

TOWN BOARD MEETING MAY 19, 2020

Resolution #188 - Adjourn to Executive Session

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: The Town Board adjourned to executive session at 6:22 p.m. to discuss proposed, pending or current litigation and 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.

Motion carried unanimously

Resolution #189 - Adjourn Executive Session

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

Resolved: Executive Session adjourned at 7:06 no action was taken

Motion carried unanimously

The Town of Kent regularly scheduled meeting was held on Tuesday, May 19, 2020 at 7:00 p.m. via ZOOM. The meeting was televised live on the Town of Kent Cable Channels as well as live streamed on YOU Tube. The public was able to participate via Zoom, You Tube or by emailing comments to the Supervisor. To see the full meeting visit the Town of Kent's website at www.townofkentny.gov under Video's on Demand.

Pledge of Allegiance

The meeting began with the Salute to the Flag.

RESOLUTION #190 - ACCEPTING QUOTE FOR BEACH SAND

Supervisor Fleming explained a number of quotes were received, Stroker Trucking was the lowest and recommended.

INTRODUCED BY: Councilwoman McGlasson

SECOND BY: Councilman Huestis

WHEREAS, the Lake Carmel Park District Clerk has advised the Town Board that there is a need for beach sand within the Lake Carmel Park District; and

WHEREAS, in accordance with the Town's Procurement Policy, the LCPD Clerk requested quotes for 70 yards of sand with delivery, and received 2 quotes in response to such request, a summary of which is annexed hereto and incorporated herein by reference; and

WHEREAS, Stroker Trucking of Middle Island, New York has submitted the lowest quote in the amount of \$3,360; and

WHEREAS, the Town of Kent wishes to accept the quote of Stroker Trucking;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the quote of Stroker Trucking for 70 yards of sand, delivered, for the price of \$3,360.

UPON ROLL CALL VOTE:

Supervisor Fleming:- aye

Councilmen Huestis: - aye

Councilman Denbaum:- aye

Councilwoman McGlasson: - aye

Councilman Ruthven: - aye

Motion carried unanimously

RESOLUTION #191 - ACCEPTING QUOTE FOR EQUIPMENT TRAILER FOR LAKE CARMEL PARK DISTRICT

Supervisor Fleming explained a memo was received from the Crew Chief explaining the present trailer is too small and does not fit their tractor.

INTRODUCED BY: Councilman Ruthven

SECOND BY: Councilwoman McGlasson

WHEREAS, Frank Sabatini, the Lake Carmel Park District Crew Chief, is requesting to purchase a new equipment trailer for the Lake Carmel Park District to transport the Kubota Tractor; and

WHEREAS, consistent with the Town's Procurement Policy, the Lake Carmel Park District sought quotes for 14' and 16' equipment trailers; and

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WHEREAS, Mr. Sabatini has recommended the purchase of the 16' equipment trailer from Hudson River Truck & Trailer for \$3,141, the lowest quote for a 16' equipment trailer and the Town Board wishes to accept the recommendation of Mr. Sabatini.

NOW THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby accepts the quote of Hudson River Truck & Trailer for a 16' equipment trailer, for an amount not to exceed \$3,141; and it is

FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes and directs the Supervisor to execute any and all documents necessary to give effect to this resolution.

UPON ROLL CALL VOTE:

Supervisor Fleming:- aye Councilmen Huestis: - aye
Councilman Denbaum:- aye Councilwoman McGlasson: - aye
Councilman Ruthven: - aye
Motion carried unanimously

RESOLUTION #192 – ACCEPT PROPOSAL FOR REPLACEMENT OF EXISTING BULKHEADS, RETAINING WALLS AND STEPS FOR THE LAKE CARMEL PARK DISTRICT

Councilman Ruthven explained when first discussed a full replacement of three bulkheads was talked about. He said it has been narrowed down to Beach 3 being the worse having safety concerns. He said the Crew Chief feels confident that his crew can assist with construction keeping costs down. He said they can do the equipment work and hire out the installation of the timber structure of the dock bulkhead, stairs, retaining wall and bench replacement. Three quotes were received Jim Liebler being the lowest. Walter Recher, Lake Carmel Park District Chairperson said when the committee put forth recommendations they were hoping the other beaches would be done as they are all in bad shape, he is happy to hear about Beach 3 just hopes the others will be done fairly soon. Councilman McGlasson said the Crew Chief thought he and his crew could fix some of the other ones.

INTRODUCED BY: Councilwoman McGlasson

SECOND BY: Councilman Ruthven

WHEREAS, the Town of Kent sought proposals for the replacement of bulkheads, retaining walls and steps for Beach #3 the Lake Carmel Park District ; and

WHEREAS, Jim Liebler, Inc. submitted the lowest proposal in the amount of \$ 8,900.00

NOW THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby accepts the proposal of Jim Liebler, Inc. for the replacement of existing bulkheads, retaining walls and steps for the Lake Carmel Park District; and it is

FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes and directs the Supervisor to execute any and all documents necessary to give effect to this resolution.

