The Town of Kent’s regularly scheduled meeting was held on Tuesday, November 10, 2020 at 7:00 p.m. at the Kent Town Hall, 25 Sybil’s Crossing, Town of Kent, New York. To see the full meeting visit the Town of Kent’s website at [www.townofkentny.gov](http://www.townofkentny.gov) under Video’s on Demand.

Present: Supervisor Fleming, Councilpersons, McGlasson, Huestis, Ruthven and Denbaum.

Also Present: Town Clerk Cappelli, Town Counsel Tagliafierro, Chief Owens, Director of Finance Yulia Kelly, Highway Superintendent, Lake Carmel Park District Advisory Board Members Ulich and several residents.

**PLEDGE OF ALLEGIANCE**

At 7:05 p.m. the meeting began with the Salute to the Flag.

**Resolution #340- Re-open Public Hearing – 2021 Preliminary Budget**

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: The Public Hearing on the 2021 Preliminary Budget was reopened.

Motion carried unanimously

Supervisor Fleming had not received any further emails from the public with questions on the budget. She asked those present there were none.

**Resolution #341 - Close Public Hearing on the 2021 Preliminary Budget**

On a motion by Supervisor Fleming

Seconded by Councilman Huestis

Resolved: The Public Hearing on the 2021 Budget was closed.

Motion carried unanimously

**Resolution #342 - Adopt the 2021 Budget**

On a motion by Supervisor Fleming

Seconded by Councilman Ruthven

Resolved: The 2021 Preliminary Budget was approved as submitted:

**Roll Call**

Councilman Denbaum – aye Councilwoman McGlasson – aye

Councilman Huestis – aye Councilman Ruthven – aye

Supervisor Fleming – aye

Motion carried unanimously

**Discussion on Mining**

Supervisor Fleming said there has been discussion of redoing the entire Comprehensive Plan or handling the mining section first. The last Comprehensive Plan was 12 years ago in 2008 the first in 1973, another sixteen years later in 1989. The concept of doing these sections first and then seeing if we need to do a Comprehensive Plan incorporating mining maybe logging and ridgeline protection which was mentioned in the 2008 plan. She said involving not only the board but a public panel to participate, or do we want to further put in off and do a Comprehensive Plan. She thought it makes sense to handle the mining, not stretch the moratorium longer, getting good legislation that the board and residents can live with. Councilman Ruthven thought it important the board make a clear direction on how to do this. He said a Comprehensive Plan is huge, expensive and could be a 2 year project. He thought addressing the mining, logging and ridgeline and opening it up to residents for their input in what should be changed and revisiting the Comprehensive Plan. It would not be so time consuming and expensive. Councilman Denbaum thought 2 board members could work on mining, 3 members the Comprehensive Plan with the community, a panel, 2 years and a questionnaire and experts, he said what is the point of an election as policy makers if we are not willing to make policy and farm it off. He thought we could do it both at once. The board was in agreement to have members of the public comment. Councilman Ruthven thought that’s how we should update the Master Plan by public input, not stretching it out, doing our surveys and modify what’s there adopting a new Master Plan in 6 months. Councilman Huestis has been asking for this. He thinks we can take the core and update parts, land use, infrastructure and others. We can take a grass roots approach getting through important items as there is going to be state aid cuts and funding loss. A resident John Neff expressed concerns of the time it is taking, and how the board will handle public input. He thought the vacant and abandoned homes should be in the Master Plan. Supervisor Fleming said the board can do them both simultaneously but thinks it will be a lot of work not just a couple of meeting unless a limited plan is done. Town Counsel Tagliafiero said they’ve spent time studying other mining legislation even drafting proposed legislation that has not been presented yet because we thought the moratorium a better idea and then Covid hit. She said now that there has been a determination on how we want to proceed we can revisit what we have drafted and look into Councilman Denbaum’ ideas’ and proceed from there. Lisa Leonard stated she isn’t an expert but wasn’t sure doing the mining and the Comprehensive Plan at the same time was a good idea according to the Zoning and Comprehensive Plan publication by the State. Supervisor Fleming thought the document referred to an initial plan. The town has three plans and the board’s supports revising the present one looking at the recommendations which have been followed which do we want to follow and which do we want to amend and change. Eileen Civitello was happy to hear the board talking about a Comprehensive Plan. She agreed with Lisa stating it’s necessary to keep the plan current, she said mining and logging was not on the horizon or an issue for the town, we are rich in certain natural resources that have become an industry, a billion dollar industry in NY. She expressed concerns about the hurry to get this mining and Comprehensive Plan done by March. She said we are allowed to extend the moratorium especially if we are working on the Comprehensive Plan, thinking it important giving it time and thought. Supervisor Fleming said realistically if they set a goal and see that it is more complex, things they hadn’t thought of they can extend the moratorium. She thinks there is a frustration; she doesn’t want to keep extending it. Councilman Ruthven asked if we need a resolution stating we are looking at the Comprehensive Plan. Town Counsel replied no. He asked for clarification on what they are doing. Councilman Huestis replied mining, logging and ridgeline and move along with the Comprehensive Plan addressing the three items. Eileen asked about a committee. Counsel replied we will have public hearings after a law is drafted and we will take comments from the public and if changes are needed that will happen. Rich Othmer suggested an ad hoc blue ribbon panel similar to what was done in the county, usually consisting of one or two legislators meeting with residents separately before the draft not worrying about a formal meeting. Eileen agreed with the formation of a panel she thought a full plate should be available, professionals, community, town board and legislation to direct this where it is legal and workable. Councilman Denbaum said he wants it to be here is our goals and here are our solutions to do them. A Master Plan with what we want with legislation on how to get there. He said we have a planner that can be contacted and will have to be part of the process.

