

TOWN BOARD MEETING APRIL 20, 2021

A regular Town Board Meeting was held on Tuesday, April 20, 2021 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 under Video's on Demand.

Pledge of Allegiance

Supervisor Fleming called the meeting to order with the Salute to the Flag at 7:05 p.m.

Roll Call

Supervisor Fleming – present
Councilman Denbaum – present
Councilwoman McGlasson – present
Councilman Huestis – present
Councilman Ruthven – present

Also present: Town Clerk Cappelli, Highway Superintendent Othmer, Town Counsel Tagliafierro, Chief Owens, Recycling Co-Chair Kotzur, Chair Recher & Co Chair Ulich of the Lake Carmel Park District Advisory Board and several members of the public.

Military Tribute

Maria Barry was present to talk about the project, she said presently you can see the flags displayed in Mahopac and Hopewell Junction to honor our Veterans. She explained it was started by Gail Silk, whose brother was a Veteran and lost his life on 911 and wanted to bring the program locally. She said there is a website, you click on Kent or Carmel, upload a photo either in their military uniform or a regular picture, they can be living or deceased, it is a way to honor our Veterans who have served for our freedom every day. She said it is going to be beautiful, the price is \$200.00 which includes a donation to various local Veteran Organizations. The flags will be placed along Route 52 from Town Hall going North and South in both directions. The intent is for them to be displayed by Memorial Day.

Resolution #161 -Authorizing Participation in the Military Tribute Banners Program

On a motion by Councilwoman McGlasson

Seconded by Councilman Ruthven

WHEREAS, as a way of honoring our Veterans, the Town of Kent wishes to encourage the Carmel Military Tribute Banners program; and

WHEREAS, the Town of Kent wishes to support the event and encourage its residents to honor their Veterans, active-duty and National Guard members by sponsoring banners that will be displayed from Memorial Day 2021 through Veterans Day 2021; and

NOW THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby authorizes the participation of the Town in the Carmel Military Tribute Banners program and encourages its residents to sponsor banners; 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.

Motion carried unanimously

Resolution #162 - Authorizing Trade In of Equipment & Purchase of Bobcat Compact Excavator

On a motion by Councilman Ruthven

Seconded by Councilwoman McGlasson

WHEREAS, by letter dated April 16, 2021, the Town Board of the Town of Kent has received a request from the Town Highway Superintendent to trade in Highway Equipment #76 2016 E-85 Bob Cat Excavator ("Highway Equipment #76); and

WHEREAS, the Highway Superintendent has recommended the purchase of a 2021 E88 R2 Series Excavator to replace the Equipment; and

WHEREAS, the Town Board has been provided with a proposal for one 2021 E88 R2 Series Excavator pursuant to a contract with the Bobcat Company at a cost of \$89,975.20, less the trade in value of Highway Equipment #76 for a cost of \$40,000; and

WHEREAS, Section 103(16) of the General Municipal Law exempts from competitive bidding

TOWN BOARD MEETING APRIL 20, 2021

purchase contracts for apparatus, materials, equipment and supplies, through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district; and

WHEREAS, in accordance with the Town's Procurement Policy and the General Municipal Law, the Town Board wishes to authorize the Highway Department to purchase the 2021 E88 R2 Series Excavator consistent with the above referenced proposal;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes and approves the trade in of Highway Equipment #76 and purchase of the 2021 E88 R2 Series Excavator for a price not to exceed \$49,975.20; 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 #163 - To Hire Seasonal Park Maintenance Workers for Lake Carmel Park District

On a motion by Councilwoman McGlasson

Seconded by Councilman Ruthven

WHEREAS, the Town of Kent is seeking to fill vacant positions for Seasonal Park Maintenance Workers for the Lake Carmel Park District ("LCPD"); and

WHEREAS, Frank Sabatini, Lake Carmel Crew Chief, has recommended the hiring of Sean Ferris for a six (6) month position at \$15 per hour from beginning immediately, through and including October 29th; Joshua Garrett from mid-May through and including September 3rd at a rate of \$12.50 per hour; and Abilio Saraiva Rego from mid-June through and including September 3rd at the rate of \$12.50 per hour to fill the seasonal positions; and

WHEREAS, the Town Board wishes to accept the recommendation of Mr. Sabatini and hire Mr. Ferris, Mr. Garrett and Mr. Rego;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring of Mr. Ferris, Mr. Garrett and Mr. Rego, as Seasonal Park Maintenance Workers for the LCPD as further detailed above.

