

**TOWN OF KENT  
TOWN BOARD MEETING  
Tuesday, September 4, 2018**

**Executive Session** – 6:00 p.m.

Discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation and proposed, pending or current litigation

**Workshop** – 7:00 p.m.

1. Pledge of Allegiance
2. Amend resolution of Clancy Memorandum of Understanding and Access Easement and Maintenance Agreement subject to permissive referendum and proposed site improvements
3. Lake Carmel Park District – Accept gift for tree planting initiative, new members for Lake Carmel Community Center Board
4. Highway Department – New equipment, bids for work in 301 garage, Scrapping and/or selling of four trucks
5. New Building Department Vehicle
6. Code Enforcer – Correct violations at TM# 33.65-1-9 and TM# 44.7-1-16
7. Zoning Board of Appeals – New member
8. Planning Board – Accept bonds for TM2.-1-47.1
9. Hiring of new Recreation Assistant
10. Hiring of new Records Clerk
11. Bids for well testing at landfill
12. Revise code to allow for food trucks and no peddling
13. Announcements
14. Public Comment

**Meeting**

1. Roll Call
2. Vote on the following:
  - a) Amend resolution of Clancy Memorandum of Understanding and Access Easement and Maintenance Agreement subject to permissive referendum
  - b) Accept gift for Tree Planting Initiative
  - c) Approve three new members to the Lake Carmel Community Center Board
  - d) Approve Highway equipment request; tire changer and wheel balancer
  - e) Authorize Town Clerk to advertise for bids on generator and gas tank work to be done at 301 garage
  - f) Authorize the scrapping of 2 highway vehicles and selling of 2 highway vehicles
  - g) Approve replacement of Building Department Vehicle
  - h) Contract to correct violations at TM# 33.65-1-9 and TM# 44.7-1-16
  - i) Appoint new ZBA member
  - j) Accept Erosion Control, Stormwater management, and inspection bonds for TM2.-1-47.1
  - k) Hire new Recreation Assistant
  - l) Hire new Records Clerk
  - m) Authorize Town Clerk to advertise for water testing bids in landfill
3. Vouchers and claims
4. Public comment

## Tamara Harrison

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**From:** Jeff Contelmo <JContelmo@insite-eng.com>  
**Sent:** Thursday, August 30, 2018 10:59 AM  
**To:** Maureen Fleming; Tamara Harrison  
**Cc:** John Clancy; Rick O'Rourke (ro'rourke@kblaw.com)  
**Subject:** Clancy and Kent Recycling  
**Attachments:** LLA-2.pdf

Maureen,

Attached is a sketch of envisioned improvements to the recycling facility based on our meeting earlier this week. I assume you can forward it to Sue and Howard for their review. The sketch depicts the following improvements that would be undertaken by Clancy:

1. Addition of a right turn stacking lane entering the recycling facility.
2. Relocation of the facility gate.
3. Addition of evergreen screening to further buffer the front of the facility.
4. Addition of a second access drive to the east to permit more flexible and efficient internal vehicle circulation.

Let us know your thoughts.

Regards,  
Jeff

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**Jeffrey J. Contelmo, PE**  
 Senior Principal Engineer

**INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.**

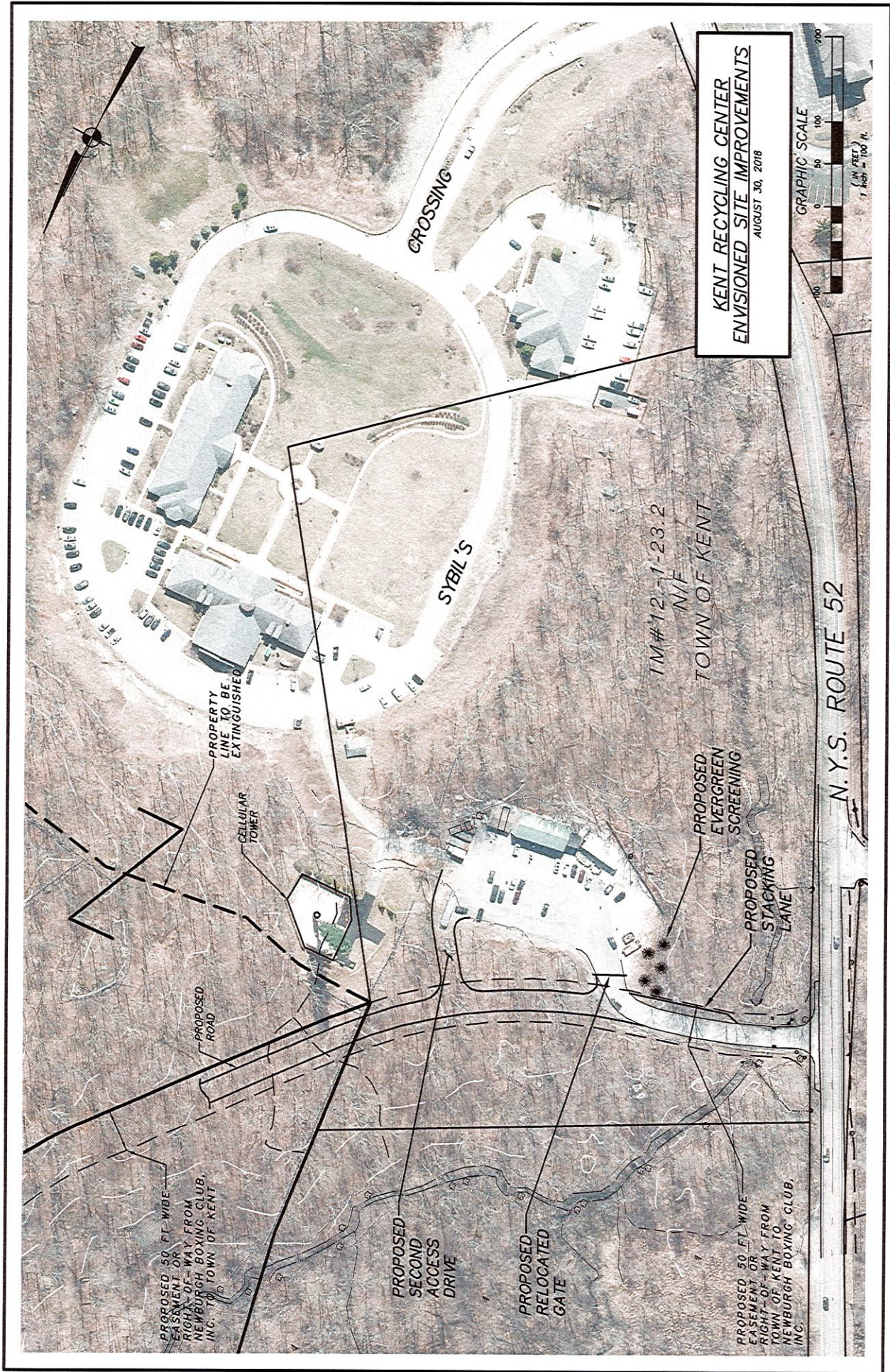
3 Garrett Place  
 Carmel, New York 10512  
 (845) 225-9690 x114  
 (845) 225-9717 Fax  
[www.insite-eng.com](http://www.insite-eng.com)




