

**TOWN OF KENT
TOWN BOARD MEETING
Tuesday, February 18, 2020**

Executive Session – 6:30 p.m.

to discuss the financial, credit or employment history of a particular person or corporation or matters leading to the appointment of a particular person or corporation.

Public Hearing – 7:00 p.m.

Mining Moratorium

Workshop –

1. Pledge of Allegiance
2. LCFD – 2019 service award program and new members
3. Planning Department – acceptance of surety bonds for TM# 12.-340&41
4. Proposed Social Media Policy
5. Proposed Local Law Regarding Chickens
6. Annual fire extinguisher inspections
7. NYMIR renewal
8. Highway – Landfill Site Management Policy, specialized highway equipment and credit limit increase
9. Announcements
10. Public Comment

Meeting

1. Roll Call
2. Vote on the following:
 - a. Service award program for LCFD
 - b. New members for LCFD
 - c. Acceptance of Surety Bonds
 - d. Set public hearing for new local law regarding chickens
 - e. Annual fire extinguisher inspection services
 - f. NYMIR Renewal
 - g. Landfill Site Management Policy
 - h. Highway credit limit increase
3. Vouchers and Claims
4. Correspondence
5. Public comment

TOWN OF KENT
NOTICE OF HEARING

A LOCAL LAW ESTABLISHING A TEMPORARY LAND USE
MORATORIUM PROHIBITING MINING WITHIN THE TOWN OF KENT

PUBLIC NOTICE is hereby given that there has been introduced before the Town Board of the Town of Kent, New York, on _____ an amendment to Kent Town Code introducing a local law Establishing a Temporary Moratorium Prohibiting Mining within the Town of Kent.

NOW THEREFORE, pursuant to Section 20 of the Municipal Home Rule Law, the Town Board of the Town of Kent, New York will hold a public hearing on the aforesaid Amendment at the Town Offices, 25 Sybil's Crossing, Kent, New York, on _____, at 7:00 p.m. in the evening of that day at which time all persons interested therein shall be heard. The Town Board will make every effort to assure that the hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

Dated: _____, 2019

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF KENT

YOLANDA D. CAPPELLI, TOWN CLERK

TOWN OF KENT LOCAL LAW NO. ____ of 2019
A LOCAL LAW ESTABLISHING A TEMPORARY LAND USE MORATORIUM
PROHIBITING MINING WITHIN THE TOWN OF KENT

BE IT ENACTED by the Town Board of the Town of Kent, Putnam County, New York, as follows:

Section 1. Legislative Intent.

This local law is intended to temporarily prohibit the issuance of permits for the excavation of sand, gravel, topsoil, rock or other natural material within the Town of Kent for a period of up to six (6) months, pending the further development and adoption of local laws and/or ordinances prepared to regulate and govern such excavation.

It is deemed necessary to enact this moratorium in order to permit the Town Board adequate time in which to draft suitable legislation to allow for proper and authorized regulation of mining within the Town of Kent. During the term of the moratorium, the Town of Kent shall work to prepare and eventually adopt additional land use provisions and regulatory processes to provide for the benefit, health and general welfare of the residents of the Town of Kent.

The objective of this moratorium is to allow the Town of Kent to assess and address its Code to promote community planning values by properly regulating such excavation. During the pendency of the moratorium, the Town Board will consider how best to permit excavation in certain areas so as to harmoniously integrate such with the existing community and landscape. Moratoria are useful in controlling or temporarily inhibiting development until satisfactory final regulations are adopted.

For these reasons, the Town Board finds that temporary moratorium legislation is both advisable and necessary for a reasonable and defined period of time in order to further develop and adopt necessary zoning and land use changes to the Kent Town Code, thus protecting and furthering the public interest, health and safety.

Section 2. Scope of Moratorium.

There is hereby adopted in the Town of Kent a six (6) month moratorium on the consideration, receipt or grant of temporary permits, pursuant to Chapter 63 of the Town of Kent Town Code entitled "Soil Removal", for the excavation of sand, gravel, topsoil, rock or other natural materials.

During the term of the moratorium, the Town Board intends to develop, consider and adopt changes to its land use local laws so as to regulate Soil Removal and ensure that any mining conducted within the Town is consistent with the terms and goals of the Town's Comprehensive Plan.

While the moratorium is in effect, no applications shall be accepted and no temporary permits issued or approvals given by the Town Board except as authorized pursuant to Section 3, below.

Section 3. Variances and Appeals.

Applications for land use otherwise subject to this moratorium may be exempted from the provisions of this Local Law following a noticed public hearing before the Town Board. It is specifically intended that this moratorium shall supersede New York State law which would otherwise confer variance applications exclusively to the zoning board of appeals.

Following a written request for hardship variance relief, within sixty (60) days of receipt of such request, a noticed public hearing shall be held, at which hearing the Town Board may, but is not limited to consider:

A. The proximity of applicant's premises or the subject of applicant's request for relief to natural resources, including but not limited to prime agricultural soils, wetland areas, conservation districts and other areas of environmental concern.

B. The impact of the proposed application on the applicant's premises and upon the surrounding area.

C. Compatibility of the proposed application with the existing land use and character of the area in general proximity to the subject of the application, and its effect upon aesthetic resources of the community.

D. Compatibility of the proposed application with the recommendations of any administrative body charged with such review by the Town of Kent.

E. The written opinion of the Town of Kent Planning Board and the Town of Kent Code Enforcement Officer that such application may be jeopardized or made impractical by waiting until the moratorium is expired.

F. Evidence specifying in detail the nature and level of any alleged hardship imposed on the property owner(s) as a result of this moratorium.

