

A regular meeting of Town Board of the Town of Kingsbury was conducted on May 18, 2026 - 6:30 p.m. at 6 Michigan Street Hudson Falls.

Town Board Present:

Dana Hogan, Town Supervisor

James Lindsay, Councilman

Dan Washburn, Councilman

Sean Akins, Councilman

Scott Lindsay, Councilman

Others Present:

Billy Jo MacDuff, Town Clerk

Diane Eddy, Deputy Clerk

Jeff Meyer, Town Attorney

Ross Cortese, Code Enforcement

Mason Leonard, Highway Superintendent

Peter & Jamie Sabo

Mike LaRose

Karlisha Gibbs

The meeting was called to order at 6:30 pm, by Supervisor Hogan and opened for the order of business with The Pledge of Allegiance by Councilman James Lindsay.

1. Approval of May 4th, 2026 minutes

A motion was made by Councilman S. Lindsay and seconded by Councilman J. Lindsey and carried by a vote of 5 ayes.

Identify a Resolution that was passed at the last meeting which couldn't be heard on the recording it's an amendment of a \$200 stipend for Highway Dept workers in clean-up work on property 3469 Burgoyne Ave. Motion was made by Councilman S. Lindsay and seconded by Councilman Akins and carried a vote of 5 ayes.

MEMORANDUM OF AGREEMENT

Noted on 5/18/26

This Memorandum of Agreement is made on May 4th, 2026 by and between the TOWN OF KINGSBURY ("Town") and TEAMSTERS LOCAL 294 ("Union") as follows:

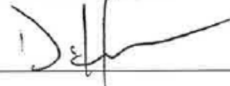
WHEREAS, the Town and the Union have entered into a Collective Bargaining Agreement for the period July 19, 2024 through December 31, 2026; and

WHEREAS, the Town desires to pay the bargaining unit employees a one-time payment for unique, extraordinary work they performed on April 29, 2026;

NOW, THEREFORE, the parties hereto agree as follows:

1. The Town shall pay each bargaining unit employee a one-time payment of \$200.00, as additional compensation, for the unique, extraordinary work they performed for the Town on April 29, 2026.
2. The referenced one-time payment shall not be considered a precedent for any reason in the future, including without limitation, any future work performed by the bargaining unit employees.
3. The terms of this Memorandum of Agreement shall not modify the parties' Collective Bargaining Agreement, which shall remain in full force and effect.

TOWN OF KINGSBURY

By:  _____

TEAMSTERS LOCAL 294

By: _____

Approval of actually minutes – A motion was made by Councilman J. Lindsay second by Councilman Washburn and carried by a vote 5 ayes.

2. Revised April 8th and April 20th, 2026 minutes to include attached Resolution's.

Motion by Councilman Washburn and second by Councilman J. Lindsay carried with a vote of 5 ayes.

3. Water District MPR – A motion moving forward that Jeff will draft up an agreement which we estimate roughly 20% over the estimate that we get. Supervisor to sign the agreement once it's prepared. Motion by Councilman S. Lindsay second by Councilman Akins carried with a vote of 5 ayes.

4. Liquor License- Vested Veteran Restaurant (Main St. Former El Mexicano) The Town has the authority to essentially bless and say we are ok with this. We are waiving the Public Hearing since location previously had one. A motion by Councilman Washburn second by Councilman J. Lindsay and carried with a vote of 5 ayes.

5. RFP 2026-3IT Services- Rebecca would like us to move forward so she can start putting out RFPs for new IT services. Current provider costs are high. Proposals due June 12th, 2026 late proposals will be rejected. A Motion by Councilman S. Lindsay second by Councilman Washburn carried by a vote of 5 ayes.

6. Public Hearing - 6:38pm Call to order the Public Hearing for the Proposed Flood Damage Prevention Local Law. Jeff explains that the Federal Gov't and the DEC have redrawn and trying to update the flood plain maps. Part of the update requires a more stringent review process. The variances for properties located within the flood plain. To maintain a good status in their program we have to adopt a version of this local law. No Public Comment at this time. Close the Public Hearing at 6:40PM. A motion adopting Local Law Providing for Flood Damage Prevention in the Town of Kingsbury by Councilman Washburn and second by Councilman Akins carried with a vote of 5 ayes.

