

TOWN BOARD MEETING/WORKSHOP OCTOBER 6, 2015

A regular meeting was held on Tuesday, October 6, 2015, at 7:00 p.m. at the Kent Town Hall, 25 Sybil's Crossing, Town of Kent, New York, 10512.

Workshop

Assemblywoman Sandy Galef

Supervisor Fleming said a major concern to the Town has been the condition of Little Falls Causeway and obtaining funding for the project. Assemblywoman Galef's office was contacted; through her efforts we were able to secure a grant for \$100,000.00 making the project possible. Assemblywoman Galef was given a Certificate of Appreciation for her efforts. Assemblywoman Galef thanked the board, she said it is a partnership, it is the State of New York's money, and this is a real good use of public dollars for a project that serves the public. She said she has never been thanked like this from a local government.

NYS Office of Real Property Presentation

Mr. Hartnett from New York State Office of Real Property was present to award the Town. The Town of Kent has met the state's standard of quality assessing, accurate inventory, periodic inspections of property and systematic analysis of assessments. Kent has received this award since 2001, one of the select few to receive this award for so long. He said the Town and Assessor Link are to be commended and presented the award to Assessor Link.

Resolution #306 - Approving Promotion - Kent Police Department-Lieutenant

On a motion by Supervisor Fleming

Seconded by Councilwoman Osborn

Resolved: The Town Board of the Town of Kent moved this item to the Workshop and hereby promotes Kevin Owens to the position of Lieutenant to the Town of Kent Police Department.

Motion carried unanimously

Resolution #307 - Approving Promotion - Kent Police Department -Sergeant

On a motion by Supervisor Fleming

Seconded by Councilwoman Osborn

Resolved: The Town Board of the Town of Kent hereby promotes Alex VanderWoude to the position of Sergeant of the Town of Kent Police Department.

Motion carried unanimously

The board reviewed and discussed the remaining items on the workshop agenda.

Public Comment- There was none.

Pledge of Allegiance - At 8:00 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: Assemblywoman Sandy Galef, Town Clerk Yolanda "Lana" Cappelli, Highway Superintendent Rich Othmer, Town Counsel Nancy Tagliafierro of Hogan and Rossi, Police Chief Alex DiVernieri, Building

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Inspector Bill Walters, Assessor Gary Link, Director of Finance Michele Summers and Retired Police Chief Don Smith.

Resolution #308 - Award 2015-2016 Highway Bids

On a motion by Councilman Denbaum

Seconded by Councilman Tierney

WHEREAS, the Town of Kent advertised for bids for prices of highway materials to be effective from October 1, 2015 until September 30, 2016; and

WHEREAS, bids were received and opened and publicly read at the Kent Town Center on September 21, 2015; and

WHEREAS, Highway Superintendent Othmer has reviewed the bids and recommends awarding bids for materials to the lowest bidders as set forth on the summary document annexed hereto and incorporated herein;

NOW THEREFORE, BE IT RESOLVED, that upon the recommendation of Highway Superintendent Othmer, the Town Board of the Town of Kent hereby accepts the bids for highway materials for the 2015-2016 as set forth on the summary annexed hereto.

Motion carried unanimously

Resolution #309 - Authorizing Purchase of Second Hand Supplies, Material & Equipment by Auction - Highway

On a motion by Councilman Denbaum

Seconded by Councilwoman Osborn

WHEREAS, the Town Board of the Town of Kent is in receipt of a request from the Town Highway Department for the purchase of second-hand supplies, material and equipment; and

WHEREAS, the Town Highway Department is in need of equipment, including and not limited to, pickup trucks, dump trucks, flatbed trucks, vans, tractor trailers, trailers, utility trucks, forklifts, backhoes, front end loaders, hand tools, shop tools, mechanic tools, generators, compressors, rollers, welding equipment, tractors and mowing apparatus, cars, portable structures, office equipment, and road graders; and

WHEREAS, Section 103(6) of the General Municipal Law exempts from competitive bidding purchases of surplus or second-hand supplies, material or equipment from the Federal Government, State of New York or any political subdivision; and

WHEREAS, the Town Highway Superintendent wishes to purchase second-hand and surplus equipment, supplies and material via auction, including internet auction, from Federal and State Government agencies; and

WHEREAS, the Town Board desires to authorize the Town Highway Department to purchase necessary equipment through such auctions pursuant to the General Municipal Law in an amount up to \$30,000 per item, not to exceed a total amount of \$30,000 prior to Town Board approval in the total amount in addition not to exceed the Town Highway Department budget for supplies, equipment and machinery; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the purchase of second-hand and surplus material, equipment, and supplies by the Town Highway Department via auction held by the Federal or State Government or any subdivision thereof in an amount up to \$30,000 per item, a total amount of \$30,000.

