

**TOWN OF KENT**  
**Town Board Workshop/Meeting**  
**January 28, 2014/7:00 PM**

**Workshop**

1. Advertise and introduce LL#77-38 to amend chapter 77 zoning
2. Discuss request for proposal for garbage removal on Route 52, Carmel (property map #22.65-1-7)
3. Discuss new hire to the Police Department
4. Discuss new Police hire to attend the Police Academy on February 3, 2014
5. Authorize library use of the courtroom February 1, 2014 and Town Hall grounds on June 7, 2014
6. Set date for public hearing on DEP to access permit for enhancing recreation potential
7. Certification Training Program for the Kent Highway Department
8. Authorization to install new radios on Highway Vehicles
9. Request Town Board approval of refunding an Erosion Control Bond and Escrow Funds
10. Town Board approval to submit Annual Dam Safety Certification
11. Reappointments for Planning Board Consultants and Attorneys for the Year 2014 pro tem
12. Discuss Bakall Tax Certiorari proceeding
13. Accept Resignation of Police Officer William Verrastro
14. Request permission to contact County Executive regarding Town taking over gas inspections
15. Discuss dog adoption fee
16. Public Comment Period

**Meeting**

1. Salute to the Flag
2. Roll call

**Meeting – Cont'd Page 2 of 2**

3. Executive session – New Hire For Police Department
4. Approval of Vouchers and Claims
5. Appoint Jessica Jarrett as Deputy Receiver of Taxes
6. Reappoint Anne C. Balant-Campbell Member of CAC 5 year-term to end 12/31/2019
7. Reappoint Dave Ehnebuske Member of CAC 5 year-term to end 12/31/2019
8. Reappoint Bill Buck Member of CAC 5 year-term to end 12/31/2019
9. Release Erosion Control Bond for Nancy & Gary Kroell TM 9-1-60 for \$4,330.30 & release escrow funds for \$923.20
10. Authorize Town Attorney to sign consent judgment settling Bakall Tax Certiorari
11. Authorize to advertise Stormwater Management Committee vacancies
12. Authorize to advertise Lake Carmel Park District Committee vacancies
13. Authorize library to use courtroom Feb. 1, 2014 and use Town Center grounds June 7, 2014
14. Authorize Supervisor to submit Dam Safety Certification
15. Set date for public hearing on DEP access permit
16. Public Comment Period

Town of Kent, NY  
Monday, January 13, 2014

## Chapter 77. ZONING

### Article XI. Supplementary Parking and Loading Regulations

#### § 77-38. Off-street parking.

Off-street parking spaces, open or enclosed, shall be subject to the following requirements:

- A. Parking requirements. Accessory off-street parking spaces, open or enclosed, shall be provided for any use as specified herein, and all spaces proposed to be provided and the number thereof shall be identified clearly on the site plan. Any land which is developed as a unit under single ownership and control shall be considered a single lot for the purpose of these parking regulations. Reasonable and appropriate off-street parking requirements for structures and uses which do not fall within the categories listed herein shall be determined by the Planning Board upon consideration of all factors entering into the parking needs of each such use.
- B. Areas computed as parking spaces. Areas which may be computed as open or enclosed off-street parking spaces include any private garage, carport or other area available for parking, other than a street or a driveway. However, a driveway within a required front yard for a one- or two-family dwelling may count as one parking space.
- C. Size of spaces. Except as provided hereinafter, each parking space shall be a minimum of nine feet wide by 20 feet deep and shall be served by an aisle not less than 22 feet wide. Where parking is arranged back to back, each parking space may share a common backup space. Entrance and exit lanes shall not be computed as parking space, except for driveways for one- and two-family dwellings, as set forth in Subsection **B** above.
- D. Prohibited parking.
  - (1) Except where specifically permitted, parking in the required front yard shall be prohibited.
  - (2) Not more than one commercial vehicle, excluding construction equipment, may be parked on any lot in a residential district, provided that no such vehicle shall have more than four wheels, and provided further that no part of such parked vehicle shall project nearer to the street line than a line parallel thereto drawn through the point where the principal building is nearest to the street.
  - (3) In any residential district, unlicensed vehicles may be parked for a period of not to exceed 60 days, provided that no part of such parked vehicles shall project nearer to the street line than a line parallel thereto drawn through the point where the principal building is nearest to the street.
  - (4) In any district, no vehicles, trailers, portable signs, or any device capable of being or

D.

Prohibited parking.

(1)

Except where specifically permitted, parking in the required front yard shall be prohibited.

(2)

Not more than one commercial vehicle, excluding construction equipment, may be parked on any lot in a residential district, provided that no such vehicle shall have more than four wheels, and provided further that no part of such parked vehicle shall project nearer to the street line than a line parallel thereto drawn through the point where the principal building is nearest to the street.

**Not more than one commercial vehicle, <sup>No</sup>excluding construction vehicles and <sup>and</sup> equipment, may be parked on any lot in a residential district, provided that no such vehicle shall have more than a four wheel chassis, and provided further that no part of such parked vehicle shall project nearer to the street line than a line parallel thereto drawn through the point where the principal building is nearest to the street.**

**CODE ENFORCEMENT**  
OF  
TOWN OF KENT, PUTNAM COUNTY, NEW YORK  
845-306-5598

## ORDER TO REMEDY VIOLATION

Location: ROUTE 52, CARMEL, N.Y. 10512  
Map NO: 22.65-1-7

Date: January 06, 2014

**TO: CATHERINE GRIFFETH**

Address/Owner/Agent: 32 STONERIDGE PLACE, DURHAM, N.C. 27705

**PLEASE TAKE NOTICE** THERE EXISTS A VIOLATION OF: **PROPERTY MAINTENANCE** (*A. In furtherance of the purposes of this chapter, it shall be the duty and responsibility of the owner, operator or occupant of premises to comply with all of the requirements and standards of this chapter, to keep the premises free of conditions which constitute violations hereof and to promptly remove, prevent or abate such conditions.*)

B.

*Maintenance of exterior.*

(1)

*The exterior of all premises shall be kept free of the following matter, materials or conditions:*

(a)

*Refuse or rubbish as hereinbefore defined.)* **FOUND IN SECTION 55A-11 SUB B. (1) (a) OF THE TOWN ORDINANCES OF THE TOWN OF KENT.**

The State Building Construction Code \_\_\_\_\_  
Zoning Ordinances \_\_\_\_\_

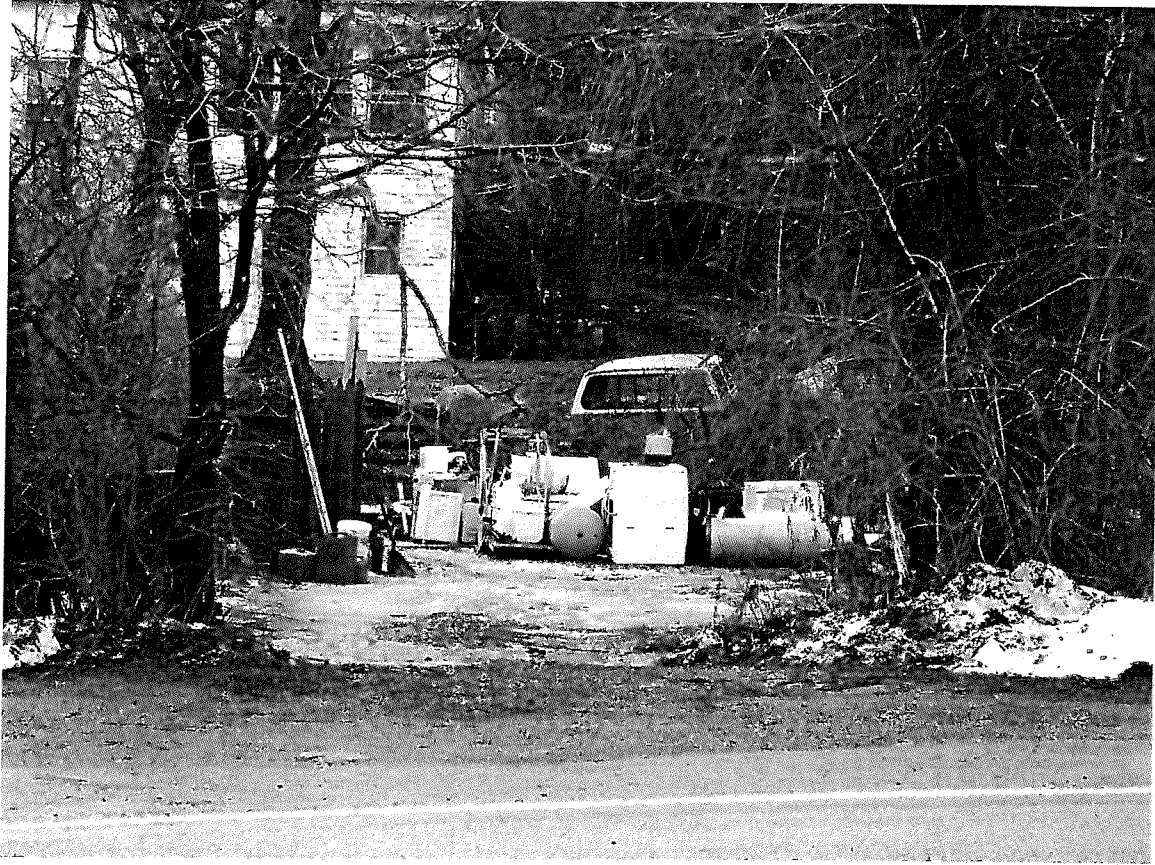
Other Applicable Laws, Ordinances or Regulations   X  

at premises hereinafter described in that:

**OWNER HAS FAILED TO KEEP THE EXTERIOR AREA OF SITE FREE OF REFUSE OR RUBBISH AS DESCRIBED BY CODE AND DEPICTED IN ENCLOSED PHOTO.**

**OWNER HAS TEN DAYS FROM THIS DATE OF SERVICE TO SUBMIT A WRITTEN REQUEST TO THIS OFFICE FOR A HEARING TO DISCUSS REMEDIAL ACTION TO ABATE THE STATED ISSUES.**

**(SEE FOLLOWING PAGE)**



REFUSE or RUBBISH

*(All discarded, useless, unusable, unused or worthless solid waste matter or materials, combustible or noncombustible, including but not limited to garbage, trash, ashes, paper, paper goods and products, wrappings, cans, bottles, containers, yard clippings, garden waste, debris, junk, glass, boxes, crockery, wood, mineral matter, plastic, rubber, leather, furniture, household goods, appliances, bedding, scrap lumber, scrap metal, construction material, inoperable machinery or parts thereof, garden or farming implements and supplies, dead or rotting vegetation, tires, abandoned, inoperative or unusable automobiles and vehicles and solid commercial or industrial waste.)*

**IF THE ABOVE LISTED VIOLATION IS NOT CORRECTED, NOR WRITTEN NOTICE RECEIVED, THE TOWN WILL CONTRACT WITH A VENDER TO ADDRESS THE ISSUES AND THE FEE THE COMPANY PRESENTS WILL BE CHARGED TO THE PROPERTY OWNER. ADDITIONALLY IF THE PROPERTY OWNER FAILS TO PAY THE TOWN BILL THE DEBT WILL BE ATTACHED TO THE OWNER'S TAX BILL PAYABLE ON THE NEXT INSTALLMENT.**

**(SEE FOLLOWING PAGE)**

# POLICE DEPARTMENT

## Town of Kent

40 SYBIL'S CROSSING, CARMEL, NEW YORK 10512

Address All Communications

To: Chief of Police  
Alexander W. DiVernieri Jr.

Emergency: (845) 225-4600

Office: (845) 225-5646

Fax: (845) 306-5288

kentpolice@townofkentny.gov

January 14, 2014

Supervisor Maureen Fleming & Kent Town Board  
Town of Kent Administrative Offices  
25 Sybil's Crossing  
Carmel, New York 10512

Dear Supervisor Fleming & Kent Town Board:

This letter is a follow up to the letter I sent to the Board on 12/17/13 concerning the resignation of Police Officer William Verrastro. In that letter I stated that I would be approaching the Board seeking to replace his position.

Canvass letters have been sent out to eligible candidates and Detectives are just about finished with background checks. Unfortunately we are under a time restriction due to the fact the Police Academy begins February 3, 2014. The next Academy would be sometime in the Fall. This means if we do not send someone to this academy we would not have that officer on the road until sometime 2015, creating scheduling difficulty.

I respectfully request the Town Board place a Police Officer appointment on the agenda at the next Town Board meeting on January 21, 2014. I have not made a recommendation as of yet but will provide the Board with a name and background information of the candidate for your review by Friday January 17<sup>th</sup>. The monies for this position are in the Police Department's 2014 budget.

I would like to take this opportunity to thank the Board for your consideration. If you have any questions please feel free to contact me.

Respectfully,



Alexander W. DiVernieri Jr.  
Chief of Police

*Serving Our Community 24 Hours A Day*



Carter H. Strickland, Jr.  
Commissioner

Paul V. Rush, P.E.  
Deputy Commissioner  
Bureau of Water Supply  
prush@dep.nyc.gov

71 Smith Avenue  
Kingston, NY 12401  
T: (845) 340-7800  
F: (845) 334-7175

W L  
November 20, 2013

Honorable Katherine Doherty  
Town Supervisor  
Town of Kent  
25 Sybil's Crossing  
Carmel, New York 10512

TC

Re: NYC Parcel Id #s: Pre-MOA, 81 & 3026

Dear Supervisor Doherty:

New York City Department of Environmental Protection (DEP) understands that increasing recreation lands can provide tangible benefits to the local communities. In an effort enhance recreational opportunities on City-owned land, DEP is revisiting the recreation potential of some of our properties. These parcels are currently closed to recreation and all are posted as no trespassing.

The proposed 316 acre Boyd Corners South Unit would be open for hunting and hiking by DEP Access Permit. This property, located on NYS State Route 301, Kittridge Drive, Barrett Hill Road, and Peekskill Hollow Road in the Town of Kent, is illustrated on the enclosed map.

We respectfully request that you reply in writing within 30 days of the date of this letter if not agreeable to this expansion of recreational uses.

Please contact me at if you have any questions.