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

Resolution No. 5 of 2026

Adopted May 18, 2026

Introduced by DAN WASHBURN

who moved its adoption

Seconded by SEAN AKINS

**RESOLUTION ADOPTING LOCAL LAW
PROVIDING FOR FLOOD DAMAGE PREVENTION
IN THE TOWN OF KINGSBURY**

WHEREAS, the United States Federal Emergency Management Agency (“FMEA”) has updated its maps applicable to areas that are subject to flooding and therefore present a threat to the health, safety and welfare of the public; and

WHEREAS, changes to said maps have necessitated amendments to the Town’s local law providing for flood damage prevention; and

WHEREAS, an updated local law has been drafted which local law provides for flood damage prevention and references relevant maps and updated law; and

WHEREAS, the Town Board set a public hearing for the proposed local law which public hearing was duly noticed and published in accordance with New York law, and which public hearing was held and persons wishing to be heard were provided the opportunity to be heard; and

WHEREAS, the Town Board wishes to proceed with the adoption of said draft local law.

NOW, THEREFORE BE IT

RESOLVED, that the Town Board has reviewed the environmental assessment form and answered the questions in part 2 thereof, and having taken a hard look at the

<https://www.kingsburyny.gov>

potential environmental impacts of said local law, hereby finds that the proposed local law does not have the potential to cause or contribute to one or more adverse environmental impacts, and therefore the Town Board hereby issues and adopts a negative declaration thereon, all in accordance with the New York State Environmental Quality Review Act; and be it further

RESOLVED, that the Town Board finds that the adoption of the local law providing for flood damage prevention is in the best interests of the public, including the residents and taxpayers of the Town; and be it further

RESOLVED, that the proposed local law providing for flood damage prevention in the Town is hereby adopted, and the clerk is directed to number the local law based on adoption, and file same with the New York Secretary of State, the New York Department of Environmental Conservation and such other entities as the clerk may determine; and be it further

RESOLVED, that the Town Supervisor is authorized to take any action necessary to carry out the provisions of this resolution; and be it further

RESOLVED, that this resolution shall take effect immediately.

7. Public Hearing: opened at 6:42 pm Public Hearing for Nuisance Property located at 3569 Burgoyne Ave.

Property accumulated 111 violation points (limit:18 in 6 months).

Issues included: Garbage accumulation and burning

Dangerous / unlicensed dogs

Sanitation violations

Ongoing code violations

What happens when you have Law Enforcement, Dog Control officer, Code Enforcement coming to your home. All those items can result in points against you that could jeopardize your Certificate of Occupancy of the home or your occupancy of your home. Which is the case with this property.

No one is present to defend the actions of the property.

6:47 PM – Closing Public Hearing. A Motion to accept the Resolution Concerning the Property at 3569 Burgoyne Avenue. A motion by Councilman Washburn second by Councilman J. Lindsay carried by a vote of 5 ayes.

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

Resolution No. 6 of 2026

Adopted May 18, 2026

Introduced by DAN WASHBURN
who moved its adoption
Seconded by JAMES LINDSAY

**RESOLUTION CONCERNING THE
PROPERTY LOCATED AT 3569 BURGOYNE AVENUE
TOWN OF KINGSBURY**

WHEREAS, pursuant to Chapter 192 of the Code of the Town of Kingsbury, the Town of Kingsbury has the authority to declare certain parcels nuisance properties where they pose a threat to the interest of the public in the quality of life and total community environment, commerce in the Town, property values and public health, safety, peace, comfort, conveniences and general welfare; and

WHEREAS, the Town Board has received reports from the Washington County Sherriff's Office, Dog Control Officer, and complaints from the public and the Sherriff's Office relative to nuisance activities at property located at 3569 Burgoyne Avenue in the Town of Kingsbury; and

WHEREAS, the property located at 3569 Burgoyne Avenue, Town of Kingsbury, (the "Property") has accumulated sufficient points under Chapter 192 to warrant a public hearing; and