Motion carried unanimously

Resolution #310 - Approve Budget Adjustments Fiscal Year 2015

On a motion by Councilwoman Osborn

Seconded by Councilman Tierney

WHEREAS, the Finance Department has recommended certain budgetary amendments to the 2015 Budget in order to adjust appropriations in the General Fund, the Highway Department budget, the

Lake Carmel Park District Budget and the Water District No. 1 budget, as set forth in summary annexed hereto and incorporated herein by reference; and

WHEREAS the 2015 budget for the General Fund, after adjustments, will increase by \$18,415, which increase will be offset by reimbursement for in the amount of \$18,415 for charges related to demolition of buildings by the Code Enforcement Officer; and

WHEREAS, the 2015 Highway Department budget, the 2015 Lake Carmel Park District budget, and the Water District No. 1 budget, after adjustments, will remain the same as originally budgeted;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the recommendations of the Finance Department and authorizes the budget transfers as set forth on the annexed summary.

Motion carried unanimously

Resolution # 311 - Accept Insurance Proposal Cyber Coverage

On a motion by Councilwoman Osborn

Seconded by Councilman Huestis

WHEREAS, pursuant to the terms of the Intermunicipal Agreement with the County of Putnam for shared email services, the Town of Kent is to provide a certificate of insurance confirming certain insurance coverage, including cyber coverage; and

WHEREAS, the Town's insurance broker, Spain Agency, Inc., has obtained a quote from New York Mutual Insurance Reciprocal ("NYMIR") for an annual premium of \$1,567.50; and

WHEREAS, the Town Board believes it to be in the best interests of the Town to accept the NYMIR proposal and authorize the payment of the requested premium because obtaining cyber coverage will enable the Town to comply with the terms of the Intermunicipal Agreement for shared e-mail services, and the cyber security coverage will extend to other functions of the Town of Kent;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the proposal of NYMIR for Cyber Insurance Coverage for an annual premium of \$1,567.50.

Poll Vote as follows:

Councilman Denbaum – nay, he thinks the idea we need this coverage even though NYMIR didn't offer it when we were discussing this agreement, shows it was never contemplated, he is not convinced our current liability also issued by NYMIR wouldn't cover all the concerns we have. In the private sector, this is not something that similar sized businesses are doing. Just because other governments and towns are doing it doesn't mean it's a good idea. The Town of Carmel exceeds their tax cap every year, they do a lot of things we disagree with like consolidating the police force, they are not his beacon of wisdom on all matters, he is concerned why we are not doing it when we are doing our insurance. We received an email today that NYMIR rates are going up 3.5% next year. We are going to authorize this insurance now and renegotiate in NYMIR less than half a year. It seems we are going to be on the email server before we actually get issued an insurance policy, so why this came he is unsure and unnecessary, a cost we do not need and voted nay.

Councilwoman Osborn – aye Councilman Huestis – aye

Councilman Tierney – aye Supervisor Fleming – aye

Motion carried

Resolution # 312 – Table Advertise for Bids for Workers Compensation Insurance

On a motion by Councilman Tierney

Seconded by Councilman Huestis

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Resolved: Advertise for Bids for Workers Compensation Insurance was tabled.

Motion carried unanimously

Resolution #313 - Authorizing Release of Erosion Control Bond – Schwartz – Excel Printing

On a motion by Councilman Tierney

Seconded by Councilwoman Osborn

WHEREAS, Bradley Schwartz-Excel Printing (the "Owner") owns a parcel of land at 405 Route 52, Kent, New York 10512, identified as Tax Map No. 33.18-1-15 (the "Lot"); and

WHEREAS, the Planning Board of Town of Kent approved an application from the Owner for a steep slope permit and erosion control plan (the "Project"); and

WHEREAS, the Owner posted a bond for erosion control relating to the Project to the Town of Kent in the amount of \$5,580.00; and

WHEREAS, the Owner has submitted a request that the erosion control bond be released; and

WHEREAS the Planning Board, at their meeting held on September 17, 2015 approved Resolution #9 of Year 2015 recommending the release of the erosion control 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 authorizes the release of the erosion control bond in the amount of \$5,580.00 relating to the Project.

Motion carried unanimously

Resolution # 314 - Approve Vouchers and Claims

On a motion by Councilman Huestis

Seconded by Councilman Denbaum

Resolved: All Vouchers #200135003 - # 200135058 and claims submitted by:

1. Hogan & Rossi \$5,416.67 Legal Services
2. H.O. Penn Machinery \$3,927.22 Municipal Repair Parts
3. NYCOMCO \$2,622.00 2 Way Radios: Police
4. Philpstown Tree Service \$12,000.00 Nichols Street Tree Work
5. Virtual Town Hall Holdings, LLC \$3,500.00 Annual Website Hosting

In the amount of \$56,760.14 may be paid.

Motion carried unanimously

Public Comment – There was none

Resolution # 315 - Adjournment

On a motion by Councilman Huestis

Seconded by Councilwoman Osborn

Resolved: The Town Board meeting of October 6, 2015 adjourned at 8:15 pm.

Motion carried unanimously

Respectfully submitted:

Yolanda D. Cappelli
Town Clerk