public hearing would need to be continued.

Councilman Washburn stated he would like to get it all on the table and be done with it, so we do not talk about it at the next six meetings. He also stated he would not be in favor of rescinding the law 100%, he is pro second amendment, he carries concealed but would not be comfortable with people being able to come in here with firearms, so he thinks the law needs to be tweaked. He feels it would be a waste of time if he, Councilman Doyle and Supervisor Hogan who all have concerns are not going to vote for it and should we make some changes now.

Councilman Haessly stated the Public Hearing has been set with a motion and I do not know if I can change that now unless you put another motion on the floor. Councilman Washburn stated unless we push it out and extend the public hearing to the next meeting,

it would give them time to discuss via email and come up with a draft prior to 10 days and have a final draft put together. Councilman Washburn asked Town Attorney Meyer if that was correct.

Attorney Meyer stated, possibly and what he is hearing is you would end up running afoul, you wouldn't be able to adopt it at that meeting and the Public Hearing would still need to continue in order for the public to see the final draft of the law and the Town Board to have the law in their possession to be able to thoroughly review so everything can be discussed and be in a position to adopt whatever that final version is. Attorney Meyer suggested the Board work through the issues now and then present it to the public.

Councilwoman Havens stated she found the inspiration from a gentleman who said the government works for us. This is a motion to hear the public. She hates beating a topic to death and wants to be concise and be done with it. She put that motion forward because she wants to hear what our residents think about it.

Councilman Haessly stated we have a motion on the floor to schedule a Public Hearing but that motion could be restated to rescind or amend, it would mean that we could address it completely at the next meeting; right now it is to only rescind Chapter 136, the firearms law.

Attorney Meyer stated the draft local law that was introduced, and the public hearing was scheduled is a straight rescission of Chapter 136 but that draft local law can be amended. The Board can do whatever they want with the local law; if it gets amended the public hearing either gets re-noticed or extended. What you can't do is approve something different at that meeting; that meaning you can say yes, we can adopt it or push off the ultimate decision while we make changes with an amendment or we are going to deny it. You cannot do something different at the public hearing.

Supervisor Hogan added the public hearing states repeal; it does not state anything about amendment. Town Attorney Jeff Meyer agrees at that public hearing yes, just a repeal. If extended my advice to the Board would be let's re-notice the public hearing and formally revise the draft local law at that point and time based on whatever the board wants to do with the comments they receive or don't receive from the public. Supervisor Hogan; O.K. so we can re-notice after the 21<sup>st</sup> meeting.

Town Attorney Jeff Meyer: Absolutely if it changes. Councilwoman Havens asked so you are saying re-notice? She stated she was thinking about the last meeting when I said rescind or amend and she said you really cannot do both. If you want her to just rescind it that is the simplest. Attorney Meyer stated you can do both. Councilwoman asked if it occurs after the September 21<sup>st</sup> Public Hearing. Attorney Meyer stated if you want to amend it, yes. The only thing final that the board can do is repeal. If the Board wants to amend the law would have to be redrafted and a final decision would be put off to a date in the future and then the public hearing would be re-noticed and kept open and the process would continue.

Supervisor Hogan reminded everyone that would be incurring additional expenses. I think we should fix it and let us not keep spending money by calling our attorney.

Councilman Washburn suggested emails amongst the Board to see if we can at least come to common ground and make some potential changes.

Supervisor Hogan added the only objection to that is you will hear some public criticism to that, about the lack of transparency.

Councilman Washburn stated basically after we get something together then we can put it out there for the public to comment. Maybe the majority will speak and say we do not want any changes, or we want all kinds of changes. Then at that point the public speaks, and we can make a determination and it will get done.

Councilman Haessly read what he would personally like to see chapter 136 law written managing local firearms for the Town of Kingsbury. Speaks about town property and firearms with exceptions for peace officers, police, allows locked cases by owner of firearm, allowed on town property, carry concealed permits only allowed in town buildings, authorization by town-on-town property. This would work for town employees and meet the current law providing safety for town employees. He is looking for middle ground with other members of the Board and can this be addressed in the next meeting?

Supervisor Hogan said we had a motion that passed to set the public hearing. This Board needs to make a decision to move forward with that public hearing or make an adjustment to reflect this law.

Councilman Haessly asked if we could look at a total repeal or an amendment.

Supervisor Hogan asked Town Attorney Jeff Meyer for input on how we go about doing this and where are we?

Town Attorney Jeff Meyer stated we are at \$165.00 to make an adjustment and publish a new notice. If that is going to be the by-product of the public hearing you are looking at republishing and re-noticing.