WHEREAS, the Town Board set a public hearing under Chapter 192 of the Code of the Town of Kingsbury for 6:30 pm on May 18, 2026, at which time anyone interested in said property was permitted to be heard; and

WHEREAS, the Property is titled to ALBERT E. HART and LAUREN S. HART, both of whom are deceased, with UMB Bank, NA, as legal title trustee for LVS Title Trust XIII, mortgagee of the Property; and

WHEREAS, there are tenants currently occupying the Property, stated to be BRIAN HART, THERESA MARIE JONES, (JENNIFER FORTUNE, and ERIC FORTUNE); and

WHEREAS, the owners were served with a notice of public hearing on May 13, 2026 advising them of the Public Hearing; and

WHEREAS, the tenant(s) were served with a notice of public hearing on May 13, 2026 advising them of the Public Hearing; and

WHEREAS, no one appeared on behalf of the owner and/or occupants, and the public was provided the opportunity to comment at said public hearing; and

WHEREAS, the Town Board having accepted public comment and having reviewed the accumulation of points thereunder, does wish to proceed with the review of said Property under the Town's Nuisance Law contained in Chapter 192 in the Code of the Town of Kingsbury.

NOW, THEREFORE BE IT

RESOLVED, that the Town Board, upon due deliberation of public comments and materials submitted and evaluating this material in the best interests of the Town finds that the property located at 3569 Burgoyne Avenue, Town of Kingsbury, has accumulated sufficient points under the Town's Nuisance Law as follows:

01/15/2026	Health / Sanitation Violation (Ch. 168)	3 Points
01/30/2026	Heath / Sanitation Violation (Ch. 168)	3 Points
04/02/2026	Solid Waste (Ch. 222)	3 Points
04/11/2026	Dangerous Dog – KJ (Ch. 75)	3 Points
04/11/2026	Dangerous Dog – Chico (Ch. 75)	3 Points
04/11/2026	Unlicensed Dog – KJ (Ch. 75)	3 Points
04/11/2026	Unlicensed Dog – Chico (Ch. 75)	3 Points
04/11/2026	Running at Large – KJ (Ch. 75)	3 Points
04/11/2026	Running at Large – Chico (Ch. 75)	3 Points
04/13/2026	Ch. 168 ongoing violation since 1.15.26	33 Points
04/13/2026	Ch. 168 ongoing violation since 1.30.26	27 Points
04/22/2026	Running at Large – Chico (Ch. 75)	3 Points
04/30/2026	NYS Property Maintenance Code 303.1	3 Points
04/30/2026	NYS Property Maintenance Code 308.1	3 Points
04/30/2026	NYS Property Maintenance Code 304.4	3 Points
04/30/2026	Ch. 222 ongoing violation since 4.2.26	12 Points

Total for six months 111 points.

The referenced totals being well in excess of the points that warrant action under the Town's Nuisance Properties Law; and be it further

RESOLVED, that the Town Board finds that the Property owner and occupants have failed to respond to, or adequately address the concerns of the Town Board, and failed to appear at the public hearing of the Town Board; and be it further

RESOLVED, that the Town Board hereby finds the property at 3569 Burgoyne Avenue, Town of Kingsbury, to be a nuisance property in accordance with Chapter 192 of the Code of the Town of Kingsbury, that it has had a negative impact to neighboring properties and the neighborhood, which threatens the health, safety and welfare of the residents of the Town of Kingsbury; and be it further

RESOLVED, the Town Board hereby finds the property to be a nuisance property and imposes a fine in the sum of \$900 upon the owners and each individual occupant of the property; and be it further

RESOLVED, that the Town Board hereby finds that the property located at 3569 Burgoyne Avenue, Town of Kingsbury is a public nuisance which in order to abate the nuisance requires the immediate closure of the structures located at 3569 Burgoyne Avenue, Town of Kingsbury, and further authorizes the Attorney for the Town to commence such a proceeding in the name of the Town of Kingsbury in the Supreme Court of Washington County; and be it further