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HOGAN & ROSSI

16410

Kent Lakes Tree Reforestation Initiative

8/1/2018

In Memory of Jessie Huestis

100.00

O/A-Mah # 9798

In Memory of Jessie Huestis

100.00

## Tamara Harrison

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**From:** Lcpd Clerk  
**Sent:** Wednesday, August 15, 2018 12:24 PM  
**To:** Maureen Fleming  
**Cc:** Tamara Harrison  
**Subject:** Lake Carmel Community Center Committee

On June 5, 2018 (Resolution #206) the Town Board authorized the Town Clerk to Advertise for Members to the Lake Carmel Community Center Board. I would like to submit the following three names, for consideration at the next town board meeting, to fill three empty volunteer seats on the committee.

Lake Carmel Residents:

Eve Hillyer  
Janice Capra  
Andrea Townsend

Thank you for your consideration in this matter.

Regards,  
Heidi



**Heidi Link**

**Town of Kent, NY**

Lake Carmel Park District Clerk

25 Sybil's Crossing

Kent Lakes, NY 10512

Telephone: (845) 306-5602

Fax: (845) 225-5130

[lcpdclerk@townofkentny.gov](mailto:lcpdclerk@townofkentny.gov)

[www.townofkentny.gov/lcpd\\_home.htm](http://www.townofkentny.gov/lcpd_home.htm)



**TOWN OF KENT MUNICIPAL REPAIRS**

62 Ludington Court  
Kent Lakes, New York 10512  
(845) 225-6612

Fax (845) 225-9464

E-mail: [municipalrepairs@townofkentny.gov](mailto:municipalrepairs@townofkentny.gov)

Nicholas Mancuso, Service Manager

August 16, 2018

Richard Othmer, Kent Highway Superintendent  
62 Ludington Ct.  
Kent Lakes, NY 10512

Subject: Tire Changer and Wheel Balancer

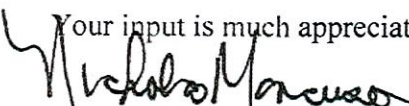
Dear Richard,

It has been brought to my attention that we are in need of a new tire changer and wheel balancer. Due to the influx of new equipment such as trucks and cars etc. our current changer and wheel balancer, which is over 30 years old, can no longer handle the work load. The Town's Sanitation, Parks & Recreation and Highway Department fleets have grown substantially.

After thorough investigation I was able to find credible machines from Snap-on. I was able to piggy back off the Nassau County contract. The equipment combined total would be \$17,731.72. I worked out a 5 year lease which would come out to \$362.76/month or \$4,000/year with a \$1 buy out at the end of the 5<sup>th</sup> year.

In order to help fund the purchase of this new equipment I would like to sell the current tire changer and wheel balancer on Auctions International. Which has proven to bring a substantial return in the past.

Your input is much appreciated.

  
Sincerely Nicholas Mancuso,

Municipal Repairs Service Manager



**Town of Kent Highway Department**  
*Richard T. Othmer, Jr., Highway Superintendent*  
62 Ludington Court  
Kent Lakes, New York 10512  
(845) 225-7172 Fax (845) 225-9464  
E-mail: [rothmer@townofkentny.gov](mailto:rothmer@townofkentny.gov)

## MEMORANDUM

**Date:** August 28, 2018

**To:** Maureen Fleming, Town Supervisor  
Town Board

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

**Subject:** New Tire Changer & Wheel Balancer

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Honorable Supervisor Fleming & Members of the Board;

I write this memo in support of Municipal Repairs Manager Nick Mancuso's request for a new tire changer/balancer.

The existing machine as stated by my General Foreman has been here longer than his 36 years. Presently the old machine is not sufficient to fit the tires of our new truck fleet and we have to pay an outside contractor to have them changed and balanced. During a storm or other emergency when a truck incurs a flat we can have the ability to fix and or replace tires ourselves in house right away.

The new machine will additionally service the whole the fleet and do a better, faster job. With the sale of our old balancer and with the savings of hiring an outside contractor this investment will pay for itself in a short time.

Thank you.

Respectfully;

Richard T. Othmer Jr.



**Town of Kent Highway Department**  
*Richard T. Othmer, Jr., Highway Superintendent*  
62 Ludington Court  
Kent Lakes, New York 10512  
(845) 225-7172 Fax (845) 225-9464  
E-mail: [rothmer@townofkentny.gov](mailto:rothmer@townofkentny.gov)

## MEMORANDUM

**Date:** August 28, 2018

**To:** Maureen Fleming, Town Supervisor

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

**Subject:** Specifications for New Generator at Smokey Hollow Garage

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Honorable Supervisor Fleming;

As per our discussion the following are the bid specs to be advertised for a new generator to replace the under powered & antiquated existing generator at the Smokey Hollow / 301 garage.

**Supply & Install a 48 KW 12/208 volt 3 phase delta Kohler Generator.**

**Delivery of generator to site & set on existing concrete pad.**

**Include certified Kohler start up.**

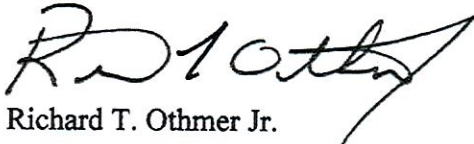
**Include hook up to electrical panel & all permits & inspections.**

**Ready for Propane hook up (by others) upon completion.**

**Bids must include all labor and material required for the above.**

Bidders can make an appointment with Highway Superintendent Richard T. Othmer for pre-bid site inspections.

Respectfully;

  
Richard T. Othmer Jr.





**Town of Kent Highway Department**  
Richard T. Othmer, Jr., Highway Superintendent  
62 Ludington Court  
Kent Lakes, New York 10512  
(845) 225-7172 Fax (845) 225-9464  
E-mail: [rothmer@townofkentny.gov](mailto:rothmer@townofkentny.gov)

## MEMORANDUM

**Date:** August 28, 2018

**To:** Maureen Fleming, Town Supervisor

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

**Subject:** Replacement 500 Gallon Gasoline Tank Smokey Hollow Garage

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Honorable Supervisor Fleming & Members of the Board;

**Supply, install and include all labor & material for the following;**

**500 gallon fire rated above ground double walled 2085 tank for gasoline storage, with emergency vents, spill container, delivered not unloaded -8000 #'s**

**GPI pump, meter register, pulsar, hose and automatic unleaded nozzle-this mounts on the tank**

**OPW Petro Vend fuel management system- 10 users**

**Electrical Conduits & \* Concrete Pad will be installed by the Highway Department**

**All Electrical Hookups to be Contractors responsibility.**

Bidders can make appointment with Highway Superintendent Richard T. Othmer for pre-bid site inspection.