Supervisor Hogan said I do not want to spend that money.

Councilman Haessly stated he will spend the money and cover the cost.

Supervisor Hogan stated we are going to keep the public hearing in place with the potential to have another public hearing.

Councilman Washburn stated we cannot amend it at the next meeting and approve it. Our attorney is telling us we would have to set another public hearing. We cannot make amendments and approve it; we would have to set another public hearing, repost the notice and do it all over again.

Supervisor Hogan said we can change the verbiage of our new proposed law. Is there a motion to supersede the original motion?

Town Attorney Jeff Meyer it would be a motion to supersede the previous motion introducing the proposed local law on scheduling the public hearing and replacing it with a proposed local law amending Chapter #136 of the Code of the Town of Kingsbury.

Supervisor Hogan asked do we have that motion?

Councilman Haessly stated he would like to make a **motion** in that format. The **motion** was seconded by Councilman Washburn to supersede the previous motion introducing the



proposed local law on scheduling the public hearing on September 21, 2020 and replacing it with a proposed local law amending Chapter # 136 of the Code of the Town of Kingsbury.

Councilman Doyle just want to make sure I understand everything we are talking about changing this notice from and appeal to an amend this notice for the meeting on the 21<sup>st</sup> of September 2020 which was to discuss repeal. Councilman Haessly has introduced an amendment to Chapter #136.

Town Attorney Jeff Meyer yes you are swapping out the Local Law presented by Councilwoman Havens for the amendment proposed by Councilman Haessly.

Councilwoman Havens stated this is a fact-finding mission to hear what the public has to say. I need more time to look at Councilman Haessly's version as I might want to change some verbiage. We may have to set another public hearing but maybe have a better grasp. Councilwoman Havens' goal is simplicity and hearing the hear public comment.

Councilman Doyle stated my thinking is that whether the Board appeals or amends, anyone interested in making a comment will show up to make a comment. Why have two public hearings where we will have to continue. If we put through Councilman Haessly's proposal a bunch of people may show up that change some of our minds. I cannot vote for an outright repeal of law #136. I am voting in favor of a public hearing. I like some of this but still do not know if it addresses the court issue completely.

Councilwoman Havens stated the court operates entirely on its own it its governed by New York State. Most Town courts have metal detectors during court and in the same facility during a board meeting they are pushed off to the side. While court is in session there will rules to be followed by New York State.

Councilman Washburn addressed Attorney Jeff Meyer; typically, at a public hearing if we had proceeded to the next meeting at that public hearing at that point, we could have voted to approve the law? That would have been done, correct. Attorney Meyer replied yes. Councilman Washburn replied that is why I am proposing we make the changes; we have a public hearing if everything goes smooth then we can approve that law based on what we think.

Attorney Jeff Meyer another point is the nature of Councilman Haessly's law is if you are going to re-work the language and not taking large scale substance of changes it's permissible to essentially table the public hearing and not go through the formal re-notice process which would be an additional \$165.00. But if you are making a large change or flat-out repealing it to regulate under certain conditions my advice would be to re-notice the public hearing. It really depends on what your ultimate objectives are as a Town Board as to whether you want Councilwoman Havens or Councilman Haessly's proposal.

Enforcement Officer Humiston commented his understanding of the gun free school zone law was that under 1,000 feet from the school you are not allowed to have guns on a non-

private property; so maybe this should be tabled until we get clarification on that and save \$165.00 altogether.

Supervisor Hogan I appreciate the comment, we will figure it out. We have a motion on the floor right now. Is there any further comment on the motion on the floor?

Roll call vote:

Councilman Doyle - Aye

Supervisor Hogan – No, he feels the current law is fine and we have received no complaints on it in 5 years.

Councilman Washburn – Aye

Councilman Haessly – Aye

Councilwoman Havens - No Three ayes and 2 no's, motion carried.

Mr. Caruso so the public will see that draft?

Supervisor Hogan replied yes, upon request a copy of the draft will be available at the public meeting September 21<sup>st</sup>. Councilwoman Havens offered to post at her store, but Supervisor Hogan thought it may appear to be biased. We are going to communicate it as we do with all our law changes. Town Attorney Jeff Meyer added Town Hall, the Town Clerk's office always has a posted draft pinned to the bulletin board.

Councilwoman Havens asked what is the regulation policy on written comments?