Motion carried unanimously

Discussion Canada Goose Population in Lake Carmel Park District

Chairman of the Lake Carmel Park District Walter Recher explained they have been working on a Master Plan for the Park District. He read a statement from the Advisory Board and concerned residents recommending a comprehensive plan to reduce the population of Canada Geese around the shoreline. Based upon their observations as of Fall 2020 the number has tripled to at least 125 becoming an important issue. He said according to the USDA the average goose deposits on average 1.5 to 2 pounds of fecal matter per day. They also contribute on average 250 pounds of phosphates a year. The population has inhibited the use of amenities and contributed to green algae blooms and potentially carrying disease and created a nuisance to the residents. He said the board has a responsibility to its residents and park crew and would like the Town Board to engage with the USDA Wildlife Management Service in the development of a Comprehensive Plan to reduce the population of Canada Geese. Once a study is undertaken, they would like to begin their recommendations: 1. To continue adding the Canada Geese eggs to reduce the population. 2. Grow buffer zones around the lake to discourage their appearance in beach and park areas. 3. Hazing, bringing in dogs to scare them away. 4. Culling having the population removed around the lake and being processed and donated to a food distribution center in upstate New York. He said their priority is for the residents of Lake Carmel. Bob Ulich asked how to move this forward. Councilman Ruthven understood the USDA comes onsite sometime in May and do a survey and if it meets the threshold they come back in June to do the actual culling. The cost for the services is about \$2,500 plus the cost per goose.

Resolution #164 - Contract with USDA Wildlife Management Service for the Lake Carmel Park District

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson & Councilman Ruthven

Resolved: The Supervisor and Town Attorney are authorized to enter into an agreement with the USDA Wildlife Management to study the Geese population of Lake Carmel and recommend and cull if necessary the geese population at a cost not to exceed \$3,500.00.

Motion carried unanimously

TOWN BOARD MEETING APRIL 20, 2021

Resolution #165 - Authorizing Correction of Violation Acceptance of Proposal & Charge to Property Owner TM#10.-2-66.2

On a motion by Councilwoman McGlasson
Seconded by Councilman Ruthven

WHEREAS, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation dated March 31, 2021 (the "Order to Remedy") directing the owner to remove rubbish at the property identified as 134 Miller Hill Road, Kent, New York, Tax Map No. 10.-2-66.2 (the "Property"); and

WHEREAS, the Order to Remedy requires the owner to correct the violations or respond to the Code Enforcement Office within ten days and, to date, the owner of the Property has not responded;

WHEREAS, pursuant to Chapter 55A of the Town Code of the Town of Kent regarding "Property Maintenance", upon the failure of any owner to comply, the Building Inspector is authorized to correct a violation subject to the approval of the Town Board; and the Town Board wishes to authorize the Building Inspector to correct the violation; and

WHEREAS, consistent with the Town's Procurement Policy, the Town of Kent requested three written proposals from contractors to correct the violation on the Property and received one proposals in response, copies of said proposals are annexed hereto and incorporated by reference; and

WHEREAS, FI Adams, Inc. submitted the lowest proposal in the amount of \$1,500.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby accepts the proposal of FI Adams, Inc. for the correction of the violation at a cost not to exceed \$1,500; and

FURTHER RESOLVED, that the actual cost of the correction of the violation, plus the accrued legal rate of interest from the date of completion of the work, shall be charged to the property owner by the Town in accordance with Chapter 55A-12(B).

Motion carried unanimously

Resolution #166 - Accepting Erosion Control Surety Bond

On a motion by Councilman Denbaum
Seconded by Councilwoman McGlasson

WHEREAS, the Planning Board, by Resolution #5 of the Year 2021, dated April 12, 2021, rescinded its Resolution #4 of the Year 2021, and has recommended that the Town Board accept: (i) an Erosion Control Bond in the amount of \$19,700; and (ii) an escrow for the Final Inspection Fee in the amount of \$1,000 from the owner of the property located at 3 Westwood Drive, identified as Tax Map No. 19.12-1-20; and

WHEREAS, on April 6, 2020 the Town Board approved the posting of a bond by Resolution No. 155 in the amount of \$4,500 and inspection fee of \$1,000, as requested by Planning Board Resolution No. #4, which has since been rescinded by the Planning Board; and

WHEREAS, the Town Board wishes to accept the recommendation as set forth in Planning Board Resolution #5 and rescind the prior acceptance of the erosion control bond and inspection fee in Town Board Resolution #155;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the recommendation of the Planning Board that an Erosion Control Bond in the amount of \$19,700 be posted, and an escrow for the Final Inspection Fee in the amount of \$1,000 be approved for 3 Westwood Drive.

