

## November 21, 2022 Town Board Meeting Minutes

The second regular meeting of the Kingsbury Town Board was conducted on November 21, 2022, at the Kingsbury Town Hall. 6 Michigan Street, Hudson Falls.

MEMBERS PRESENT: Dana Hogan, Supervisor  
Richard Doyle, Councilman  
William Haessly, Councilman  
James Lindsay, Councilman  
Dan Washburn, Councilman

OTHERS PRESENT: Rebecca Pomainville, Comptroller  
Michael Graham, Highway Superintendent  
Terry Gould and Scott Hartung, Moss St. Cemetery Association  
Katelyn & John Moskos, Town Residents

The meeting was called to order at 6:30 pm by Supervisor Hogan and opened for the order of business with the Flag Salute led by Councilman Doyle.

A **motion** by Councilman Doyle seconded by Councilman Washburn and carried by a vote of 5 ayes to accept the minutes of the November 7, 2022, Town Board Meeting as submitted by the Town Clerk.

Supervisor Hogan requested a moment of silence for the loss of a community member, John Barberi, a longtime Hudson Falls Coach and Kingsbury Rec Program employee.

Terry Gould and Scott Hartung of the Moss Street Cemetery Association attended to discuss the financial status of the cemetery. Terry Gould explained in 2019 it came to her attention that the Moss Street Cemetery Association had not met in several years and the cemetery was not looking nice. The Association was resurrected in September 2019. The Association was audited by the NYS Division of Cemeteries followed by a report which showed a deficit in the permanent maintenance fund. The Association was told a repayment plan and a proposed budget needed to be submitted. In addition, approximately a year ago a representative from the Carleton Funeral Home attended a meeting and reported they no longer wanted to store or manage the cemetery records, meet with families to sell grave lots and any other necessary paperwork. With the current financial troubles, the Association has no way hiring someone and providing them with the equipment they need to manage the cemetery records.

Scott Hartung, the treasurer of the Moss Street Association, provided a copy of the 2022 Operating Budget for the Association. The Association is nearly breaking even and does see going forward seeing no years looking better than this year, there is just enough revenue to cover maintenance and administrative costs. The Association is not in the position to hire someone to operate the cemetery as requested by Carleton Funeral Home.

The State Auditor recommended fundraising, raising rates, cutting costs of maintenance and ask for assistance from the Town. The Association has done all this and still breaks even. Terry Gould stated there is still a lot of space in the cemetery for burials, but today there are many cremations and not as many full burials. She would like to see a transition take place in a timely manner, in approximately 18 months. After discussion the Board will seek legal advice from the Town Attorney.

The Board will discuss exemption changes in the future. Councilman Haessly had a meeting with Assessor Colleen Adamac and will share information with the Board that she provided.

Quotes were received for a fence for the Court Parking Lot; a **motion** by Councilman Haessly seconded by Councilman Washburn and carried by a vote of 5 ayes to accept the quote from Stanton in the amount of \$3,500.00 for a fence for the Court parking Lot.

A **motion** by Councilman seconded by Councilman and carried by a vote of ayes to accept the following budget transfer:

**TOWN OF KINGSBURY - BUDGET TRANSFER: NOVEMBER 21, 2022**

FUND	DESCRIPTION	GL	AMOUNT
			\$
<b>GF-WT</b>	FROM: BUILDINGS CONTRACTUAL	1.1620.4	384.00
	TO: UNALLOCATED INSURANCE	1.1910.4	384.00
	PURPOSE: ADD 2022 FORD F550 TO LIABILITY INSURANCE		
			\$
<b>HWY-PT</b>	FROM: BRUSH & WEEDS PERSONAL SERVICES	4.5140.1	4,200.00
	TO: BRUSH & WEEDS CONTRACTUAL	4.5140.4	4,200.00
	PURPOSE: TREE REMOVAL		
			\$
	FROM: HOSPITAL & MEDICAL	4.9060.8	2,939.87
	TO: STATE RETIREMENT	4.9010.8	2,939.87
	PURPOSE: ANNUAL BILL		
			\$
<b>WATER</b>	FROM: TRANSMISSION & DISTRIBUTION	7.8340.4	4,663.73
	TO: SOURCE OF SUPPLY	7.8320.4	4,663.73
	PURPOSE: QBY WATER SUPPLY BILLING		

**LEGAL UPDATE:**

Attorney Meyer spoke with Mr. Malich and they have a verbal agreement in place for the easements necessary for the Burgoyne Avenue Waterline Extension.

**TOWN CLERK REPORT:**

Town Clerk provided a Supervisor’s Report for the 2022-23 Hudson Falls Central School Tax Collection.to the Board.

A **motion** by Councilman Washburn seconded by Councilman Lindsay and carried by a vote of 5 ayes to increase the petty cash drawer amount from \$100.00 to \$200.00 per the Town Clerk’s request.

The Town Clerk received a Notice of Claim from an attorney for someone who was injured on Helen Street. The Comptroller will forward the Notice to Dave Meager, the insurance representative for the Town.