UPON ROLL CALL VOTE:

Supervisor Fleming:- aye Councilmen Huestis: - aye
Councilman Denbaum:- aye Councilwoman McGlasson: - aye
Councilman Ruthven: - aye
Motion carried unanimously

RESOLUTION #193 -ACCEPTING QUOTE FOR REMOVAL OF TREE STUMPS LAKE CARMEL PARK DISTRICT

Supervisor Fleming explained money was received from our insurance company after the tornado and money was set aside to have the stumps removed, a number of quotes were received, two companies came in at the same price. It was recommended that we award this to the lowest Kent business.

INTRODUCED BY: Supervisor Fleming

SECOND BY: Councilman Ruthven

WHEREAS, there is a need for the removal of 72 tree stumps and accompanying debris in the Lake Carmel Park District; and

WHEREAS, in accordance with the Town's Procurement Policy, the Lake Carmel Park District requested quotes for the removal of the tree stumps and debris, and received 4 written quotes in response, copies of such quotes are attached hereto and incorporated hereby; and

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WHEREAS, Red Oak Tree Service Inc. and Six Diamonds Tree Services submitted the lowest quotes in the amount of \$6,000; and

WHEREAS, Frank Sabatini, the Lake Carmel Park District Crew Chief, has recommended the Town accept the quote of Red Oak Tree Service Inc., a local company, due to their satisfactory work performed for the Town in the past, and the Town Board wishes to accept the recommendation of Mr. Sabatini and award the quote to Red Oak Tree Services Inc.;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby approves the removal of the 72 tree stumps and accompanying debris in the Lake Carmel Park District by Red Oak Tree Service Inc. for a price not to exceed \$6,000.

UPON ROLL CALL VOTE:

Supervisor Fleming:- aye Councilmen Huestis: - aye
Councilman Denbaum:- aye Councilwoman McGlasson: - aye
Councilman Ruthven: - aye
Motion carried unanimously

ACCEPTING PROPOSAL FOR LAKE TREATMENT SERVICES

Supervisor Fleming said at last week's meeting it was suggested that we contact other companies to get additional pricing. She received quotes from The Pond and Lake Company and late this evening a proposal from Solitude. She hopes we do not have any need for treatments. Councilwoman McGlasson said Solitude is offering different options. Supervisor Fleming thought the ideal way to treat blue green algae is with Cutrine Ultra. Councilman Huestis questioned The Pond and Lake treating half the lake at first. Supervisor Fleming replied that's how it was done last summer, they treated the beach areas solving the problem, and we did not need a second treatment. Councilman Ruthven asked if we used cooper sulfate last year. Supervisor Fleming replied no; in the past when we needed a third treatment copper sulfate was used. Councilman Ruthven said Lake Carmel has no vegetation left at all and is unhealthy for the eco system; we need to try to get healthy weeds back into the lake. Walter Recher said the advisory board was considering consulting with Bruce Barber to look at mitigating phosphorus to the lake minimizing fixing it with treatments. Bobby Ulich brought to the board's attention that the second quote is actually cheaper than Mark Roland's quote. He feels the quotes are not comparing apples to apples. He thought we need to act quickly to obtain a permit. Supervisor Fleming explained Mark Roland applied for the permits, which comes to the town. This item was held over to the first meeting in June.

RESOLUTION #194 - ACCEPTANCE OF QUOTE FOR HEATING-VENTILATING-AIR CONDITIONING (HVAC) FOR RECREATION DEPARTMENT OFFICE

Supervisor Fleming explained their unit is separate and has been out for some time. Three quotes were received.

INTRODUCED BY: Councilman Ruthven

SECOND BY: Councilwoman McGlasson

WHEREAS, the Town of Kent has requested quotes for the purchase and installation of an HVAC system in the Recreation Department office; and

WHEREAS, in accordance with the Town's Procurement Policy, the Town has obtained three quotes for the HVAC system, which quotes are annexed hereto; and.

WHEREAS, Advanced Heating & Air Conditioning Corporation has submitted the lowest quote for the HVAC system at a cost of \$4,500; and

WHEREAS, the Town Board of the Town of Kent wishes to accept the quote of Advanced Heating & Air Conditioning Corporation.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the quote of Advanced Heating & Air Condition Corporation for the purchase and installation of an HVAC system in the Recreation Office for a price not to exceed \$4,500.

BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes the Supervisor to execute any and all documents necessary to give effect to this resolution.

