

TOWN BOARD MEETING OCTOBER 5, 2021

A regular Town Board Meeting was held on Tuesday, October 5, 2021 at 5:00 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.

Resolution #300 - Adjourn to Executive Session

On a motion by Supervisor Fleming

Seconded by Councilwoman Ruthven

Resolved: The Board adjourned to executive session at 5:04 p.m. to discuss an employment matter.

Motion carried unanimously

Resolution #301 – Adjourn Executive Session

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: Executive Session adjourned at 6:50 p.m.

Motion carried unanimously

Pledge of Allegiance

Supervisor Fleming called the meeting to order with the Salute to the Flag at 7:00 p.m.

Roll Call

Supervisor Fleming – present

Councilman Denbaum – present

Councilwoman McGlasson – present

Councilman Huestis – present

Councilman Ruthven – present

Also present: Town Clerk Cappelli, Town Counsel Tagliafierro, Chief Owens, Recycling Co-Chair Kotzur and several members of the public.

Approve Inter-Municipal Agreement with Putnam County for Electrical Inspections

Bob Doherty a resident and electrical contractor for 30 years said the County gets \$50.00 for every electrical permit and a part of the electrical inspectors cost. He explained almost every town in Westchester gets the fee from the electrician. He said the town gets no money from the County for this but shares the responsibilities and thought the town might want to take this over. He felt it a good source of income. He said they have two inspection companies that the County contracts with. He said the town could make a contract with the inspection companies and make their own deal. The board discussed the process and how it originated and if this would be burdensome to our Building Department, discussing that the Town of Putnam Valley has been doing this for years. This item was tabled until the next meeting so the board could look into the recommendation given by Bob Doherty in regards to the town accepting the permit and fees.

Resolution #302 -Authorizing Correction of Violation, Acceptance of Proposal & Charge to Property Owner 109 Terry Hill Road

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 August 23, 2021 (the "Order to Remedy") directing the owner to remove rubbish, grass and overgrowth from the exterior of the property identified as 109 Terry Hill Road, Kent, New York (the "Property"); and

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

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

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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 two proposals in response with the lowest proposal from Bill Henry Tree Service in the amount of \$750, a copy of said proposals are annexed hereto and incorporated by reference; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby accepts the bid of Bill Henry Tree Service for the correction of the violation at a cost not to exceed \$750; 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 #303 - Accept AKC Reunite Grant to Kent Police Department

On a motion by Councilwoman McGlasson
Seconded by Councilman Ruthven

WHEREAS, AKC REUNITE has awarded a grant in the amount of \$7,500.00 (the "Grant") to the Town of Kent Police Department for purchase of an additional police K-9 Officer; and

WHEREAS, the Town Board desires to accept the Grant and to approve and ratify any and all prior action taken by Town Officials in connection therewith; and

WHEREAS, the Town Board of the Town of Kent authorizes the Town of Kent Police Department use the Grant funds for the purchase of a K-9.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby gratefully accepts the AKC REUNITE Grant in the amount of \$7,500 and authorizes the use of the funds for the purchase of a K-9 Officer; 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.

BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby approves and ratifies all acts heretofore taken by the Town Board, Town Supervisor, and any and all other Town Officials in connection with the subject grant.
Motion carried unanimously

Resolution #304 - Adopting Policy for Payment of Health Insurance Coverage for Full Time Elected Officials

Supervisor Fleming explained this was held over as there were concerns about long time employees who already receive health insurance paid in full by the town. She said she added verbiage to the section of the handbook that should cover those employees. Town Clerk Cappelli asked if a highway employee hired before 2009 decides to run for office would they still receive health insurance paid in full. Supervisor Fleming explained they would be covered if they had continuous employment and hired before 2009. Councilman Denbaum thought this should be left for the new board to decide. Supervisor Fleming said this change was made to the law but not the handbook, it was their intent and never changed. Councilman Ruthven had no problem making the handbook change.
On a motion by Councilman Ruthven
Seconded by Supervisor Fleming

WHEREAS, an amendment to Kent Town Code Chapter 14-12 entitled "Money in lieu of health insurance" was adopted by the Town Board on 12-1-2015 by Local Law No. 3-2015; and

WHEREAS, pursuant to said Local Law, only full-time Town employees and full-time elected officials, specifically the Town Supervisor, the Highway Superintendent and the Town Clerk, are eligible for health insurance coverage paid for, in part, by the Town; and

WHEREAS, the Town Board previously adopted a policy wherein the portion of health insurance coverage paid by the Town for Town employees is eighty (80%) percent, and the balance of such health insurance coverage is paid by the employee; and

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WHEREAS, the Town Board must adopt a policy determining the portion of such health insurance coverage to be paid by the Town for the above referenced full-time elected officials, and wishes to adopt the same policy as the one set for Town employees;

NOW, THEREFORE, the Town Board adopts the annexed policy, to be added to the Town Handbook, in the form annexed hereto and incorporated as part of this Resolution, so that only full-time Town employees and full-time elected officials, specifically the Town Supervisor, the Highway Superintendent and the Town Clerk, are eligible for health insurance coverage, of which eighty (80%) percent shall be paid by the Town, and the balance is to be paid by the employee.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the payment of eighty (80%) percent of health insurance coverage for the following full-time elected officials by the Town: The Supervisor, the Clerk and the Highway Superintendent; and

BE IT FURTHER RESOLVED, that the Town Supervisor shall cause the Employee Handbook to include this Policy in the form annexed hereto and incorporated herein; and

BE IT FURTHER RESOLVED, that the 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.