**COMPTROLLER REPORT:**

A **motion** by Councilman Doyle seconded by Councilman Haessly and carried by a vote of 5 ayes giving the Comptroller permission to waive penalty fees on a water account and refund the customer \$11.15 due to an error in the reading of the water meter.

A **motion** by Councilman Lindsay seconded by Councilman Washburn and carried by a vote of 5 ayes giving permission for the Supervisor to sign the annual contracts with The Volunteer Hose Co, the Senior Center, and the Library.

A **motion** by Councilman Haessly seconded by Councilman Washburn and carried by a vote of 5 ayes for the following resolution authorizing and approving electronic signatures.

**WHEREAS:** the US Electronic Signatures in Global and National Commerce Act (ESIGN ACT) and the New York Electronic Signatures and Records Act (ESRA) provide that signatures made pursuant to electric means have the same validity and effect as the use of a handwritten signature; and

**WHEREAS:** the Kingsbury Town Board desires to authorize the electronic signatures to be used by Town employees to confirm receipt of documents from the Town and for other Town business; therefore, be it

**RESOLVED:** That the Kingsbury Town Board hereby authorizes and approves electronic signatures for use by Town employees to acknowledge receipt of documents from the Town and for other Town business; and be it further

**RESOLVED:** that the Kingsbury Town Board further authorizes and directs the Town Supervisor, and/or Town Comptroller to take any actions necessary to effectuate the terms of this Resolution.

The Comptroller has an appointment with the Bank for information on setting up ACH payments to save on checks and information on bill pay services. The ACH payments would save on the cost of checks and postage.

**HIGHWAY SUPERINTENDENT REPORT:**

Superintendent Graham would like to deem the 2008 F350 1 ton Dump Truck surplus. A **motion** by Councilman Lindsay seconded by Councilman Doyle and carried by a vote of 5 ayes to deem the 2008 Dump Truck as surplus with Gov.Deals, an online marketplace.

The Superintendent would like to remove the sander from the 2008 F350 and deem it as surplus. A **motion** by Councilman Lindsay seconded by Councilman Washburn and carried by a vote of 5 ayes to deem the Salt Doggie Sander as surplus with Gov.Deals.

The Superintendent is requesting permission to sign with John Deere to order a backhoe; the Board has no objections.

A **motion** by Councilman Washburn seconded by Councilman Lindsay and carried by a vote of 5 ayes granting permission to Superintendent Graham to request a speed limit on Dean Road from Dix Avenue to Casey Road. If the State does not lower the speed limit to Casey Road, the Town will request the reduction occur before Casey Road. The Superintendent will contact the NYS DOT.

**COUNCILMAN REPORT:**

Councilman Doyle reported the Comprehensive Master Plan Committee met with Nicole Allen of Laberge on November 16, 2022. Laberge provided some demographic information and the goals and

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objectives of the Smart Growth Program that they would be looking for the Town to address in the Master Plan. The goals are political in nature, addressing climate change and other issues the Town does not need to weave into how they are going to expand or control growth in the Town. It was very limiting wanting to discourage car usage by residents as much as possible and using public transportation, biking, and walking. Allowing accessory units, for example converting sheds into living structures. These ideas were suggested to be added to the Town's zoning. Councilman Doyle recommends putting the brakes on the Comprehensive Master Plan and find alternative measures to fund it. Supervisor Hogan stated the Town can use ARPA funds to complete the Master Plan.

**SUPERVISOR REPORT:**

The Board of Supervisors have accepted the Tentative Budget for 2023 under the tax cap. The DEC will conduct a Public Hearing for Hudson Falls, Glens Falls and Fort Edward regarding the Saratoga Biochar Project.

**WRITTEN REPORTS:**

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

Code Enforcement: No. Permits 7 ; Fire Inspections: 20 ; Total Fees: \$2,424.85

Dog Control Officer: Dog Bites: 1 ; Mileage: 55,784

Town Clerk: Paid to EnCon \$2,922.37; Paid to Supervisor: \$2,424.85; Paid to the Village of Hudson Falls: \$50.00 ; Paid to Ag & Markets for Population Control: \$65.00; Paid to the Department of Health: \$45.00;

Town Comptroller: Receipts \$193,187.80; Disbursements: \$263,975.98

Town Justice for September: Fees Collected: \$7,808.50

TO: Supervisor Hogan  
Councilman: Doyle, Haessly, Lindsay, Washburn

FROM: Tax Collector: Cynthia A. Bardin

SUBJECT: 2022 – 23 Hudson Falls District School Tax Collection

DATE: November 21, 2022

Penalties Collected October 1 – October 31, 2022 - \$5,832.02

Bank Interest for November - \$11.28

Return Check Fees \$20.00

Total Paid to Town: \$5,863.30

**PUBLIC COMMENT:**

Town resident Katelyn Moskos addressed the Board with concern with a parcel on Route 4 that looks like a junkyard. Code Enforcement Officer Humiston will follow up with the concern.

A **motion** by Supervisor Hogan seconded by Councilman Doyle and carried by a vote of 5 ayes to enter into an executive session at 7:47 pm to discuss the employment history of a particular person.

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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 exit the executive session and adjourn the meeting at 8:07 pm.

Respectfully submitted,

Cynthia A. Bardin, Town Clerk