**Resolution #343 - Authorizing Application for “Zombie” and Vacant Properties Remediation & Prevention Initiative.**

Councilman Huestis said after advocating for five years the State now knows the significant crisis and amount of homes in our town. The Town has been invited to apply for a 5 figure grant to help with this crisis.

On a motion by Councilman Denbaum

Seconded by Councilman Ruthven

 **WHEREAS**, the Town Board is in receipt of an application from Local Initiatives Support Corporation for a grant for funds to be used for “Zombie” and Vacant Properties and Remediation and Prevention Initiatives;

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby authorizes the application for the Grant, either by the Town Supervisor or Millenium Strategies, the Town’s grant consultant; and it is

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

Motion carried unanimously

**Resolution #344 - Accept Proposal for Lake Palmer Wastewater Planning Assistance Project**

On a motion by Councilwoman McGlasson

Seconded by Councilman Ruthven

 **WHEREAS**, by resolution dated July 21, 2020, the Town Board authorized the acceptance of a grant of up to $375,000 to study Palmer Lake pursuant to the East of Hudson Community Wastewater Planning Assistance Grant Program (the “Grant”) from the New England Interstate Water Pollution Control Commission (NEIWPCC); and

 **WHEREAS**, in connection with said Grant, the Town Board duly advertised for proposals from an engineer or engineering firm for the Lake Palmer Wastewater Planning Assistance Project and received two (2) proposals in response, copies of which are annexed hereto and hereby incorporated; and

 **WHEREAS,** the proposals have been reviewed by the Town and NEIWPCC and Woodard & Curran has submitted the lowest proposal in the overall amount of $195,000;

 **NOW, THEREFORE, BE IT RESOLVED** that the Town Board wishes to accept the proposal of Woodard & Curran consistent with the terms of the proposal; and

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

Motion carried unanimously

**Resolution #345- Appointment of Lake Carmel Sanitation Department Laborer**

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

**WHEREAS**, there is currently a vacancy in the position of Laborer for the Lake Carmel Sanitation Department; and

**WHEREAS,** Ryan Anderes is currently employed by the Lake Carmel Park District as a Maintenance Worker and has submitted an application to be transferred to the position of Laborer for the Sanitation Department; and

**WHEREAS**, the Town Board of the Town of Kent wishes to transfer Mr. Anderes to Laborer for the Lake Carmel Sanitation Department at the rate of $26.83 per hour;

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Kent hereby appoints Ryan Anderes as Laborer of the Lake Carmel Sanitation Department effective November 30, 2020.

Motion carried unanimously

**Resolution #346 - Add to the Agenda**

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

Resolved: Advertise for Highway Bids was added to the agenda.

Motion carried unanimously

**Resolution #347 - Authorizing Town Clerk to Advertise for Annual Bids for Highway Services & Materials**

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

WHEREAS, the Town of Kent Highway Superintendent wishes to advertise for annual bids for services and materials regularly used by the Highway Department; and

WHEREAS, the Town Board of the Town of Kent wishes to authorize its Town Clerk, Yolanda D. Cappelli, to advertise for bids for Highway Services and Materials just as last year with the addition of the tub grinder bid;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes its Town Clerk, Yolanda D. Cappelli, to advertise for annual bids for Highway Services and Materials to be open on December 4, 2020.

