

TOWN BOARD MEETING/WORKSHOP SEPTEMBER 9, 2015

A regular meeting was held on Wednesday, September 9, 2015, at 6:00 p.m. at the Kent Town Hall, 25 Sybil's Crossing, Town of Kent, New York, 10512.

Resolution #273 - Open Meeting & Adjourn to Executive Session

On a motion by Supervisor Fleming
Seconded by Councilman Huestis

Resolved: The meeting of September 9, 2015 opened at 6:05 p.m. and immediately adjourned to executive session to discuss matters relating to collective negotiations pursuant to article fourteen of the civil service law; the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

Motion carried unanimously

Resolution #274- Adjourn Executive Session

On a motion by Supervisor Fleming
Seconded by Councilman Denbaum

Resolved: At 7:05p.m. Executive Session adjourned.

Motion carried unanimously

Workshop – The board reviewed and discussed the items on the workshop agenda.

Public Comment- There was none.

Pledge of Allegiance – At 8:50 p.m. the Supervisor called the meeting to order with Salute to the Flag.

Roll Call

Supervisor Maureen Fleming – present	Councilman Paul Denbaum – present
Councilwoman Penny Osborn – present	Councilman Bill Huestis – present
Councilman Mike Tierney –present	

Also Present: Town Clerk Yolanda “Lana” Cappelli, Town Counsel Nancy Tagliafierro of Hogan and Rossi, Police Chief Alex DiVernieri, Recreation Director Lou Fernandez.

Resolution #275- Accept Resignation of Park Maintenance Worker

On a motion by Councilman Denbaum
Seconded by Councilman Huestis

Resolved: The resignation of Park Maintenance Worker Robert Webb was accepted.

Motion carried unanimously

Resolution #276 – Authorizing Town Clerk to Advertise Park Maintenance Worker

On a motion by Councilman Denbaum
Seconded by Supervisor Fleming

WHEREAS, the Town of Kent is seeking to fill a position for a Park Maintenance Worker for the Recreation Department; and

WHEREAS, the Town of Kent wishes to advertise for applications to fill said position; and

WHEREAS, the Town Board of the Town of Kent wishes to authorize its Town Clerk, Yolanda D. Cappelli, to advertise for applications for the Park Maintenance Worker position;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes its Town Clerk, Yolanda D. Cappelli, to advertise for applications for the Park Maintenance Worker position.

Motion carried unanimously

Resolution # 277- Authorizing Contract with Vintage Tech, LLC.

On a motion by Councilman Tierney
Seconded by Councilman Huestis

WHEREAS, the Town of Kent has previously entered into an intermunicipal contract with Vintage Tech, LLC to provide an Electronic Waste Recycling Program and related electronic waste services under Contract #20140265; and

WHEREAS, the Town Board wishes to renew its agreement through December 31, 2015 by executing Addendum I to Contract #20140264; and

WHEREAS, the costs associated with the program are paid by the County of Putnam; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes and approves the agreement; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute any and all agreements and other documents necessary to give effect to this Resolution, consistent with the terms hereof, all in form satisfactory to the Supervisor and the Town Attorney.

Motion carried unanimously.

Resolution # 278 - Release Erosion Control Bond Frey - Alou Corp TM#22.-1-24

On a motion by Councilman Tierney
Seconded by Councilman Huestis

WHEREAS, in 2014 an erosion control bond was approved and accepted by the Town of Kent from Scott Frey - Alou Corporation in the amount of \$5,600 (the "Bond") regarding 4 Bowen Road, Tax Map No. 22.-1-24 (the "Premises:"); and

WHEREAS, Julie Mangarello, Engineer, has inspected the Premises and submitted a report to the Town of Kent Planning Board dated June 4, 2015, which report verifies that the residence on the Premises has been completed and the property has been fully stabilized; and

WHEREAS, on August 13, 2015 the Kent Planning Board reviewed the matter and adopted a motion to forward this matter to Town Board with the Planning Board's recommendation to release the Bond; and

WHEREAS, the Town Board of the Town of Kent wishes to follow the recommendation of the Planning Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby releases the Erosion Control Bond in the amount of \$5,600 to Scott Frey, Alou Corporation for property located at 4 Bowen Road.

Motion carried unanimously

Resolution # 279- Reduction of Sewer District Connections TM#44.9-2-20

On a motion by Councilman Denbaum
Seconded by Councilman Huestis

WHEREAS, the Town of Kent is in receipt of a request from the Sclafani Family Limited Partnership, the owner of 228-230 Route 52, a vacant parcel of land located within the C (Commercial) District of the Town of Kent, New York, (the "Property"); and

WHEREAS, the Sclafani Family Limited Partnership is requesting that the number of required connections between the Property and the Kent Sewer District be reduced from four connections to one connection, until such time as the Property is improved or sold; and

WHEREAS, the Town Board of the Town of Kent considered a Resolution to grant the annexed request on August 4, 2015 at which time the Town Board was not fully constituted and the voting resulted in two votes in favor of the Resolution and two votes against the Resolution; and

WHEREAS, the Town Board is reconsidering this request before a fully constituted Board;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby grants the request of the Sclafani Family Limited Partnership to reduce the number of required connections between the Property and the Kent Sewer District be reduced from four connections to one connection.