UPON ROLL CALL VOTE:

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Supervisor Fleming:- aye Councilmen Huestis: - aye
Councilman Denbaum: aye Councilwoman McGlasson: aye
Councilman Ruthven: aye
Motion carried unanimously

RESOLUTION #195 - RESCINDING RESOLUTION AUTHORIZING AGREEMENT WITH FIREWORKS EXTRAVAGANZA

The board discussed that this region of New York is not set to open; all agreed it is a hard decision as all love fireworks; no one wants to cancel the fireworks. Supervisor Fleming spoke to the representative at Fireworks Extravaganza advising her that the cancellation rate is 75% there is no problem with rescheduling the fireworks for Community Day. She also spoke to the Police Chief who will be enforcing social distancing. He expressed concerns about having them on June 27 citing the following concerns: the impossibility of enforcing social distancing and wearing face masks; if other displays are cancelled more people will flock to Kent; if people just stay in their cars to avoid other people it will create major traffic problems. Councilman Ruthven thought the Chief's recommendation should be taken seriously even though emotionally he thinks we need this. Councilman Denbaum thinks it is a mistake, he said the Governor has opened NYS beaches he would like to see what happens, he thinks everyone has to make their own decisions, the lockdown has had serious effects on all of us. He said at some point you have to allow people to go outside and look at the sky, we are no worse in Putnam than other regions. Councilman Ruthven explained beaches are open at 50% we cannot control the fireworks at 50% capacity, he wants to have them but just because he wants to have them is not the reason to go against the Executive Order it cannot be enforced. Councilman Denbaum thought it crazy that we are not having an outdoor even, we are taking this too far, and he is taking this serious. Councilwoman McGlasson thought people do need the fireworks but she did not think it realistic to have them but postponed until September it is not an easy decision it is a call that no one want to make. Councilman Huestis said even if we said yes we have to raise funds everyone is having a difficult time, he understands Paul but thinks it should be postponed. Councilman Denbaum understands everyone's concerns his frustration is the decision making process on the basis of experts that are ruling us and driving our local economy and our local communities to the ground.

INTRODUCED BY: Supervisor Fleming

SECOND BY: Councilman Huestis

WHEREAS, by Resolution No. 160 of 2020 dated April 28, 2020, the Town Board authorized the Town Supervisor to enter into an agreement with Fireworks Extravaganza for the annual Town of Kent Fourth of July Fireworks Display scheduled for June 27, 2020; and

WHEREAS, due to the State disaster emergency declared as a result of COVID 19 and the ongoing New York State restrictions on the size of gatherings, the Town Board wishes to rescind Resolution 160 of 2020, with the hope of rescheduling a fireworks display when such restrictions are lifted and an event can be scheduled;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Kent hereby rescinds Resolution 160 of 2020; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Kent hereby approves and ratifies all acts heretofore taken by the Town Supervisor in connection with Resolution No. 160 of 2020.

UPON ROLL CALL VOTE:

Supervisor Fleming:- aye Councilmen Huestis: - aye
Councilman Denbaum:-nay Councilwoman McGlasson: - aye
Councilman Ruthven: - aye
Motion carried

RESOLUTION #196 - AUTHORIZING CONTRACT WITH ESI GROUP

Councilman Huestis thought it was a needed program for our employees. The board was in agreement with the program.

INTRODUCED BY: Councilman Ruthven

SECOND BY: Councilwoman McGlasson

WHEREAS, the Town of Kent previously entered into a contract with ESI Group to provide an Employee Assistance Program and required DOT Substance Abuse Evaluations; and

WHEREAS, the Town Board wishes to renew its agreement through May 31, 2021 at the annual cost of \$3,675 for employee assistance and a cost of \$850 per DOT Substance Abuse Evaluation; and

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NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes and approves the renewal agreement with ESI; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute any and all agreements and other documents necessary to give effect to this Resolution, consistent with the terms hereof, all in form satisfactory to the Supervisor and the Town Attorney, if requested.

UPON ROLL CALL VOTE:

Supervisor Fleming:- aye Councilmen Huestis: - aye
Councilman Denbaum:- aye Councilwoman McGlasson: - aye
Councilman Ruthven: - aye
Motion carried unanimously

RESOLUTION # 197 - EXTENDING PROVISIONAL APPOINTMENT OF ASSESSOR

INTRODUCED BY: Councilwoman McGlasson

SECONDED BY: Supervisor Fleming

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

WHEREAS, by resolution dated November 19, 2019 the Town of Kent appointed Seth Plawsky to serve as provisional Town Assessor for a period of 6 months commencing on December 2, 2019; and

WHEREAS, the Town Board of the Town of Kent wishes to extend the provisional appointment of Seth Plawsky as Town Assessor;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby extends the provisional appointment of Seth Plawsky as Assessor of the Town of Kent, on a part time basis, for a period of 6 months commencing as of June 2, 2020.