Respectfully;

Richard T. Othmer Jr.



**TOWN OF KENT MUNICIPAL REPAIRS**

62 Ludington Court  
Kent Lakes, New York 10512  
(845) 225-6612  
Fax (845) 225-9464

E-mail: [municipalrepairs@townofkentny.gov](mailto:municipalrepairs@townofkentny.gov)  
Nicholas Mancuso, Service Manager

August 30, 2018

Richard Othmer, Kent Highway Superintendent  
62 Ludington Ct.  
Kent Lakes, NY 10512

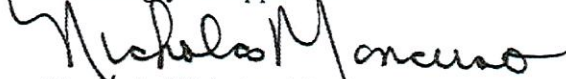
Subject: Sale of four vehicles and equipment

Dear Richard,

After our meeting with the General Foreman and the Crew Chiefs, we all agree that the following vehicles and equipment should be sold on Auctions International as the Town has no further use for them.

Highway Truck #38, a 1994 International 4800 Dump Truck, VIN 1HTSEPCR6RH565870  
Highway Truck #40, a 1995 International 4800 Dump Truck, VIN 1HTSEAAR2SH651909  
Highway Truck #44, a 1998 International 4800 Dump Truck, VIN 1HTSEAARXWH503514  
Highway Truck #49, a 1995 International 4800 Dump Truck, VIN 1HTSEAAR0SH651908  
Henderson 9' Salt Spreader

Awaiting your approval.

  
Sincerely Nicholas Mancuso,

Municipal Repairs Service Manager



**Town of Kent Highway Department**  
*Richard T. Othmer, Jr., Highway Superintendent*  
62 Ludington Court  
Kent Lakes, New York 10512  
(845) 225-7172 Fax (845) 225-9464  
E-mail: [rothmer@townofkentny.gov](mailto:rothmer@townofkentny.gov)

## MEMORANDUM

**Date:** August 30, 2018

**To:** Maureen Fleming, Town Supervisor

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

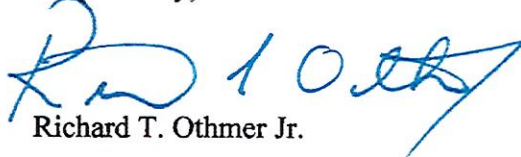
**Subject:** Scrapping / Auctioning Antiquated Vehicles.

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Honorable Supervisor Fleming & Members of the Board;

Please review the attached memo from Municipal Repairs Manager Nick Mancuso in reference to the scrapping or auctioning off of listed antiquated trucks & equipment. As you can see the oldest truck is 24 years old and the newest is 20 years old. I have personally, along with General Foreman Lew Strickland and Repairs Manager Nick Mancuso inspected these vehicles and they no longer have productive use to the Highway Department. Additionally, the Henderson Salt Spreader does not fit any of our new trucks and will bring us a good return. We will salvage any useful parts and either sell or scrap these vehicles, whichever brings greater value to the Department. Thank you.

Respectfully;

  
Richard T. Othmer Jr.





**TOWN OF KENT MUNICIPAL REPAIRS**

62 Ludington Court  
Kent Lakes, New York 10512  
(845) 225-6612

Fax (845) 225-9464

E-mail: [municipalrepairs@townofkentny.gov](mailto:municipalrepairs@townofkentny.gov)

Nicholas Mancuso, Service Manager

August 20, 2018

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

Subject: Town of Kent Building Vehicle

Supervisor Fleming and Kent Town Board,

I recently met with Bill Walters regarding his current vehicle. It is reaching the end of its service life and it is my recommendation to purchase another vehicle for the building department.

I have attained an estimated cost to replace the vehicle. I was able to piggy back off the Onondaga CTY#8771 Trucks and Truck Equipment contract. The truck fitted with all of Bill's needs amounts to approximately \$22,933.03.

Upon your approval I will proceed with the order.

Sincerely,

Nicholas Mancuso,  
Municipal Repairs Service Manager



Office (845) 306-5597  
Fax (845) 225-5130  
Email: [buildinginspector@townofkentny.gov](mailto:buildinginspector@townofkentny.gov)

Maureen Fleming, Town Supervisor  
Kent Town Board  
25 Sybil's Crossing  
Kent Lake NY10512

Date: August 20<sup>th</sup>. 2018

Subject: Town of Kent Building Dept. Vehicle

Supervisor Fleming and Kent Town Board,

I recently had a meeting with Nick Mancuso from Municipal Repairs, regarding the Town's 2006 Chevy Tahoe which has more than 154,000 miles, to discuss about the remaining service life of this vehicle and repairs needed.

Mr. Mancuso has stated in a letter to you and the Town Board, that this vehicle has reached the end of its service life, and has recommended the purchase of another vehicle for the building department to replace the 2006 Chevy Tahoe.

I fully support Mr. Mancuso's decision and agree with the replacement in the Onondaga CTY#8771 Contract for which he's submitted to you, and I ask that you approve this request.

Respectfully

Town of Kent  
Building Inspector

[illegible]





## **CODE ENFORCEMENT**

**OF THE TOWN OF KENT, PUTNAM COUNTY, N.Y. 10512  
845-306-5598**

**August 30, 2018**

**From: Zoning Enforcement Officer, Town of Kent:  
To: Supervisor Fleming, Town board members, Town of Kent:  
Subject: Violations requiring town corrective action:**

**Enclosed please find violations issued by the undersigned and bids for correction.**

**Locations requiring correction and lowest bid for each site:**

**11 Doansburg Road: \$125.00.**

**63 Union Road: \$150.00.**


**Site owners have not responded to Notices of Violation.**

**The above stated bids have been proposed by JB Affordable Lawn Care Inc.**

**Putnam Handyman Construction failed to submit a bid.**

**Dirt and Demolition Inc. failed to submit a bid.**

**For your consideration and approval:**

  
**William Looney,  
Zoning Enforcement Officer,  
Town of Kent.**

**JB Affordable Lawn Care, Inc.**  
**3 Mountain View Knolls Drive Apt. A**  
**Fishkill, New York 12524<sup>NY</sup>**

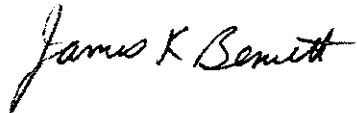
**August 27, 2018**

**To William Looney, Zoning Enforcement Officer of the  
Town of Kent.**

**The price is as follows for each cutting at the following properties:**

**11 DOANSBURG ROAD: \$125.00**  
**63 UNION ROAD: \$150.00**

**Sincerely,**

A handwritten signature in cursive script that reads "James K. Bennett". The signature is written in black ink and is positioned below the word "Sincerely,".