G. Such other considerations and issues as may be raised by the Town Board.

In making a determination concerning a proposed exemption or grant of relief from application of the moratorium, the Town Board may obtain and consider reports and information from any source it deems to be helpful with review of said application. A grant of relief from application of the moratorium shall include a determination of unreasonable hardship upon the property owner (or if there are multiple property owners, a determination that each such owner shall suffer an unreasonable hardship) which is unique to the property owner(s), a finding that

there are sufficient existing regulations to adequately govern the application for which a hardship waiver is being requested, and a finding that the grant of an exemption will be in harmony with, and will be consistent with the existing Town of Kent Zoning Ordinance and the recommendations of the Comprehensive Plan as such may exist.

An application for relief from the prohibitions of the moratorium shall be accompanied by a fee as set forth by resolution of the Town Board, together with the applicant's written undertaking, in a form to be approved by the Attorney for the Town, to pay all of the expenses of the Town Board and any agent or consultant retained by the Town Board to evaluate and consider the merits of such application, including but not limited to any fees incurred by the Town for services provided by the Attorney for the Town.

Section 4. Penalties.

A. Failure to comply with any of the provisions of this Local Law shall be an unclassified misdemeanor as contemplated by Article 10 and Section 80.05 of the New York State Penal Law, and, upon conviction thereof, shall be punishable by a fine of not more than One Thousand Dollars (\$1,000) or imprisonment for not more than 10 days, or both for the first offense. Any subsequent offense within a three-month period shall be punishable by a fine of not more than Two Thousand Dollars (\$2,000) or imprisonment for a period of not more than 30 days, or both. For purposes of this Clause A, each day that a violation of this Local Law exists shall constitute a separate and distinct offense.

B. Compliance with this Local Law may also be compelled and violations restrained by order or by injunction of a court of competent jurisdiction, in an action brought on behalf of the Town by the Town Board.

C. In the event the Town is required to take legal action to enforce this Local Law, the violator will be responsible for any and all costs incurred by the Town relative thereto, including but not limited to attorney's fees, and such amount shall be determined and assessed by the court. If such expense is not paid in full within 30 days from the date it is determined and assessed by the Court, such expense shall be charged to the propert(ies) within the Town on which the violation occurred, by including such expense in the next annual Town tax levy against such property, and such expense shall be a lien upon such property until paid.

Section 5. Application.

The provisions of this local law shall apply to all real property within the Town of Kent, and all applications for the excavation of sand, gravel, topsoil, rock or other natural materials pursuant to Chapter 63 of the Town Code.

Section 6. Conflicts with State Statutes and Local Laws and Authority to Supersede.

To the extent that any provisions of this local law are in conflict with or are construed as inconsistent with the provisions of the New York State Town Law or any local ordinance, law, or regulation, this local law supersedes, amends, and takes precedence over the Town Law and such local ordinances, laws or regulations, pursuant to the Town's municipal home rule powers pursuant to Municipal Home Rule Law § 10 and § 22 to supersede any inconsistent authority. Pursuant to the same powers, and without limiting the generality of the foregoing, this local law supersedes the provisions contained in (a) Article 8 of the Environmental Conservation Law (known as the State Environmental Quality Review Act) and the regulations thereunder to the extent that such provisions require that an agency determine the environmental significance of an application within certain specified timeframes; and (b) Town Law § 267 and § 267-a through c, pertaining to the variance authority of the board of zoning and appeals.

Section 7. Validity and Severability.

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstance, and the Town Board of the Town of Kent hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 8. SEQRA Review.

The adoption of a moratorium constitutes a Type II action under 6 NYCRR Part 617, and therefore requires no further review under the State Environmental Quality Review Act (SEQRA).

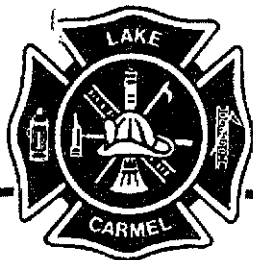
Section 8. Effective Date.

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law and shall remain in force for a consecutive period of six (6) months from its effective date, unless extended by local law adopted after public hearing upon no less than five (5) days public notice.

Dated: _____, 2019

BY THE ORDER OF THE TOWN BOARD OF

THE TOWN OF KENT



LAKE CARMEL FIRE DEPARTMENT INC.

851 ROUTE 52, CARMEL, NY 10512-9953

2

Yolanda D. Cappelli
Town of Kent
25 Sybil's Crossing
Kent Lakes NY 10512
Feb. 6th.2020


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KENT TOWN OF NY
2020 FEB - 7 AM 7:58

030
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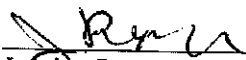
Ms Cappelli

We the undersigned certify that the enclosed list includes all members who have successfully qualified for Service Awards Program for 2019. Please have the list approved in writing by the town Supervisor and return all original documentation to the Lake Carmel Fire Department. It will then be forwarded to the plan administrators so that they can update their records.

Thank you


Ryan Benson, President, LCFD


TJ Donohue, Chief, LCFD

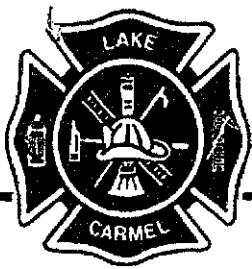

Jessica Ryan, Secretary, LCFD

As per town resolution adopted on Nov. 27th.2018, the town of Kent accepts the enclosed list for the service Awards Program for the year of 2019

I, Yolanda D Cappelli, Town Clerk of the Town of Kent, County of Putnam, State of New York, do hereby certify that this was accepted by the Town of Kent Board at their meeting of

Yolanda D Cappelli, Town Clerk

Maureen Fleming, Town Supervisor



LAKE CARMEL FIRE DEPARTMENT INC.

