

The first regular meeting of the Kingsbury Town Board was conducted on Tuesday, October 15, 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

**ALSO PRESENT:**

Cynthia Bardin, Town Clerk-elect  
Francis Cortese, Code Enforcement Officer  
Kevin Elnicki, Owner Earth, Waste and Metal  
Michael Graham, Highway Superintendent  
Jeffrey Meyer, Attorney for the Town

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 Doyle.

**Motion** by Councilman Freebern, seconded by Councilman Doyle and carried by a vote of 5 ayes to accept the minutes of the meetings held on September 9 and September 23, 2013 as submitted by the Town Clerk.

Supervisor Lindsay acknowledged Mr. Steve Peluso from New York State Department of Taxation and Finance. Mr. Peluso came to the Town Board meeting to discuss the new Basic STAR regulations and assist people with signing up for the program. He commended our Assessor, Colleen Adamec, for her work and the job she does to keep the annual assessment current.

Supervisor Lindsay stated the public hearing is still open for the application for a junkyard license by Earth, Waste and Metals. Mr. Kevin Elnicki was present to answer questions. A discussion was had about what was still needed such as a site sketch that shows new structures. We have a copy of the insurance binder but it does not meet the requirements under our junkyard law. We also need a letter from the County signing off as the owner. Mr. Elnicki stated he feels all parties' involved need to come together for a discussion to settle the problems between the town's requirements and the county lease. Mr. Elnicki doesn't feel this is a new facility as it has been in operation for over 20 years. Attorney Meyer suggested that the Town might want to add a few conditions to the license if it is issued. Attorney Meyer also stated the DEC permits must be in Kevin's name before he purchases the property from the County. Supervisor Lindsay stated he would like to confer with council. The public hearing remains open.

At 7:15 p.m. the Town Clerk was instructed to read the notice to bidders for propane and purchase of a propane tank. One bid was received from G.A. Bove. The tank installation which excludes piping and a second stage regulator was \$3,366.55 and propane fuel fro, 11/1/2013 through 10/31/2014 was \$.30 per gallon plus the rack price. Councilman

Bromley will review the bid and if everything is in order, the bid will be awarded at the next meeting.

At 7:20 p.m. the Town Clerk was instructed to read the notice for Requests for Proposals for legal services for the Town. Three RFP's were received. Meyer and Fuller; Fitzgerald, Morris, Baker, and Firth; and Miller, Mannix, Schachner and Hafner, LLC. The RFP's will be reviewed by the legal committee consisting of Councilman Doyle and Councilman Collins and interviews will be set up for the three law firms.

The Tentative Budget has been filed with the Town Clerk and the Budget Officer requested a public hearing be scheduled to review the preliminary budget. **Motion** by Councilman Bromley, seconded by Councilman Doyle and carried by a vote of 5 yes scheduling a public hearing on the Kingsbury Volunteer Hose Company fire contract at 7:05 p.m. on October 28, 2013 and immediately following the fire company hearing at 7:15 a public hearing on the Preliminary Budget will be held.

Town Comptroller Mary Ordway requested authorization to relevel the unpaid water bills as of November 2013 on to the county tax bill. **Motion** by Councilman Doyle, seconded by Councilman Bromley and carried by a vote of 5 ayes authorizing the unpaid water bills to be re levied on the Town and County Tax Bill.

Budget Officer Mary Ordway requested the following budget transfers be authorized:

From:	Comptroller Equip.	1.1315.2	\$ 19.00
To:	Comptroller Contr.	1.1315.4	\$ 19.00
From:	Central Garage Capital	10.5132.2	\$2,389.00
	Insurance	10.1910.4	\$2,389.00
From:	Pool Contr.	1.7180.4	\$6,000.00
To:	Playgrounds Contr.	1.7140.4	\$6,000.00
From:	Cemeteries Equip.	1.8810.2	\$ 180.00
To:	Cemeteries P.S.	1.8810.4	\$ 180.00
From:	Water Equip and Cap Outlay	7.8397.4	\$5,000.00
To:	Water Purification Contr.	7.8330.4	\$5,000.00

**Motion** by Councilman Freebern, seconded by Councilman Collins and carried by a vote of 5 ayes approving the budget transfers as requested by the Budget Officer.

Councilman Bromley asked for a status report from Code Enforcement Officer Cortese regarding Royal Wood Shavings Manufacturing, Inc. Mr. Cortese reported that during the month of September he had received 6 noise complaints and during the month of October to date he has received 5 noise complaints. Bob Dingman, Chairman of the Planning Board had received a letter from them requesting to meet with the Planning

Board but their application was not complete. A meeting may be held in November. RWS wants to have the ability to work on the weekends.

Town Clerk Holly Mabb reported the Derway trial has been rescheduled to begin on December 9. She requested an Executive Session to discuss the employment of a certain individual.

Highway Superintendent Michael Graham stated the building for the chlorination pit was moved to its new location. They will be digging lines to the chlorination pit during the week of 10/28/13 and hope to complete the pit in the industrial park before the snow flies.

**PUBLIC COMMENT:**

Mr. Dennis Kelly asked what the status was of monitoring the noise coming from RWS. Mr. Bill Underwood asked if sound blankets could be installed like the State uses on their highways. Mr. Kelly also stated that log trucks are going in and out of the driveway and they may have to change their entrance.

Mr. Fred Gage asked whether or not the public hearing was still open on the junkyard application for Earth, Waste and Metals. He asked what the cost of the chlorination system is. He asked what the status of the trash plant and the refund request was and how will it affect the Town.

On a **motion** by Councilman Doyle, seconded by Councilman Bromley and carried by a vote of 5 ayes the Town Board entered into Executive Session at 8:15 p.m. to discuss the employment of a certain individual. The Town Clerk and Jeffrey Meyer were invited to attend.

**Motion** by Councilman Bromley, seconded by Councilman Doyle and carried by a vote of 5 ayes to go out of Executive Session at 8:40 p.m.

At 8:40 p.m. the Town Board entered into a conference with Town Attorney Jeffrey Meyer.

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 to adjourn the meeting at 9:40 p.m.

Respectfully submitted,

Holly E. Mabb, RMC/CMC

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