**James Bennett**



**CODE ENFORCEMENT  
OF  
THE TOWN OF KENT, PUTNAM COUNTY, N.Y. 10512  
845-306-5598**

**ORDER TO REMEDY VIOLATION**

**Location:** 11 Doansburg Rd Kent, NY

**Map NO:** 33.65-1-9

**Date:** 7/25/2018

**TO:**

Michael Gerbino  
11 Doansburg Rd  
Carmel, NY 10512

**PLEASE TAKE NOTICE: THERE EXISTS A VIOLATION OF:**

Town of Kent Municipal Code\Chapter 55 A Property Maintenance Code

(B) (1) (B)

at premises hereinafter described in that:

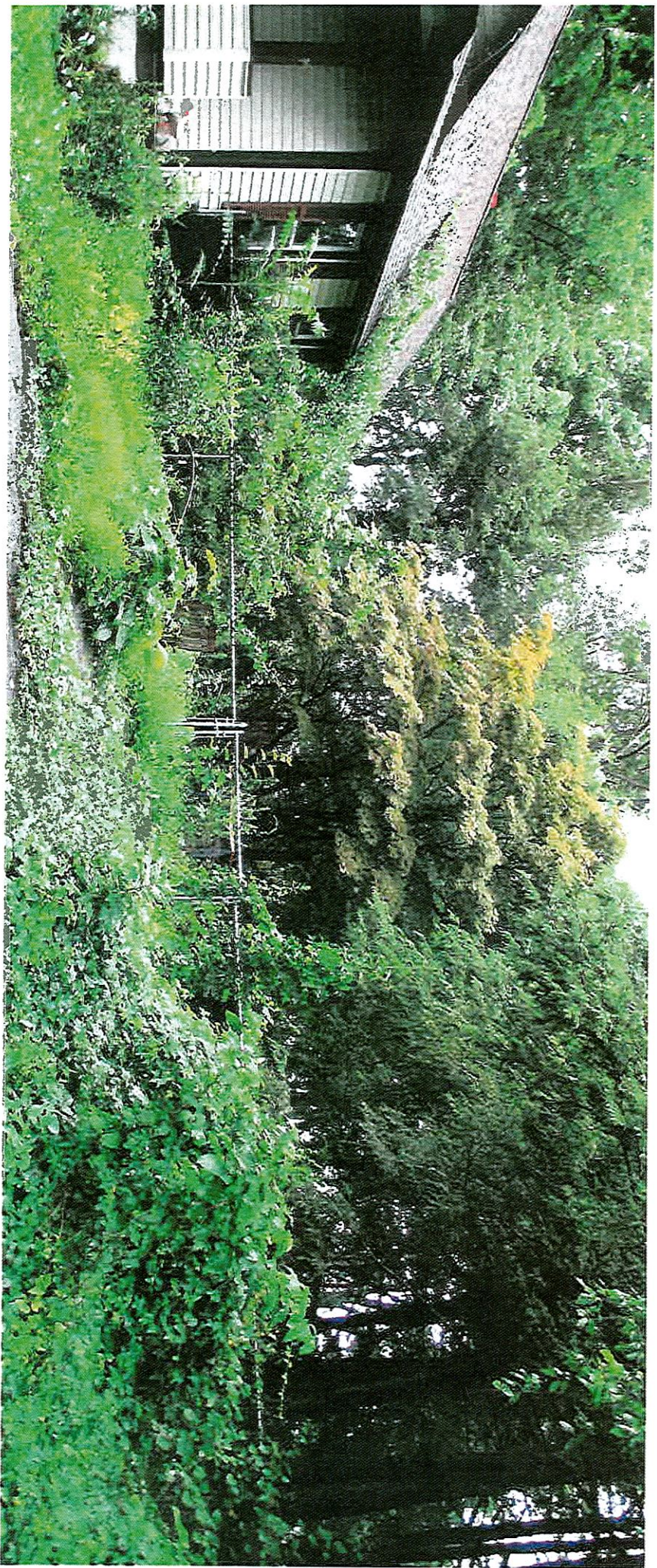
**GRASS/BRUSH: OWNER/AGENT HAS FAILED TO MAINTAIN SITE FREE OF EXCESS WEED/GRASS/BRUSH GROWTH.**

**OWNER/AGENT MUST NOTIFY THIS OFFICE WITHIN TEN DAYS OF A PROPOSAL TO REMEDY THE AFOREMENTIONED VIOLATION. IF THE REMEDY IS NOT FORTHCOMING THE TOWN OF KENT WILL CONTRACT WITH A VENDOR TO CORRECT THE VIOLATION AND THE FEE CHARGED WILL BE CHARGED TO THE HOME OWNER OR THE TAX ASSESSMENT LEVIED ON THE SITE IF NOT PAID.**

**YOU ARE THEREFORE DIRECTED AND ORDERED to comply with the law and remedy the conditions above mentioned within ten days from this date. Failure to remedy the conditions aforesaid and to comply with the law and may constitute an offense punishable by fine or imprisonment or both.**

  
**WILLIAM LOONEY  
ZONING ENFORCEMENT OFFICER  
TOWN OF KENT**









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

**ORDER TO REMEDY VIOLATION**

Location: 63 UNION ROAD, CARMEL, N.Y. 10512\_\_\_\_\_

Map NO: 44.7-1-16

July 31, 2018

**TO: ANGELO ROSSANO**

Address/Owner/Agent: 63 UNION ROAD, CARMEL, N.Y. 10512.

**PLEASE TAKE NOTICE** THERE EXISTS A VIOLATION OF:  
**PROPERTY MAINTENANCE** FOUND IN SECTION 55A-11. SUB B. (1) (B) OF THE  
MUNICIPAL CODES OF THE TOWN OF KENT.

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

Other Applicable Laws, Ordinances or Regulations   X  

**OWNER HAS FAILED TO MAINTAIN PREMISES FREE  
OF EXCESS WEED/GRASS GROWTH IN VIOLATION OF  
AFOREMENTIONED CODE.**

**OWNER MUST TRIM VEGETATION GROWTH TO  
AVOID SUMMONS AND FINES.**

**(SEE PAGE TWO)**





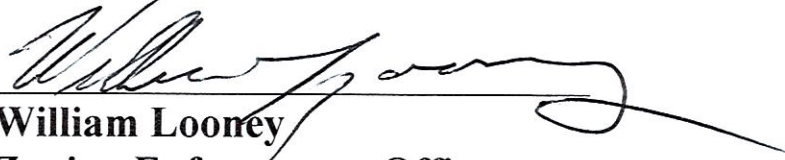
07/31/2018





**YOU ARE THEREFORE DIRECTED AND  
ORDERED**

to comply with the law and to remedy the conditions above mentioned within  
TEN DAYS FROM THIS DATE. Failure to remedy the conditions aforesaid and to comply with the  
law may constitute an offense punishable by fine or imprisonment or both.