Sincerely,

Paul Lenz  
Section Chief  
Natural Resources Division  
NYC DEP Bureau of Water Supply  
Phone: (845) 340-7862  
Fax: (845) 338-1296  
Email: [plenz@dep.nyc.gov](mailto:plenz@dep.nyc.gov)

- ✓
- c. Ira Stern, Chief, Natural Resources  
Charles Laing, Senior Property Manager  
John Staby, Land Manager  
Lydia Lewis, Community Resource Forester  
Kenny LeBarron, DEP Operations Supervisor  
EOH Sporting Advisory Committee  
Mike Pogue, Forester, NYSDEC Region 3

map on back  
→



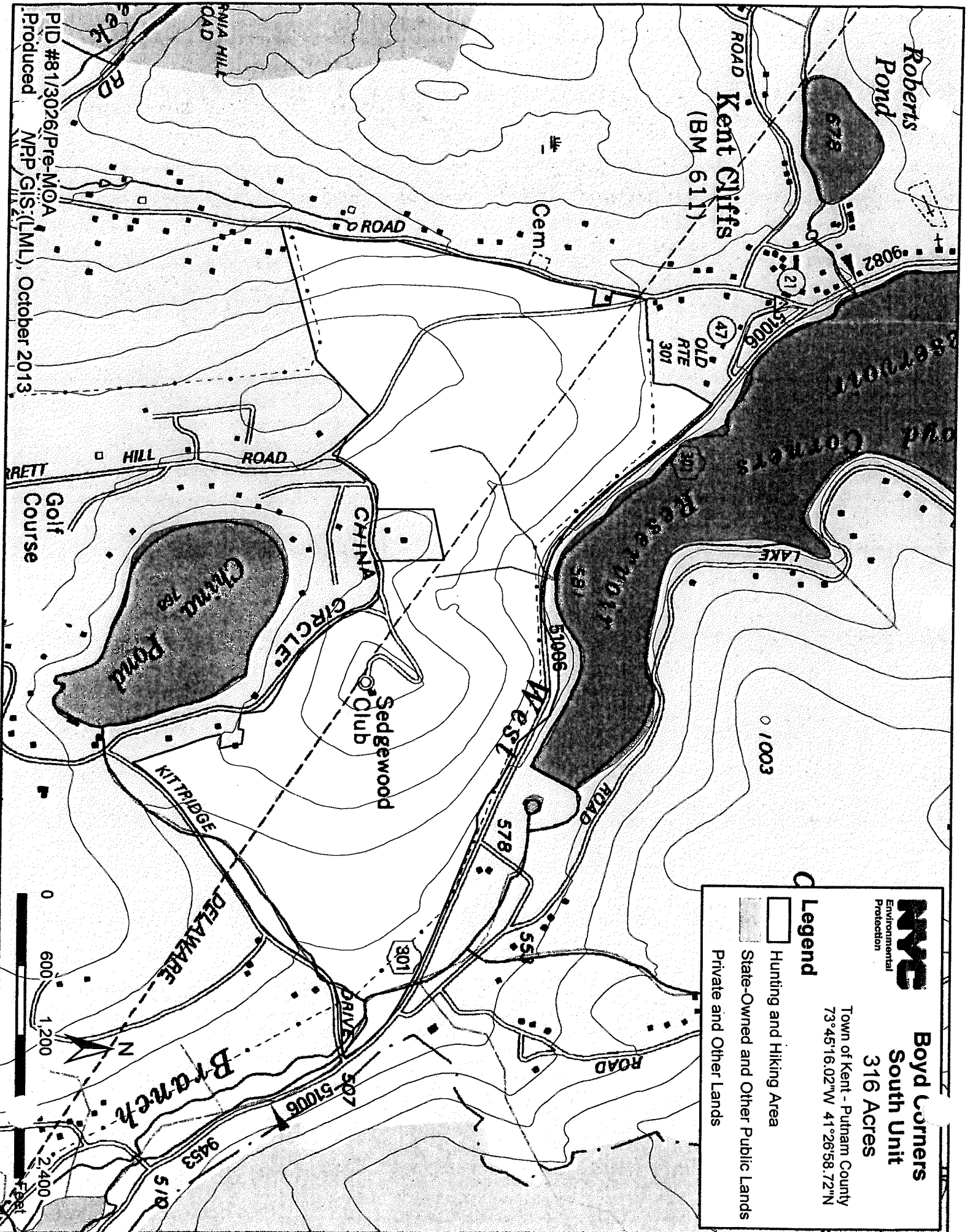


**Boyd Corners  
South Unit  
316 Acres**

Town of Kent - Putnam County  
73°45'16.02"W 41°26'58.72"N

**Legend**

- Hunting and Hiking Area
- State-Owned and Other Public Lands
- Private and Other Lands



W  
1B  
Act

RECEIVED  
TOWN CLERK

JAN 15 PM 1:14

**Town of Kent Highway Dept.**

**Richard T. Othmer, Jr., Highway Superintendent**

62 Ludington Court

Kent Lakes, New York 10512

(845) 225-7172

Fax (845) 225-9464

E-mail: highway@townofkentny.gov

January 15, 2014

Town of Kent Supervisor Maureen Fleming  
Kent Town Board Members  
25 Sybil's Crossing  
Kent Lakes, NY 10512

Subject: NYS Department of Labor 2013 Inspection

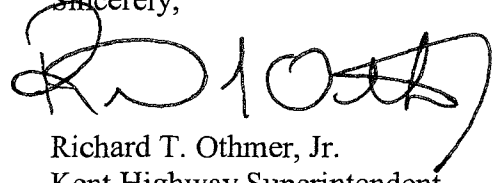
Dear Supervisor Fleming and Kent Town Board Members,

I have been notified by Mr. Ray Veneable from the NYS Department of Labor that the Kent Highway Department will be receiving numerous violations based upon their inspection of our Highway Facilities in the fall of 2013. One violation that stood out most of all as far as I am concerned is the absence of any certifications of training on any piece of Town Equipment. I have to ask the question how can Town employees be promoted to be Construction Equipment Operators without any certifications in place is beyond my comprehension.

I am immediately instituting a Certification Training Program by Certified OSHA Instructors. The three primary areas that must be addressed immediately are training and certification in the use of the Towns Bucket Truck, Forklift and Backhoe. The cost of this training will be taken out of the .4 budget line, but I believe that the Town should include a budget line for training and certification classes in the future.

This has to be done immediately to keep our employees safe and protect the Town from any liabilities from potential accidents that might occur from having untrained personnel operating Town owned equipment.

Sincerely,



Richard T. Othmer, Jr.  
Kent Highway Superintendent

✓

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AB8

RECEIVED  
TOWN OF KENT

2014 JAN 15 PM 1:14

***Town of Kent Highway Dept.***  
*62 Ludington Court*  
*Kent Lakes, New York 10512*  
*(845) 225-7172*  
*Fax (845) 225-9464*  
*E-mail: highway@townofkentny.gov*

January 14, 2014

Town of Kent Supervisor Maureen Fleming  
Kent Town Board Members  
25 Sybil's Crossing  
Kent Lakes, NY 10512

Subject: Truck Radios

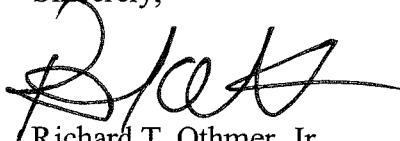
Dear Supervisor Fleming and Kent Town Board Members,

We are not happy with the current radios that were installed in all the Town of Kent Highway Vehicles and have been looking for a solution to correct this. Highway Employees have had trouble calling each other as well as calling to the base and have had to use their personnel cell phones when the radios would not clearly relay their message.

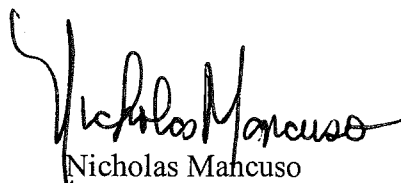
Goosetown Communications handles the radios in the Town of Carmel Vehicles, The Carmel Central School District Vehicles, and the Town of Putnam Valley Vehicles to name a few. After speaking with their representative they have offered to put in three mobile radios and two portable radios for a two week pilot program.

We would like to get the Town Boards authorization to do this. Our Highway drivers are left in unsafe situations when their radios are not working or are out of range. Please respond at your earliest convenience.

Sincerely,



Richard T. Othmer, Jr.  
Kent Highway Superintendent



Nicholas Mancuso  
Automotive Service Manager

✓

W9a

# TOWN OF KENT

## PLANNING BOARD

25 SYBIL'S CROSSING  
KENT LAKES, NEW YORK 10512

(845) 225-7802

Fax (845) 306-5283



### RESOLUTION #1 Year 2014

Date: January 6, 2014

From: The Kent Planning Board

To: The Kent Town Board:  
Maureen Fleming, Supervisor - w/Att.  
Paul Denbaum  
Bill Huestis  
Penny Osborne  
Michael Tierney

CC: W. Walters, Building Inspector - w/Att J. Ramos - w/Att.  
L. Cappelli, Town Clerk - w/Att Finance Department - w/Att.  
Mr. & Mrs. Kroell

RE: Request for Release of Erosion Control Bond and Escrow fund by:  
Nancy and Gary Kroell  
22 Brookdale Road, Mahopac, NY 10541 (Check to be mailed to this address)  
For Property listed below:  
200 Horton Town Road, Kent, NY 10512  
TM: 9.-1-60

Resolved: On December 12, 2013 at the Town of Kent Planning Board meeting it was confirmed by the Planning Board consultants and the Kent Building Inspector that they had visited the property noted above and found that the construction of a residence has been completed and the property stabilized. The recommended that the erosion control bond in the amount of \$4,330.00 and the balance of \$923.20 remaining in the applicant's escrow account be returned to the applicant as soon as possible.

Please find attached the supporting documentation pertaining to this property. Note that the Planning Board reviewed this material at the meeting held on December 12, 2013. A motion to release the Erosion Control Bond and escrow being held by the Town of Kent was made by Mr. Phillip Tolmach and seconded by Ms. Glenna Wright. The motion carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they pass a resolution decreeing that the above actions be taken.

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on December 12, 2013.

Dated: January 6, 2014

*Vera Patterson*

Vera Patterson  
Planning Board Secretary

Vera Patterson

11/25/13 Bruce took copies of document  
will report

**o:** Kent Planning Board Mtg. Distribution List\_2013; Bruce Barber (barberbruce@yahoo.com);  
Building Inspector; JMangarillo@rsaengrs.com; Neil Wilson  
**Cc:** skpn136@aol.com; Kathy Doherty  
**Subject:** Kroell Property - TM: 9.-1-60  
**Attachments:** Kroell Bond Return Ltr\_Nov 2013.pdf

I spoke to Ms. Nancy Kroell, 22 Brookdale Road, Mahopac, NY 10541 today (Telephone 845-628-3333/email [skpn136@aol.com](mailto:skpn136@aol.com)), who will be sending us a letter requesting that the bond in the amount of \$4,330.00 be returned to her and her husband. She said that the house on Hortontown Road (TM: 9.-1-60) has been completed and that Bill Walters, Building Inspector for Town of Kent, recently issued a CO and is available for any questions the Planning Board may have. I spoke to Bill and he confirmed this.

Please find attached the documentation pertaining to this bond and a Resolution from the Town Board (dated December 29, 2010) accepting it. I told Ms. Kroell that we would need to schedule an inspection for Bruce Barber, Julie Mangarillo and Neil Wilson if he is available to visit the site. By copy to Bruce, Julie and Neil please advise if it would be possible to inspect the property before the December meeting so we can put it on the agenda.

Thanks very much.

Vera Patterson  
Planning Board Secretary  
25 Sybil's Crossing  
Kent, NY 10512  
45-225-7802 (P)  
845-306-5283 (F)  
[planning@townofkentny.gov](mailto:planning@townofkentny.gov)

RECEIVED

DEC - 8 2013

Planning Board  
Town of Kent

Nov. 25, 2013

Town of Kent  
25 Sybil's Crossing  
Kent Lakes, N.Y. 10512

Attention: Planning Board

Re: Tax map # 9.-1-60

To Whom It May Concern:

I am writing this letter, as per my phone conversation with Vera today, to request the return of the bond, in the amount of \$4,330.00, for our property on Hortontown Rd. The house has been completed and inspected by Mr. Bill Walters, the building inspector for the town, and he has issued us a Certificate of Occupancy (C.O.).

Vera has informed me, an inspection of the site, by the Planning Board, is necessary, so I would like to set up an appointment a.s.a.p. to get this done. I will make myself or my husband readily available for this inspection.

Thank you for your time in this matter.

Yours truly,

A handwritten signature in cursive script that reads "Nancy Kroell".

Nancy Kroell

Front

GARY S. KROELL Tm #9-1-60  
NANCY J. KROELL  
22 BROOKDALE RD. P.O. 845-628-3333  
MAHOPAC, NY 10541

50-1129/219

8314

DATE Nov. 3, 2010

Town of Kent \$4,330.00  
PAY TO THE ORDER OF Four thousand three hundred thirty 00/100  
COLLASE ☒ ☐

**MAHOPAC**  
**NATIONAL BANK**  
A Tompkins Community Bank  
www.mahopacbanking.com

MEMO 2010 ion cortial bond Nancy J. Kroell

⑆021911396⑆ 055⑈77593⑈4⑈ 8314

Back

021906868-001-01/00/2011-15:15:28

FOR DEPOSIT ONLY  
TOWN OF KENT  
TRUST & AGENCY ACCT.

Press any of the menu buttons above to continue.

☐ E-Mail



**TOWN OF KENT**  
25 Sybil's Crossing  
Kent Lakes, New York 10512

Yolanda D. Cappelli  
Town Clerk

Administrative Office  
Tel. (845) 225-2067  
Fax. (845) 306-5282



**RESOLUTION**

**Resolution # - Accept Erosion Control Bond- Kroell TM# 9 - 1 -60**

On a motion by Councilwoman Osborn

Seconded by Councilman Greene

Resolved: On the recommendation of the Planning Board and Bruce Barber Planning Board Consultant the erosion Control bond for Nancy & Gary Kroell, TM# 9-1-60 in the amount of \$4,330.00 and inspection fee for \$173.00 was accepted.

Motion carried unanimously

I, Yolanda D. Cappelli, Town Clerk of the Town of Kent, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Kent at a meeting of said Board on December 20, 2010.

Dated: December 29, 2010

Yolanda D. Cappelli



**Lucy Rinaldi**

**From:** T. de Leon-Connors/Town of Kent [tconnors@townofkentny.gov]  
**Sent:** Monday, December 20, 2010 4:49 PM  
**To:** 'T. de Leon-Connors/Town of Kent'  
**Subject:** Kent Town Board Agenda

**TOWN OF KENT**  
**Town Board Meeting**  
**December 20, 2010 / 7:00 PM**

**Public Hearings**

- Local Law – Kennels
- Local Law – Noise Ordinance

**Legislator's Report – Hon. Richard T. Othmer**  
**Meeting**

1. Salute to the Flag
2. Roll Call
3. Approval of Vouchers and Claims
4. Budget Transfer
5. Kent Police Department
  - a. Hire Police Sergeant
  - b. Hire Replacement Police Officer
  - c. Eagle Point Gun Voucher
  - d. Permission to Purchase Laptop Computers
  - e. Purchase Vehicle 2011
  - f. Create separate account for asset forfeiture
6. Highway Department
  - a. Hire Full-Time MEO
  - b. Hire Seasonal Laborers
7. Hill Sparrow Ridge Transportation Corporation
8. Partners in Safety – Contract Renewal
9. Accept Erosion Control Bond– Kroell \$4,330.00
10. Kent Historical Society – Purple Mountain Press
11. Accept Water Quality Improvement Grant
12. Send Notice to Bid – Landfill
13. Appoint P/T Zoning Board Clerk effective 12/17/2010 at \$10/hr not to exceed 20 hours/week
14. Planning Board – Dispose old office equipment  
Technical Support Agreement – Time Clock
16. Lake Carmel Park District Stormwater Project

*Handwritten notes and signatures:*  
Went to...  
12/20/2010  
T. de Leon-Connors  
[Signature]

17. Accept Resignation of Employees
18. Roof Pump House – Water District 2
19. MS4
  - a. Litigation
  - b. MS4 Representative
20. Set Public Hearing - Land Acquisition
21. Local Law – Kennels
22. Local Law – Noise Ordinance
23. Extend Temporary Full-Time Appointment of Recreation Assistant from 11/20/10 – 1/20/11
24. Change Status of P/T Recreation Clerk to Temporary Full-Time from 12/21/2010 – 3/21/2011
25. Workshops
26. Water District 2 Voucher (2009)
27. Office for the Aging Contract
28. Parking Ordinance
29. Building Inspector's Vehicle
30. Abingdon Farms
31. Gymnastics Program
32. Appoint P/T Planning Board Clerk as Temporary Full Time Clerk from 12/21/2010 to 3/19/2011
33. Correspondence

**Lucy Rinaldi**

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**From:** T. de Leon-Connors/Town of Kent [tconnors@townofkentny.gov]  
**Sent:** Tuesday, November 23, 2010 11:06 AM  
**To:** 'Lucy Rinaldi'  
**Cc:** 'Russ Fleming'  
**Subject:** RE: Kroell Erosion Bond

Yes, it's on the agenda.

Thanks,  
Tess

**Tess de Leon-Connors**

Confidential Assistant to the Supervisor  
Town of Kent  
25 Sybil's Crossing  
Kent Lakes, NY 10512  
☎ 845.225.3943  
✉ 845.306.5621  
✉ tconnors@townofkentny.gov

---

**From:** Lucy Rinaldi [mailto:planning@townofkentny.gov]  
**Sent:** Tuesday, November 23, 2010 10:52 AM  
**To:** tconnors@townofkentny.gov  
**Cc:** 'Russ Fleming'  
**Subject:** Kroell Erosion Bond

Tess,

Please list on the Town Agenda for December 2010 for 12/6/2010 workshop and 12/20/2010 meeting.