UPON ROLL CALL VOTE:

Supervisor Fleming:- aye Councilmen Huestis: - aye
Councilman Denbaum:- aye Councilwoman McGlasson: - aye
Councilman Ruthven: - aye
Motion carried unanimously

Hiring of Temporary Leave Replacement Clerk for Building Department

This item to be discussed in Executive Session

Resolution # 198 – KVS/Springbrook Contract

Supervisor Fleming explained our Director of Finance and she negotiated with them to reduce the contract price. They came back with no increase this year and a 5% next year.

On a motion by Supervisor Fleming

Seconded by Councilman Ruthven

Resolved: The previous resolution authorizing the Supervisor to sign a contract with Springbrook for a 3% increase is rescinded. The Supervisor is authorized to sign a contract for a 0 percent increase this year with a 5% next year.

UPON ROLL CALL VOTE:

Supervisor Fleming:- aye Councilmen Huestis: - aye
Councilman Denbaum:- aye Councilwoman McGlasson: - aye
Councilman Ruthven: - aye
Motion carried unanimously

Lake Carmel Head Lifeguard

This item to be discussed in Executive Session

Resolution # 199 – Approval of Vouchers & Claims

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: The following Vouchers # # and claims submitted by

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1. Magna5	\$5,750.39	Telephone Service
2. Royal Carting	\$4,508.58	Recycling Garbage: March
	\$5,053.10	Recycling Garbage: April

UPON ROLL CALL VOTE:

Supervisor Fleming:- aye Councilmen Huestis: - aye
Councilman Denbaum:- aye Councilwoman McGlasson: - aye
Councilman Ruthven: - aye
Motion carried unanimously

Announcements

Supervisor Fleming said the Veterans Council are foregoing the observances' on Memorial Day as most Veterans are in a class susceptible to Corona. They are having a caravan which will leave the Don Smith Facility at 1:00 p.m. on Monday traveling north on Route 52 with a Putnam County Sheriff escort. Everyone is invited along Route 52 as they pass between 1:00p.m. to 1:30 p.m. She said the Veteran's are still holding their Watch Fires where they go around the clock retiring flags; it will be a closed ceremony.

Public Comment

Walter Recher said his son plays taps every year he will do the same and he records it. He said the Memorial Site has been cleaned by Frank and his crew, he suspects people will stop by and pay their respects. Councilwoman McGlasson said the benches will be in by the weekend. Walter Recher asked about the plans for Lake Carmel Beaches. Supervisor Fleming said they have to talk more about this; our beaches do not open until the end of June. We are waiting to find out, we have the person that certifies lined up we have to figure out how it will be done, there is talk about extending the certifications, making taking them on line.

Resolution #199 – Adjourn to Executive Session

On a motion by Supervisor Fleming
Seconded by Councilwoman McGlasson
Resolved: The Board adjourned to Executive Session at 8:37 p.m.
UPON ROLL CALL VOTE:

Supervisor Fleming: aye Councilmen Huestis: - aye
Councilman Denbaum:- aye Councilwoman McGlasson: - aye
Councilman Ruthven: - aye
Motion carried unanimously

The following resolution were taken by Counsel Nancy Tagliafierro

RESOLUTION #200 - AUTHORIZING HIRING OF TEMPORARY CLERK FOR BUILDING DEPARTMENT

INTRODUCED BY: Councilman Ruthven
SECOND BY: Supervisor Fleming

WHEREAS, the Town of Kent is seeking to fill a temporary position of Clerk for the Building Department while a Town employee is out on maternity leave; and

WHEREAS, James Babu has demonstrated the proper qualifications to fill the temporary position of Clerk for the Building Department;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Kent hereby authorizes the hiring of James Babu as Clerk for the Building Department, at the rate of \$16.00 per hour, until the Full Time Clerk returns from maternity leave ; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes the Supervisor to execute any and all documents necessary to give effect to this resolution.
Motion carried unanimously

RESOLUTION #201 - TO HIRE LAKE CARMEL PARK DISTRICT LIFEGUARD SUPERVISOR

INTRODUCED BY: Supervisor Fleming
SECOND BY: Councilman Ruthven

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WHEREAS, the Town of Kent is seeking to fill the summer position of Lifeguard Supervisor for the Lake Carmel Park District; and

WHEREAS, Andrea McKinley has previously been employed as Lifeguard Supervisor and has submitted an application to fill the position of Lifeguard Supervisor for the 2020 season.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring of Andrea McKinley as Lifeguard Supervisor of the Lake Carmel Park District for the 2020 season at a rate of 9,500 for the season; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes the Supervisor to execute any and all documents necessary to give effect to this resolution.

Motion carried unanimously

Resolution #202 – Adjournment

On a motion by Supervisor Fleming

Seconded by Councilman Denbaum

Resolved: The meeting was closed at 9:09 p.m.

Motion carried unanimously