851 ROUTE 52, CARMEL, NY 10512-9953

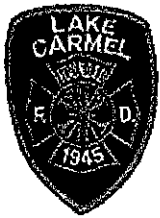
Members of the Lake Carmel Fire Department who qualified for the Service Awards Program for 2019

Year End TOTAL FIRE DEPT
SAP PTS POINTS

ADAMS, J.	79	129
BACHMANN, E.	60	76
BELLMIO, T.	107	201
BENSON, BOB	105	156
BENSON, ROBERT	96	143
BENSON, RYAN	82	135
BISHOP, M.	74	101
BOYD, D.	53	61
BRADSHAW, M.	65	83
CALKINS, R.	54	91
CHURCHILL, D.	73	95
CRANSTON, J.	61	102
DELLARIPA, C.	116	305
DONOHUE, T.J.	117	254
DZUBAK, M.	79	92
EHRET, T.	59	67
FIorentino, V.	91	305
FITZSIMMONS, M.	59	72
FORBES, W.	132	269
GAFFNEY, J.	73	150
GALLAGHER, J.	70	91
GAMACHE, L.	77	101
HALLISEY, E.	67	125
HAMMOND, D.	54	81
HILL, D.	65	110
IANNARELLI, E.	59	120
IANNARELLI, M.	71	136
KEANE, G.	50	69
KECK, E.	140	443
KEHER, J.	53	82
LAUNZINGER, K.	153	342
LEWIS, C.	119	239
LEWIS, J.	147	336
LOWNDES, D.	67	127
MADSEN, L.	77	266
MADSEN, M.	102	218
MADSEN, S.	64	114
O'ROURKE, D.	75	105

Year End TOTAL FIRE DEPT
SAP PTS POINTS

McCARTHY, F.	70	108
MENT, E.	58	74
MIALE, F.	64	80
MORIN, R.	85	148
NORCINI, J.	57	146
PERRAULT, A.	82	185
PIEKARSKI	51	97
PINTO, S.	61	74
PIXLEY, A.	66	98
RIVERA, C.	131	530
RODDA, M.	103	521
RODRIGUEZ, L.	97	189
ROSE, J.	50	193
ROSE, M.	76	233
RYAN, JESSICA.	66	90
SCHAEFFLER JR, E.	70	100
SCHAEFFLER, E.	65	108
SCHANIEL, R.	99	118
SCHLEGEL, R.	89	141
SCOTT, E.	58	67
SHANNON, C.	66	131
SHANNON, R. II.	135	241
SULLIVAN, T.	122	178
THARAS, J.	50	76
WAHLERS, N.	132	306
WALTERS, W.	177	383
WARD, A.	50	81



Lake Carmel Fire Department

851 Route 52
Carmel, NY 10512

Phone: (845) 225-3730 – Fax: (845) 225-0460



Chief

T.J. Donohue

1st Asst. Chief

Justyn Lewis

2nd Asst. Chief

Ken Launzinger

President

Ryan Benson

Vice President

Ed Schaeffler Jr.

Feb. 8, 2020

To; Town Board , Kent N.Y

The Lake Carmel Fire Department is requesting the Town Boards approval to add 3 new members to the rolls of the Lake Carmel Fire Dept. They are the following.

Jason Smail

J.

Jacob Rockower

Carl Mueller

Thank you in advance.

T.J. Donohue
Chief

2020 FEB 10 AM 8:25

RECEIVED
KENT TOWN CLERK

Resolution #1

Year 2020

Date: February 10, 2020
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att Paul Denbaum
Bill Huestis, Deputy Supervisor Jaimie McGlasson
Chris Ruthven
CC: W. Walters, Building Inspector - w/Att T. Harrison – w/Att.
L. Cappelli, Town Clerk – w/Att Finance Department – w/Att.
Re: **Accept Erosion Control, Wetland Mitigation & Landscaping and Stormwater Facilities Surety Bonds
Putnam Nursing & Rehabilitation Center Addition
404 Ludingtonville Road
Kent, NY 10512
TM: 12.-3-40 & 41**

Resolved: On December 12, 2019 Kent Planning Board reviewed material pertaining to the recommendation noted above and agreed that it was appropriate to forward it to the Town Board for their action.

Mr. Tolmach asked for a motion to forward this recommendation to the Kent Town Board to accept surety bonds for the following bonds:

Erosion Control Bond - \$15,000
Wetland Mitigation & Landscaping Bond - \$40,000
Stormwater Facilities Bond - \$70,000

The Kent Planning Board Consultants worked with Jeff Battistoni of Van DeWater & Van DeWater and the attorney for the property owner and the attached agreement is the result of their discussions.

Mr. Tolmach asked for a motion to accept the Erosion Control Bond in the amount of \$15,000.00. The motion was made by Mr. Carey and seconded by Mr. Wilhelm. The roll call votes were as follows:

Phillip Tolmach, Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Absent</u>
Dennis Lowes	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

Town of Kent Planning Board
25 Sybil's Crossing
Kent, NY 10512

email: planningkent@townofkentny.gov

Tel: 845-225-7802 (O)

Fax: 845-306-5283

Mr. Tolmach asked for a motion to accept the Stormwater Facilities Bond in the amount of \$70,000.00. The motion was made by Mr. Carey and seconded by Mr. Sisto. The roll call votes were as follows:

Phillip Tolmach, Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Absent</u>
Dennis Lowes	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

Mr. Tolmach asked for a motion to accept the Wetland Mitigation & Landscaping Bond in the amount of \$40,000.00. The motion was made by Mr. Carey and seconded by Mr. Wilhelm. The roll call votes were as follows:

Phillip Tolmach, Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Absent</u>
Dennis Lowes	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they approve this recommendation.

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, 2019.