**William Looney**  
**Zoning Enforcement Officer**  
**Town of Kent**



7

## Joe Grieco ZBA Candidate

Gordon Moccio <gordon.moccio@gmail.com>

Tue 8/7/2018 5:08 PM

To: Lana Cappelli <lcappelli@townofkentny.gov>; Tamara Harrison <tharrison@townofkentny.gov>;

Cc: Planning Kent <planningkent@townofkentny.gov>; Brett Harrison ZBA <harrisonbw313@gmail.com>; Ron Hansen ZBA <ronald.hansensr@gmail.com>; Jennifer <jennifer.country@yahoo.com>;

Lana / Ms. Harrison

The Zoning Board of Appeals interviewed Mr. Grieco's last night and the result is favorable for Mr. Grieco be appointed to the ZBA.

Ms. Harrison, please pass this along to Supervisor Fleming for consideration of having Mr. Grieco's appointment placed on the agenda for the August Town Board meeting.

Thanks,

Gordon A. Moccio, Chairman  
Town of Kent Zoning Board of Appeals.

July 30, 2017

To Whom It may Concern,

I would like to submit my resume for your review toward an application for an opening on the zoning board. I look forward to hearing from you in the near future.

Regards,



Joseph Greico

RECEIVED  
KENT TOWN CLERK  
2018 JUL 30 PM 1:08  
OAR  
CC  
TH  
G. Macc. e

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

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



# Memorandum

Date: August 30, 2018

From: The Kent Planning Board

To: The Finance Dept.

CC: L. Cappelli - w/Att.  
M. Fleming - w/Att.  
T. Harrison - w/Att.  
B. Walters - w/Att.

Re: Erosion Control Bond for:  
Holmes Presbyterian Conference Center.  
60 Denton Lake Road  
Holmes, NY 12531  
TM: 2.-1-47.1

On December 14, 2017 the Kent Planning Board adopted a Resolution of Site Plan Re-approval for the Holmes Presbyterian Conference Center.

Attached are the following Bond Agreements and checks for the above mentioned property.

Erosion Control Performance Bond – Ck. 9776909252	-	\$ 25,694.00
Stormwater Mgmt. Facilities Performance Bond – Ck. 9776909253	-	61,857.50
Review/Inspection Fees – Ck. 9776909254	-	1,000.00
Stormwater Maintenance Easement (no fee)		

Also attached is the Resolution of Site Plan Re-Approval and the Negative Declaration adopted in December of 2017.

The Planning Board would appreciate it very much if this matter could be placed on the Town Board's next meeting agenda.

## **PERFORMANCE BOND FOR EROSION AND SEDIMENTATION CONTROL**

Bond given by Presbyterian Conference Association, Inc. having an address of 60 Denton Lake Road, Holmes, New York, 12531 ("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 August 21, 2018.

KNOW ALL MEN BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the initial sum of \$25,694.00 for the payment whereof to Obligee the said Obligor binds itself, its successors and assigns.

WHEREAS, Obligor has obtained one or more approvals from the Obligee for a land development activity, as that term is defined in Town of Kent Town Code Chapter 66 (the "Code"), on certain real property located in the County of Dutchess and the County of Putnam and consisting of 510 acres for a conference center and summer camp, in connection with which sedimentation and erosion controls (the "Controls") are required; and

WHEREAS, the Kent Planning Board adopted resolutions of conditional approval of sedimentation and erosion control in the Town of Kent, County of Putnam and State of New York, covering disturbance of the subject property; and

WHEREAS, in conjunction with such approvals, the Obligor submitted plans and specifications ("Project Plans") for corrective erosion control, and in furtherance of the approvals of the Planning Board, as follows:

- A. Site Plans prepared by Sloan Architects, last revised February 21, 2018, and Stormwater Pollution Prevention Plan prepared by Sloan Architects and last revised October 18, 2017, and approved by the NYCDEP on October 27, 2017.

1. NOW, THEREFORE, the condition of this performance obligation is such that, if the Obligor shall well and truly construct or install the aforesaid correction erosion and sedimentation control measures in accordance with the plans approved by the Town of Kent, and if said improvements are deemed complete by the Town of Kent, and if Obligor is released from liability by the Obligee consistent with Chapter 66 of the Town Code, then this obligation shall be null and void; otherwise, the obligation shall remain in full force and effect.



2. The Obligor shall at all times provide the Obligee with such security as the Obligee shall deem sufficient consistent with the options available under the Town Code. In furtherance of this covenant, the Obligor has obtained and hereby delivers to the Town of Kent the following security for faithful performance of this obligation: Cashiers check in the amount of \$25,694.00

3. The Obligor agrees to execute and/or endorse and deliver to the Town any documents required for the Town to call upon the security.

4. In the event that any Obligor interferes with the Obligee's exercise of its rights under this instrument, or in the event that the Obligees interfere with the Obligor's entry, the Obligee shall be entitled to recover any of Obligor the Obligee's attorneys' fees, other consultant costs, and expenses resulting from or arising out of Obligor's interference. This right of the Obligee shall run with the land.

5. The obligations of any Obligor in this performance bond may not be assigned or assumed by a third party without the prior written approval of the Town Board of the Town of Kent.

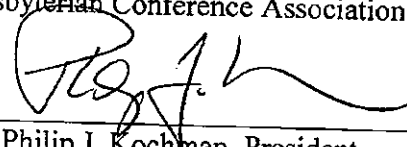
6. This undertaking shall be recorded with the Clerk of Putnam County. A memorandum of this bond shall be signed by the parties and recorded with the County Clerk.

7. Obligee or its agents or contractors shall have a right of entry onto the property of Obligor's to execute Obligee's rights hereunder. This license to enter shall be non-terminable until and unless this performance bond is released by the Town.

Dated: August 21, 2018

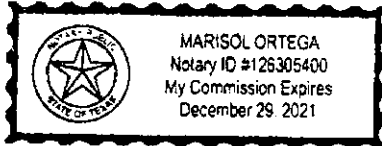
Presbyterian Conference Association, Inc.

By:

  
Philip J. Kochman, President

STATE OF TEXAS            )  
  ) ss.:  
COUNTY OF HARRIS        )

On the 21 day of August, 2018, before me, the undersigned, a notary public in and for said state, personally appeared Philip J. Kochman, 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.