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Upon roll call vote:

Councilman Denbaum – nay Councilwoman Osborn – nay
Councilman Huestis – aye Councilman Tierney – nay
Supervisor Fleming – aye
Motion not carried

Resolution #280- Exemption from Sewer District TM#33.18-1-15 - Schwartz

On a motion by Councilwoman Osborn

Seconded by Supervisor Fleming

WHEREAS, the Town of Kent is in receipt of a letter from Bradley Schwartz and Michael Schwartz, the owners of the premises identified as Tax Map No. 33.18-1-15, located along Route 52 and Nichols Lane and having a mailing address at 405 Route 52, which is a commercial property located within the C (Commercial) District of the Town of Kent, New York (the "Property"), a copy of which letter is annexed hereto and made a part hereof; and

WHEREAS, by their letter, Bradley and Michael Schwartz request that their Property be exempted from connection to the Kent Sewer District, because they Property has a septic system which is compliant with the Department of Environmental Protection of the City of New York, which compliance resulted on modified building plans and additional building costs in connection with the development of the Property; and

WHEREAS, the Town Board of the Town of Kent has considered the annexed request;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby denies the request of Bradley and Michael Schwartz to exempt 405 Route 52 in the Town of Kent from connection to the Kent Sewer District.

Upon roll call vote:

Councilman Denbaum – The sewer district committee was against this request. He has gone with the sewer district's recommendation even though he was unsure. For two reasons he believes the request should be granted. He will be voting nay for the denial. The reason being the sewer district committee is set up to build the commercial sector on Route 52 and to alleviate any environmental issues associated with failing septic's. In this instance, the commercial building will be there whether the exemption is granted or not, it will be part of the community the requirements DEP put in place has given the assurance that we are up to the best environmental standards possible. He sees no negative, we will not lose a commercial property, he voted no to deny the exemption.

Councilwoman Osborn – aye, she feels it is important to not give exemptions, every time we do someone picks up the slack and does not think it fair to the others involved in the sewer district.

Councilman Huestis - nay

Councilman Tierney – aye, to deny the exemption, the septic system may be working today, and may fail in the future, if that happens there may not be an allotment available to help that building. He wants them to remain in the sewer district.

Supervisor Fleming – aye to deny the exemption, there is a requirement if a sewer line is available, the people in the district have to tie into it, that's not just our requirement but county wide. Although she has sympathy for this business, the only exemptions she has voted to approve are properties she believes were not actually on Route 52. This property is commercial property, certainly within the district. She has sympathy and had sympathy for the family that did not have a commercial property, but having financial difficulty, she felt obligated to deny that exemption because it was on the Route 52 corridor. Other than a mistake of fact including them, there was no reason to exclude them, and voted to deny.

Motion carried

Resolution# 281 -Add to the Agenda

On a motion by Supervisor Fleming

Seconded by Councilman Tierney

Resolved: Hire Start Smart Soccer Assistants and Permission to Advertise for vacancies on boards was added to the agenda.

Motion carried unanimously

Resolution #282- Hire Start Smart Soccer Assistants - Recreation Department

On a motion by Supervisor Fleming
Seconded by Councilman Huestis

WHEREAS, the Town of Kent is seeking to fill four seasonal positions as Assistants in the Start Smart Soccer program; and

WHEREAS, the Director of Recreation has recommended hiring Brian Sposato, Chase Wong, Mark Donelan, and Brennan McIntyre to fill the positions; and

WHEREAS, the Town Board believes it to be in the best interests of the Town to accept the Director's recommendations; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring of Brian Sposato, Chase Wong, Mark Donelan, and Brennan McIntyre as assistants of the Start Smart Soccer Program for the Recreation Department at a rate of \$140 for the season; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes the Supervisor to execute any and all documents necessary to give effect to this resolution.

WHEREAS, the Town of Kent is seeking to fill four positions for Start Smart Soccer Assistants in the Recreation Department; and

WHEREAS, the Town of Kent wishes to advertise for applications to fill said positions; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes its Town Clerk, Yolanda D. Cappelli, to advertise for applications for the Start Smart Soccer Assistant positions in the Town of Kent Recreation Department.

Motion carried unanimously

Resolution #283 - Advertise for Vacancies

On a motion by Supervisor Fleming
Seconded by Councilman Huestis

Resolved: The Town Clerk is authorized to advertise for any and all vacancies on existing boards and committees including those whose members are expiring at the end of this year.

Motion carried unanimously

Resolution #284 - Approve Vouchers and Claims

On a motion by Councilman Huestis
Seconded by Supervisor Fleming

Resolved: Voucher #200134303 - #200134545 and claims submitted by:

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|----------------------------------|--------------|--|
| 1. Brewster Transit Mix | \$10,525.00 | Concrete |
| 2. City Carting | \$8,056.69 | Lake Carmel Garbage |
| | \$5,542.98 | |
| 3. Timothy J. Curtiss, P.C. | \$5,323.50 | June 2015 General |
| 4. Dome Corp. | \$191,950.00 | Salt Shed Dome |
| 5. F&A Concrete | \$24,000.00 | Salt Shed |
| | \$19,000.00 | |
| 6. Global Montello Group | \$4,101.72 | Gasoline |
| 7. Hogan & Rossi | \$5,416.67 | Legal Services |
| 8. Jesco, Inc. | \$3,083.58 | John Deere Parts |
| 9. KVS Information Systems, Inc. | \$2,736.08 | Quarterly Installment |
| 10. Limnology Info | \$7,600.00 | Lake Carmel Treatment |
| 11. Lumar Plumbing & Heating | \$2,113.20 | Curb Valve Box WD#1 |
| 12. Medicare Reimbursements | \$16,364.00 | 3 rd Quarter Reimbursements |
| 13. New England Uniform | \$2,030.00 | Police Uniform |
| 14. NYCOMCO | \$2,622.00 | 2 Way Radios |
| 15. Purchase Power | \$2,000.00 | Postage |
| 16. Spain Agency | \$68,309.71 | Insurance Installment |

In the amount of \$698,289.48 may be paid.

Motion carried unanimously

Resolution #285 - Adjournment

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: The meeting of September 9, 2015 adjourned at 9:08 p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli
Town Clerk