Motion carried unanimously

**Resolution #348 - Authorization to Dispose of Unneeded Items from Lifeguard Garage in Lake Carmel Park District**

On a motion by Councilman McGlasson

Seconded by Councilman Ruthven

 **WHEREAS**, by emails dated November 5, 2020 and November 6, 2020, Heidi Link, the Lake Carmel Park District Clerk, has advised that the Lake Carmel Park District (“LCPD”) is no longer in need of certain items as identified in the emails (the “Items”), copies of which are annexed hereto and hereby incorporated, which Items are “at the end of life, broken or unsanitary; and

**WHEREAS**, the Town Board wishes to authorize the Lake Carmel Park District to discard of the Items identified.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent, authorizes the Lake Carmel Park District to discard the Items.

Motion carried unanimously

**Resolution #349 - Accepting Resignation of Member of the Lake Carmel Park District Advisory Board**

On a motion by Councilman Ruthven

Seconded by Councilwoman McGlasson

**WHEREAS,** the Town of Kent wishes to accept the resignation of Andrew Bargamian as a member of the Lake Carmel Park District Advisory Board;

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board accepts the resignation of Andrew Bargamian as a member of the Lake Carmel Park District Advisory Board, with thanks for his service.

Motion carried unanimously

**Resolution #350 - Add to the Agenda**

On a motion by Councilwoman McGlasson

Seconded by Councilman Denbaum

Resolved: Advertise for member of the Lake Carmel Park District Advisory Board was added to the agenda.

Motion carried unanimously

**Resolution #351 - Advertise for the Lake Carmel Park District Advisory Board**

On a motion by Councilwoman McGlasson

Seconded by Councilman Denbaum

Resolved: The Town Clerk is authorized to advertise for a member of the Lake Camel Advisory Board.

Motion carried unanimously

**Resolution #352 - Release of Driveway Bond – 24 Garrison Rd – TMM#22.66-1-26**

On a motion by Councilman Ruthven

Seconded by Councilwoman McGlasson

 WHEREAS, a driveway bond was previously approved and accepted by the Town of Kent from Kevin Forbes in the amount of $500 (the “Bond”) regarding 24 Garrison Road, Kent, New York Tax Map No. 22.66-1-26 (the “Premises:”); and

WHEREAS, by letter dated October 26, 2020, Richard Othmer, Highway Superintendent recommends the release of the Bond submitted by Mr. Forbes currently being held by the Town of Kent; and

WHEREAS, the Town Board of the Town of Kent wishes to follow the recommendation of Mr. Othmer;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby releases the Bond submitted by Mr. Forbes in the amount of $500.

Motion carried unanimously

**Resolution #353 - Approval of Vouchers and Claims**

On a motion by Councilman Huestis

Seconded by Councilman Ruthven

Resolved: All Vouchers and claims submitted by:

1. Barney Zipkin Tree Service, Inc. $8,880.00 Tree Work
2. Beam Mack Sales & Services, Inc. $115,678.82 Mack Sanitation Truck
3. City Carting $6,621.73 Lake Carmel Garbage

$7,078.75

$6,576.21

$6,428.49

1. Civic Plus $3,605.00 Website Hosting
2. Duke Fence $7,380.00 Lake Carmel Basketball Court
3. Edmunds GovTech, Inc. $4,200.00 Tax Collector Annual Software
4. Hogan & Rossi $5,416.63 Legal Services: November
5. Long Island Sanitation Equipment Co. $65,074.46 Rear Loader Sanitation Truck
6. Millennium Strategies $2,500.00 Grant Services: October
7. NYCOMCO $2,846.00 2 Way Radios: Police
8. NYSEG $6,314.61 Electric: Police (includes missed bill)

$4,976.66 Electric: Ryan’s Field

1. State Comptroller $42,885.00 Justice Court: Fines & Fees

may be paid.

Motion carried unanimously

**Public Comment - none**

**Resolution #49 - Adjourn to Executive Session**

On a motion by Councilman Huestis

Seconded by Councilwoman McGlasson

Resolved: The board adjourned to executive Session at 9:05 p.m. to discuss personnel and pending litigation.

Motion carried unanimously

**Resolution #50 - Adjournment**

On a motion by Councilman Ruthven

Seconded by Councilman Denbaum

Resolved: The Town Board Meeting of November 10, 2020 adjourned at 9:45 p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli

Town Clerk