  
NOTARY PUBLIC

RECORD AND RETURN TO  
Ronald C. Blass, Jr.  
Van DeWater & Van DeWater, LLP  
P O Box 112  
Poughkeepsie, New York 12602

U:\DOCS\10145\00006\MUNICIPAL\2436998.DOC

**PERFORMANCE BOND FOR STORMWATER MANAGEMENT FACILITIES**

Bond given by Presbyterian Conference Association, Inc. having an address of 60 Denton Lake Road, Holmes, New York, 12531 ("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 August 21, 2018.

KNOW ALL MEN BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sum of \$61,857.50, for the payment whereof to Obligee the said Obligor binds itself, its successors and assigns.

**WHEREAS**, Obligor is the current fee owner of certain premises located in the Town of Kent, County of Putnam and State of New York having tax grid number 2.-1-47.-1 ("Premises"); and

**WHEREAS**, Obligor has obtained one or more approvals from the Town for land development activity at the Premises, commonly known as the Holmes Presbyterian Camp and Conference Center in connection with which stormwater management facilities (the "Facilities") are required in accordance with Chapter 66 of the Town's Code in effect as of the date of this Agreement (the "Code"); and

**WHEREAS**, more particularly, on December 14, 2017, the Kent Planning Board adopted a resolution of conditional final site plan reapproval of Owner's land development activity, including other approvals, consistent with project maps, plans and details identified in said resolution ("Project Plans"), which included among other submissions:

Site Plans prepared by Sloan Architects, last revised February 21, 2018, and Stormwater Pollution Prevention Plan ("SWPPP") prepared by Sloan Architects and last revised October 18, 2017, and approved by the NYCDEP on October 27, 2017.

**WHEREAS**, as condition to the issuance of approval of a land development activity, the Code requires the Obligor to, prior to construction, provide the Obligee with a surety bond, 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 Facilities.

NOW, THEREFORE, the condition of this performance obligation is such that, if the Obligor shall well and truly construct the aforesaid Facilities in accordance with the Project Plans approved by the Town of Kent and in accordance with the SWPPP, and if said improvements are deemed complete by the Town of Kent, and upon the submission of a maintenance bond and supporting security as provided for by the Code on or before August 27, 2018, then this obligation shall be null and void; otherwise, the obligation shall remain in full force and effect after said time.

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:

(fill in information regarding cash deposit, certificate of deposit or letter of credit)

Cashiers check in the amount of \$61,857.50

The Obligor agrees to execute and/or endorse and deliver to the Obligees and/or the aforesaid Bank any documents required for the Town to call upon said Cashiers check  
\_\_\_\_\_ (cash deposit, certificate of deposit, letter of credit).

The Obligor agrees to execute and/or endorse and deliver to the Town required for the Town to call upon the security.

The Obligees and its agents, employees, engineers and/or planners are hereby expressly authorized to enter upon the property for the purpose of inspecting the Facilities and the site work being performed in accordance with the approved Project Plans and SWPPP and to complete the work in the event the Obligees fails to do so. This right of the Obligees shall run with the land.



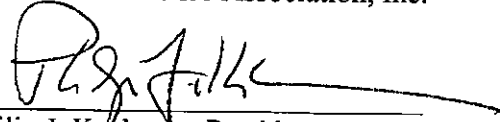
In the event that Obligor interferes with the Obligee's exercise of its rights under this instrument, the Obligee shall be entitled to recover of Obligor the Obligee's attorneys' fees, other consultant costs, and expenses resulting from or arising out of Obligor's interference. This right of the Obligee shall run with the land.

The obligations of Obligor in this performance bond may not be assigned or assumed by a third party without the prior written approval of the Town Board of the Town of Kent.

Dated: August 21, 2018

Presbyterian Conference Association, Inc.

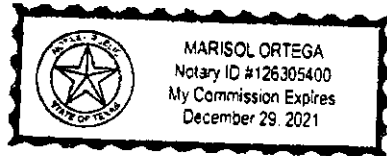
By:

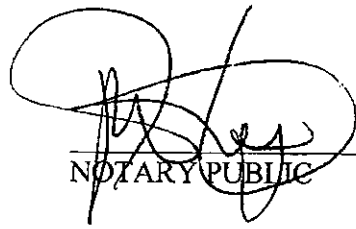
A handwritten signature in black ink, appearing to read 'P. J. Kochman', written over a horizontal line.

Philip J. Kochman, President

STATE OF TEXAS                    )  
  ) ss.:  
COUNTY OF HARRIS                )

On the 21 day of August, 2018, before me, the undersigned, a notary public in and for said state, personally appeared Philip J. Kochman 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.



  
\_\_\_\_\_  
NOTARY PUBLIC  
\_\_\_\_\_

**Tamara Harrison**

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**From:** Recreation  
**Sent:** Monday, August 27, 2018 1:14 PM  
**To:** Maureen Fleming; Jaime Mcglasson; Bill Huestis; Paul Denbaum; C Woolley  
**Cc:** Tamara Harrison  
**Subject:** Hiring of Nicole Santos as Recreation Assistant  
**Attachments:** Nicole Santos Recreation Application.pdf

Ladies and gentlemen of the board -

As per discussions I have had with Councilmen Huestis and Councilwoman McGlasson over the past weeks, I would like to hire Nicole Santos to fill the Recreation & Parks Department's currently vacant full-time Recreation Assistant position. Nicole interviewed with us a few weeks ago and both myself and Bill were very pleased with her professional experience, how she performed in the interview and what she can bring to the table for the department. Also, her background check came back totally clear and her references couldn't have had better things to say about her.

Due to commitments at her current job, Nicole is unable to begin working for us full-time until the middle of September, but both Jaime and I agreed that it would be best to start her part time before then to get her acclimated to the position and have her on hand for Kent Community Day. Thus, if the board would be able to add the hiring of Nicole to the agenda for the next board meeting on September 4th, that would be most appreciated.

As discussed during at an executive session earlier in the year, the rate of pay for the position was to be set at \$15.00/hr, 40 hours per week.

Nicole's application is attached to this e-mail but please let me know if you require anything further.

Thank you,

Jared Kuczenski  
*Acting Director of Rec & Parks*  
*Kent Recreation & Parks*  
845-531-2100

10

## Tamara Harrison

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**From:** Lana Cappelli  
**Sent:** Monday, August 20, 2018 2:34 PM  
**To:** Tamara Harrison; Bill Huestis; C Woolley; Jaime Mcglasson; Maureen Fleming; Paul Denbaum  
**Subject:** r Town Clerk Records Management Position  
**Attachments:** Michael LAntezzo\_Resume\_KentTownClerk.docx

To All,

Please find attached a resume for the open position I have for a records clerk. I would like to have Mike approved at the first meeting in September. Mike has been a volunteer coach for Kent Recreation for a number of years. He is presently a volunteer at the library. I'm not sure if we need to do a search on him before he is appointed. Please let me know.