Mr. & Mrs. Kroell, TM#9-1-60 , acceptance of Erosion Control Bond Agreement.

Thank you,

Lucy



MEMORANDUM

TO: PETER PELOQUIN, TOWN ACCOUNTANT

FROM: LUCY RINALDI, PLANNING BOARD CLERK

RE: NANCY + GARY KROELL  
EROSION CONTROL AGREEMENT  
CHECK AND INSPECTION REVIEW FEE

DATE: NOVEMBER 4, 2010

PLEASE FIND ATTACHED THREE (3) ORIGINAL BOND AGREEMENTS BETWEEN NANCY + GARY KROELL AND THE TOWN OF KENT, ALONG WITH A CHECK FOR \$4,330.00 AND AN INSPECTION FEE CHECK FOR \$173.00.

PLEASE HOLD THESE AGREEMENTS, AND CHECK UNTIL THE TOWN BOARD ACCEPTS THEM AT ITS NEXT TOWN BOARD MEETING. THANK YOU.

CC: TOWN BOARD  
LANA CARPELLI - TOWN CLERK

BOND AGREEMENT

Check in Lieu of Fiduciary Bond

AGREEMENT made this       day of       by and  
between the Town of Kent and "KROELL" 22 Brookdale Rd  
Mahopac, N.Y. 10541

WHEREAS the said KROELL has requested permission of the  
Planning Board of the Town of Kent to CONTINUE WITH THE said  
Town on KENT (Tax Map # 9-1-60); and EROSION CONTROL PLAN

WHEREAS the Planning Board of the Town of Kent has granted  
permission to construct same subject to posting a \_\_\_\_\_ check  
in the amount of \$4,330.00; and

WHEREAS "KROELL" is desirous of posting a \_\_\_\_\_ check  
from MAHOPAC NATIONAL BANK in the total sum of \$4,330.00 which  
\_\_\_\_\_ check will be in the name of "Town of Kent"; now  
therefore the parties hereto agree as follows:

1. "KROELL" shall deposit the aforesaid sum of \$4,330.00  
with MAHOPAC NATIONAL BANK in a \_\_\_\_\_ check will be in the  
name of the Town of Kent;
2. The said \_\_\_\_\_ check shall be delivered to the Town  
of Kent and be deposited in an escrow account pending the  
completion of the construction for which the erosion control  
measures are necessary;
3. No funds may be withdrawn from the said escrow account  
until a resolution has been duly made by the Town Board of  
the Town of Kent, authorizing such surrender or cashing;
4. Upon full completion of the work allowed pursuant to  
the condition and specifications herefore imposed by the  
Planning Board of the Town of Kent, the said escrow monies  
shall be returned to
5. In the event the erosion control work allowed shall not  
have been fully completed by "KROELL" as per the  
conditions and specifications of the Planning Board of  
the Town of Kent, the Town Board shall have the right to  
withdraw the aforesaid escrow monies and complete the  
required work for "KROELL" with full use of said sums as  
the Town requires;

6. When the work shall have been fully completed as required by the conditions and specifications of the Planning Board, either by "Kroe!!" or by the Town of Kent, the aforesaid escrow monies or the balance of funds remaining after the work has been completed shall be returned or refunded to "Kroe!!"

IN WITNESS whereof the parties hereto have set their hands and seals the day and date first above written.

By: Nancy J. Kroe!!  
NANCY J. KROE!!

By: Katherine Doherty  
KATHERINE DOHERTY  
SUPERVISOR

GARY S. KROELL Tm#9-1-60  
NANCY J. KROELL  
22 BROOKDALE RD. PH. 845-628-3333  
MAHOPAC, NY 10541

50-1139/219

8314

DATE Nov. 3, 2010

Town of Kent  
PAY TO THE ORDER OF

Four thousand three hundred thirty + 00/100 \$ 4,330.00  
DOLLARS

**MAHOPAC**  
**NATIONAL BANK**  
A Tompkins Community Bank  
www.welcometobanking.com

MEMO cession certical bond

Nancy J. Kroell

⑆021911398⑆ 055⑈77593⑈4⑈

8314

GARY S. KROELL Tm#9-1-60  
NANCY J. KROELL  
22 BROOKDALE RD. PH. 845-628-3333  
MAHOPAC, NY 10541

50-1139/219

8315

DATE Nov. 3, 2010

Town of Kent  
PAY TO THE ORDER OF

One hundred seventy three + 20/100 \$ 173.20  
DOLLARS

**MAHOPAC**  
**NATIONAL BANK**  
A Tompkins Community Bank  
www.welcometobanking.com

MEMO inspection fee

Nancy J. Kroell

⑆021911398⑆ 055⑈77593⑈4⑈

8315

**TOWN OF KENT**  
**PLANNING BOARD**  
25 SYBIL'S CROSSING  
KENT LAKES, NEW YORK 10512

(845) 225-7802

Fax (845) 306-5283



To: Mr. Tim Curtiss, Town Attorney

From: Lucy Rinaldi, Planning Board Clerk

Re: Nancy & Gary Kroell  
Erosion Control Agreement  
Check and Inspection Review Fee

Date: November 5, 2010

*Tell Tess Deleon  
to put on Town's agenda  
12/6 W  
12/20 M.*

Please be advised that Mr. & Mrs. Kroell submitted an erosion control plan to the Planning Board and that Mr. Bruce Barber, Planning Board Consultant, reviewed and approved his plan.

Mr. & Mrs. Kroell have paid the 4% inspection fee of \$173.00. Attached is a copy of a check for \$ 4,330.00 from Mahopac National Bank and a copy of the Bond Agreement signed by Nancy J. Kroell. Three original agreements are being held by the Town Accountant until the Town Board passes a resolution accepting the agreement and the check.

Please review these documents for accuracy, and if acceptable, make a recommendation to the Town Board for acceptance. Thank you.

Cc: Lana Cappelli, Town Clerk  
Kathy Doherty, Supervisor

Cc: Tess Deleon-Connors, Confidential Secretary

Please place this erosion control board on the Town Board Agenda for 11/15/2010.



(845) 225-7802

TOWN OF KENT  
PLANNING BOARD  
25 SYBIL'S CROSSING  
KENT LAKES, NEW YORK 10512

Fax (845) 306-5283



October 18, 2010

Nancy & Gary Kioell  
22 Brookdale Road  
Mahopac, New York 10541

Re: Herten Town Road  
TM# 9-1-60

Fax: 845-628-3337

Dear Nancy & Gary,

Please find attached a memo from Bruce Barber the Town of Kent Environmental Consultant. The Land Amount is \$4330.00. and a inspection Fee of \$173.20 is required. Once rec'd The Planning Board will review for approval. Then once approved it will be submitted to the Town Board for final acceptance and approval.

Please feel free to call if you have any further question.

cc: Russ Fleming  
Potnam Engineering.

Thank You  
J. Rinddi



## EROSION CONTROL MEMORANDUM

**DATE:** October 13, 2010

**PROPERTY:** Hortontown Hill Road  
Section 9 Block 1 Lot 60

**OWNER OF RECORD:** Kroell

**REQUESTED BY:** Planning Department

The erosion control plan for the above referenced project is approved as per the following document with the following conditions:

- Plan entitled: "Gary Kroell-Hortontown Woods Lot #7" prepared by Paul Michael Lynch, P.E. 09/21/09 (rev.), 1 sheet: S-1.

The bond amount is as follows:

Item	Quantity	Unit Cost	Total Cost
Silt Fence	360 LF	\$1.75/LF	\$ 630
Seed and Mulch	1,900 SY	\$1.50/SY	\$2,850
Const. Entrance	1	\$850.00	\$ 850
		<b>TOTAL:</b>	<b>\$4,330</b>

Sincerely,

Bruce Barber, CPESC, CPSWQ  
Town of Kent Environmental Consultant



## **SITE INSPECTION REVIEW**

**SITE:** August 25, 2010

**PROPERTY:** Section 9 Block 1 Lot 60  
Hortontown Hill Road

**OWNER OF RECORD:** Kroell

**REQUESTED BY:** Building Inspector

As per your request, a site inspection of the above reference property was conducted on August 20, 2010. The purpose of this inspection was to determine the condition and proper installation of the erosion and sediment controls.

**Comments:**

1. Additional erosion controls were found to be installed since the prior inspection and were found to be in satisfactory condition. Vegetation has covered the majority of the site which was found to be stable at the time of inspection.
2. It is my understanding that the updated erosion and sediment control plan requested by the Town Building Inspector has not been submitted.

Please do not hesitate to contact me should you have any questions.

Sincerely,

Bruce Barber, PWS, CPESC  
Town Environmental Consultant

1770 CENTRAL STREET YORKTOWN HEIGHTS, NY 10598  
Telephone: 914.962.7733 Fax: 914.962.0330



**Cornerstone**  
ASSOCIATES

## **SITE INSPECTION REVIEW**

**DATE:** June 30, 2010

**PROPERTY:** Section 9 Block 1 Lot 60  
Hortontown Hill Road

**OWNER OF RECORD:** Kroell

**REQUESTED BY:** Building Inspector

As per your request, a site inspection was conducted on June 30, 2010.. The purpose of this inspection was to determine the condition and proper installation of the erosion and sediment controls.

### **Comments:**

1. It was observed that additional silt fencing had been installed in certain areas and gravel had been added to the driveway anti-tracking pad.
2. Remaining areas of silt fencing that were found to be torn or in poor condition should be replaced.
3. There remains a substantial area of exposed soil at the front of the building with evidence of continued erosion observed in the form of rills. This area must be stabilized with either vegetative growth (seed and mulch) or erosion blankets until such time as the septic system will be installed.

4. It is my understanding that the updated erosion and sediment control plan requested by the Town Building Inspector has not been submitted.

Please do not hesitate to contact me should you have any questions.

Sincerely,



Bruce Barber, PWS, CPESC  
Town Environmental Consultant



**Kroell - TM#9.-1-60 (moved from Eros.Ctrl.10/1/09 per Jeanne)**

Date		Deposits	Fees	Balance
10/09/07	Rec.#3326 - Ck#17990, 9/11/07	175.00		175.00
10/16/07	Ck#13937 Cornerstone 9/19/07 V#1		(212.50)	(37.50)
11/16/07	Ck#13965 Cornerstone 10/3/07 V#2		(127.50)	(165.00)
02/12/08	Rec.#3363 - Ck#7561, 2/6/08	350.00		185.00
03/28/08	Ck#14123 Cornerstone 2/27/08 V#3		(127.50)	57.50
05/15/08	Ck#14184 Cornerstone Mar.2008 V#4		(85.00)	(27.50)
09/16/08	Ck#14348 Cornerstone 8/1-31/08 V#5		(127.50)	(155.00)
06/29/09	Rec.#3563 - Ck#7949, 6/29/09	155.00		-
10/01/09	Rec.#3597 - Ck#8026, 9/29/09	1,000.00		1,000.00
12/10/10	Ck#15402 Cornerstone 10/1-31/10 V#6		(250.00)	750.00
01/05/11	Rec.#3800 - Ck#8315, 11/3/10	173.20		923.20
				923.20
				923.20
				923.20

TM# 9-1-60 Pro. ex. Rev. fee  
 GARY S. KROELL  
 NANCY J. KROELL (RF)  
 22 BROOKDALE RD. PH. 845-628-3333  
 MAHOPAC, NY 10541

50-1139/219  
 055775834

8026

DATE Sept. 29, 2009

Town of Kent Planning Board \$ 1,000.00  
 PAY TO THE ORDER OF  
One Thousand dollars & 00/100 — DOLLARS

MAHOPAC  
 NATIONAL BANK  
 A TD Bank Company  
 www.welcome.tdbank.com

MEMO escrow - Houghton Nancy J. Kroell

⑆021911398⑆ 05577593⑆ 8026

  
 COPY

TOWN OF KENT PLANNING BOARD  
 770 ROUTE 52 KENT LAKES, NY 10512  
 (845) 225-7802

2827

DATE 9-30-09

RECEIVED FROM Nancy Kroell  
One Thousand bid for \$ 1,000.00  
 FOR Pro. ex. Rev. fee (RF) DOLLARS

AMOUNT OF ACCOUNT THIS PAYMENT BALANCE DUE

☐ CASH  
☒ CHECK  
☐ MO

TM# 9-1-60  
 BY J. Ryan

THANK YOU

RECEIPT

W91b

**TOWN OF KENT**

**PLANNING BOARD**

25 SYBIL'S CROSSING  
KENT LAKES, NEW YORK 10512

(845) 225-7802

Fax (845) 306-5283



DATE: January 6, 2014

TO: Maureen Fleming, Town of Kent Supervisor – w/Att.  
Kent Town Board Members:  
Paul Denbaum  
Bill Huestis  
Penny Ann Osborne  
Michael Tierney

FROM: The Town of Kent Planning Board

CC: J. Ramos – w/Att.  
L. Cappelli, Town Clerk – w/Att.  
Finance Department – w/Att.  
T. Curtiss – w/Att.  
J. Kieper, Insite Engineering - w/Att.

TO: David & Laura Harris  
Erosion Control Bond  
669 Gipsy Trail Road  
Kent, NY 10512  
TM: 21.18-1-32

Resolved: On December 12, 2013 at the Town of Kent Planning Board recommended that an Erosion Control Bond in the amount of \$2,047.10 and inspection fee in the amount of \$1,000 be approved and accepted by the Kent Town Board. The motion was made by Mr. Phillip Tolmach and seconded by Ms. Glenna Wright.

The Planning Board respectfully asks that, if the Town Board is in agreement, they pass a resolution decreeing that the above actions be taken.

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on December 12, 2013.

Dated: December 12, 2013

Vera Patterson  
Planning Board Secretary



Town of Kent Planning Board  
25 Sybil's Crossing  
Tel: 845-225-7802

email: [planning@townofkentny.gov](mailto:planning@townofkentny.gov)  
Kent, NY 10512  
Fax: 845-306-5283

---

DATE: January 6, 2014

TO: Michelle Summers

FROM: The Town of Kent Planning Board

CC: J. Ramos - w/Att.  
L. Cappelli, Town Clerk - w/Att.  
T. Curtiss - w/Att.  
J. Kieper, Insite Engineering - w/Att

RE: David & Laura Harris  
Erosion Control Bond  
669 Gipsy Trail Road  
Kent, NY 10512  
TM: 21.18-1-32

Please find enclosed the following items:

- A Performance Bond for Erosion and Sediment Control from Mr. Harris executed on January 2, 2014
- JP Morgan Chase Bank Check 1142, Erosion Control Bond \$2,047.10
- JP Morgan Chase Bank Check 1145, Inspection Fee \$1,000.00

The Planning Board approved and recommended that this material be forwarded to the

Town of Kent Planning Board  
25 Sybil's Crossing  
Tel: 845-225-7802

email: [planning@townofkentny.gov](mailto:planning@townofkentny.gov)  
Kent, NY 10512  
Fax: 845-306-5283

---

Date: January 6, 2014

To: Maureen Fleming, Town of Kent Supervisor – w/Att.  
Kent Town Board Members:  
Paul Denbaum  
Bill Huestis  
Penny Ann Osborne  
Michael Tierney

FROM: The Town of Kent Planning Board

CC: J. Ramos – w/Att.  
L. Cappelli, Town Clerk – w/Att.  
Finance Department – w/Att.  
T. Curtiss – w/Att.  
J. Kieper, Insite Engineering - w/Att.

Re: David & Laura Harris  
Erosion Control Bond  
669 Gypsy Trail Road  
Kent, NY 10512  
TM: 21.18-1-32

David and Laura Harris are requesting that the Town of Kent Planning Board approve their erosion control plan for construction of an addition to their house, a carport and expansion of their driveway.

