

The first regular meeting of the Kingsbury Town Board was conducted on Monday, July 8, 2013 at the Kingsbury Town Hall, 210 Main Street, Hudson Falls, NY.

MEMBERS PRESENT: James T. Lindsay, Supervisor
Paul Bromley, Councilman
William Collins, Councilman
Richard Doyle, Councilman
Henry Freebern, Councilman

The meeting was called to order by Supervisor Lindsay at 7:00 p.m. and opened for order of business with the Flag Salute led by Councilman Collins.

The minutes from the June 24, 2013 were distributed by the town clerk and will be voted upon at the next town board meeting.

Supervisor Lindsay stated a discussion was had about the amendment to the General Municipal Law Section 53 that requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim at our last meeting. Any person filing such notice with the Secretary of State will be charged \$250.00. This is another option for people to serve the Town with a Notice of Claim.

**STATE OF NEW YORK, COUNTY OF WASHINGTON
TOWN OF KINGSBURY**

RESOLUTION NUMBER 11 OF 2013

**Introduced by Councilman Bromley, who moved its adoption
Seconded by Councilman Doyle.**

WHEREAS General Municipal Law Section 53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a Notice of Claim; and

WHEREAS, General Municipal Law Section 53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town's agent; and

WHEREAS, pursuant to General Municipal Law, Section 53-3(1)(a), the applicable time limit for the filing of a notice of claim upon a town is ninety (90) days after the claim arises, or in the case of a wrongful death action, ninety (90) days from the appointment of a representative of the decedent's estate;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kingsbury, County of Washington, designates Holly E. Mabb, in her capacity as Town

Clerk to receive notices of claims served upon the Secretary of State by mail at 210 Main Street, Hudson Falls, NY 12839-1814 and email at kbyclerk@roadrunner.com.

BE IT FURTHER RESOLVED that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him of the Town's designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.

Dated: July 8, 2013

Those members present were:
James T. Lindsay, Supervisor
Paul Bromley, Councilman
William Collins, Councilman
Richard Doyle, Councilman
Henry Freebern, Councilman

Voting:
Aye
Aye
Aye
Aye
Aye

Supervisor Lindsay stated he had received a request from Supervisor Idleman of the Town of Greenwich for a resolution or letter of support from our town supporting the Champlain Canal Barge Terminal Initiative. **Motion** by Councilman Collins, seconded by Councilman Bromley and carried by a vote of 5 ayes authorizing Supervisor Lindsay to send a letter of support to the Town and Village of Greenwich for this project.

Supervisor Lindsay stated he had met with Joseph Brilling, Director of the Washington County Sewer District about funding for sewer infrastructure. He stated that Irving Tissue was also interested in funding and Mr. Brilling stated that if the town wished to act as lead agent, we could make application for funding. This study would identify problems and determine the best way to provide sewer services to the Dix Avenue Corridor and also determine if Fort Edward or the City of Glens Falls is the best option for treatment.

**STATE OF NEW YORK, COUNTY OF WASHINGTON
TOWN OF KINGSBURY
RESOLUTION NUMBER 12 OF 2013**

**A RESOLUTION AUTHORIZING CONSOLIDATED FUNDING
APPLICATION (CFA) TO NYS DEPARTMENT OF ENVIRONMENTAL
CONSERVATION (NYSDEC) AND NYS ENVIRONMENTAL FACILITIES
CORPORATION (NYS EFC) FOR WASTEWATER INFRASTRUCTURE
ENGINEERING PLANNING GRANT**

**Introduced by Councilman Bromley, who moved its adoption
Seconded by Councilman Freebern.**

WHEREAS, the NYS DEC and NYS EFC are soliciting grant applications through the Consolidated Funding Application program for Wastewater Infrastructure Engineering Planning Grant; and

WHEREAS, the Washington County Sewer District (WCSD) is approaching its capacity to serve its current customers and future users and desires a long term plan to accommodate additional growth; and

WHEREAS, the Town of Kingsbury desires to explore opportunities to expand its wastewater service areas along Dix Avenue to accommodate long term needs; and

WHEREAS, the NYSDEC and NYS EFC will provide up to \$30,000 to prepare an Engineer's report to explore opportunities for growth, conveyance to the Washington County SD Treatment facility or the Glens Falls WWTP, various district options, and the cost of necessary improvement to convey wastewater along the Dix Avenue Corridor;

WHEREAS, the Washington County Sewer District (WCSD) is pledging its support of the application as a sponsor of the application and the WCSD pledges one-half of the required 20% match (\$3,000); and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Kingsbury authorizes the submittal and execution Wastewater Infrastructure Engineering Planning Grant and pledges \$3,000 match from the appropriate fund and authorizes Supervisor Lindsay to take any necessary actions to effect this action.

Dated: July 8, 2013

Those members present were:
James T. Lindsay, Supervisor
Paul Bromley, Councilman
William Collins, Councilman
Richard Doyle, Councilman
Henry Freebern, Councilman

Voting:
Aye
Aye
Aye
Aye
Aye

Supervisor Lindsay reported that Code Enforcement Officer Ross Cortese is working on obtaining more information for sound testing for the Industrial Park area. The current quote we received was for one 24-hour session with the cost being \$6,000.

Supervisor Lindsay reported that a decision had to be made for the financing of the town highway garage. The interest rate of 3.74% was quoted for a non-callable bond, which is not eligible for early repayment. If the Town wants to have the option for early repayment, the interest rate will be 4.24% over a 10-year period. The difference is \$22,000 in interest. The other option would be a BAN but that would involve annual renewal and legal fees for preparation of the paperwork. A discussion was had. The board members asked Supervisor Lindsay to obtain more accurate figures about the cost of the BAN.

The Town Clerk stated she had offered Cynthia Bardin, town clerk candidate, to come to her office to begin training in order to have a good transition upon her retirement.

Councilman Bromley reported he and Mr. Graham were having a pre-start up meeting on Monday for the highway garage facility. He stated the building was being delivered in August. We will need to go out to bid for the geo thermal wells. We will need 4 wells about 300 feet deep. He will have the specs ready for the next meeting.

Councilman Doyle asked about the status of the website. The Town Clerk informed the board that an identification number was given for the .gov domain and Tom was going to set that up.

Councilman Bromley asked if there was anything that could be done about Verizon littering the town roads with the phone books. They hire a company to distribute them and most of them end up in the ditch and they get mowed over. Supervisor Lindsay stated he would speak to Ross Cortese about this matter and whether or not a citation could be issued.

Councilman Freebern stated he noted that a few new houses were being built on Dean Road.

There were no public comments.

There being no further business to come before the town board, **motion** by Councilman Freebern, seconded by Councilman Bromley and carried by a vote of 5 ayes at 7:38 p.m.

Respectfully submitted,

Holly E. Mabb, RMC/CMC

<http://www.kingsburyny.gov>