*Yolanda "Lana" Cappelli*

Kent Town Clerk  
25 Sybil's Crossing  
Kent Lakes, NY 10512  
845/225-2067 Telephone  
845/306-5282 Fax  
[lcappelli@townofkentny.gov](mailto:lcappelli@townofkentny.gov)  
[www.townofkentny.gov](http://www.townofkentny.gov)

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**From:** Michael Antezzo [mailto:MIKE\_ANTEZZO@msn.com]  
**Sent:** Friday, August 17, 2018 12:33 PM  
**To:** Lana Cappelli  
**Subject:** My Resume for Town Clerk Records Management Position

Lana,

Attached is my most current resume.

I look forward to speaking with you on Monday 8/20 at 1pm to go over the details of this position.

Thank you so much for considering me.

Have a great weekend!

Mike

Michael L. Antezzo



TOWN OF KENT  
NOTICE OF HEARING

AMENDMENTS TO CHAPTER 65  
OF THE KENT TOWN CODE

PUBLIC NOTICE is hereby given that there has been introduced before the Town Board of the Town of Kent, New York, on September \_\_ 2018 an amendment to Kent Town Code Chapter 539, entitled "Peddlers and Solicitors", which amendment will delete the existing Chapter 53 and replace it with a revised Chapter 53.

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 \_\_\_\_\_, 2018 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: September \_\_, 2018

BY ORDER OF THE TOWN BOARD OF THE  
TOWN OF KENT

YOLANDA D. CAPELLI, TOWN CLERK

TOWN OF KENT  
County of Putnam, State of New York  
RESOLUTION \_\_\_\_\_

RESOLUTION INTRODUCING  
LOCAL LAW \_\_-2018 AND PROVIDING FOR PUBLIC  
NOTICE AND HEARING

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

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

DATE OF CONSIDERATION/ADOPTION: \_\_\_\_\_, 2018

BE IT RESOLVED that an amendment to Kent Town Code Chapter 53 entitled "Peddlers and Solicitors ", is hereby introduced by \_\_\_\_\_, as Introductory Local Law # \_\_\_\_ of the year 2018 before the Town Board of the Town of Kent in the County of Putnam and State of New York, and

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Amendment, which is attached hereto, be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED, that the Town Board will hold a public hearing on said proposed Amendment at the Town Hall, in the Town of Kent, New York at 7:00 o'clock P.M. on \_\_\_\_\_, 2018, and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published a public notice in the official newspaper of the Town of Kent of said public hearing at least five (5) days prior thereto.

UPON ROLL CALL VOTE:

Supervisor Fleming: \_\_\_\_\_  
Councilman Heustis: \_\_\_\_\_  
Councilman Denbaum: \_\_\_\_\_

Councilwoman McGlasson: \_\_\_\_\_  
Councilwoman Woolley: \_\_\_\_\_

VOTE: RESOLUTION CARRIED BY A VOTE OF \_\_\_\_\_ TO \_\_\_\_\_ ABSTAIN \_\_\_\_\_

State of New York     )  
County of Putnam     ) ss:

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 \_\_\_\_\_ 2018

Dated: \_\_\_\_\_, 2018

\_\_\_\_\_  
Yolanda D. Cappelli, Town Clerk

TOWN OF KENT  
AMENDMENT TO  
CHAPTER 53 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 53 entitled "Peddlers and Solicitors ", is hereby deleted in its entirety, and replaced as follows:

Chapter 53. Peddlers and Solicitors

Article I. General Prohibition

§ 53-1. Title; legislative findings.

This chapter shall be known and be cited as the "Peddling, Vending and Soliciting Law of the Town of Kent." It is hereby found and determined that the act of peddling, vending and soliciting within the Town has a significant impact upon the quality of life of the residents of the Town, including the health, safety and welfare thereof. It is further found that the unregulated act of peddling, vending and soliciting presents a significant disadvantage to other established businesses within the Town which pay rent, taxes, expenses and fees for the privilege of doing business within the Town and should, therefore, not be condoned or permitted.

§ 53-2. Peddlers and Solicitors prohibited.

Except as may be otherwise permitted by general or special law, it shall be unlawful for any person, corporation, partnership, company, unincorporated association, agent or principal thereof, or any other entity to engage in or act as a peddler, vendor, solicitor or commercial traveler, as herein defined, within the jurisdictional boundaries of the Town of Kent.

§ 53-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**COMMERCIAL TRAVELER**

A person or entity doing business through the act of renting a room or suite of rooms in a hotel, motel or inn, commercial building or private dwelling or open space, including a parking lot, for temporary occupancy which does not exceed 60 days, for the purpose of using said premises to sell, offer for sale or solicit orders for goods, services, merchandise or money to or from members of the public.

**PEDDLER**

Any person who, being uninvited by the home or business owner, engages in the merchandising of any goods, wares, commodities, books, periodicals or services by going from house to house or place of business to place of business.

**SOLICITOR**

Any person who solicits contributions of goods and/or money by going from house to house or from place of business to place of business or by temporarily occupying a room, building or other premises with the Town for such purpose.

**TEMPORARY OCCUPANCY**

A store, room, building, tent, enclosure, parking lot or structure of any kind intended to be used or occupied for the period of time necessary to peddle, vend or solicit the merchandise sold therein. In all prosecutions for the violation of this chapter, the intent of the defendant to conduct an established place of business shall be an affirmative defense, and the burden of proving such intent shall be upon the defendant in such prosecution.

**VENDOR**

A person who engages in the act or occupation of selling or offering for sale from a fixed location or locations, and at times and from time to time, goods, wares or merchandise, meats, fish, produce and prepared foods from any portable cart, stand, vehicle or display device of any nature.

**§ 53-4. Exemptions.**

The provisions of this chapter shall not apply to the following:

- A. Any person soliciting at the express invitation of the person solicited.
- B. A wholesaler or distributor selling articles to dealers or merchants who have an established place of business within the Town.
- C. A child regularly attending any public, private or parochial school; veterans organizations; fraternal organizations; civic groups; churches; or religious organizations or sects; provided, however, that such child or member of such exempt organization shall carry on an otherwise prohibited conduct only in connection with an authorized activity of the school which the child attends or another school which has authorized such child to carry on the activity or, in the case of an exempt organization, which has authorized such member to carry on the activity. It shall be required, however, that prior to the commencement of such otherwise prohibited conduct, the school or otherwise exempt organization for which the activity shall be carried on shall notify the Clerk of the Town, in writing, of the intention of such school or exempt organization to conduct such activity within the Town, together with a brief description thereof.