Please note that the Planning Board and their consultants have inspected the plans and property and are in agreement to approve this request. Attached is the Resolution passed at the Kent Planning Board meeting on December 12, 2013. Attached is the Erosion Control Bond Estimate in the amount of \$2,047.10 and an Inspection Fee of \$1,000.00, prepared and approved by Ms. Julie Mangarillo in November. Mr. McDermott asked for a motion to approve and forward the Erosion Control Bond to the Town Board. The motion was made by Phillip Tolmach and it was seconded by Mr. Brunner. The motion carried. Also attached are copies of the executed bond and checks received in our office on January 6, 2014.

The Planning Board respectfully asks that, if the Town Board is in agreement, they pass a resolution decreeing that this Erosion Control Plan be approved.



**ROHDE, SOYKA  
& ANDREWS**  
*Consulting Engineers, P.C.*

40 Garden Street  
Poughkeepsie, NY 12601  
Phone: (845) 452-7515 Fax: (845) 452-8335  
E-Mail Address: [jmangarillo@rsaengrs.com](mailto:jmangarillo@rsaengrs.com)

*Wilfred A. Rohde, P.E. • Michael W. Soyka, P.E. • John V. Andrews, Jr., P.E.*

# Memorandum

**To:** Planning Board  
Town of Kent

**Attn:** Russ Fleming  
Chairman

**From:** Julie S. Mangarillo, P.E., CPESC

**Subject:** November Agenda - Erosion Control  
Permit and Driveway Waiver

**Date:** November 14, 2013

**Project:** Harris Property  
TM # 21.18-1-32

The following materials were reviewed:

- Cover letter prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated 10/22/2013
- Erosion Control Bond Estimate prepared by Insite Engineering, revised 10/18/2013
- Notice of Intent (NOI) [new format] signed 10/22/2013
- Drawings "Harris Residence," prepared by Insite Engineering, revised 10/22/2013, including:
  - SL-1 Existing Conditions, Steep Slopes and Soils Plan
  - SP-1 Layout & Landscape Plan
  - SP-2 Grading, Utilities & Erosion & Sediment Control Plan

The project proposes construction of a driveway and additions for an existing single family house. The parcel is located in the R-80 zoning district.

New or supplementary comments are in **bold**.

## New Comments:

1. The applicant has requested a waiver from §57-26.A.(2)(a) – "Finished grades for all parts of any proposed driveway... shall not be less than 1 ½% nor exceed 5% within 30 feet of the intersection of the driveway with the Town road or private road... The driveway shall slope down and away from the Town road or private road in this thirty-foot-long segment..."

The applicant's engineer proposes the driveway to slope down and away from the private road at 1.5% slope for a distance of six (6) feet. The remaining length of the driveway will slope up at 3.5% to the proposed garage. The total proposed length of the driveway is approximately 33 feet.

Designing the driveway to slope down and away for a distance of 6 feet from the private road is consistent with the minimum distance for a driveway with a culvert, per Figure 25 in Town Code Chapter 57.

With the relatively short length and flat slope of the proposed driveway, this office has no objection to the granting of this waiver.

Additionally, per §57-26.A.(2)(a), "the slope shall not exceed 3% within 30 feet of a garage or parking pad." As noted above, the driveway slope will be 3.5% within 30 feet of the proposed garage. Under the previous design, without the driveway sloping down and away from the private road at 1.5% for six (6) feet, the driveway slope was 2.0%, which met the garage/parking pad requirement.

We recommend the applicant request a waiver from the requirement to not exceed 3% slope within 30 feet of the garage. It is the opinion of this office that the benefit of having the driveway slope down and away from the private road surpasses the benefit of meeting the required slope of 3.0% at the garage/parking pad instead of the proposed 3.5%.

2. We recommend the bond estimate of \$2047.10 dated 10/18/2013, prepared by Insite Engineering be accepted for the bond amount and recommended for approval by the Town Board.
3. Per §66-6.F, we recommend the public hearing be waived as this is for construction of an addition to a single family house. Additionally, the project would have been subject to a public hearing during the approval process for the variance with the Zoning Board of Appeals.
4. Upon acceptance of the bond amount and approval of requested driveway waiver(s), the Town of Kent will sign the MS4 SWPPP Acceptance Form.

The following comments are provided for consideration by the Planning Board from a review memo dated 9/13/2013:

9. The applicant is responsible for full payment of actual costs of erosion control inspections. An initial inspection fee deposit of \$1000 is to be paid to the Town in accordance with the Town of Kent Fee Schedule.
  - a. Per 9/30/2013 and 10/22/2013 cover letters, this requirement has been acknowledged.

  
Julie S. Mangarillo, P.E., CPESC

cc: Planning Board Secretary via email  
Bruce Barber via email  
John Watson, P.E., Insite Engineering, via email  
13-261-999-139

Bill Walters via email  
Neil Wilson via email



## EROSION CONTROL BOND ESTIMATE

Prepared For  
Harris Residence  
669 Gypsy Trail Road  
Town of Kent, New York

September 26, 2013  
Revised: October 18, 2013

Item	Quantity	Unit Price	Total
Silt Fence	200 L.F.	\$4.00 / L.F.	\$800.00
Stabilized Construction Entrance	1 Each	\$750.00	\$750.00
Seeding & Mulching	8,285 S.F.	\$0.06 / S.F.	\$497.10
TOTAL			\$2,047.10

RECEIVED

DATE

ROHDE, SOYKA & ANDREWS  
CONSULTING ENGINEERS, P.C.

<b>RECEIPT</b>		DATE <u>Jan. 6, 2014</u>	No. <u>462102</u>
RECEIVED FROM <u>David E. &amp; Laura Harris</u>		\$ <u>1,000.<sup>00</sup>/<sub>100</sub></u>	
<u>One Thousand and <sup>00</sup>/<sub>100</sub></u>		DOLLARS	
<input type="radio"/> FOR RENT <input checked="" type="radio"/> FOR <u>Inspection Fee</u>			
ACCOUNT		<input type="radio"/> CASH <input checked="" type="radio"/> CHECK <input type="radio"/> MONEY ORDER <input type="radio"/> CREDIT CARD	1145 FROM <u>V. Patten</u> TO <u>D. Harris</u> BY _____
PAYMENT			
BAL. DUE			

WARNING: DO NOT CASH THIS INTUIT® CheckLock™ SECURE CHECK IF ANY FEATURES LISTED ON BACK INDICATE TAMPERING OR COPYING

**DAVID T. HARRIS**  
 325 EAST 79TH STREET, APT. 16B  
 NEW YORK, NY 10075

JPMORGAN CHASE BANK, NA  
 NEW YORK CITY, NY 10065  
 01-002/210

11

1/2/2014

PAY TO THE ORDER OF Town of Kent

\$\*\*1,000.00

One Thousand Only\*\*\*\*\*

DOLLAR

Tax 21.18-1-32  
**Erosion Control inspection Fee**

David T Harris

⑈001145⑈ ⑆021000021⑆ 00957919491⑈

<b>RECEIPT</b>		DATE <u>Jan. 6, 2014</u>	No. <u>462101</u>
RECEIVED FROM <u>David &amp; Laura Harris</u>		\$ <u>2,047.10</u>	
<u>Two Thousand Forty Seven and 10/100</u> DOLLARS			
<input type="radio"/> FOR RENT <input checked="" type="radio"/> FOR <u>Erosion Control Bond - T.M. 21.1P-1-32</u>			
ACCOUNT		<input type="radio"/> CASH	1142
PAYMENT		<input checked="" type="radio"/> CHECK	FROM <u>V. Patterson</u> TO <u>D. Harris</u>
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	BY _____

WARNING: DO NOT CASH THIS INTUIT® CheckLock™ SECURE CHECK IF ANY FEATURES LISTED ON BACK INDICATE TAMPERING OR COPYING

**DAVID T. HARRIS**  
 325 EAST 79TH STREET, APT. 16B  
 NEW YORK, NY 10075

**JPMORGAN CHASE BANK, NA**  
 NEW YORK CITY, NY 10065  
 01-002/210

114

1/2/2014

PAY TO THE ORDER OF Town of Kent

\$ \*\*2,047.10

Two Thousand Forty-Seven and 10/100\*\*\*\*\*

DOLLARS

*T.M. 21.1P-1-32*  
*Performance Guarante*  
**Steep Slope & Erosion Control App. Fee**

*David T Harris*

⑈001142⑈ ⑆021000021⑆ 00957919491⑈

## PERFORMANCE BOND FOR EROSION AND SEDIMENT CONTROL

Bond given by Mr. & Mrs. David Harris, with their principal residence located 325 East 79<sup>th</sup> Street – Apt. 16B, New York, NY 10075 and property located in the Town of Kent at 669 Gipsy Trail Road, Kent, NY 10512 – Tax Map: 21.18-1-32 (“Obligor”) to the Town of Kent, a municipal corporation whose Town Hall is located at 25 Sybil’s Crossing, Kent Lakes, New York, 10512 (“Obligee”), dated JAN 2, 2014.

KNOW ALL MEN BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sum of \$2,047.10 for the bond payment and a final inspection fee in the amount of \$1,000.00 whereof to Obligee the said Obligor binds itself, its successors and assigns.

WHEREAS Mr. & Mrs. David Harris (“Owner”) are seeking a Steep Slope and Erosion Control Permit from the Obligee for construction of a 976 SF+/-home addition and carport, expansion of the existing driveway and improvements to the existing ssts area entailing a disturbance on steep slopes, as that term is defined in Town of Kent Town Code (the “Code”) Chapter 66, on certain real property located in the Town of Kent, in connection with which an erosion and sediment control plan (the “Erosion and Sediment Control Plan”) shall be required in accordance with the Code in effect as of the date of this Bond; and

WHEREAS, in conjunction with such Steep Slope and Erosion Control Permit application, the Obligor has submitted to the Obligee, plans and specifications for the project known as the “Harris Residence” and the Erosion and Sediment Control Plan, prepared by Mr. John Watson, P.E. of Insite Engineering, Surveying and Landscape Architecture, P.C., dated July 18, 2013 and last revised October 22, 2013, and such Project Plans and Erosion and Sediment Control Plan have been reviewed and approved by the Obligee; and

WHEREAS, as condition to the issuance and approval of a Steep Slope and Erosion Control Permit, the Code requires the owner or applicant, prior to construction, to provide the Obligee with a cash escrow, an irrevocable letter of credit or a certified check drawn upon a national or state bank or other cash equivalent, which guarantees satisfactory completion of the Erosion and Sediment Control Plan, which security shall remain in full force and effect until the Obligor is released from liability by the Town, provided that such period shall not be less than two years from the date of final acceptance or such other certification that the work permitted by the Steep Slope and Erosion and Control Permit has been completed in accordance with such permit and all plans and specification forming the basis of such approved permit, and to pay an inspection fee in an amount as set from time to time by the Town of Kent Town Board; and

WHEREAS, the Planning Board of the Town of Kent has granted the Steep Slope and Erosion Control Permit subject to posting of two checks, one in the amount of \$2,047.10 as a performance guarantee and a second in the amount of \$1,000.00 as the final inspection fee, made out to the Town of Kent and delivered to:

Kent Planning Board  
25 Sybil’s Crossing  
Kent, NY 10512



NOW, THEREFORE, the condition of this performance obligation is such that, if the Obligor shall well and truly construct the aforesaid Project Plans in accordance with the Steep Slope and Erosion Control Permit approved by the Obligees and in accordance with the Erosion and Sediment Control Plan, and if said improvements are deemed complete and accepted by the Obligees, and Obligor is released from liability by the Obligees, then this obligation shall be null and void; otherwise, the obligation shall remain in full force and effect.

The Obligor shall at all times provide the Obligees with such security or surety as the Obligees shall deem sufficient. In furtherance of this covenant, the Obligor has obtained and hereby delivers to the Obligees the following security for faithful performance of this obligation:

Cash deposit in the form of an Official Bank Check drawn upon JPMORGAN CHASE BANK and delivered to the Town of Kent Town Clerk on JAN 2, 2014.

In the event the work according to the Erosion and Sediment Control Plan shall not have been fully completed as required by conditions and specifications of the Steep Slope and Erosion Control Permit, the Obligees shall have the right to withdraw the aforesaid cash deposit and complete the work with full use of said sums as the Obligees requires.

The Obligor agrees to execute and/or endorse and deliver to the Obligees and/or the aforesaid Bank any documents required for the Obligees to call upon said cash deposit.

When the work according to the Erosion and Sediment Control Plan shall have been fully completed, either by the Obligor or Obligees, and the Obligor is released from its liability by the Obligees, the aforesaid cash deposit or the balance of the funds remaining after the work has been completed by the Obligees, if any, shall be returned or refunded to the Obligor.

The Obligees and its agents, employees, engineers and/or planners are hereby expressly authorized to enter upon the Owner's property for the purpose of inspecting the erosion and sediment control system and the site work being performed in accordance with the approved Project Plans, Erosion and Sediment Control Plan and Steep Slope and Erosion Control Permit and to complete the work in the event the Obligees fails to do so.

This performance bond may  
not be assigned or transferred without the prior written approval of the Town Board of  
the Town of Kent.

Dated: JAN 2, 2014

Mr. David Harris

By: David T. Harris

(signature)

DAVID T. HARRIS  
(print/type signatory's name)

OWNER

(print/type signatory's title)

STATE OF NEW YORK )

) ss.:

COUNTY OF PUTNAM )

On the 2, day of JAN, 2014, before me, the undersigned, a notary public in  
and for said state, personally appeared David Harris, personally known to me or proved to me  
on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to  
the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the  
individual(s), or the person upon behalf of which the individual(s) acted, executed the  
instrument.

K. D. Graham III  
NOTARY PUBLIC

**KELSEY D GRAHAM III**  
Notary Public, State of New York  
No. 02GR6251473  
Qualified in Rockland County  
Commission Expires November 14, 2015

DAVID HARRIS

David T. Harris  
(signature)

DAVID HARRIS

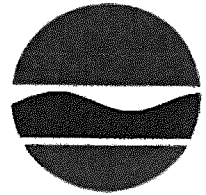
(print/type signatory's title)

STATE OF \_\_\_\_\_ )

) ss.:

COUNTY OF \_\_\_\_\_ )

New York State Department of Environmental Conservation  
Division of Water  
Bureau of Flood Protection and Dam Safety, 4<sup>th</sup> Floor  
625 Broadway, Albany, New York 12233-3504  
Phone: (518) 402-8185 • FAX: (518) 402-9029  
Website: [www.dec.ny.gov](http://www.dec.ny.gov)



**Dam Safety Annual Certification Form**

*6 NYCRR Part 673.8 requires that Owners of Class C - High Hazard and Class B -Intermediate Hazard dams submit an annual certification to the NYSDEC - Dam Safety Section by January 31 of each year. Please refer to 6 NYCRR Part 673 which governs the definitions and provides additional detail on the questions listed below.*

**Reporting Year:** 2013

**Dam Name:** Lake Carmel Dam

**Dam Location:** County: Putnam Town/City: Kent

**NYS Dam ID No.:** 231-0867

**Hazard Class:** (select one) ☐ B-Intermediate ☒ C-High

**Location (deg/min/sec):** Latitude: 41.4552 Longitude: -73.6612

1. **Owner Name:** Town of Kent

**Owner Address:** 25 Sybil's Crossing

**Owner Telephone Number:** (845) 225-3943 **eMail:** mffleming@townofkentny.gov

2. Do you have a written Inspection and Maintenance Plan, in compliance with Part 673, that is being implemented? ☐ Yes ☒ No

If no, provide date it will be completed/implemented: Insite Engineers working on plan

3. Do you have a written Emergency Action Plan (EAP) in compliance with Part 673? ☒ Yes ☐ No

4. Has an annual EAP review been completed for the reporting year? ☐ Yes ☒ No  
(If changes occurred, attach the updated pages)

## Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision and that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

**This Certification must be signed by an individual on his or her own behalf, or by either a principal executive officer or ranking elected official, or duly authorized representative of the dam owner.**

Name: Maureen Fleming

Title: Town Supervisor

Company: Town of Kent

Signature: \_\_\_\_\_

Date: 01/15/14

please ~

Send Form and Attachments to:

NYSDEC - Dam Safety Section  
625 Broadway, 4<sup>th</sup> Floor  
Albany, New York 12233-3504  
Phone: (518) 402-8151  
Fax: (518) 402-9029

Note: Please keep in mind the Dam Owner may have other reporting requirements as identified in Part 673 including, but not limited to, reporting: i) flow in an erodible auxiliary spillway, ii) change in ownership, and iii) an engineering assessment every 10 years, following initial assessment.

