

TOWN BOARD MEETING/WORKSHOP MARCH 1, 2016

A regular meeting was held on Tuesday, March 1, 2016 at 6:00 p.m. at the Kent Town Hall, 25 Sybil's Crossing, Town of Kent, New York, 10512.

**Resolution #116 - Open Meeting & Adjourn to Executive Session**

On a motion by Supervisor Fleming

Seconded by Councilman Huestis

Resolved: The meeting of March 1, 2016, opened at 6:05 p.m. and immediately adjourned to executive session to discuss litigation.

Motion carried unanimously

**Resolution #117- Adjourn Executive Session**

On a motion by Supervisor Fleming

Seconded by Councilman Denbaum

Resolved: At 7:11 p.m. Executive session adjourned.

Motion carried unanimously

**Pledge of Allegiance-** At 7:15 p.m. the Supervisor called the meeting to order with the Salute to the Flag.

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

**Public Comment-** There was none.

**Town Board Meeting - Roll Call**

Supervisor Maureen Fleming – present

Councilman Paul Denbaum – present

Councilwoman Jaime McGlasson – present

Councilman Bill Huestis – present

Councilman Scott Chin –present

Also Present: Town Clerk , Yolanda “Lana” Cappelli, Town Counsel, Nancy Tagliafierro of Hogan and Rossi, and Director of Finance Michelle Summers.

**Resolution #118 – Approve Budget Adjustments Fiscal Year 2015**

On a motion by Councilman Denbaum

Seconded by Supervisor Fleming

**WHEREAS**, the Director of Finance has recommended certain budgetary amendments to the 2015 Budget in order to adjust appropriations in the General Fund, the Sanitation budget, the Lake Carmel Park District budget and the budgets for Water District Nos. 1 and 2, as set forth in summary annexed hereto and incorporated herein by reference; and

**WHEREAS**, the 2015 General Fund, Lake Carmel Park District budget and Sanitation budget, after adjustments, will remain the same as originally budgeted; and

**WHEREAS**, insurance recoveries to offset expenses have resulted in increased revenue for Water District No. 1 in the amount of \$7,123.33; and

**WHEREAS**, the fund balance of \$3,700 from Water District No. 2 will be transferred to cover repairs not covered in 2015; and

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

Motion carried unanimously

**Resolution #119- Approve Recycling Center Revenue Transfer for fiscal Year 2015**

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

**WHEREAS**, the Town Board of the Town of Kent wishes to transfer Recycling Account Passbook monies to the general fund, which transfer does not involve utilization of taxpayer monies; and

**WHEREAS**, these monies represent the expense and revenue net balance for the Recycling Center, as follows:

TOWN BOARD MEETING/WORKSHOP MARCH 1, 2016

Revenue	\$81,627.00
Expense	\$62,048.97
Net	\$19,578.03

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby authorizes the Recycling Center transfer for 2015 in the amount of \$19,578.03;  
Motion carried unanimously

**Resolution #120 – Appoint Assessor**

On a motion by Councilwoman McGlasson  
Seconded by Supervisor Fleming

**WHEREAS**, pursuant to Town Law 64(5), when a vacancy occurs in any town office, the Town Board of the Town of Kent may appoint a qualified person to fill the vacancy; and

**WHEREAS**, if the appointment is made to fill a vacancy in an appointive office, the person so appointed shall hold office for the remainder of the expired term; and

**WHEREAS**, there is currently a vacancy in the appointive office of Town Assessor, which term is set to expire on September 30, 2019 in accordance with Town Board Resolution No. 5 of 2013; and

**WHEREAS**, the Town Board of the Town of Kent finds Timothy W. McGowan to be a person qualified to serve as Town Assessor and wishes to appoint Mr. McGowan as Town Assessor;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby appoints Timothy W. McGowan as Assessor of the Town of Kent to fill the vacancy for the balance of the unexpired term ending September 30, 2019 at an annual salary of \$65,000 and a start date of March 3, 2016.

Roll Call

Councilman Denbaum – nay                      Councilwoman McGlasson – aye  
Councilman Huestis – aye                      Councilman Chin – aye  
Supervisor Fleming - aye

Motion carried

**Resolution #121 - Accept Resignation & Advertise for Lake Carmel Park District Advisory Board**

On a motion Councilwoman McGlasson  
Seconded by Councilman Chin

**WHEREAS**, the Town of Kent wishes to accept the resignation of Dennis Illuminate as a member of the Lake Carmel Park District Advisory Board (LCPDAB) effective February 25, 2016; and

**WHEREAS**, the Town of Kent wishes to advertise for applications to fill the vacancy on the LCPDAB; and

**WHEREAS**, the Town Board of the Town of Kent wishes to authorize its Town Clerk, Yolanda D. Cappelli, to advertise for applications to fill the vacancy on the LCPDAB;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board accepts the resignation of Dennis Illuminate as a member of the LCPDAB; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Kent hereby authorizes its Town Clerk, Yolanda D. Cappelli, to advertise for applications to fill the vacancy on the LCPDAB.