Dated: December 12, 2019



Vera Patterson
Planning Board Secretary

TOWN OF KENT

SOCIAL MEDIA/NETWORKING POLICY

I. Purpose and Policy:

The Town of Kent Social Media/Networking Policy describes the Town's rules and guidelines respecting the personal conduct by Town employees while engaging in social networking and utilizing social media and to eliminate any confusion concerning the use of social media. This Policy applies to all Town employees and its purpose is to:

1. Encourage the Town to permit the responsible use of social media by its employees; and
2. Establish minimum requirements for the use of social media in Town government.

II. Definition of Social Media/Social Networking:

This policy refers to the use of Internet forums and sites, including, without limitation, *Facebook*, *Twitter*, *YouTube*, *LinkedIn*, and photo-sharing sites and blogging sites. Because new social media/networking sites are created regularly, this Policy is not limited to the sites named herein.

III. Use of Social Media/Networking:

To utilize social media for official Town purposes and during Town business hours, employees must receive the authorization of the Department Head. If authorization is obtained, the employee utilizing social media is required to be respectful to the Town, to other employees, community partners, elected and appointed officials and government agencies. All other use of social media/networking by Town employees during Town business hours is prohibited.

Outside the workplace, an employee's right to privacy and free speech protect online activity conducted on an employee's social networks with personal e-mail addresses. However, what an employee publishes on such personal online sites should never be attributed to the Town and should not appear to be endorsed by or originated from the Town.

IV. Identifying oneself as an employee of the Town:

Because most social networking sites have fields in the "user Profile" for work experience, job title, etc. Although the Town does not want to discourage this association, if an employee participates in social media/networking, the Town expects the following:

1. That each employee will exercise good judgment in social media postings and photos;

2. As a Policy, employees are not permitted to identify themselves as representatives of the Town;

Please remember that an employee's online presence, actions, captured images, posts or comments reflect upon the Town. Each employee is personally responsible for any of his/her online activity conducted with a Town e-mail address or which can be traced back to the Town's domain or which uses Town assets.

Confidential Information:

Town employees must protect Town information that is considered to be non-public in nature, in accordance with Town policies pertaining to confidential information and disclosure.

V. Complying with Terms of Service for Social Networking Sites:

Most social networking sites require that users, when they sign up, agree to abide by a Terms of Service Agreement. In particular for certain employees who may have been assigned a job related duty to use a social network, the employee is responsible for reading, knowing and complying with the Terms of Service Agreement of the sites used.

VI. Copyright and Other Legal Issues:

The Town requires employees to comply with copyright laws. Plagiarism (the posting of someone else's work) without permission/citation is also not allowed. Other relevant laws include those related to libel, slander and defamation of character and can result in litigation against the author/speaker of the statement. If this involved a Town employee, at the very least it could bring bad publicity to the Town.

VII. Consequences to Employee for Policy Violations:

Violations of this Policy may result in disciplinary action, including termination. Where no policy or guidelines exist, employees should use their professional judgment and take the most prudent action possible. Consult with your Department Head if you are uncertain or need clarification about this Policy.

TOWN OF KENT

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Outside the workplace, an employee's right to privacy and free speech protect online activity conducted on an employee's social networks with personal e-mail addresses. However, what an employee publishes on such personal online sites should never be attributed to the Town and should not appear to be endorsed by or originated from the Town. ~~If an employee chooses to list his/her work affiliation on a social network, then the employee should regard all communication on that network as he/she would in a professional network.~~

IV. Identifying oneself as an employee of the Town:

Because most social networking sites have fields in the "user Profile" for work experience, job title, etc., ~~by identifying oneself as an employee of the Town, a social networker becomes, to some extent, associated with the Town, and everything he/she posts has the potential to reflect on the Town and its image.~~ Although the Town does not want to discourage this association, if an employee participates in social media/networking, the Town expects the following:

1. That each employee will exercise good judgment ~~and proper taste~~ in social media postings and photos;

2. As a Policy, employees are not permitted to identify themselves as representatives of the Town;
3. ~~The Town prohibits employees from listing a job title or using the Town's logo without written consent from the Town Board; and~~
4. ~~If a social network user identifies him/herself as an employee of the Town, then any personal blogs and other personal posts must contain disclaimers that make it clear that the opinions expressed are solely those of the author and do not represent the views of the Town. (An example for a blogger, "the posts on this site, including but not limited to images, links, and comments left by readers, are the author's own and do not represent the position or opinion of the author's employer.")~~

Please remember that an employee's online presence, actions, captured images, posts or comments reflect upon the Town. Each employee is personally responsible for any of his/her online activity conducted with a Town e-mail address or which can be traced back to the Town's domain or which uses Town assets. Utilizing a Town employment title or e-mail address implies that an employee is acting on the Town's behalf.

~~V. Making Recommendations for Others for Jobs and Other Roles:~~

~~Some social media sites provide for members to write recommendations or referrals for friends or associates. If a Town employee does this as a representative of the Town, it may give the appearance that the Town endorses the individual being recommended, which may create a liability issue for the Town. It is for this reason that the Town prohibits employees (those who identify themselves on social media/networking sites as an employee of the Town) from making such recommendations or referrals.~~

~~VI. Referring to Others:~~

~~The Town's relationship with citizens, community groups and organizations and with other government agencies can be damaged through a thoughtless comment. Even a positive reference could be utilized in a negative manner and can damage these relationships. As such, this Policy restricts publishing photographs, videos or quotes of others without first obtaining their permission.~~

VII. Confidential Information:

Town employees must protect Town information that is considered to be non-public in nature, in accordance with Town policies pertaining to confidential information and disclosure.

VIII. Complying with Terms of Service for Social Networking Sites:

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X. Consequences to Employee for Policy Violations:

Violations of this Policy may result in disciplinary action, including termination. Where no policy or guidelines exist, employees should use their professional judgment and take the most prudent action possible. Consult with your Department Head if you are uncertain or need clarification about this Policy.