RESOLVED, that the Town Board hereby finds that the property located at 3569 Burgoyne Avenue, Town of Kingsbury is a public nuisance which in order to abate the nuisance requires the immediate revocation of occupancy for the property located at 3569 Burgoyne Avenue, Town of Kingsbury, such revocation shall be for a period of one (1) year to be an appropriate penalty and further authorizes the Attorney for the Town to commence such a proceeding in the name of the Town of Kingsbury in the Supreme Court of Washington County; and be it further

RESOLVED, that the Town Board hereby finds that the property located at 3569 Burgoyne Avenue, Town of Kingsbury is a public nuisance which in order to abate the nuisance requires the inspection, cleaning, and/or demolition of the structures where warranted, upon the closure of the property, the costs of such remedy shall constitute a property tax lien against the property and further authorizes the Attorney for the Town to commence such a proceeding in the name of the Town of Kingsbury in the Supreme Court of Washington County; and be it further

RESOLVED, the Supervisor and the Attorney for the Town are hereby fully authorized and empowered to take the requisite actions to effectuate this resolution; and be it further

RESOLVED, that this resolution shall take effect immediately.

8. Local Board of Health Hearing relative to alleged public health Violations at 3569 Burgoyne Avenue. For the purpose of this meeting, we need to go to into our Health Board. Motion by Councilman J. Lindsay and second by Councilman S. Lindsay carried with a vote of 5 ayes.

6:57 PM – now serving as the Kingsbury Town Health Board. Any public comments on the public health problem at 3569 Burgoyne Ave.

Karlisha Gibbs – neighbor reported

Smoke and garbage fumes entering home

Burning mattresses and waste

Possible sewer issue

Hypodermic Needles

Rodents/vermin

Additional Hazards Identified:

- * Hundreds of hypodermic needles found
- * Garbage inside structures piles to the ceilings
- * Standing algae-filled pool (mosquito risk)
- * Proximity to homes and a food establishment

Board (acting as Health Board)

- Declared public health emergency
- Authorized:
 - * Interior inspections
 - * Clean up and remediation
 - * Legal action through local court
- Cost to be recovered via property lien (not taxpayers)

Additional comments from Supervisor Hogan, one of the steps we are going to ask the Town Attorney to do is put a lien on that home so when the mortgage foreclosure is done and someone buys the home they will have to clear the lien, which will reimburse the Town of Kingsbury for our cost.

No additional comments at this time. A motion to adopt Resolution #7 by Councilman Akins second by Council J. Lindsay carried by a vote of 5 ayes.

7:03 PM closed Public Hearing, motioned by Councilman S. Lindsay second by Councilman Washburn carried by a vote of 5 ayes.

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

Resolution 7 of 2026
Adopted May 18, 2026

Introduced by SEAN AKINS
who moved its adoption
Seconded by JAMES LINDSAY

**RESOLUTION CONCERNING PROPERTY LOCATED AT
3569 BURGUYNE AVENUE,
TOWN OF KINGSBURY, WASHINGTON COUNTY, NEW YORK**

WHEREAS, the Town Board of the Town of Kingsbury sits as the local Board of Health pursuant to the Public Health Law; and

WHEREAS, it is the duty of the local Board of Health to enforce the Public Health Laws of the State of New York; and

WHEREAS, pursuant to the New York State Sanitary Code and the Public Health Law, the local Board of Health shall investigate complaints that may prove to be a nuisance; and

WHEREAS, the Town Board has received numerous complaints from the public and the code enforcement office relative to condition of the property located at 3569 Burgoyne Avenue in the Town of Kingsbury; and

WHEREAS, the Town Board sitting as the local Board of Health set a public hearing whereat any persons wishing to be heard could appear and be heard by the Local Board of Health; and

WHEREAS, the local Board of Health, having held the public hearing on May 18, 2026 and having called the matter 3 times with no one appearing on behalf of the property owners or occupants; and given the opportunity to comment, the adjoining property owners having offered information and testimony relative to the deplorable condition of the Property; and

WHEREAS, the local Board of Health having considered the foregoing is prepared to render determinations and findings.

