

The Town Board of the Town of Kingsbury conducted a Public Hearing on Wednesday April 8, 2026 , at 6 Michigan Street, Hudson Falls, NY.

MEMBERS PRESENT: Dana Hogan, Supervisor
Scott Lindsay, Councilman
James Lindsay, Councilman
Dan Washburn, Councilman

ABSENT: Sean Akins

OTHERS PRESENT: Jack Gibbs, Resident

The meeting was called to order at 5:15 pm by Supervisor Hogan and opened for the order of business with the Pledge of Allegiance led by Councilman Scott Lindsey.

Meeting to pursuant Chapter 222 of the Code of the Town of Kingsbury titled "Solid Waste" relative to property located at 3569 Burgoyne Avenue in the Town of Kingsbury, Washington County, New York.

Councilman Akins absent but aware of the meeting gave Supervisor Hogan permission to move forward knowing we had to do with in 48 hours of making announcement.

Supervisor Hogan opened the meeting with public comments, one member of the community present.

Jack Gibbs a neighbor of property in question has health and safety concerns about the property in the way it is maintained and how it affects his family being. It has just gotten progressively worse.

Supervisor Hogan: we have received commentary that rats and other kinds of infestations have been noticed in and around your home as a result. So, we are all on the same page we are in a public hearing in response to the garbage build up at 3569 Burgoyne Ave. Hudson Falls NY,12839.

Hogan read from the Town Code section 222-10 under the headline Storage of Garbage. (See Attached)

We have a file in which the Attorney for the town has asked Supervisor Hogan to essentially place in evidence. Meyer has asked to place into record in code enforcement spot documentation and notifications that were given in the last year or so and more recent certified mail along with pictures and notices taped at their front door. Brian Hart has an affidavit making him aware of this public hearing, which was taped at their door related to the litter on the ground, garbage, white plastic bags and black plastic bags.

Supervisor Hogan would like to add. This is the Town of Kingsbury Board, but tonight we are serving as a Town Health Board which is under our purview .

A motion to enter into Town of Health Board Meeting Motion by James Lindsey second by Scott Lindsey and carried by a vote of 4 ayes.

Section 222-16 Town Board hearing and order (see Attachment)

Supervisor Hogan was advised by Matt Fuller the timeline was reasonable on the situation that is occurring there. If the individual would take a day or two to clean this property, it would be cleaned. Hogan recommends and suggests a midnight deadline for Sunday April 12th at midnight. Town could then take action on its own beginning Monday April 13th at 12:01am.

Discussion: Trust of property

Discission: If property isn't cleaned up by resident/owner the town will have it cleaned up at the expense of the resident/owner. The reality is we can't leave it this way.

Supervisor Hogan states if owner does not show up for court appearance we would seek a warrant for his arrest. See attached 222-14 "Penalties for offense".

Supervisor Hogan: 5:28 PM closing the Town Health Board Meeting motion by Councilman Scott Lindsey second by Councilman James Lindsey and carried by 4 ayes. We are adjourned from our health board meeting.

5:29 back to our regular Town Board Meeting.

Supervisor Hogan: Our attorney for the town will draft a document letting resident of home know they have until midnight Sunday 4/12/2026 to clean up.

Supervisor Hogan will reach out to see about the cost of an estimate to clean up.

Supervisor Hogan: Adjourned 5:29 PM

Respectfully submitted,

Billy Jo MacDuff, Town Clerk

*Town of Kingsbury, NY
Tuesday, April 14, 2026*

Chapter 222. Solid Waste

Article II. Littering; Storage of Garbage

§ 222-10. Storage of garbage.

No person shall throw, deposit, accumulate, store, or cause to be thrown, deposited, accumulated or stored, any litter in or upon any private property within the Town of Kingsbury except in a securely closed receptacle or dumpster used for the collection and removal of the same.

*Town of Kingsbury, NY
Tuesday, April 14, 2026*

Chapter 222. Solid Waste

Article II. Littering; Storage of Garbage

§ 222-14. Penalties for offenses.

The Code Enforcement Officer, or any person defined as a "peace officer" pursuant to the New York State Criminal Procedure Law, is authorized to issue an appearance ticket, in compliance with the provisions of the Criminal Procedure Law, to any person who is violating any provision of this article, requiring such person to appear before a Town Justice. Such a violation shall constitute a violation punishable by a fine not exceeding \$250, by a sentence of community service or restitution, by imprisonment in the Washington County Jail for a term not to exceed 15 days, or by a combination thereof. Each day or part of a day on which a violation continues shall constitute a separate violation.

*Town of Kingsbury, NY
Tuesday, April 14, 2026*

Chapter 222. Solid Waste

Article II. Littering; Storage of Garbage

§ 222-16. Town Board hearing and order.

- A. Upon finding that a violation of this article may exist that is, or may become, dangerous or unsafe to the public, the Town Board may direct that notice be given to the owner of the property upon which the alleged violation exists. The notice shall set forth that a public hearing will be held, and that if it is determined by the Town Board at such hearing that such a violation does exist, the owner will be required to remedy the violation within the specified number of days and if the owner fails to do so, the Town may act to remedy the violation and charge the owner for the costs of same.
- B. Such notice shall be served by personal service of a copy thereof upon the property owner, the owner of the litter, and/or to the person responsible for improperly scattering or disposing of the same, or, if no such person can be reasonably found, by mailing such person by registered mail a copy of the notice directed to his or her last known address and posting a copy at such address in such number of days in advance of the hearing date as is reasonable under the circumstances.
- C. Upon the conclusion of the public hearing, if the Town Board finds that there exists a violation of this article upon the subject property that is, or may become, dangerous or unsafe to the public, the Town Board shall issue an order directing the property owner to remedy the violation within a specified number of days that is reasonable under the circumstances, and stating that if the property owner fails to remedy the violation within the specified number of days, the Town may act to remedy the violation and charge the owner for the costs of same.
- D. If the property owner fails to remedy the violation within the specified number of days, and the Town acts to remedy the violation, the Town may personally deliver, or mail in the manner specified above, a bill to the property owner for the costs of remedying the violation.
- E. If the property owner does not pay the Town the full amount set forth in such bill within 30 days after the delivery or mailing of same, the Town Board may cause to be recorded in the Town Clerk's office a sworn statement by the Code Enforcement Officer showing the costs for the remedial work, the date(s) on which the work was performed and the location of the property on which the remedial work was conducted. The recording of such sworn statement shall constitute a lien on the property which shall remain in full force and effect until full payment has been made. Said amount shall be collected in the manner fixed by law for the collection of taxes. In the event that said amount is not paid in full on or before the date the tax bill upon which it appears is last due without penalty, said amount shall be subject to the same delinquent penalty as the delinquent penalty for Town real property taxes. Sworn statements recorded in accordance with the provisions hereof shall be full notice to every person concerned that said amount of the statement constitutes a charge against the property designated thereon and that the same is due and collectible as provided by law.