**§ 53-5. Penalties for offenses.**



Any person, corporation, partnership, company, unincorporated association, agent or principal thereof; or any other entity who shall act as a commercial traveler, peddler, solicitor or vendor, as defined herein, or who shall violate any other provision of this chapter shall be guilty of a violation and punishable by a fine not to exceed

\$1,000 or imprisonment for not more than 15 days, or both. Each day upon which such violation continues shall constitute a separate offense.

## Article II. Food Trucks

### § 53-6. Legislative findings.

Notwithstanding the general prohibition of vending, peddling or soliciting contained in Article I of this chapter, it is hereby found and determined that a limited number of permits for mobile food vendors or "food trucks" should be allowed to provide the residents and visitors to the Town additional options for dining. It is further found and determined that, in an effort to protect the health, safety and welfare of the residents and the consuming public, the operation of food trucks should be limited to a relatively small number and such permit should be granted on an annual basis and that the operation of such vendors should be further regulated to assure adequate location, accommodation and safe operation.

### § 53-7. Definitions.

As used in this article, the following terms shall have the meanings indicated:

#### **APPLICATION**

The form and supporting information or documentation prescribed by the Town Board seeking the issuance of a food truck permit.

#### **FOOD TRUCK**

A vehicle from which food for human consumption is sold or dispensed. Such vehicle may be self-propelled or towed by another vehicle.

#### **FOOD TRUCK PERMIT**

The permit or license issued by the Town Clerk which shall be proof that a particular food truck has met the qualification requirements and that the location endorsed thereon has been approved by the Town for the purpose stated therein.

#### **FOOD TRUCK PERMIT, SECONDARY**

A second permit which may be issued to an existing food truck permit holder which would allow such permit holder to locate his or her food truck at a secondary location on municipally owned property.

#### **LOCATION**

The particular physical site, approved by the Town Code Enforcement Officer, where the food truck shall be parked and operated during permitted hours.

#### **VETERAN**

Any veteran of the United States military service or coast guard who has been discharged

from service for other than cause. Any veteran applicant shall submit a copy of his or her Form DD-214 as part of the application package.

§ 53-8. Permit; fees.

- A. Except as otherwise provided herein, the Town Clerk shall issue no more than seven food truck permits in any calendar year. There shall be no limit on the number of annual permits issued to qualifying veterans. No more than one permit shall be issued to any individual or qualifying business entity.
- B. Such permit shall be issued to an applicant who has completed the requisite application on the prescribed form provided by the Town Clerk, paid the requisite fee(s) and provided such additional information as may be required in the application, including, but not limited to, proof of general liability insurance with limits of liability not less than \$1,000,000 per occurrence; current vehicular registration, inspection and insurance; proof of permission to locate the food truck at the particular location; and, in the case of prepared food sales, a current food vendor's permit issued by the Putnam County Department of Health. The Town of Kent shall be listed as an additional insured on the policy of general liability insurance.
- C. Permits shall be issued on a calendar year basis running from January 1 to December 31. Applications for such permits shall be available to residents or established businesses located within the Town of Kent from November 1 through November 30 of each year for the following year. From December 1 on, applications, to the extent permits are still available, shall be accepted from nonresidents.
- D. The annual fee for a food truck permit shall be set by the Town Board and included in the annual fee schedule adopted by the Town Board, as the same may be amended from time to time. Any permit issued after July 1 shall be 1/2 of the annual permit fee and shall run for the balance of the calendar year. Any permit issued to a veteran shall be exempt from the payment of the annual fee. To be exempt from the payment of the requisite permit fee, such veteran shall actually be engaged in the operation of the food truck and shall be present at the location at all times the food truck is in operation.
- E. Food truck permit holders and any employee(s) shall be issued a photographic identification card by the Town of Kent. Such identification shall be maintained on the person of the permit holder and employee at all times that the food truck is in operation and shall be open to the inspection by the Town Code Enforcement Officer.
- F. Secondary permits shall be made available to existing food truck permit holders who wish to provide food vending services on municipally owned properties on a monthly, weekly or daily basis. Such secondary permits shall only be issued to existing food truck permit holders. The fee for such secondary permit shall be set forth in the annual fee schedule, as the same may be amended from time to time.
- G. Notwithstanding the foregoing, any licensed or permitted food truck shall be allowed to operate on private property within the Town at a specific function and at the specific request

by such private property owner for the purpose of catering or providing food service for such special function.

§ 53-9. Location.

- A. Except as otherwise provided for herein, a food truck permit shall allow the holder thereof to conduct the business vending food from a specific, stationary location. Such location shall be on private property or within or on a public thoroughfare or right-of-way. No vending or soliciting of food sales shall occur by the permittee at any location within the Town other than that which is declared on the permit.
- B. A permitted location shall be within a commercially zoned area and shall be subject to the prior approval of the Town Code Enforcement Officer to ensure that such location is safe for use by both vehicles and pedestrians.
- C. An applicant for a food truck permit shall provide proof, in writing, signed by the owner of the particular location or, with respect to state, county or other municipal thoroughfares, signed by the authorized permitting authority, that the applicant has permission to park or locate the food truck at that particular location. Such document shall be signed and acknowledged before a notary public.
- D. A permitted location shall have an improved parking area and shall have not less than two parking spaces available for patron use. Such parking spaces must be in addition to any parking spaces that are committed to other uses and/or occupancies that are served by the site as specified in the Town's zoning regulations or as set forth on any current site plan for the location.
- E. A permitted location shall not be closer than 500 feet to any existing restaurant, delicatessen, fast food establishment, or other food service establishment.
- F. There shall be no outdoor seating or other accommodation for on-site consumption of food or other vended products. The food truck permit holder shall provide adequate refuse receptacles for patron use and shall provide that refuse deposited therein is removed from the permitted location on a daily basis.

§ 53-10. Hours of operation.

- A. Food trucks may be operated during the hours of 5:00 a.m. through 9:00 p.m. on any given day.
- B. Food trucks shall be removed from the permitted location within one hour after closing and shall not be returned to the permitted location more than one hour before the permitted opening time on any given day. There shall be no overnight parking of food trucks at any

permitted location.

§ 53-11. Penalties for offenses; revocation.

- A. Any person who violates any provision of this article shall be guilty of an offense and upon conviction thereof shall be subject to a fine of not less than \$100 nor more than \$250 for each violation, or by imprisonment not exceeding 15 days, or both such fine and imprisonment.
- B. Conviction of three violations of any provision of this article shall result in the immediate revocation of the food truck permit.

Section 2. This local law shall take effect immediately.

Dated: September \_\_, 2018

BY THE ORDER OF THE TOWN BOARD OF

THE TOWN OF KENT