NOW, THEREFORE BE IT

RESOLVED, that the Town Board acting as the local Board of Health hereby finds as follows:

1. Based on the photographs and testimony of the Town's Code Enforcement Officer, the Property contains garbage, waste and debris that have attracted vermin such as rats and similar animals, and constitutes a threat to the health, safety and welfare of the public. The cleanup order that was executed on April 29, 2026 over a portion of the property revealed hundreds of used hypodermic needles, and extensive evidence of vermin inhabiting the Property. The evidence presented further shows the accumulation of garbage, waste, and debris on the interior of various structures on the premises to the same degree as the exterior. Immediately adjoining the Property is a food service establishment which is in such close proximity to the Property as to be under the influence from the garbage, waste and debris at the Property. Immediately adjoining the Property on the other boundary is a family with small children living in such close proximity to the garage that is filled with garbage and the property that trash, debris, and hypodermic needles have been discarded on their adjoining property so as to be directly impacted by the Property.
2. The Town's Code Enforcement Officer has advised that he has attempted to contact the owner and tenant of the Property to seek compliance with the proper clean-up of the Property, which attempts have been ignored.
3. The above constitute a material threat to the healthy, safety and welfare of the public and constitute dangerous conditions rendering the property unsafe and a public health emergency; and be it further

RESOLVED, the local Board of Health hereby finds the property located at 3569 Burgoyne Avenue, Town of Kingsbury shall be inspected immediately to conduct the necessary investigation(s) and gather the requisite information detailing the extent of the unsanitary conditions existing on the property. The investigation shall establish the extent of the clean-up required to remedy the unsanitary conditions that created his public health emergency; and be it further

RESOLVED, the local Board of Health hereby finds that the property located at 3569 Burgoyne Avenue, Town of Kingsbury is a public nuisance which in order to abate

the nuisance requires the inspection, cleaning, closure, and/or demolition of the structures as warranted; and be it further

RESOLVED, the local Board of Health hereby authorizes the Attorney for the Town to commence such a proceeding in the name of the local Board of Health in the Kingsbury Justice Court; and be it further

RESOLVED, the Supervisor and the Attorney for the Town are hereby fully authorized and empowered to take the requisite actions to effectuate this resolution; and be it further

RESOLVED, that this resolution shall take effect immediately.

Resume our normal Agenda

Written Reports: A motion by Councilman J. Lindsay and second by Councilman Akins carried by a vote of 5 ayes to accept reports for the Month of April as follows:

Town Clerk: Paid to EnCon \$146.34; Paid to Supervisor \$6,272.39; Paid to the Village of Hudson Falls \$70.00; Paid to Ag & Markets for Population Control \$105.00

Town Comptroller: Receipts \$254,799.11; Disbursements \$337,102.44

Assessor Reports:

Enforcement Officer: Permits: 12; Fire Inspections 1 Total Fees: \$1207.20

Town Justice: Total Fees Collected \$19,816.50

Dog Control Officer:

Mason Leonard Highway Superintendent: Community concern with Crowley Road Speed Limit. Residents requested reduction from 55mph to 35-45 mph. Board approved starting the process to reduce speed limit to 45mph. This also requires county and state approval. A motion to start the process by Councilman Washburn second by Councilman Akins. Supervisor Hogan and Councilman J. Lindsay recuse themselves.

Roll Call: Councilman Washburn- Aye

Councilman Akins- Aye

Councilman S. Lindsay- Aye

Talk of National Grid utility easement near Town Hall. Mason will coordinate to avoid conflicts with sign and irrigation.

Equipment Disposal: A motion to Deem Surplus on older pieces of equipment and 2 junk school buses. A motion by Councilman Washburn second by Councilman J. Lindsay carried with a vote of 5 ayes.

Moss Street Cemetery- New signage ordered: One-Way entrance /exit layout. This is the way it used to be.

Jeff to do the IMA's for the use of our Dog Control van for Town of Fort Edward, Town of Fort Ann and Town of Greenwich.

No Public Comment

Adjourned: 7:44 PM

Respectfully Submitted,

Billy Jo MacDuff ,Town Clerk