# **EMERGENCY OPERATION PLAN**

**LAKE CARMEL DAM**

**TOWN OF KENT**

**REVISED: JANUARY 2014**

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- III. EMERGENCY OPERATIONS
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  - b. Weather Related Operations
  - c. Non-Weather Operations
- IV. EMERGENCY SUMMARY TABLE

## APPENDIXES

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- APPENDIX B: Limits of Potential Flooding
- APPENDIX C: List of Evacuated Streets
- APPENDIX D: Computations

## **I. GENERAL**

The emergency operation plan for the Lake Carmel Dam is designed to provide for a defined course of action to be followed by all affected parties during a flood or threatening flood period. A properly executed emergency operation plan will minimize the adverse affects of a failure on the public

Four basic considerations were incorporated into the emergency action plan as follows:

1. Emergency Identification
  - a. To describe procedures and means for assuring reliable identification and evaluation of existing or potential emergencies.
2. Emergency Operations
  - a. To provide guidance required for timely decision making during various types of emergencies.
3. Notification
  - a. To describe the procedures and proper channels required for prompt notification of appropriate parties with regard to existing or potential emergencies.
4. Evacuation
  - a. To provide for an expedient, effective and safe evacuation of areas of potential flooding and to lessen the extent of property damage.

The spillways at Lake Carmel Dam is capable of passing the spillway test flood (1/2 PMF) while providing 0.2 feet of freeboard. However, due to inaccuracies in predicting rainfall amounts and lake levels, monitoring will be required in addition to routine inspections as outlined herein.

The emergency operation plan given herein is intended to provide a basis for instituting a fully coordinated and workable plan. The plan should be distributed to the appropriated authorities for their implementation and should be exercised periodically to assure that all aspects of the plan are workable.

The plan does not extend downstream of the Middle Branch Reservoir impoundment. However, the emergency operation plan for both the Middle Branch Reservoir and Lake Carmel Dam should be integrated together as necessary.

## **II. MONITORING GAUGE**

A monitoring gauge should ne installed on the left spillway training will just upstream from the bridge. The gauge will facilitate quick and easy verification of lake levels.

The numbering system on the gauge should be established so that gauge 0(zero) corresponds to Elev. 618.4, the level of the existing spillway crest. The gauge should be divided into divisions of one foot each and be of sturdy construction to provide reliable readings over a long period of time. Each major gauge division should represent a water surface 1 (one) foot, 2(two) foot, 3(three) foot, etc. The gauge should read from gauge 0(zero) to gauge-1 below the spillway crest and from gauge 0(zero) to gauge 7(seven) above the spillway crest.

Each major gauge division should be divided into 0.1 foot increments. This will allow for more precise lake level readings during routine inspections.

### **III. EMERGENCY OPERATIONS**

#### **A. Inspection Program**

The Town of Kent will provide inspection services for this dam. These inspections should but not be limited to the informal, formal and special inspections outlined in the operation and maintenance manual. The inspections should be performed by qualified personnel experienced in dam design and operation. Both the operation and maintenance manual and the emergency operation manual should be updated as necessary in conjunction with the annual formal inspection.

The term "dam operator" indicates the individual or those persons acting on behalf of the Town of Kent who are familiar with the dam and the operation and maintenance and emergency operations manual.

#### **B. Weather Related Operations**

When the forecast indicates substantial amounts of heavy rains and/or the possibility of flooding, the following procedures should be followed:

1. The operator should keep abreast of the latest weather forecasts. If a major weather system is forecast within 24 to 48 hours, the dam operator should open the 48 inch by 54 inch low level slide gate and attempt to lower the lake to about 2 feet below the spillway crest level.
2. After opening the low level slide gate, the dam operator should continue to monitor the weather forecast. Should the weather forecast change and significant precipitation not be predicted, then the dam operator may close the low level slide gate. However, if the forecasted weather commences as anticipated, the dam operator should begin water level readings every 8 (eight) hours.
3. If the lake level reaches gauge 3 (three), the dam operator shall notify the Town of Kent Police Department and the Putnam County Bureau of Emergency Services (PCBOES). The dam operator should commence taking lake level readings every 2 hours and report the readings to both the above agencies.
4. If the lake level reaches gauge 4.8, the Town of Kent Police Department in conjunction with the PCBOES will establish an incident command post. The location of the incident command post will be determined at the times of the emergency. The purpose of the incident command post is to obtain and disseminate information relative to the performance of the dam as outlined herein.
5. If the lake level reaches gauge 5.8, the Town of Kent Police shall inform the PCBOES who in turn will notify the Lake Carmel Fire Department of a potential emergency. Their personnel shall in turn issue an early warning to all affected parties to the effect that evacuation may be necessary and that people should prepare to leave



if conditions worsen resulting in a full evacuation order. All facilities necessary to carry out a full evacuation, if subsequently ordered, should be made ready.

6. The dam operator should maintain continual surveillance of the dam and spillway. If a potentially unsafe condition develops, ie slumping, cracking, bulging and/or severe erosion of the dam and/or spillway, the Town of Kent, through the Kent Police Department, shall issue a full evacuation order.
7. If the lake level reaches gauge 6.8 or if there is evidence of eminent failure, the Town of Kent, through the Kent Police Department, shall issue a full evacuation order,
8. Implementation of the evacuation shall be carried out by those agencies listed in Appendix A and coordinated through the incident command post. A plan for evacuation residents including modes of transportation and preferred evacuation routes shall be prepared in advance and shall be updated as required. Close cooperation and coordination among those agencies listed in Appendix A will assure a timely and orderly evacuation.
9. The limits of potential flooding and affected streets are shown in Appendices B and C, respectively. The evacuation should include but not limited to these areas.
10. The dam operator should continue to record lake levels and maintain continual communication with the Town of Kent Police until the water level recedes to gauge 1(one).
11. The evacuation order may be terminated when the lake level recedes to gauge 4.8 providing any of the following has not occurred:
  - a. The dam has not been breached
  - b. Severe erosion, seepage or settlement was not observed
  - c. Slope instability, sinkholes, piping, tilting or cracking did not occur.

If any of the following was observed to have taken place, the Town of Kent shall order an immediate special inspection to be performed by a qualified licensed professional engineer prior to rescinding the evacuation order.

#### C. Non-Weather Related Operations

Periodic inspections will be performed by Town of Kent Personnel as outlined in the Operation and Maintenance Manual.

1. During the course of informal and formal inspections, if any evidence of (or change in) seepage, erosion, sinkholes, boils, slope instability, undue settlement, displacement, tilting or cracking of the dam and spillway are observed, the inspector (s) shall immediately contact the Town of Kent who shall in turn order a special inspection to be performed by a qualified registered professional engineer.
2. The Town of Kent shall inform the Town of Kent Police Department, PCBOES, and the Lake Carmel Fire Department of a potential emergency. These personnel shall in tune be responsible for making ready all facilities necessary to carry out a full evacuation if subsequently ordered.
3. The safety of the dam and spillway will be ascertained by the engineer(s) performing the special inspection. If the engineer(s) consider failure to be imminent, the Town of Kent shall notify the Town of Kent Police Department, the PCBOES, and the Lake Carmel Fire Department, who will issue a full evacuation order. If failure of the dam embankment is not considered imminent, the engineer(s) should prepare recommendations to remedy the potentially unsafe condition. These recommendations should be implemented by the Town of Kent in a timely fashion as directed by the engineer(s).
4. Implementation of the evacuation shall be carried out by those agencies listed in Appendix A. A plan for evacuating residents, including modes of transportation and evacuation routes, shall be updated as required. Close cooperation and coordination among those agencies listed in Appendix A will assure a timely and orderly evacuation.
5. The limits of potential flooding and affected streets are shown in Appendices B and C respectively. The evacuation should include but not be limited to these areas,
6. The 48-inch by 54-inch low level slide gate shall be opened to the lower the impoundment to a level as determined by the engineer(s). The engineer(s) shall recommend remedial measures which will increase the integrity of the dam embankment or spillway. These remedial measures shall be implemented as soon as possible by the Town of Kent.

#### **IV. EMERGENCY SUMMARY TABLE**

<b>Gauge Reading</b>	<b>Water Elevation</b>	<b>Emergency Action to be Taken</b>
0	618.4	None Required
3	621.3	Kent Police and PCBOES to be notified
4.8	623.2	Incident Command Post to be established
5.8	624.2	Agencies in Appendix A to be notified of potential emergency
6.8	625.2	Full evacuation plan to be implemented

# APPENDIX A

## LIST OF PERSONNEL

- |  |                |
|--|----------------|
| 1. Town of Kent Police Department<br>Chief Alex DiVernieri<br>Lt. James Oster  | (845) 225-4600 |
| 2. Town of Kent<br>Supervisor Maureen Fleming  | (845) 225-3943 |
| 3. New York State Department Environmental Conservation<br>Bureau of Program Resources and Flood Protection<br>Dam Safety Unit | (518) 402-8185 |
| 4. Putnam County Bureau of Emergency Services<br>Commissioner Adam B. Stiebeling<br>Deputy Commissioner Robert A. Lipton       | (845) 808-4000 |
| 5. Lake Carmel Fire Department   | (845) 225-3730 |
| 6. Town of Kent Highway Department<br>Superintendent Richard Othmer  | (845) 225-7172 |
| 7. Putnam County Sheriff   | (845) 225-4300 |

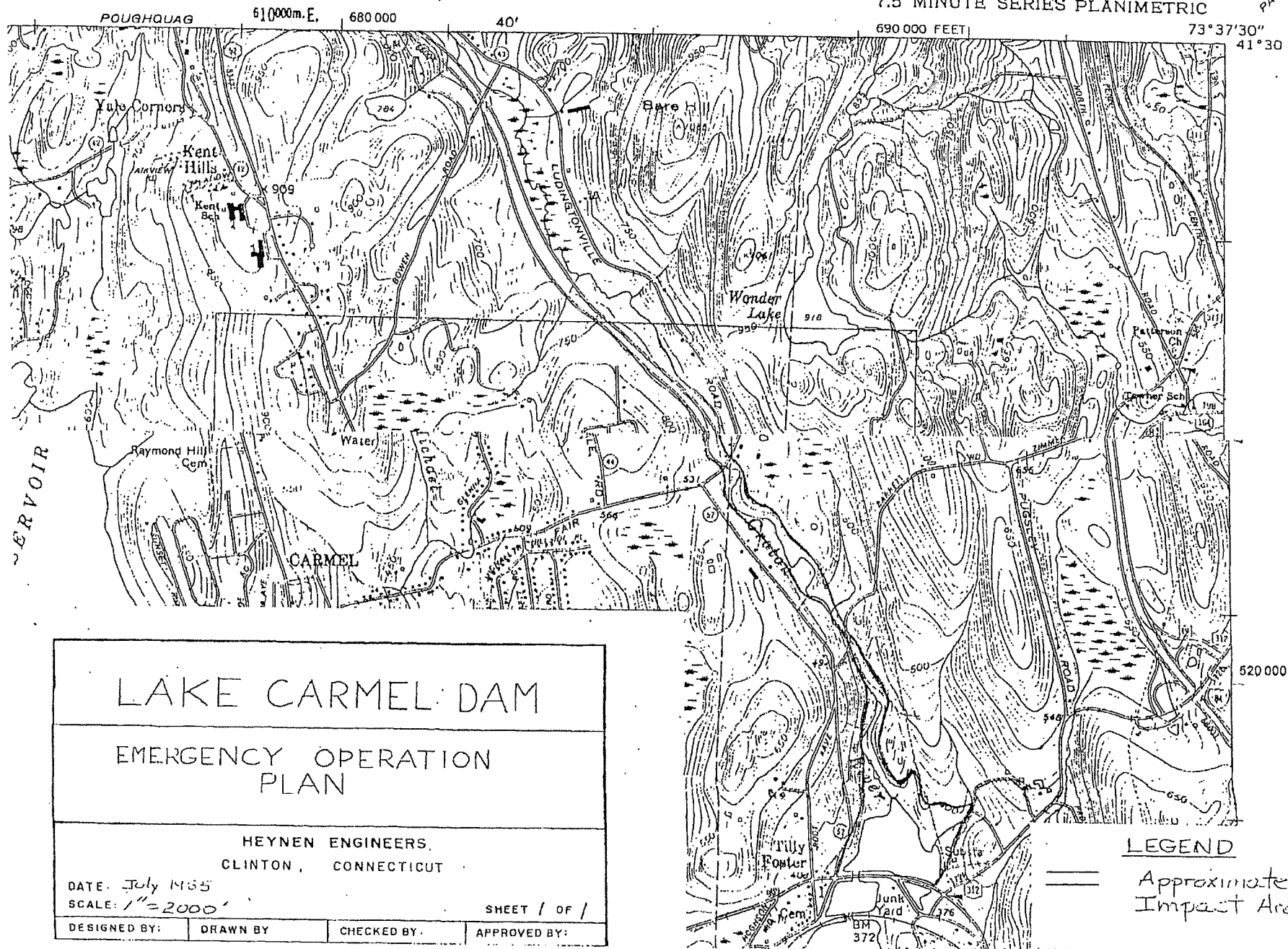
# **APPENDIX B**

## **LIMITS OF POTENTIAL FLOODING**



LAKE CARMEL QUADRANGLE  
NEW YORK-PUTNAM CO.  
7.5 MINUTE SERIES PLANIMETRIC

PAWLING



# APPENDIX C

## LISTS OF EVACUATED STREETS

- East Croton Drive
- Brewster Drive
- Thornwood Road
- Roads East of Brewster Drive encompassing Thornwood Road
- Lake Shore Drive (where it crosses Middle Branch Croton River)
- Towners Road (East of Brewster Drive to West Road)
- Towners Place
- West Road
- Crestwood Road
- Fair Street (from intersection with County road approximately 1,500 feet east)
- John Simpson Road from intersection with Route 6 approximately 1,000 feet north
- Route 6 from John Simpson Road to Route 312
- Route 312 between Route 6 and Prospect Hill Road
- Streets off of Route 312 between Route 6 and Prospect Hill Road

# APPENDIX D

## COMPUTATIONS

HEYNE ENGINEERS  
3 Woodland Drive  
CLINTON, CONNECTICUT 06413  
(203) 669-9342

203785 HJT

JOB Lake Carmel Dam  
SHEET NO. 1 OF 10  
CALCULATED BY cet DATE \_\_\_\_\_  
CHECKED BY Ann DATE \_\_\_\_\_  
SCALE \_\_\_\_\_

DOWNSTREAM FAILURE ANALYSIS OF LAKE CARMEL DAM:

ASSUME SURCHARGE TO FIRST POINT OF OVERTOPPING  
EL 625.2

a) HEIGHT OF DAM,  $H = 25$  FT

b) MID-HEIGHT LENGTH,  $L = 525$  FT (DAM = 475', SPILLWAY = 50')

c) BREACH WIDTH (SEE NED-ACE D/S DAM FAILURE GUIDELINES)

$$W_b = 0.4 \times 525 \approx 210$$

d) ASSUMED WATER DEPTH AT TIME OF FAILURE  $Y_o \approx 25$  FT

e) SPILLWAY DISCHARGE AT TIME OF FAILURE  $Q_s \approx 4,416$  CFS

f) BREACH OUTFLOW (SEE NED-ACE GUIDELINES)

$$Q_b = \frac{8}{2.7} W_b \sqrt{g} Y_o^{3/2} = 44,135 \text{ CFS}$$

g) PEAK FAILURE OUTFLOW  $Q_p = 44,135 + 4,416 = 48,551$  CFS

h) FLOOD DEPTH IMMEDIATELY D/S FROM DAM:

$$Y \approx 0.44(25) = 11' \text{ (FROM RETREATING WAVE THEORY)}$$

i) RESERVOIR STORAGE @ EL 625.2  $\approx 3262$  ACRE-FT



HEYNEN ENGINEERS  
3 Woodland Drive  
CLINTON, CONNECTICUT 06413  
(203) 669-9342

JOB Lake Carmel Dam  
SHEET NO. 2 OF 10  
CALCULATED BY cat DATE \_\_\_\_\_  
CHECKED BY ATCM DATE \_\_\_\_\_  
SCALE \_\_\_\_\_

COE "RULE OF THUMB"

$Q_1$  IS THE APPLIED STAGE RATING

$$Q_2 = Q_1 \left( 1 - \frac{V_1}{S} \right)$$

$V_1$  = STAGE CHANNEL STORAGE CORRESPONDING TO  $Q_1$

$S$  = RESERVOIR STORAGE

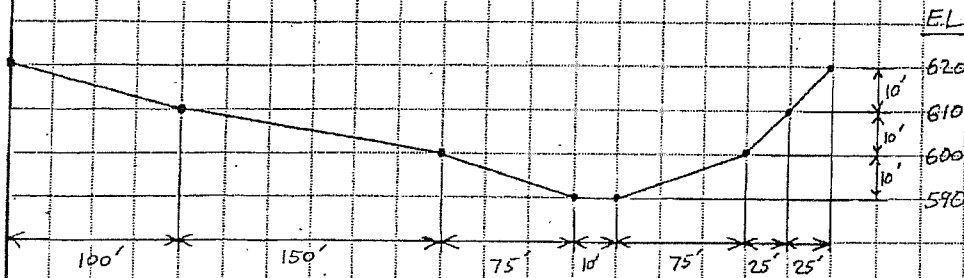
$$Q_3 = Q_1 \left( 1 - \frac{V_1 + V_2}{S} \right)$$

$V_2$  = STAGE CHANNEL STORAGE CORRESPONDING TO  $Q_2$

HEYNEN ENGINEERS  
3 Woodland Drive  
CLINTON, CONNECTICUT 06413  
(203) 669-9342

JOB Lake Carmel Dam  
SHEET NO. 3 OF 10  
CALCULATED BY cat DATE \_\_\_\_\_  
CHECKED BY ADM DATE \_\_\_\_\_  
SCALE \_\_\_\_\_

SECTION A-A



REACH LENGTH  $\approx 2,600$  FT

$$S \approx \frac{30}{2,600} = .012$$

$$m \approx 0.05$$

$$Q_1 \approx 48,135 \text{ CFS}$$

$Y_N$ (FT)	$A$ ( $\text{FT}^2$ )	$WP$ (FT)	$R$ (FT)	$Q$ (CFS)	$V$ (FPS)	$EL$ (FT)
10	850	161	5.3	8,459	10	600
5	238	86	2.8	1,545	6	595
15	1130	250	4.5	10,078	9	605
20	3325	338	9.8	49,952	15	610

SAY  $Y_N \approx 20'$

$$Q_1 \approx 49,952 \text{ CFS}$$

$$V_1 = \frac{3325(2,600)}{43560} = 198 \text{ AC-FT}$$

$$Q_2 = 49,952 \left( 1 - \frac{198}{3265} \right) = 46,923 \text{ CFS}$$

19	2999	321	9.3	43501	15	609
----	------	-----	-----	-------	----	-----

SAY  $Y_m \approx 19'$

$$V_2 = \frac{2999(2,600)}{43560} = 179 \text{ AC-FT}$$

$$Q_3 = 49,952 \left( 1 - \frac{(198+179)}{2(3265)} \right)$$

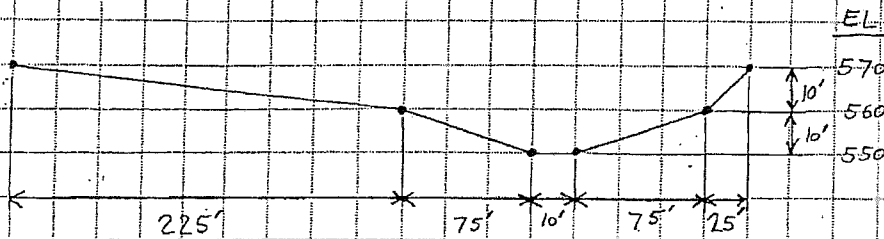
$$Q_3 = 47,068$$

USE  $Y_m \approx 20'$

HEYNEN ENGINEERS  
3 Woodland Drive  
CLINTON, CONNECTICUT 06413  
(203) 669-9342

JOB Lake Carmel Dam  
SHEET NO. 4 OF 10  
CALCULATED BY cel DATE \_\_\_\_\_  
CHECKED BY ARM DATE \_\_\_\_\_  
SCALE \_\_\_\_\_

SECTION B-B



$Y_N$ (FT)	$A$ (FT <sup>2</sup> )	$W$ (FT)	$R$ (FT)	$Q$ (CFS)	$V$ (FPS)	$EL$ (FT)
---------------	---------------------------	-------------	-------------	--------------	--------------	--------------

5	238	86	2.8	1127	7	555
10	850	161	5.3	4458	11	560
15	1963	287	6.8	25810	13	565
18	2930	362	8.1	43316	15	570
19	3303	388	8.5	50432	15	575

REACH LENGTH  $\approx 2,600$  FT

$S \approx 40/2,600 = 0.015$

$m \approx 0.05$

$Q_1 \approx 47,068$

SAY  $Y_N \approx 19'$

$Q_1 = 50,432$

$V_1 = \frac{3303(2,600)}{43560} = 197 \text{ AC-FT}$

SAY  $Y_N \approx 19'$

$V_2 = Q_3 \approx 47,389$

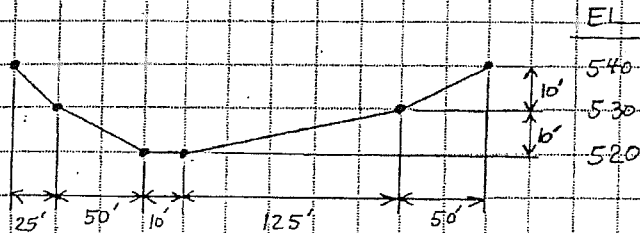
$Q_2 = 50,432 \left(1 - \frac{197}{3265}\right) = 47,389$

USE  $Y_N \approx 19'$

HEYNEN ENGINEERS  
3 Woodland Drive  
CLINTON, CONNECTICUT 06413  
(203) 669-9342

JOB Lake Carmel Dam  
SHEET NO. 5 OF 10  
CALCULATED BY CET DATE \_\_\_\_\_  
CHECKED BY ARM DATE \_\_\_\_\_  
SCALE \_\_\_\_\_

SECTION C-C



$Y_N$ (FT)	$A$ (FT <sup>2</sup> )	$WP$ (FT)	$R$ (FT)	$Q$ (CFS)	$V$ (FPS)	$EL$ (FT)
5	269	98	2.7	12713	5	525
10	975	186	5.2	7158	7	530
15	1994	225	8.9	20985	11	535
20	3200	264	12.1	41372	13	540
21	3464	272	12.7	46261	13	541

REACH LENGTH  $\approx 3,000$  FT

$$S \approx 20/3,000 = 0.0067$$

$$m \approx 0.05$$

$$Q_1 \approx 47,389$$

$$\text{SAY } Y_m \approx 21'$$

$$Q_1 = 46,261$$

$$V_1 = \frac{3464(3000)}{43560} = 239$$

$$Q_2 = 46,261 \left( 1 - \frac{239}{3265} \right) = 42,875$$

$$Y_m \approx 20'$$

$$V_2 = \frac{3200(3000)}{43560} = 226$$

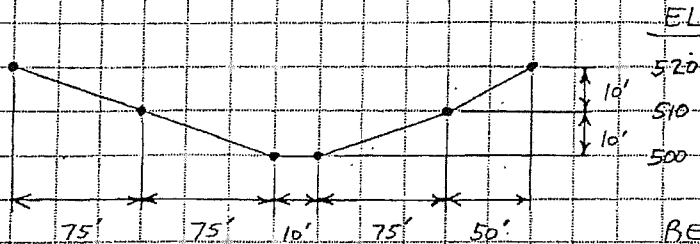
$$Q_3 = 46,261 \left( 1 - \frac{239 + 226}{2(3265)} \right) = 43,009 \text{ CFS}$$

$$@ Y_m \approx 20'$$

HEYNEN ENGINEERS  
3 Woodland Drive  
CLINTON, CONNECTICUT 06413  
(203) 669-9342

JOB Lake Carmel Dam  
SHEET NO. 6 OF 10  
CALCULATED BY CET DATE         
CHECKED BY ARM DATE         
SCALE       

SECTION D-D



BENCH LENGTH  $\approx 2,800$  FT

$S \approx 20/2,800 = 0.0071$

$m \approx 0.05$

$Q \approx 43,009$

$Y_n$ (FT)	$A$ (FT <sup>2</sup> )	$W^p$ (FT)	$R$ (FT)	$Q$ (CFS)	$V$ (FPS)	$EL$ (FT)
---------------	---------------------------	---------------	-------------	--------------	--------------	--------------

5	238	86	2.8	11,888	1.5	505
10	850	161	5.3	6,507	0.8	510
15	1806	224	8.1	18,369	1.0	515
20	3075	288	10.7	37,689	12.520	
21	3366	300	11.2	42,537	13	521

$Y_m \approx 21'$

$Q_1 = 42,537$  CFS

$V_1 = \frac{3366(2,800)}{43,560} = 216$  AC-FT

$Q_2 = 42,537 \left(1 - \frac{216}{3265}\right) = 39,723$  CFS

$Y_m \approx 20'$   $V_2 = \frac{3075(2,800)}{43,560} = 198$  AC-FT

$Q_3 = 42,537 \left(1 - \frac{216+198}{2(3265)}\right) = 39,840$

@  $Y_m \approx 20'$

Town of Kent Planning Board  
25 Sybil's Crossing  
Tel: 845-225-7802

email: [planning@townofkentny.gov](mailto:planning@townofkentny.gov)  
Kent, NY 10512  
Fax: 845-306-5283

---

Date: January 6, 2014

To: Maureen Fleming, Town of Kent Supervisor – w/Att.  
Kent Town Board Members:  
Paul Denbaum  
Bill Huestis  
Penny Ann Osborne  
Michael Tierney

FROM: The Town of Kent Planning Board

CC: J. Ramos – w/Att.  
L. Cappelli, Town Clerk – w/Att.  
Finance Department – w/Att.  
T. Curtiss – w/Att.

RE: Reappointments for Planning Board Consultants for the Year 2014

Please note that the Town of Kent Planning Board discussed reappointments for the year 2014 at their monthly meeting on November 14, 2013. The motion was made to reappoint these consultants by Michael McDermott, Vice Chairman of the Planning Board and seconded by Russell Tolmach and the motion carried. Russell Fleming forwarded a letter at that time to the Town Board asking for them to approve reappointing the following consultants to the Kent Planning Board.

Bruce Barber, Cornerstone Associates, 1770 Central Street, Yorktown Heights, NY 10598 at a rate of \$125.00 per hour as Stormwater and Environmental Consultant.

Ronald Blass, Van DeWater & an DeWater, LLP, 85 Civic Center Plaza, Ste. 101, Poughkeepsie, NY 12601 at a rate of \$165.00 per hour as Planning Board Counsel.

Julie Mangarillo, Rohde, Soyka & Andrews, 40 Garden Street, Poughkeepsie, NY 12601 at a rate of \$115.00 per hour as Planning Board/Town Engineer.

Neil Wilson, LRC Planning Services, LLC, 8 Morehouse Road, Poughkeepsie, NY 12603-4010 at a rate of \$125.00 per hour as Consulting Planner to the Town of Kent Planning Board.

Please find attached the supporting documentation from the above mentioned consultants for their fee schedule for 2014.



December 23, 2013

Town Supervisor  
Town of Kent  
25 Sybil's Crossing  
Kent Lakes, New York 10512

Re: Contractual Agreement-Wetlands and Stormwater Consulting Position  
For the year 2014

Agreement made this 23<sup>rd</sup> day of December, 2013 between the Town of Kent, New York, a Municipal Corporation having its office at 25 Sybil's Crossing, Kent Lakes, New York 10512, herein referred to as 'Town' and Cornerstone Associates", environmental consulting with an office at 1770 Central Street, Yorktown Heights, New York 10598, telephone (914) 299-5293, herein referred to as "Cornerstones";

Whereas, the Town wishes to retain Cornerstones as a Wetlands, Stormwater and Environmental Consultant and Cornerstones wishes to serve the Town as the Wetlands Stormwater and Environmental Consultant.

Now, therefore, in consideration of the promises and agreements herein contained, the parties do hereby agree as follows:

- The Town does hereby retain Cornerstones to serve as Wetlands Stormwater and Environmental Consultant. Cornerstones shall serve at the pleasure of the Town Board. Cornerstones shall serve as the Town Wetlands Stormwater and Environmental Consultant for a two-year term effective upon signing of this agreement.
- Cornerstones states that they have the necessary qualifications, training and experience to serve as the Town Wetlands, Stormwater and Environmental Consultant.

1770 CENTRAL STREET YORKTOWN HEIGHTS, NY 10598  
Telephone: 914.299.5293

C

**VAN DeWATER AND VAN DeWATER, LLP**  
COUNSELORS AT LAW

John B. Van DeWater (1892-1968)  
Robert B. Van DeWater (1921-1990)  
James E. Nelson  
Gerard J. Comatos, Jr.  
Ronald C. Blass, Jr.  
Kyle W. Barnett

Adrienne Odierna  
James E. Nelson, Jr.  
Daniel F. Thomas III

85 CIVIC CENTER PLAZA, SUITE 101  
P.O. BOX 112  
POUGHKEEPSIE, NEW YORK 12601

(845) 452-5900  
Fax (845) 452-5848

WEBSITE ADDRESS:  
[www.vandewaterlaw.com](http://www.vandewaterlaw.com)

GENERAL E-MAIL ADDRESS:  
[info@vandewaterlaw.com](mailto:info@vandewaterlaw.com)

Noel deCordova, Jr. (1929-2013)  
Edward vK Cunningham, Jr.  
John K. Gifford  
Shari S.L. Hubner  
Jeffrey S. Battistoni  
Janis M. Gomez Anderson  
Audrey Friedrichsen  
Counsel

December 11, 2013

Russell Fleming, Chairman  
Planning Board of the Town of Kent  
25 Sybil's Crossing  
Kent Lakes, NY 10512

Re: Town of Kent  
Our File No. 11011-00002

Dear Russ:

This is a proposal of terms for continued legal representation of the Planning Board.

We would propose to maintain our hourly rate, without increase, at \$165.00 per hour.

We would continue to look, for the most part, to payment from escrow of Planning Board applicants as the source of payment in representing that agency.

It has been a pleasure to represent the Town of Kent Planning Board for several years, and we have appreciated the opportunity to do so.



Russell Fleming, Chairman  
December 11, 2013  
Page 2  
-----

If you need anything further, please advise.

Thank you.

Very truly yours,

VAN DEWATER & VAN DEWATER, LLP

By: \_\_\_\_\_

RONALD C. BLASS, JR.