Poll Vote

Councilman Denbaum – nay- he asked the Local Law stated the town will not pay 100% for elected officials, it did not state an amount, we are now setting the amount of compensation without a local law or notice. He said the amount is being set by resolution. He asked can you reduce the amount of compensation to an elected official by a significant amount without a local law, can you alter the salaries of elected officials through a handbook change without a local law. Town Counsel Tagliafiero replied she thought we altered their salary by adopting the local law and setting the amount through our policy. He voted no.

Councilwoman McGlasson – abstained

Councilman Huestis – aye

Councilman Ruthven – aye

Supervisor Fleming – aye

Motion carried

Resolution #305 - Add Item to Agenda

On a motion by Supervisor Fleming

Seconded by Councilman Ruthven

Resolved: Allowing Application for JCAP Grant was added to the agenda.

Motion carried unanimously

Resolution #306 - Allowing Application for JCAP Grant

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

WHEREAS, the Town of Kent Justice Court wishes to submit an application for the 2021 JCAP Grant; and

WHEREAS, the Town Board of the Town of Kent wishes to authorize the Town of Kent Justice Court to apply for the 2021 JCAP Grant.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes Jessica Edwards , Court Clerk of the Town of Kent Justice Court authorization to apply for the 2021 JCAP Grant.

Motion carried unanimously

Resolution #307 - Add Item to Agenda

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

Resolved: Appointment of Jeanne Garbarino to the Lake Carmel Advisory Committee was added to the agenda.

Motion carried unanimously

Resolution #308 - Appointment of Jeanne Garbarino to the Lake Carmel advisory Committee

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Councilman Huestis said he knows the Garbarino family for many years, he said it will be a compliment to the Lake Carmel Advisory Board.

On a motion by Councilwoman McGlasson

Seconded by Councilman Ruthven

Resolved: Jeanne Garbarino was appointed to the Lake Carmel Advisory Committee her term to be determined.

Motion carried unanimously

Resolution #309 - Approval of Vouchers and Claims

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: All Vouchers #200160811 - #200160897 and claims submitted by:

1. Atlantic States Lubricants	\$3,259.36	Motor Oil
2. Beyer Ford	\$44,597.00	Police SUV
3. Camerota Truck Parts	\$5,567.60	Truck Parts
4. Genserve	\$2,235.00	Annual Monitoring WD#1
5. Global Montello Group	\$3,415.46	Fuel
	\$4,912.60	
6. Hogan & Rossi	\$5,416.63	Legal Services October
7. Millennium Strategies	\$2,250.00	Grant Services September
8. Robert Green Auto & Truck	\$65,118.80	2020 Ram
9. State Comptroller	\$44,528.00	Justice Court Fines & Fees
10. Town of Kent Municipal Repairs	\$23,170.84	Chargebacks: Highway
11. Woodard & Curran	\$36,635.00	Palmer Lake Project
12. Grasso Shepherds	\$6,000	Purchase of K-9 Officer

In the amount of \$ 385,117.51 may be paid.

Motion carried unanimously

Announcements

- Putnam County Household Hazardous Waste Drop Off Day October, 9, 2021 9am – 12 Noon
- Electronic Waste Recycling Day on October 23rd, 9am – Noon
- 10th Annual Caitlyn Rose Savio Foundation on October 9, noon – 5 p.m at Kiwi Country Day Camp
- Kent Historical Society Benefit Sale on 10/17/2021 from 12:00 to 3:00 p.m.
- The Tentative Budget has been presented to the Town Board this evening and will be on the website tomorrow.
- 1st Budget Workshop will take place on Wednesday October 13, 2021 at 8:00 a.m.

Public comment

Sue Kotzur asked if residents will need to bring some kind of proof of residency to the E Waste Day. The board said something with your address will need to be provided, they will do their best to assure only Kent residents participate.

Walter Recher asked about the American Recovery Act and the recent storm and possible funding and sales of homes. He asked how that impacts the funding for 2022. Supervisor Fleming said population has decreased, the American Recovery Act is very specific, it cannot be used for all capital budgets, balancing the budget for salary increases, they have to see how that fits in. It did not come into play to balance the budget. Councilman Ruthven said they will be submitting for costs for the storm but it was not figured into the budget as well. Walter asked when will the board be looking at the funding and planning for it. He said there is a lot of work that needs to be done around town. He understands it cannot be used for everything but it is significant amount and is asking when the board will be looking at where and what it can be used for to benefit the residents. Supervisor Fleming hopes to be addressing it soon with the board.

Resolution # 310 - Adjournment

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: The Town Board meeting of October 5, 2021 adjourned at 7:50 p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli

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Town Clerk

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