Motion carried unanimously

**Resolution #122 – Accept Resignation & Advertise for Part Time Court Clerk**

On a motion by Councilman Chin  
Seconded by Councilwoman McGlasson

**WHEREAS**, the Town of Kent wishes to accept the resignation of Barbara Gregis as part time Court Clerk for the Town of Kent Justice Court effective February 19, 2016; and

**WHEREAS**, the Town of Kent wishes to fill the position of Part Time Court Clerk; and

**WHEREAS**, the Town Board of the Town of Kent wishes to authorize its Town Clerk, Yolanda D. Cappelli, to advertise for applications for a Part Time Court Clerk;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board accepts the resignation of Barbara Gregis as Part Time Court Clerk; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Kent hereby authorizes its Town Clerk, Yolanda D. Cappelli, to advertise for applications for the position of Part Time Court Clerk for the Town of Kent Justice Court.

Motion carried unanimously

**Resolution #123 – Release of Erosion Control Bond for Staley -TM#12.-1-69**

On a motion by Councilman Chin  
Seconded by Councilman Huestis

TOWN BOARD MEETING/WORKSHOP MARCH 1, 2016

**WHEREAS**, James Staley (the "Owner") owns a parcel of land located at 5 Bowen Court, Kent, New York 10512, identified as Tax Map No. 12.-1-69 (the "Lot"); and

**WHEREAS**, the Owner posted a cash bond dated December 17, 1998 in the amount of \$1,400 and a cash bond dated December 5, 1997 in the amount of \$1,050 for erosion control; and

**WHEREAS**, the Owner is working on an addition to the property and a bond in the amount of \$1,890.00 was requested of the Owner for erosion control; and

**WHEREAS**, the Planning Board, at their meeting held on February 11, 2016, approved Resolution #2 of Year 2016 recommending that the Town Board allow the above referenced erosion control bonds of 1997 and 1998 to be used in place of a new bond in the amount of \$1,890; 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 use of the erosion control bonds dated December 17, 1998 and December 5, 1997 in the total amount of \$2,450 in place of requiring a new bond in an amount of \$1,890; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Kent hereby authorizes and directs the Supervisor to execute any and all documents necessary to give effect to this resolution, consistent with the terms hereof and in such form as is satisfactory to the Town Supervisor and the Town Attorney.

Motion carried unanimously

**Resolution #124 - Add to the Agenda – Reimburse Zoning Board Variance Fee \$150.00.**

On a motion by Supervisor Fleming

Seconded by Councilman Denbaum

Resolved: Reimburse Zoning Board Variance Fee of \$150.00 was added to the agenda.

Motion carried unanimously

**Resolution #125 - Reimburse Zoning Board Variance Fee \$150.00**

On a motion by Supervisor Fleming

Seconded by Councilman Denbaum

Resolved: The Zoning Board Variance Fee of \$150.00 to be reimbursed to applicant Christopher Surovic, the fee for postage as suggested will not be reimbursed.

Motion carried unanimously

**Resolution #126 - Approve Vouchers and Claims**

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: Voucher 200136728# - #200136845 and claims submitted by:

1. City Carting	\$4,131.38	Lake Carmel Garbage
2. Clark Equipment Co.	\$93,811.23	Bobcat Excavator
3. Home Depot	\$2,119.11	Recreation
4. NYSEG	\$3,230.99	Electric: Police Dept.
5. Robert Green Truck Division	\$59,612.10	Ram Truck
6. Town of Kent Municipal Repairs	\$6,763.01	Chargebacks: Sanitation
	\$20,387.41	Chargebacks: Highway
7. Town of Kent Recycling	\$19,578.03	Transfer
8. Windstream	\$3,756.95	Telephone Service+

In the amount of \$226,354.70 may be paid.

Motion carried unanimously

Public Comment – There was none

**Resolution #127– Adjournment**

On a motion by Supervisor Fleming

Seconded by Councilman Huestis

Resolved: The town board meeting of March 1, 2015 adjourned at 8:25 p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli  
Town Clerk