RCB/klr

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**ROHDE, SOYKA  
& ANDREWS**  
*Consulting Engineers, P.C.*

40 Garden Street  
Poughkeepsie, NY 12601  
Phone: (845) 452-7515 Fax: (845) 452-8335  
E-Mail Address: [info@rsaengrs.com](mailto:info@rsaengrs.com)

---

*Wilfred A. Rohde, P.E. • Michael W. Soyka, P.E. • John V. Andrews, Jr., P.E.*

December 11, 2013

Supervisor Katherine Doherty  
Town Hall – Town of Kent  
25 Sybil's Crossing  
Kent Lakes, NY 10512

**SUBJECT: Proposed Town Engineering Services – 2014  
Town of Kent, New York**

Dear Supervisor Doherty:

As requested, we are pleased to submit herewith this proposal for professional civil and structural engineering services to the Town of Kent as Planning Board/Town Engineers for 2014:

1. Planning Board Reviews: The cost to review and write reports on various projects before the Town Planning Board and assigned to us will be reimbursed to us from an escrow account that the Town will establish or has established with the Applicant of each project. We will charge the Town on a project-by-project basis for each project that is reviewed by us at the rate shown on the attached fee schedule. Such work under this paragraph will include site visits, attendance at public hearings, and attendance at regularly scheduled workshop and monthly meeting of the Town Planning Board.
2. The attached fee schedule is in effect through the year 2014. Please note that we have kept our rates the same as last year. Rohde, Soyka & Andrews Consulting Engineers, P.C. shall be reimbursed for travel time and mileage for attendance at all meetings and site visits. These charged will be apportioned to the appropriate projects.
3. Town Highway Department Projects: Projects assigned to us from the Town Highway Department will be billed to the Town at the rate quoted on the attached fee schedule.
4. Other Special Town Projects: Other projects assigned to us by the Town Board or the Planning Board will be billed to the Town at the rate quoted on the attached fee schedule or as negotiated at the time that the assignment is being made.
  - 4.1 Building Inspector Training – Please refer to Rider #1 attached to this proposal.

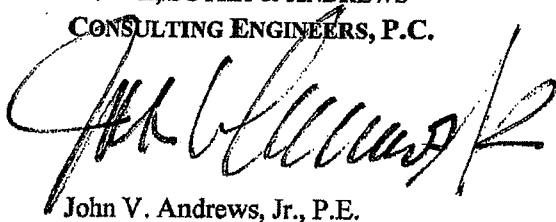
5. Billing: Billing will be made monthly to the Town of Kent. Each bill will be detailed to show the date the work was done with a description of the work.
6. Certificate of Insurance will be issued to the Town of Kent when requested.
7. Assignments/Contacts will be as follows:
  - a. Primary Contact: Julie S. Mangarillo, P.E., CPESC
  - b. Secondary Contact: John V. Andrews, Jr., P.E.

If you have any questions regarding this proposal, please feel to call us.

Thank you for asking us to be of service to the Town of Kent. Please return one signed copy of this proposal for our records.

Very truly yours,

**ROHDE, SOYKA & ANDREWS**  
**CONSULTING ENGINEERS, P.C.**



John V. Andrews, Jr., P.E.

Enclosures: 2014 Fee Schedule  
Rider #1

Accepted by: \_\_\_\_\_

*File: Client 261 Town of Kent*



**ROHDE, SOYKA  
& ANDREWS**  
*Consulting Engineers, P.C.*

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*Wilfred A. Rohde, P.E. • Michael W. Soyka, P.E. • John V. Andrews, Jr., P.E.*

## **TOWN OF KENT 2014 FEE SCHEDULE**

For all work done on a time and material basis, the following Fee Schedule shall apply:

Principal Engineer	\$135.00 per hour
Wilfred A. Rohde, P.E.	
John V. Andrews, Jr., P.E.	
Licensed Engineer	115.00 per hour
Julie S. Mangarillo, P.E., CPESC	
Staff Engineer	90.00 per hour
Senior Designer	85.00 per hour
Senior CADD Operator	85.00 per hour
CADD Operator	75.00 per hour
Designer	75.00 per hour
Contract Specialist / Administrative Assistant	60.00 per hour
Clerical	45.00 per hour
Mileage	0.60 per mile
Copies	
Black & White	0.25 per copy
Color	1.00 per copy
Bond Plots	
Black & White	0.45 per square foot
Color	0.75 per square foot
Expenses & Special Services	Cost plus 15%
Outside Consultant Fees	Cost plus 20%

This Schedule is in effect from January 1, 2014 through December 31, 2014



**ROHDE, SOYKA  
& ANDREWS**  
*Consulting Engineers, P.C.*

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Phone: (845) 452-7515 Fax: (845) 452-8335  
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*Wilfred A. Rohde, P.E. • Michael W. Soyka, P.E. • John V. Andrews, Jr., P.E.*

***RIDER #1  
Town of Kent  
Proposed Town Engineering Services 2014***

***Building Inspector Training***

The Town of Kent Town Board at their meeting on October 8, 2013 approved Resolution #348 – Building Inspector Training authorizing Rohde, Soyka & Andrews to provide structural training for Building Inspector Walters at a cost not to exceed \$3,000.00. The structural training will be provided by Wilfred A. Rohde, P.E. on an as needed/as requested basis as determined by the Building Inspector.

Please note that if Mr. Rohde needs to travel to the Town of Kent, travel time and mileage will be included in the invoice. All efforts will be made to minimize travel time expenses.

Billing will be made monthly to the Town of Kent. Each bill will be detailed to show the date the training was completed with a description of the work.

A log will be maintained to document the number of hours and type of activities supervised. Travel time will not be included in this log.



**ROHDE, SOYKA  
& ANDREWS**  
*Consulting Engineers, P.C.*

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*Wilfred A. Rohde, P.E. • Michael W. Soyka, P.E. • John V. Andrews, Jr., P.E.*

December 11, 2013

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25 Sybil's Crossing  
Kent Lakes, NY 10512

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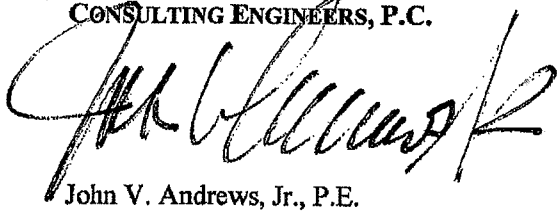
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CONSULTING ENGINEERS, P.C.**



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Accepted by: \_\_\_\_\_

*File: Client 261 Town of Kent*



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& ANDREWS**  
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*Wilfred A. Rohde, P.E. • Michael W. Soyka, P.E. • John V. Andrews, Jr., P.E.*

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Town of Kent  
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# LRC PLANNING SERVICES, LLC

---

LAND USE/REAL ESTATE/ENVIRONMENTAL CONSULTING

**8 MOREHOUSE ROAD  
POUGHKEEPSIE, NEW YORK 12603-4010  
TELE: 845-452-3822  
FAX: 845-452-3346**

November 30, 2013

Mr. Russ Fleming, Chairman  
Town of Kent Planning Board  
Kent Town Center  
25 Sybil's Crossing  
Kent Lakes, New York 10512

*Re: Statement of Qualifications & Proposal for Services*

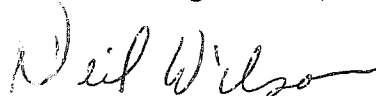
Dear Russ:

As you know, I have been the consulting planner to the Town of Kent Planning Board since 2002. During this time I have been responsible for reviewing applications for land development proposals and assisting the Planning Board in evaluating the land use and environmental issues associated with various development proposals. I have enjoyed my time as part of the Planning Board project review team and certainly wish to continue in that capacity. I propose to continue my work at the same hourly rate that has been in place since 2002, namely \$125.00 per hour.

As noted in the attached Statement of Qualifications I have a great deal of experience representing municipal clients and I take pride in my ability to listen to client and community concerns during the course of project planning and review.

Thank you for your time and consideration. Please contact me with any questions.

Respectfully Submitted,  
For LRC Planning Services, LLC:



Neil A. Wilson, Esq.

# **LRC PLANNING SERVICES, LLC**

LAND USE/REAL ESTATE/ENVIRONMENTAL CONSULTING

**8 MOREHOUSE ROAD  
POUGHKEEPSIE, NEW YORK 12603-4010  
TELE: 845-452-3822  
FAX: 845-452-3346**

## **NEIL A. WILSON, ESQ.**

**EMAIL: [NWILSON.LRCPLANNING@GMAIL.COM](mailto:NWILSON.LRCPLANNING@GMAIL.COM)**

### **Background**

Mr. Wilson is an Attorney at Law admitted to practice in the State of New York and a Member of the American Planning Association. He is the President of LRC Planning Services, LLC, a land use, real estate, and environmental consulting firm based in the Hudson Valley. He possesses more than thirty years of experience in land use planning, zoning, and land development for municipalities, institutions, commercial developers, and residential developers. His experience includes representation of municipal legislative boards, planning boards, and zoning boards of appeal in the review of residential and commercial site development applications, as well as representing private developers regarding environmental compliance, land development, and zoning law issues. He has extensive managerial experience directing staff and consultants in the preparation of environmental impact statements, comprehensive plans, zoning laws, subdivision laws, residential and commercial site selection studies including environmental investigations and "due diligence" studies, and residential and commercial real estate transaction matters. He is adept in New York State Environmental Quality Review Act (SEQRA), building code, site plan, subdivision, land use, and zoning law requirements and procedures.

His associations include membership in the New York State Bar Association, the American Planning Association, and the Metro Chapter of the New York Planning Association. He is the former Chairman of the City of Poughkeepsie Zoning Board of Appeals; former Chairman of the City of Poughkeepsie Zoning Advisory Committee; former President of the Dutchess County Planning Federation; and is currently Special Counsel, and a past-Member, of the Board of Directors of the Mid-Hudson Children's Museum, Poughkeepsie, New York.

### **Registrations**

Attorney at Law, Admitted to Practice (1991), State of New York State

### **Education**

BA / Environmental Science / 1979 / SUNY at Plattsburgh  
Juris Doctorate / 1990 / Pace University School of Law

### **Current Relevant Employment**

President, LRC Planning Services, LLC, 1999 – Present

### **Representative Experience**

#### **Town of Kent Planning Board, Putnam County, New York**

Consulting Planner. Review applications for site plan, special permit, subdivision and use and area variances. Advise Planning Board on procedural and substantive aspects of environmental and land use planning. Prepare updates to Town Comprehensive Plan and amendments to Zoning Law, and Subdivision Regulations.

#### **Town of Kent Town Board, Putnam County, New York**

Consulting Planner. Prepared revisions to the town zoning law, storm water, erosion control, wetland, and subdivision regulations, including oversight of revisions to the town comprehensive plan, and preparation of a Generic Environmental Impact Statement for the zoning law revisions. Prepared draft blasting law, property maintenance law, and wetland law for Town Board review and consideration.

**Town of Poughkeepsie, Dutchess County, New York**

Director of Municipal Development to the Town. Under contract to the Town provides oversight of Planning Department, Zoning Department, Building Department, Housing Department, and Engineering staff activities. Report directly to the Town Board. Work closely with Town Legal Department and outside legal counsel on policy and regulatory enforcement. Direct and oversee the implementation of policies and regulations regarding land development in the Town. Prepare local law amendments and assist town departments with compliance with state and local environmental laws. Responsible for drafting of Town Master Plan, Zoning Law, and Land Subdivision Law, preparation of Generic Environmental Impact Statement, and overseeing compliance with Town Law procedural requirements to adopt new land use regulations.

**Town of Washington, Dutchess County, New York**

Consulting Planner. Review applications for site plan, special permit, subdivision and use and area variances. Advise Town Board, Planning Board, and Zoning Board of Appeals on procedural and substantive aspects of environmental and land use planning. Prepare recommendations and legislation to revise the Town Zoning Law and Subdivision Regulations regarding private road subdivisions, regulation of private cemeteries and hamlet development standards. Prepared Generic Environmental Impact Statement for Town Master Plan, Zoning Law, and Subdivision Regulations. Prepared wetland law for Town Board review and consideration.

**Town of Clinton Planning Board, Dutchess County, New York**

Consulting Planner. Review applications for site plan, special permit, subdivision and use and area variances. Advise Planning Board on procedural and substantive aspects of environmental and land use planning. Prepared Generic Environmental Impact Statement for adoption of Town Master Plan, Zoning Law, and Subdivision Regulations.

**Town of Bethlehem, Albany County, New York.**

Legal Counsel. Responsible for drafting of new Zoning Law and Subdivision Regulations to reflect goals and policies of a new Comprehensive Plan. Included overseeing compliance with SEQRA and Town Law procedural requirements to adopt new land use regulations.

**Town of Stanford, Dutchess County, New York**

Consulting Planner. Responsible for drafting of updates to the Town Master Plan, Zoning Law, and Land Subdivision Law, and compliance with Town Law procedural requirements to adopt new land use regulations.

**Village of Millbrook, Dutchess County, New York**

Consulting Planner. Review applications for site plan, special permit, subdivision and use and area variances. Advised Planning Board on procedural and substantive aspects of environmental and land use planning. Prepared updates to Village Master Plan and drafted legislative amendments to Village Zoning Law and Subdivision Regulations.

**Rondout Valley Central School District, Ulster County, New York**

Consulting Planner/Project Team Manager. Oversaw consultant team work on an environmental assessment for a \$21 million dollar high school, middle school, and elementary school rehabilitation/ expansion project. Advised School Board on procedural and substantive aspects of environmental review and land use planning.

**Marlboro Central School District, Ulster County, New York**

Consulting Planner/Project Team Manager. Oversaw consultant team work on an Environmental Impact Statement for \$35 million dollar district wide expansion project. Advised School Board on procedural and substantive aspects of environmental review and land use planning.

**Rhinebeck Central School District, Dutchess County, New York**

Consulting Planner/Project Team Manager. Oversaw consultant team work on an environmental assessment of land purchase as lead element in multi-million dollar high school expansion project. Advised School Board on procedural and substantive aspects of environmental review and land use planning.

**CSI Developers, Inc., Meadow Brook Estates residential development, Town of Red Hook, New York**

Consulting Planner. Responsible for planning and site design of a 110 unit mixed single family and town home development. Includes preparation of an Environmental Impact Statement and obtaining site plan and subdivision approvals.

**The Meadows at Hyde Park, Town of Hyde Park, New York**

Consulting Planner/Legal Counsel. Responsible for general project planning, preparation of an Environmental Impact Statement, and obtaining subdivision approval for a 74 unit residential cluster subdivision.

**Gilbert Farm Recreation Center, Town of Hyde Park, New York**

Consulting Planner/Legal Counsel. Responsible for general project planning, preparation of a detailed environmental assessment, and obtaining area variances and special use permit approvals for a public recreation center consisting of a golf driving range and putting green, and multi-use recreation building for gymnastics, golf, baseball, and softball instruction.

**The Sembler Company commercial site redevelopment, Town of Newburgh, New York**  
Legal Counsel. Obtained site plan approval for the redevelopment of an old commercial site for reuse as a ±19,000 gsf retail and bank plaza.

**Gordon Development, Inc., Lowe's Home Improvement Development, Town of Amsterdam, New York**

Legal Counsel. Obtained site plan approval for a ±209,000 gsf shopping plaza including a ±137,000 gsf home improvement retail store.

**Gordon Development, Inc., CVS Pharmacy Development, Village of Monroe, New York**

Legal Counsel. Obtained site plan, subdivision and environmental approvals for a ±10,300 gsf retail pharmacy.

**Lowe's, Inc., Town of Plattsburgh, New York**

Legal Counsel. Obtained area variances, site plan, subdivision and environmental approvals for a ±130,000 gsf home improvement retail store.

**Lowe's Home Improvement, Town of Newburgh, New York**

Legal Counsel. Obtained site plan, subdivision and environmental approvals for a ±130,000 gsf home improvement retail store.

**Stop & Shop Retail Development, Town of Rhinebeck, New York**

Consulting Planner. Coordinated project team efforts to prepare environmental documents and other materials in support of application for site plan and subdivision approval to redevelop an existing commercial plaza.