TOWN OF KENT
AMENDMENT TO
CHAPTER 32
OF THE KENT TOWN CODE

BE IT ENACTED by the Town Board of the Town of Kent, Putnam County, New York, as follows:

Section 1. Chapter 32, entitled “Dogs and Other Animals” shall be amended to include

Article II to read as follows:

ARTICLE II. Chickens

§ 32-16: Legislative Purpose.

Keeping chickens can play a role in ensuring a source of local food and a sustainable environment, but improper maintenance of chickens in residential neighborhoods can cause nuisances to nearby residential properties and create conditions which are unsanitary and unsafe. It is the intent to permit and regulate the keeping of chickens for the health, safety and welfare of the Town of Kent. This provision shall not apply to properties located within a New York State Certified Agricultural District.

§32-17 Definitions.

CHICKEN

Domestic hens, including guinea fowl, kept for its eggs.

COOP

A structure that is designed to house hens, which is enclosed on all sides by a roof, doors, and walls with or without windows. A mobile or portable structure that meets this definition shall be considered a coop.

HEN

A female chicken.

RUN

An outdoor area that is enclosed on all sides, including the top, by fencing that is attached to or surrounding a coop. A run shall have a doorway or hatch that allows hens to access the space.

§32-18 Permit Required.

- A. No person may breed, raise, harbor, or maintain hens in the Town without a permit issued by the Code Enforcement Office.
- B. The Code Enforcement Office may deny a permit to an applicant that cannot meet the requirements of this Chapter. The Code Enforcement Office may also deny a permit to anyone who has been convicted of animal cruelty violations or is delinquent in the payment of any outstanding taxes or fees.
- C. A permit shall be renewed every three (3) years.
- D. The fee for the permit shall be set by resolution of Town Board.

§32-19 Regulations for the Keeping of Chickens.

- A. Roosters are prohibited within the Town.

B. Limitations

- a. There shall be no more than one coop and run on a parcel.
- b. The maximum number of hens shall be six (6) hens per half acre of property, with a maximum of 24 hens per property.
- c. No hens may be kept on a property of less than one-half acre.

C. Minimum Standards for Enclosures

- a. Hens shall be contained or kept in a fully enclosed coop and run. Hens may be permitted to exercise in a rear, fenced in yard with supervision provided the fence is a minimum of five (5) feet high. Hens must be kept in the coop and run at all times if the coop and run are not located in a fenced yard. No hen shall be permitted to run at large.
- b. A coop shall provide a minimum of two (2) square feet per hen.
- c. The coop and run shall be located in the rear of the residential structure. A coop and run shall not be permitted in a side or front yard.
- d. A coop shall be designed and built so that it provides ventilation and shade for hens and protection from precipitation, cold weather, predators, wild birds and rodents.
- e. Openings in windows and doors are to be covered/secured with wire mesh or screens to deter predators.
- f. Access doors are required and are to be placed to provide for ease of cleaning.
- g. A run must be attached to, or surround, the coop. A run shall have a minimum of eight (8) square feet per hen.
- i. The run must be enclosed on all sides including the top or roof plane. The sides of the run must be made of wire mesh or screening to discourage predators.
- j. A coop and run shall be at least twenty-five (25) feet from the property line.

D. Sanitation and Nuisance Prevention

- a. The coop and run shall be kept clean, dry and in sanitary condition at all times. Animal waste, uneaten or discarded food and feathers are to be removed regularly with a minimum frequency of once per week.
- b. All feed shall be kept in rodent proof containers.
- c. Animal waste must be collected and disposed of regularly with a minimum frequency of once per week. Notwithstanding the foregoing, animal waste may be composted.

§32-20 Grandfathering

Any coop and/or run existing prior to the effective date of this Chapter that does not comply with §32-19C shall be provided one (1) year to comply with the rules and regulations set forth in this Chapter. All other requirements of this Chapter shall be met within sixty (60) days of the effective date of this Chapter.

§32-21 Penalties for Offenses

- A. Any person who shall violate any of the provision of this article shall, upon conviction thereof, be punishable by a fine not exceeding \$250 or imprisonment not exceeding 15 days or by both such fine and imprisonment. Each continued day of violation shall be considered an additional offense.
- B. The Code Enforcement Office shall have the discretion to immediately and permanently revoke a permit if any person is found guilty of violating this Chapter.
- C. Revocation of a permit shall signify the coop as a public nuisance and the coop shall be removed from the property at the owner's expense.

Section 2. Severability.

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstance, and the Town Board of the Town of Pawling hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3: Effective Date.

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Dated: _____, 2020

BY THE ORDER OF THE TOWN BOARD
TOWN OF KENT

original

TOWN OF KENT
AMENDMENT TO
CHAPTER 32
OF THE KENT TOWN CODE

BE IT ENACTED by the Town Board of the Town of Kent, Putnam County, New York, as follows:

Section 1. Chapter 32, entitled "Dogs and Other Animals" shall be amended to include

Article II to read as follows:

ARTICLE II. Chickens

§ 32-16: Legislative Purpose.

Keeping chickens can play a role in ensuring a source of local food and a sustainable environment, but improper maintenance of chickens in residential neighborhoods can cause nuisances to nearby residential properties and create conditions which are unsanitary and unsafe. It is the intent to permit and regulate the keeping of chickens for the health, safety and welfare of the Town of Kent. This provision shall not apply to properties located within a New York State Certified Agricultural District.

§32-17 Definitions.

CHICKEN

Domestic hens kept for its eggs.

COOP

A structure that is designed to house hens, which is enclosed on all sides by a roof, doors, and walls with or without windows. A mobile or portable structure that meets this definition shall be considered a coop.

HEN

A female chicken.

