

The second regular meeting of the Kingsbury Town Board was conducted on December 21, 2020 via tele-conference.

MEMBERS PRESENT:

Dana Hogan, Supervisor

Richard Doyle, Councilman

William Haessly, Councilman

Dan Washburn, Councilman

ABSENT:

Jane Havens, Councilwoman

OTHERS PRESENT:

Todd Humiston, Enforcement & Dog Control Officer

Jeffrey Meyer, Town Attorney

Rebecca Pomainville, Town Comptroller

Rob Panasci, Attorney for Kingsbury Solar, LLC

Lorraine Forcier and Chip Doty, Town Residents

The meeting was called to order at 7:03 pm by Supervisor Hogan with the Flag Salute led by Councilman Washburn.

The minutes of the October 19, 2020 and November 2, 2020 Town Board Meeting were accepted as submitted by the Town Clerk with a **motion** by Councilman Doyle seconded by Councilman Washburn and carried by a vote of 4 ayes.

The Board discussed an Intermunicipal Agreement with the Town of Fort Edward for Dog Control Officer Services effective until March 1, 2021. After discussion, a **motion** by Councilman Haessly seconded by Councilman Doyle and carried by a vote of 4 ayes to enter into an IMA with the Town of Fort Edward; it will become effective upon the signing of the agreement by the respective parties.

LEGAL UPDATE:

Attorney Meyer reported in the agreement with Spectrum there is one clause that could be interpreted in many ways in regard to relocating cable lines if necessary. After discussion, a **motion** by Councilman Haessly seconded by Councilman Washburn and carried by a vote of 4 ayes to schedule a Public Hearing on February 1, 2020 for the approval of an agreement between Spectrum and the Town of Kingsbury. Councilman Haessly asked what the length of the agreement would be. Attorney Meyer responded it would be a 10-year term.

Supervisor Hogan reported the Town Board has been asked to consider a variance for Kingsbury Solar, LLC to move forward with the construction of a solar generating facility. The moratorium was passed by Local Law No. 2 of 2020 on August 17, 2020, effective for 6 months.

A **motion** by Councilman Washburn seconded by Councilman Doyle and carried by a vote of 4 ayes to schedule a Public Hearing on Kingsbury Solar, LLC's variance request.

Councilman Haessly would like to extend the moratorium an additional 6 months.

Councilman Doyle is in favor of the construction of solar generating facilities and would like to move forward in changing the zoning in the Town.

Supervisor Hogan added the Town needs to update the Town Comprehensive Plan; Councilwoman Havens will take the lead in January 2021 on updating the Town Comprehensive Plan.

A **motion** by Councilman Haessly seconded by Councilman Washburn and carried by a vote of 4 ayes to extend the Local Law imposing a limited large scale solar energy facility land use for 6 months.

Enforcement Officer Humiston asked if the extension would begin today or on its original end date in February. The moratorium will be extended on its original end date in February.

TOWN CLERK REPORT:

Town Clerk reported Deputy Town Clerk Irene Weizenhofer was updating the dog license data base. She has made phone calls and sent letters and has removed 179 expired licenses, re-registered 21 dogs and removed 63 licenses for dogs that are deceased, gone or moved.

The 2021 County/Town tax bills have arrived and will be mailed next week.

The 2021 Organizational Meeting will be conducted on Monday January 4, 2021.

COUNCILMAN REPORT:

Councilman Washburn reported the IMA with the Town of Kingsbury and the Washington County Sewer District is being prepared and reviewed; the next Sewer District Meeting will be held on January 12, 2021.

SUPERVISOR REPORT:

Supervisor Hogan reported \$20,000.00 in AIM funding was lost to the Town. The Town will receive approximately \$20,000.00 from the Washington County Sales Tax Intercept which must be returned to the County if the AIM funding is restored.

PUBLIC COMMENT:

Town Resident Lorraine Forcier asked how many times the moratorium on the solar energy facility development could be extended. Attorney Meyer responded it could be extended 2 times. She also asked what the criteria was for solar fields and what has been done to update the Town Comprehensive Plan; what is the process and who starts it. She would like to share her thoughts and ideas with the Board.

Councilman Haessly suggested a committee be formed at the January Organizational Meeting to update the Town Comprehensive Plan.

Attorney Rob Panasci thanked the Board for scheduling a Public Hearing on the variance request from Kingsbury Solar, LLC.

Attorney Meyer forecasted there will be a lot going on in Kingsbury in 2021.

There being no further business before the Board a **motion** by Councilman Washburn seconded by Councilman Haessly and carried by a vote of 4 ayes to adjourn the meeting at 7:56pm.

Respectfully submitted,

Cynthia Bardin, Town Clerk