Town Attorney Jeff Meyer replied written comments are always encouraged and should be submitted to the Town Clerk or Town Supervisor prior to the meeting if possible, can be submitted at the meeting but may be problematic as there is no time to digest. It is encouraged to be submitted prior to any meeting. Also, will add to the notice comments can be submitted Town of info@kingsbury.gov. Town Clerk stated the cost per notice is approximately \$40.00 and in addition there are costs to General Code to have the new Local Law added to the Code of the Town of Kingsbury.

#### TOWN CLERK REPORT:

Town Clerk reported it is extremely busy, everyone is required to wear masks, everyone must sign in. People are there to pay their taxes, get dog licenses whatever business they have when they leave, we sanitize counters, doors prior to the next person being allowed in. Everything takes a little longer, things get piled up and we are gradually working through it. Supervisor Hogan interjected it has been very busy. Town Clerk also reported the printer/copy/scanner was out of service for a week which slowed things down also.

#### ENFORCEMENT & DOG CONTROL OFFICER REPORT:

Todd Humiston sent paperwork to the Board on public hearing notices. There were a couple of options, one being the posted signs we talked about at the last meeting. The Comptroller had an option of instead of doing the signs; to do a mailing to residents 500' from the site of the subject of the public hearing. He still agrees with posting signs but is thinking of using both options. The letter to residents within 500' of the proposed project and doing the signs as well. Then people who are directly affected by the project would

get an in person letter and according to the Comptroller that is only a five to ten dollar cost; depending on how many houses to do the direct mailers 500' directly around the project. The sign will be for any residents or people who go by that project site; they would be able to see that.

Supervisor Hogan added that cost can be transferred to the applicant correct?  
Enforcement Officer answered yes.

Town Attorney Jeff Meyer replied the mailer cost would be more because if the mailers are not certified return/receipt we would not have documentation they occurred.

Supervisor Hogan: What do we need to do to move forward to fix that because this is a point that was brought up tonight; let us not delay any further.

Code Enforcer Todd Humiston responded we can pick an option and whatever option we pick we will put it in the local law to change the fee schedule.

Supervisor Hogan stated he would like to get moving on that as we had a group of people here tonight with this concern.

Councilman Washburn commented his only concern is that 500' is not very far.

Enforcement Officer Todd Humiston added the letters would go out to the property owners 500' from the property line that touches the project; so all around. Then the property itself would be posted with a 3 'X 2' public notice sign so that anyone driving by would also see that sign on the property.

Councilman Washburn thinks the signs would work but is concerned that 500' is not very far; near his house there is only one neighbor in the 500' distance.

Town Attorney, Jeff Meyer added if the project is close to the village and you extend to 1000' you are sending a lot of letters; 500' is standard and it is the zoning law.

Enforcement Officer Todd Humiston is recommending they use the public hearing sign and the letter to reach out to as many as possible.

Mr. Forcier asked to what degree of project size or dollar amount does that pertain to?  
Enforcement Officer Humiston stated this will do every project.

Mr. Carso asked if this would cover everything that comes before the Planning Board?  
Enforcement Officer answered yes, just like zoning.

Supervisor Hogan: Is there any objection by a Town Board member to have Enforcement Officer Humiston move forward to get this changed? No objections, Todd you have guidance to move forward. Enforcement Officer Humiston announced next Wednesday at 7 pm there will be a Planning Board Meeting at the Kingsbury Volunteer Firehouse with 4 items on the agenda.

Supervisor Hogan read a letter from the Washington County Rabies Coordinator Colleen Townsend expressing appreciation for all the collaborative services received from the dog control officer Todd Humiston. Todd's knowledge recently provided information required in aid of a dog bite to locate the dog and its owner. The informed collaborative effort saved the bitten victim from not having to go through rabies treatment, timely, costly and painful. Todd you do and have always done a great job as dog control officer and we always get such great feedback so thank you very much.

#### HIGHWAY SUPERINTENDENT REPORT:

Highway Superintendent, Michael Graham reported as we discussed earlier we have a highway guy retiring the end of October so I would like to get permission from the Board to post a vacancy on that job description/offer on Indeed for the municipality to fill the job opening.

A **motion** made by Councilman Haessly seconded by Councilwoman Havens and carried by a vote of 5 ayes giving Highway Superintendent Graham permission to post on Indeed.com for the municipality to fill a job opening due to an employee retiring.

Superintendent Graham would like to go out to bid for propane for the highway garage requesting to do a one-year contract with the option to renew up to three years consecutively. A **motion** by Councilman Washburn seconded by Councilman Doyle and carried by a vote of 5 ayes giving permission to Highway Superintendent Graham to go out to bid for propane for 437 Vaughn Road. Superintendent Graham would like to bid this week and receive the bids by the next Town Board Meeting conducted on September 21<sup>st</sup>.