RUN

An outdoor area that is enclosed on all sides, including the top, by fencing that is attached to or surrounding a coop. A run shall have a doorway or hatch that allows hens to access the space.

§32-18 Permit Required.

- A. No person may breed, raise, harbor, or maintain hens in the Town without a permit issued by the Code Enforcement Office.
- B. The Code Enforcement Office may deny a permit to an applicant that cannot meet the requirements of this Chapter. The Code Enforcement Office may also deny a permit to anyone who has been convicted of animal cruelty violations or is delinquent in the payment of any outstanding taxes or fees.
- C. A permit shall be renewed every three (3) years.
- D. The fee for the permit shall be set by resolution of Town Board.

§32-19 Regulations for the Keeping of Chickens.

- A. Roosters are prohibited within the Town.
- B. Limitations
 - a. There shall be no more than one coop and run on a parcel.
 - b. The maximum number of hens shall be fifteen (15) per property.
- C. Minimum Standards for Enclosures
 - a. Hens shall be contained or kept in a fully enclosed coop and run. Hens may be permitted to exercise in a rear, fenced in yard with supervision provided the fence is a minimum of five (5) feet high. Hens must be kept in the coop and run at all times if the coop and run are not located in a fenced yard. No hen shall be permitted to run at large.
 - b. A coop shall provide a minimum of two (2) square feet per hen.
 - c. Feed must be stored in an enclosed, rodent proof container at all times.
 - d. The coop and run shall be located in the rear of the residential structure. A coop and run shall not be permitted in a side or front yard.
 - e. A coop shall be designed and built so that it provides ventilation and shade for hens and protection from precipitation, cold weather, predators, wild birds and rodents.
 - f. Openings in windows and doors are to be covered/secured with wire mesh or screens to deter predators.
 - g. Access doors are required and are to be placed to provide for ease of cleaning.
 - h. A run must be attached to, or surround, the coop. A run shall have a minimum of eight (8) square feet per hen.
 - i. The run must be enclosed on all sides including the top or roof plane. The sides of the run must be made of wire mesh or screening to discourage predators.
 - j. A coop and run shall be at least five (5) feet from the property line and at least twenty (20) feet from a neighboring dwelling. This setback can be waived upon submission of written permission from the owner of the neighboring dwelling.

Commented [J1]: Are these distances sufficient? I would consider expanding further

D. Sanitation and Nuisance Prevention

a. The coop and run shall be kept clean, dry and in sanitary condition at all times. Animal waste, uneaten or discarded food and feathers are to be removed regularly with a minimum frequency of once per week.

a.b. All feed shall be kept in rodent proof containers.

b.c. Animal waste must be collected and disposed of regularly with a minimum frequency of once per week. Notwithstanding the foregoing, animal waste may be composted.

§32-20 Grandfathering

Any coop and/or run existing prior to the effective date of this Chapter that does not comply with §32-19C shall be provided one (1) year to comply with the rules and regulations set forth in this Chapter. All other requirements of this Chapter shall be met within sixty (60) days of the effective date of this Chapter.

§32-21 Penalties for Offenses

- A. Any person who shall violate any of the provision of this article shall, upon conviction thereof, be punishable by a fine not exceeding \$250 or imprisonment not exceeding 15 days or by both such fine and imprisonment. Each continued day of violation shall be considered an additional offense.
- B. The Code Enforcement Office shall have the discretion to immediately and permanently revoke a permit if any person is found guilty of violating this Chapter.
- C. Revocation of a permit shall signify the coop as a public nuisance and the coop shall be removed from the property at the owner's expense.

Commented [J2]: Consider a larger penalty?

Section 2. Severability.

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstance, and the Town Board of the Town of Pawling hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 3: Effective Date.

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Dated: _____, 2020

BY THE ORDER OF THE TOWN BOARD
TOWN OF KENT

Tamara Harrison

From: Tamara Harrison
Sent: Friday, February 14, 2020 11:03 AM
To: Maureen Fleming; William Huestis; Paul Denbaum; Christopher Ruthven; Jamie McGlasson
Cc: ntag@hoganandrossi.com
Subject: Annual Fire Extinguisher Inspections
Attachments: DOC021420.pdf

Good morning,

The following three companies provided quotes on annual fire extinguisher inspections and maintenance:

Fire Control Service Co.: Currently servicing the LCFD. Will charge \$5.00 per tank tested with a minimum service charge of \$70. Set price per tank for maintenance. Labor rate only applies if they are asked to remove and relocate extinguishers or need to service a fire suppressant system (which does not apply to our town)

Gordon Fire Equipment: \$45 service call to site and then an additional \$5.75 per tank tested. Set price per tank for maintenance

CYA Fire, Inc.: \$65 service call to site and then an additional \$5.00 per tank tested.

Full price lists for each have been attached. The majority of extinguishers in the town are past due on inspections. I recommend that the Board use Fire Control Service Co. as they already have an established relationship with the Town and came in at the lowest price.

Best regards,

Tamara Harrison
 Confidential Secretary to Town Supervisor

TOWN OF KENT

25 Sybil's Crossing
 Kent Lakes, NY 10512
 ph: 845.225.3943
 fax: 845.306.5621

tharrison@townofkentny.gov

www.townofkentny.gov



Fire Control Service Co.
221 Danbury Rd.
New Milford, CT. 06776

Phone: 860-354-6334
 FAX: 860-350-2817

CT. License F3-40088

In Norwich
 860-887-8338
In New York
 914- 683-9336

Portable Fire Extinguisher Recharging :

<u>Size</u>	<u>Type:</u>	<u>CO-2</u>	<u>ABC/BC</u>	<u>PK</u>	<u>Met-L-X</u>	<u>Lith-X</u>
2.5 lb.		\$ 17.00	22.50	22.00	X	X
5 lb.		19.00	29.50	28.00	X	X
10 lb.		21.00	38.00	35.00	X	X
15 lb.		26.00	X	X	X	X
20 lb.		31.00	60.50	57.00	X	X
30 lb.		X	85.00	81.00	113.00	129.00