**IBM Corporation, East Fishkill, New York**

Consulting Planner/Legal Counsel. Coordinated project team efforts to obtain SEQRA and site plan approvals for construction of a ±144,000 square foot "Annex" to a 300mm Chip Manufacturing facility.

**IBM Corporation, East Fishkill, New York**

Consulting Planner/Legal Counsel. Coordinated project team efforts to obtain SEQRA and site plan approvals for a "shovel ready" industrial development under the State "Build-Now" program to reactivate a ±330,000 square foot building for conversion and re-use as a 300mm microchip manufacturing facility.

**Omnipoint Communications, Inc., Westchester County, New York**

Project Manager/Team Leader to obtain environmental and zoning approvals for ±100 site wireless communication system build-out in Westchester County.

**NextWave Wireless, Inc., Hawthorne, New York**

Project Manager/Team Leader of nine-person team assigned to identify suitable sites for installation of telecommunication facilities, negotiate long-term lease contracts with site owners, and obtain all zoning and construction permits for ±125 locations in Westchester, Rockland, Putnam, Fairfield and Nassau counties.

**Rite Aid Corporation, New York**

Project Manager/Team Leader of a diverse group of engineering and planning professionals to obtain zoning approvals and environmental clearances for the aggressive build-out of more than 40 stores through-out New York State.

**River Valley Care Center, City of Poughkeepsie, New York**

Legal Counsel. Oversaw preparation of environmental documents and other materials in support of application for zoning code amendment to permit development of 160-bed nursing home.

**Mid-Hudson Medical Group, P.C., Village of Fishkill, New York**

Project Manager for preparation of Environmental Impact Statement in support of application for site plan approval of ±25,000 square foot medical facility expansion.

**Wingate At Ulster, Town of Lloyd, New York**

Project Manager for preparation of environmental documentation and other materials in support of application for site plan, special permit and subdivision approval for a 120 bed nursing home.

# TOWN OF KENT POLICE DEPARTMENT

## MEMO

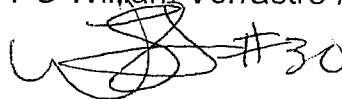
TO : Chief Alex DiVernieri  
FROM : PO William Verrastro #30  
SUBJECT: Letter of Resignation  
DATE : 12/17/2013

---

I write this memo in regards to my resignation from the Town of Kent Police Department effective midnight January 6th, 2014.

With this memo I would like to thank the department and town for affording me the opportunity to serve the in the area in which I grew up and where my family still lives. It was a privilege to work for for the Kent Police Department and this town and couldn't be more grateful for the opportunity that was presented to me.

PO William Verrastro # 30



CC: LT. J. Oster

# POLICE DEPARTMENT

## Town of Kent

40 SYBIL'S CROSSING, CARMEL, NEW YORK 10512

Address All Communications

To: Chief of Police  
Alexander W. DiVernieri Jr.

Emergency: (845) 225-4600

Office: (845) 225-5646

Fax: (845) 306-5288

kentpolice@townofkentny.gov

December 17, 2013

Supervisor Doherty & Kent Town Board  
Town of Kent Administrative Offices  
25 Sybil's Crossing  
Carmel, New York 10512


Dear Supervisor Doherty & Kent Town Board:

Attached is a resignation letter from Police Officer William Verrastro which is effective January 6, 2014. Officer Verrastro was an asset to this department and we wish him well with the next department he will be employed with.

The Police Department will be seeking to replace this position and will be approaching the Board in the near future with a recommendation for possible appointment. If the Board is not already aware, section 72-c of the General Municipal Law permits the Town to seek reimbursement from the entity who will be employing Mr. Verrastro for the costs of his training. I have spoken to Michelle Summers about the law and the formula used for reimbursement. I will be working closely with her to ensure the Town receives its maximum payment.

If you have any questions please do not hesitate to contact me.

Respectfully,

  
Alexander W. DiVernieri Jr.  
Chief of Police

CC via e-mail:

Supervisor Elect Fleming  
Councilman Elect Huestis  
Councilman Elect Denbaum  
Michelle Summers

*Serving Our Community 24 Hours A Day*



W15

## Adoption fee-Herman the Yorkie

Mon 1/20/2014 10:06 AM

From: DCO@townofkentny.gov

To: Maureen Fleming, Lana

Cc: Jasmine Ramos

---

Good Morning,

With regard to Herman (abandoned yorkie mix) I am going to proceed with finalizing the adoption later this week. The couple who is currently fostering him, would officially like to make it official.

Normally, I collect the \$100 adoption fee via cash or check, and turn it in at the beginning of next month along with my monthly seizure receipts.

I would like to ask however if I can instruct the adopters to instead make their adoption fee to the Putnam SPCA for their efforts in assisting us with the investigation into the abandonment of the dog, and am seeking your permission to do so.

I will still collect the mandatory \$5 for a T.O.K dog license to be issued.

Thank you,

Jill Gianfransico

M10

At a Special Term of the Supreme Court of the State of New York, held in and for the County of Putnam, held in the Putnam County Courthouse, 20 County Center, Carmel, New York, on the \_\_\_\_ day of \_\_\_\_\_, 2013.

**PRESENT:**

HON. FRANCIS A. NICOLAI

Justice.

-----X

In the Matter of

**CONSTANCE E. BAKALL,**

Petitioner,

-against-

**THE TOWN OF KENT, A MUNICIPAL CORPORATION  
ITS ASSESSOR AND ITS BOARD OF ASSESSMENT  
REVIEW AND THE WAPPINGERS CENTRAL  
SCHOOL DISTRICT,**

Respondents,

**FINAL JUDGMENT ON CONSENT**

**ASSESSMENT**

<u>YEAR</u>	<u>INDEX NO.</u>
2012	1644/2012
2013	1518/2013

**PREM.:** East Mountain Road

**TAX PARCEL ID NOS.:**  
8.-1-1.1 and 8.-1-1.2

For a Review under Article 7 of the RPTL.

-----X

Proceedings having been duly instituted to review the assessments made by the Respondents for the purpose of taxation on real estate situated in the Town of Kent, designated on the assessment rolls of the Town of Kent, as follows:

**Tax Parcel ID Nos.: 8.-1-1.1 and 8.-1-1.2**

and notices of motion upon duly verified petitions for the review of said assessments, having been duly served and filed, in which said motions and petitions it was claimed that the assessments in question were erroneous by reason of overvaluation and inequality; and the allegations contained in the petitions having been deemed denied pursuant to law, and the issues raised having duly come on before me at a Special

Term of the Supreme Court of the State of New York, County of Putnam, held in the Courthouse, 20 County Center, Carmel, New York, on the \_\_\_\_ day of \_\_\_\_\_, 2013, and after hearing **BRANDT, STEINBERG & LEWIS LLP**, by Hubert J. Brandt, Esq., attorneys for the Petitioner, and **TIMOTHY J. CURTISS, ESQ.**, attorney for the Respondents.

NOW, upon reading the petitions and notices of application for review of said assessments, and upon the subjoined consent of counsel, to entry of this Order, it is upon motion of **BRANDT, STEINBERG & LEWIS LLP**, attorneys for the Petitioner,

**ORDERED, ADJUDGED AND DECREED**, that the petition for review of said assessments be sustained, and that said assessments be and the same hereby is reduced to and fixed at the following amounts:

**CONSTANCE BAKALL**  
**Tax Parcel ID No. 8.-1-1.1**

<u>Assessment Year</u>	<u>Total Assessment</u>	<u>Amount of Reduction</u>	<u>Reduced Assessment</u>
2012	\$130,200	\$63,300	\$66,900
2013	130,200	63,300	66,900

**CONSTANCE BAKALL**  
**Tax Parcel ID No. 8.-1-1.2**

<u>Assessment Year</u>	<u>Total Assessment</u>	<u>Amount of Reduction</u>	<u>Reduced Assessment</u>
2012	\$ 8,000	\$ 5,000	\$ 3,000
2013	8,000	5,000	3,000

and it is further

**ORDERED, ADJUDGED AND DECREED**, that the officer or officers having custody of the assessment roll or the tax roll upon which the above mentioned assessments and any taxes levied thereon have been entered shall forthwith correct the said entries in conformity to this judgment, and shall note upon the margin of the said rolls, opposite the said entries, that the same have been corrected by the authority of this judgment; and it is further

**ORDERED, ADJUDGED AND DECREED**, that unless sooner paid, there shall be audited by the Town of Kent, the Wappingers Central School District and the Commissioner of Finance of the County of Putnam and allowed to Petitioner, the amounts, if any, paid by the said Petitioner, as taxes against the said erroneous, excessive and unlawful assessments in excess of what the taxes would have been if the assessments had been made as ordered, adjudged or determined by this judgment, and also, the proportionate amount of penalties or interest, if any, paid on such excess taxes by reason of delinquent payment; and it is further

**ORDERED, ADJUDGED AND DECREED**, that all refunds of overpaid real estate taxes which are to be paid pursuant to this Final Judgment and which are paid within sixty (60) days after service of a copy of this Final Judgment with Notice of Entry, upon the attorneys for Respondents, herein, shall be without interest, otherwise refunds are to be with interest as provided by law, and it is further

**ORDERED, ADJUDGED AND DECREED**, that all refunds of overpaid real estate taxes which are paid pursuant to this final judgment shall be paid by check(s) to the order of **BRANDT, STEINBERG & LEWIS LLP**, as attorneys for the Petitioner.

**E N T E R**

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HON. FRANCIS A. NICOLAI  
SUPREME COURT JUSTICE

We consent to entry of the above.

**BRANDT, STEINBERG & LEWIS LLP**  
Attorneys for Petitioner

By: 

Hubert J. Brandt, Esq.

**TIMOTHY J. CURTISS, ESQ..**  
Attorney for Respondents

NOTICE OF ENTRY

Sir:-Please take notice that the within is a (certified) true copy of a duly entered in the office of the clerk of the within named court on 20

Dated,

Yours, etc.,

**BRANDT, STEINBERG & LEWIS LLP**

Attorneys for

Office and Post Office Address

386 PARK AVENUE SOUTH - SUITE 600  
BOROUGH OF MANHATTAN NEW YORK, NY 10016

To

Attorney(s) for

NOTICE OF SETTLEMENT

Sir:-Please take notice that an order

of which the within is a true copy will be presented for settlement to the Hon.

one of the judges of the within named Court, at

on 20

at M.

Dated,

Yours, etc.,

**BRANDT, STEINBERG & LEWIS LLP**

Attorneys for

Office and Post Office Address

386 PARK AVENUE SOUTH - SUITE 600  
BOROUGH OF MANHATTAN NEW YORK, NY 10016

To

Attorney(s) for

1644/2012  
Index No. 1518/2013

Year '20

PUTNAM COUNTY, NEW YORK

**CONSTANCE BAKALL,**

Petitioner,

-against-

**THE TOWN OF KENT, A MUNICIPAL CORPORATION. ITS ASSESSOR AND ITS BOARD OF ASSESSMENT REVIEW, AND THE WAPPINGERS CENTRAL SCHOOL DISTRICT,**

Respondents.

**FINAL JUDGMENT ON CONSENT**

**BRANDT, STEINBERG & LEWIS LLP**

Attorneys for

Office and Post Office Address, Telephone

386 PARK AVENUE SOUTH - SUITE 600  
BOROUGH OF MANHATTAN NEW YORK, NY 10016  
(212) 563-2200

To **TIMOTHY J. CURTISS, ESQ.**

Attorney(s) for Respondents

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

TOWN OF KENT  
Town Board Meeting – January 21, 2014  
County of Putnam, State of New York

RESOLUTION \_\_\_\_\_

AUTHORIZING TIMOTHY J. CURTISS AS  
TOWN ATTORNEY TO EXECUTE THE CONSENT JUDGMENT

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

DATE OF CONSIDERATION/ADOPTION: \_\_\_\_\_

WHEREAS, tax certiorari proceedings were brought on behalf of CONSTANCE E. BAKALL, for the tax years 2012 and 2013 affecting certain parcels of real property designated as East Mountain Road, Town of Kent, and designated as 8.-1-1.1 and 8.-1-1.2, on the Official Assessment Map of the Town of Kent; and

WHEREAS, the parties have agreed to settle the tax certiorari proceedings in accordance with the attached Consent Judgment prepared by HUBERT J. BRANDT, ESQ., attorney for the Petitioner; and

WHEREAS, the Town Board of the Town of Kent wishes to authorize its town counsel, Timothy J. Curtiss, Esq., to sign said Consent Judgment on behalf of the Town of Kent; and

WHEREAS, the Town Board of the Town of Kent further wishes to authorize the Supervisor to seek financing, if necessary, to pay the judgment after entry and in accordance with said Order, at an interest rate not to exceed Three Percent (3%);

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes its counsel, Timothy J. Curtiss, Esq., to sign the Consent Judgment on behalf of the Town of Kent; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes the Supervisor to seek financing, if necessary, to pay the judgment obtained by Petitioner at an interest rate not to exceed Three Percent (3%).

Resolution # \_\_\_\_\_

Motioned by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll call vote:

Supervisor Fleming: \_\_\_\_\_

Deputy Supervisor Huestis: \_\_\_\_\_

Councilwoman Osborn: \_\_\_\_\_

Councilman Tierney: \_\_\_\_\_

Councilman Denbaum: \_\_\_\_\_

M13

TOWN OF KENT  
Town Board Meeting – January 21, 2014  
County of Putnam, State of New York

RESOLUTION \_\_\_\_\_

AUTHORIZING THE TOWN OF KENT LIBRARY  
TO HOST A FAMILY TRIVIA EVENT AT TOWN HALL

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

DATE OF CONSIDERATION/ADOPTION: \_\_\_\_\_

WHEREAS, the Town of Kent Public Library is requesting permission to host a Family Trivia Event as part of the Library's 50<sup>th</sup> Anniversary Celebration on February 1, 2014 beginning at 1:30 p.m. and ending at 3:30 p.m. at the Town of Kent Town Hall; and

WHEREAS, the Town of Kent Public Library is requesting use of the Town Hall for the Family Trivia Event from 1:30 p.m. to 3:30 p.m. to set up and clean up, the event will occur from 2:00 p.m. to 3:00 p.m.; and

WHEREAS, Town Board of the Town of Kent has the facilities to host a Family Trivia Event and the Town Board wishes to cooperate with the Town of Kent Public Library; and

WHEREAS, the Town of Kent Public Library is also requesting permission to host a "Grand Finale" event on June 7, 2014 beginning 9:00 a.m. and ending at 3:00 p.m., the event will occur on the Town Hall Complex Campus with a tent, inflatable fun house, inflatable basketball game and inflatable Kid Korner obstacle course on the west side of the town green area between the Library, Town Hall and Police Station; and

WHEREAS, the Town of Kent Public Library has agreed to add the Town of Kent as an additional insured on its liability insurance policy for these events and further



agrees to execute a hold harmless clause holding the Town of Kent harmless for any liability incurred in connection with these events and will provide the Town Clerk with a Certificate of Insurance naming the Town of Kent as an additional insured on their liability insurance policy prior to the event occurring.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the Town of Kent Public Library permission to host a Family Trivia Event as part of the Library's 50<sup>th</sup> Anniversary Celebration on February 1, 2014 from 1:30 p.m. to 3:00 p.m. at the Town of Kent Town Hall; and

BE IT FURTHER RESOLVED, that Town Board of the Town of Kent hereby authorizes the Town of Kent Public Library permission to host a "Grand Finale" event on June 7, 2014 at 9:00 a.m. to 3:00 p.m. on the Town of Kent Town Hall Complex Campus.

SO MOVED:

Resolution # \_\_\_\_\_

Motioned by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll call vote:

Supervisor Fleming: \_\_\_\_\_

Deputy Supervisor Huestis: \_\_\_\_\_

Councilwoman Osborn: \_\_\_\_\_

Councilman Tierney: \_\_\_\_\_

Councilman Denbaum: \_\_\_\_\_