Motion carried unanimously

Resolution #167 - Authorizing Acceptance of Proposal for Actuarial Consulting Services

On a motion by Councilwoman McGlasson
Seconded by Councilman Ruthven

TOWN BOARD MEETING APRIL 20, 2021

WHEREAS, the Town of Kent is in receipt of a proposal dated April 9, 2021 from Aquarius Capital (the “Proposal”) to provide actuarial consulting services to the Town of Kent, as set forth in the Proposal annexed hereto and hereby incorporated by reference; and

WHEREAS, pursuant to the Proposal, Aquarius Capital will provide the Town of Kent with a post-employment benefits valuation under Government Accounting Standards Board (GASB) No. 75; and

WHEREAS, actuarial consulting services proposed are a professional service that are exempt from bidding requirements under the Town Procurement Policy and New York State law; and

WHEREAS, the Town Board believes it to be in the best interests of the Town to accept the Proposal and authorize the actuarial consulting services.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the Proposal from Aquarius Capital and authorizes the actuarial consulting services consistent with the Proposal; 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.
Motion carried unanimously

Resolution #168 - Committing Fund Balance to Kent Police Department

On a motion by Councilman Ruthven
Seconded by Councilwoman McGlasson

WHEREAS, pursuant to a request from Chief Kevin Owens, the Town Board of the Town of Kent wishes to commit \$153,500 of fund balance to the Kent Police Department;

NOW THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby commits to use \$153,500 of fund balance for the future needs of the Kent Police Department; 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.
Motion carried unanimously

Resolution #169 - Authorizing Carry Over of Vacation Time

On a motion by Councilman Ruthven
Seconded by Councilwoman McGlasson

WHEREAS, Kyle Ulich has not used all of his allotted vacation time for the year 2020 and has requested that his remaining vacation time be carried over into 2021; and

WHEREAS, the Town Board wishes to authorize that any remaining vacation time for the year 2020 due to Kyle Ulich be carried over into the 2021 calendar year.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the carryover of any 2020 unused vacation time of Kyle Ulich, into the 2021 calendar year, on the condition that the vacation time be used on or before June 30, 2021.
Motion carried unanimously

Resolution #170 - Approval of Vouchers and Claims

On a motion by Councilman Huestis
Seconded by Supervisor Fleming
Resolved: All Vouchers and claims submitted by:

1. Cemco	\$2,699.45	Water District #1
2. City Carting	\$5,260.60	Lake Carmel Garbage
3. D. Owens Electric	\$2,570.00	Water Building
4. Insite Engineering	\$9,895.88	Bridges
5. Kent Manor Sewer Corp.	\$76,571.51	2020 Sewer Rent
6. Lawmen Supply Co.	\$6,594.00	Bullet Proof Vests
7. Magna5	\$3,965.26	Telephone Service
8. Managed Technologies of NY	\$2,264.48	Toughbook
9. NYCOMCO	\$2,846.00	2 Way Radios

TOWN BOARD MEETING APRIL 20, 2021

10. NYSEG	\$4,951.14	Electric: Ryan's Field
11. Sclafani Energy	\$4,330.00	Boiler
12. Woodard & Curran	\$11,405.00	Palmer Lake Wastewater Project

may be paid.

Motion carried unanimously

Announcements

- Putnam County Household Hazardous Waste Day May 1, 2021 9:00 a.m. – 12:00 p.m. at Fahnestock State Park preregister by calling 845-808-1390 x 43150.
- Putnam County Youth Bureau the Pegasus Program helps kids understand alcohol and drug dependency started April 8, 2021 – May 27, 2021 at 6:00 Thursday evenings, Call Stephanie Nacera 808-1600 x46125
- No burning from March 15 to May 15, 2021. No open burning.
- Reminder no dumping
- Rotary Basketball Challenge at Shoprite, Saturday, April 24, 2021.
- Lake Carmel Fire Department is having an Open House this Sunday 4/25/2021, 10:00 a.m. – 2:00 p.m.
- St. James Tag Sale 10:00 a.m. – 3:00 p.m.
- Lake Carmel Park district received a grant for the planting of tree saplings and the CAC is applying for a grant for the Natural Resource Inventory. A grant was applied for an engineering survey of the Lake Carmel Community Center, Old Town Hall and the Mill site, also a grant was applied for basketball court at the Lake Carmel Community Center that was not received but we will reapply.
-

Public Comment

Walter Recher asked if the board could follow up what happen to the revitalization of sidewalks in the Town of Kent. He said Route 52 was paved up to Kent, the roads are a mess.

Resolution #171 - Adjourn to Executive Session

On a motion by Supervisor Fleming

Seconded by Councilman Ruthven

Resolved: The Town Board adjourned to executive session at 8:35 p.m.

Motion carried unanimously

Resolution #172 - Adjournment

On a motion by Supervisor Fleming

Seconded by Councilman Ruthven

Resolved: The Town Board meeting of April 20, 2021 adjourned at 10:10 p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli

Town Clerk