* For cartridge operated extinguishers, add for cartridge: 5 lb. - \$ 31.60 20 lb. - \$ 39.42
 10 lb. - \$ 33.12 30 lb. - \$ 42.84

Pressurized water, 2.5 gal. - \$ 16.50
 Water mist - \$ 49.50
 Loaded Stream (antifreeze), 2.5 gal. \$ 89.00
 AFFF - \$ 71.00
 "K" Class Wet Chemical , 6 liter \$ 78.00
 2.5 gal. \$ 89.00

Halon 1211 - \$ 23.05 /lb.
 Halotron - \$ 20.50 /lb.
 CleanGuard - \$ 38.95 /lb.
 (Clean agent prices subject to change,
 call for current pricing.)

Hydrostatic Testing:

Wet/dry chemical, pressurized water.....\$ 28.50
 CO2 (2.5-20 lb.) 35.00
 Cartridge operated extinguishers (to 30 lb.) 40.00
 Rack & Reel fire hose45/ft.

Inspections:

Portable extinguishers (2.5 - 30 lb.)\$ 5.00/ext.
 Cartridge operated extinguishers 9.50/ext.
 Wheeled units 45.00/unit
 Rack and reel fire hose 12.50/hose
 Exit/emergency lights 8.50 ea.
 Kitchen Hood Fire Suppression Systems .. \$ 142.50 ea. single tank system, + \$ 9.50 ea. fusible
 link heat detector; 2nd system, + \$125.00 ea.
 Excludes any additional parts (ie. nozzle caps) or labor.

Minimum service charge: \$ 70.00

Labor rate: \$ 115.00 / hr. reg. time

* For pricing on clean agents, special agents, wheeled units and systems please call 860-354-6334.
 1-5-20



Gordon Fire Equipment, LLC.

3199 Route 9W
Highland, NY 12528

Phone: (845)691-5700
Fax: (845)691-8700
info@gordonfire.com

Family Owned since 1956

Thank you for the opportunity to provide you with a quotation. Below is pricing for fire extinguisher service, maintenance and replacement, as well as descriptions of what is included in those prices. All services are performed meet the applicable standards of the New York State Fire Code, NFPA 10, and all manufacturer's recommendations. All of our staff are certified to perform the work they do.

Fire Extinguishers:

Annual Fire Extinguisher Inspection: \$5.75 per unit.

This service is performed as outlined in NFPA 10 and includes inspection tag and tamper seal.

Periodic Maintenance:

All work is performed in our shop. Average turn-around time for shop work is two-three days. All low and high pressure hydrostatic testing is performed to DOT standards.

Dry chemical fire extinguishers require a six year maintenance in which the extinguisher is discharged, the interior of the shell is inspected, the valve stem and o-ring are replaced and the extinguisher is recharged. At 12 years of age, the dry chemical extinguishers undergo the same process plus a hydrostatic retest.

	Recharge Only	Six Year Maintenance and Recharge	Hydrostatic Retest and Recharge	New
5lb	15.00	17.00	31.00	71.20
10lb	19.00	21.00	35.00	102.50
20lb	29.00	31.00	45.00	185.00

Valve Stem and O-Ring: \$10.00

High Visibility Signs, installed: \$16.00

Vinyl Cover, 5-10lb: \$22.50

Vinyl Cover, 20lb: \$25.00

Heavy Duty Plastic Service Tag (good for vehicles): add \$5.00

Service Call to Site: \$45.00

References, certifications, and proof of insurance are available upon request. Please call if you would like any further information. We look forward to working with you.

2/12/2020



CYA Fire, Inc.
167 Browns Rd.
Walden, NY 12586
TELEPHONE: (845) 704-1411
E-MAIL: info@cyafire.com
WEB: www.cyafire.com
Facebook: www.facebook.com/cyafire

Hello!

I would like to introduce myself and provide information to you about CYA Fire, Inc.

CYA is an industry leader providing the highest quality service and expertise in fire protection, first aid, eyewash, safety and services management to the commercial sectors. Whether the requirements are for special projects, a longer-term contract or consulting – CYA is the company for you!

For 10 years, CYA has provided expertise to safety directors, facility managers and building owners, helping them manage their facilities from top to bottom. We are proud that our professional expertise, commitment to customer service and well-trained team members have served to differentiate our organization in the fire and safety arena. We currently serve customers in Orange County, Ulster County, Dutchess County, Rockland County, Sullivan County, Westchester County, Putnam County, as well as Western PA and Northern New Jersey. Some of our first aid customers reach as far as Texas. CYA Fire, Inc. looks forward to serving your needs.

Our efforts have us proudly serving clients within a host of industries such as Banking, Sports Arenas, Mom and Pop shops, Automotive, Education, Hospitality, Manufacturing, High-Tech, Commercial/Office and Construction Support.

It is my role at CYA to cultivate and build our brand of services and to ensure our clients have the best possible service available. I hope that we can meet and get to know each other's line of business and talk more about your fire protection, first aid, eyewash and safety needs.

Thank you so much for your time. I look forward to connecting!

Warm regards,

Peter M. Wolven Jr.

Peter M. Wolven Jr.
President, CYA Fire, Inc.