Highway Superintendent Graham reported in the spring a bid for gravel crushing was awarded by the Town Board to Jenkinville Sand & Gravel, they will start crushing this week.

Superintendent Graham stated we need to rent a screen as we do every few years for our winter sand and we have the money in the budget. A few towns have reached out to him I have some people, Town of Moreau and Saratoga County that have reached out to me as they bought sand from other municipalities and due to Covid19 other businesses are not open. Maybe for this year, due to unusual circumstances, we could look to sell some sand to other municipalities; we are screening anyway. We would sell to another municipality to offset some of our costs as well and help both us out to. This is something he is not looking to do it every year.

Supervisor Hogan stated the Comptroller is checking on the legality of that due to the fact the Town would be drawing revenue from another community. Assuming we receive clearance from the Comptroller's office does the Board have any objection to the Highway Superintendent moving forward in an arrangement to sell sand to the Town of Moreau and the Town of Northumberland. Councilman Doyle asked how many yards. Superintendent Graham replied Town of Moreau is would like 1800 yards; but does not know what the Town of Northumberland would like, but believes they are also looking for 1800 yards. Councilman Washburn asked what he would charge. Graham replied \$5.00 a yard; it would be a substantial savings to the Town to offset the cost of renting the screen.

Councilwoman Havens would like to soak that all in; check going rates and check that amount of yardage. Superintendent Graham responded our rates are \$5.50 to \$7.50 per ton within a half hour of us. Councilman Haessly asked how many yards in a ton; Graham responded roughly 1.3 yards in a ton. Councilman Washburn asked if they would be doing

their own trucking; Graham responded yes, the Town will do the loading, but they will truck the sand to their location. A **motion** by Councilman Haessly seconded by Councilman Doyle carried by a vote of 4 ayes and one vote to abstain giving permission to Superintendent Graham to rent a screen to prepare the winter sand. Councilwoman Havens would like education on this issue and is concerned the Town maybe depleting its own resource and not receiving fair market value by selling sand to another municipality. She would like two weeks to gather information.

The discussion continued.

Superintendent Graham stated the Town may want to consider security cameras in the future at the Town Highway Department. Peckham's alerted him of thievery of tens of thousands of dollars of copper wiring at their site. He is not seeking approval tonight, but it is something the Board may want to consider. Supervisor Hogan asked if there was money in the budget; Superintendent Graham responded, yes.

The discussion continued. Superintendent Graham will research security cameras and report at the next Town Board meeting.

#### COUNCILMAN REPORT:

Councilman Haessly reported he needs a meeting with Spectrum and asked if Attorney Meyer could arrange that. Attorney Mayer replied yes.

Councilman Doyle mentioned there is a conference call tomorrow with a firm to discuss putting solar on the old landfill. Supervisor Hogan said last year while talking with DEC they mentioned they wanted to utilize this type of land for solar projects. We had started the conversation with the DEC about putting solar panels on the Town of Kingsbury Landfill. The site has good sun exposure, 3 phase power runs nearby. He reached out to the DEC and was told it is not a flat no, but it was a not yet and asked us to wait a year to litigate some issues that they were having at the site. Several weeks ago, Councilman Doyle was working with the solar group and Supervisor Hogan was working with a new rep with the DEC and they said yes to move forward. So, we are starting a conversation and the Town is figuring out a way to offset the power cost to the town and the highway department. The Town pays \$32,000. a year in power bills. The land is beautiful and is a way to make the land useful and productive.

#### SUPERVISOR REPORT:

Supervisor Hogan state he is increasingly concerned at the level of spending at the county. As of August, we are in an excess of \$100,000.00. of unbudgeted spending. At the recent public safety meeting there was discussion of adding 2 code enforcement officers and a fire safety inspector as a result of the Whitehall flooding, Cambridge losing their code enforcement officer and just the general backlog of work. There was a motion to move forward of the hiring of those individuals. Our sales tax numbers are down in the county; he does not think at this time we should be adding spending particularly adding 3 new employees that were not in the budget or in the code enforcements hiring plans. Supervisor Hogan suggested, that the county work with the villages and the towns in our community to have code enforcement officers who can handle some of the perhaps quality of life issues.

Supervisor thanked the residents for attending; Mr. Devine thanked the Board for listening to his concerns.

A **motion** to adjourn the meeting at 9:40 pm by Councilman Washburn seconded by Councilman Doyle and carried by a vote of 5 ayes

Respectfully submitted,

Irene Weizenhofer, Deputy Clerk

Cynthia Bardin, Town Clerk/Tax Collector