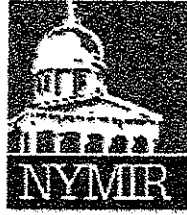
CYA Fire, Inc.
167 Browns Rd.
Walden, NY 12586
TELEPHONE: (845) 704-1411
E-MAIL: info@cyafire.com
WEB: www.cyafire.com
Facebook: www.facebook.com/cyafire

Fire Extinguisher Service (NFPA 10)



Minimum Service Charge	\$65.00
Annual inspection of each extinguisher	\$5.00 per bottle
Installation per bottle if needed	\$14.50
Proper Mounting Bracket	\$3.50
Recharge of 5lb ABC (inspection & tag included)	\$23.00
Recharge of 10lb ABC (inspection & tag included)	\$30.00
Recharge of 20lb ABC (inspection & tag included)	\$54.00
Recharge of 5lb CO2 (inspection & tag included)	\$35.00
Recharge of 10lb CO2 (inspection & tag included)	\$47.00
New Dry Chemical 2.5lb ABC	\$42.50
New Dry Chemical 5lb ABC	\$69.00
New Dry Chemical 10lb ABC	\$85.00
Fire Extinguisher Arrow sign	\$3.50

900 Stewart Avenue, Suite 600
Garden City, NY 11530
(516) 227 2300
Fax: (516) 227 2352



12 Metro Park Road, Suite 104
Colonie, NY 12205
(518) 437 1171
Fax: (518) 437 1182

The New York Municipal Insurance Reciprocal ANNUAL RENEWAL APPLICATION

Municipality Name: _____

The annual renewal process has been revised to minimize your effort in returning necessary information to NYMIR. This year's renewal process consists of a brief application along with the request to attach a series of schedules detailing the current scope of your insurance portfolio.

Please complete the renewal application in its entirety and sign/date the bottom of this form. Please note that the completed renewal application should be sent in *at least 30 days prior to the renewal date*. Underwriting requires this time to process, assess, and provide a renewal quote for the current term.

Please utilize the NYMIR online portal to access and print off your current schedules. If you are having trouble accessing the online portal, please contact NYMIR's marketing department. In the case that you are unable to gain access, your NYMIR Customer Service Representative(CSR) will provide you with the appropriate schedules. Please attach schedules noting any added and/or removed coverage in your current portfolio. If you wish, you may attach separate pages to update items. The following schedules are required:

Statement of Values* (Property)

Schedule of Vehicles* (Auto)

Schedule of Inland Marine* (Please include an *updated itemized schedule for all inland marine categories* with appropriate insurable limits/values)

Schedule of Subscriber Contacts* (see page 2)

*Upon review, please *sign and date* the first page of each schedule.

For any of the previous *6 years* you were not a NYMIR subscriber, please provide *currently valued loss runs* from your previous carrier.

If you require assistance in completing your renewal application or if you have any questions, please contact your NYMIR CSR. Thank you for your consideration and cooperation in returning the application on a timely basis. We look forward to delivering your NYMIR renewal quotation.

Authorized Signature: _____ Date: _____

Title of Signatory: _____ Telephone: _____

TOWN OF KENT

RESSIQUE ROAD LANDFILL SITE MANAGEMENT POLICY

I. Purpose and Policy:

The purpose of this policy is to establish site management guidance specific to the Ressique Road Landfill (the "Landfill"). This policy is necessary to create a uniform standard for the site maintenance since the closing and capping of the Landfill in 1986. This policy is in order to protect water quality and the integrity of the encapsulating cover of soil and vegetation at the Landfill, and to limit fire hazards caused by improperly stored wood chips and fallen tree debris.

II. Site Management Requirements:

1. The Landfill cap shall remain free and clear of the placement or storage of any and all materials at all times.
2. The Town shall brush hog the vegetation and any grass atop the Landfill cap a minimum of two (2) times per year in order to permit New York State Department of Environmental Conservation ("DEC") personnel to monitor and inspect the wells, cap integrity and any possible leaching of buried materials. The DEC is permitted to enter the Landfill for this purpose.
3. There shall be no burying of woodchips on the lower Landfill site. Woodchips shall be maintained in "windrows" consistent with the DEC guidance material attached hereto and incorporated hereby as Appendix "A".
4. Fallen and construction tree debris shall be stored at the entrance of the Landfill where it can be visually monitored. The Town will grind the tree debris into woodchips a minimum of one (1) time per year consistent with the guidance attached hereto as Appendix "A". Woodchips from such tree debris shall be placed into the "windrows" on site, or, if the site is filled to capacity, trucked off site.
5. Any and all yard waste composting shall be done consistent with the guidance attached hereto as Appendix "A".
5. The Town Highway Department maintains an "Organic Material Separation Facility" on a separate piece of land adjoining the Landfill. Materials in different stages of processing are consistently trucked in and out of the separate facility. Materials at the separate facility shall be stored in concrete block bins in order to prevent any migration onto the adjacent Landfill cap.

III. Consequences for Policy Violations:

Failure to strictly adhere to this policy can result in fines, Departmental discipline or criminal prosecution to be determined by the NYS DEC, the Highway Superintendent and the Town Board.

IV. Amendments to Policy:

Any variation from this policy must be approved by the NYS DEC.

TOWN OF KENT

RESSIQUE ROAD LANDFILL SITE MANAGEMENT POLICY

Dated:

As Approved by:

Maureen Fleming, Town Supervisor

William Huestis, Councilman

Paul Denbaum, Councilman

Jaime McGlasson, Councilwoman

Christopher Ruthven, Councilman

Richard T. Othmer, Highway Superintendent

Notice to Bidders

Town of Kent is accepting bids for used "Jet Stream" High Pressure Culvert cleaning apparatus.

Truck must be the equivalent of the Class 5 through Class 8 GVWR of the Freightliner M2, Ford F750, International Durastar or Stirling L750 Series. Jet unit to be or equal to High Pressure "Vactor Model 2115" unit with approximate 500 gallon holding capacity. The pump "Pony" engine to be a John Deere 6.8 Litre or equivalent.

Bids will be accepted & opened on.....