

TOWN BOARD MEETING FEBRUARY 19, 2019

A regular Town Board meeting was held at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, New York 10512.

RESOLUTION #108 - ADJOURN TO EXECUTIVE SESSION

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: The town board adjourned to executive session at 6:23 p.m. to discuss collective negotiations pursuant to article fourteen of the civil service law; 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; litigation.

Motion carried unanimously

RESOLUTION #109 - ADJOURN EXECUTIVE SESSION

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: The town board adjourned executive session at 7:15 p.m. no votes were taken.

Motion carried unanimously

RESOLUTIONS #110 - OPEN PUBLIC HEARING ON PROPERTY MAINTENANCE

On a motion by Supervisor Fleming

Second by Councilwoman McGlasson

Resolved: The public hearing on the amendments to Kent Town Code Chapter 55A regarding Property Maintenance was reopened.

Motion carried unanimously

Supervisor Fleming said this was on at the last meeting and allowed for comments or emails and has not received any. Councilman Huestis supported this as it tightens loopholes. There were no further comments.

RESOLUTION #111 - CLOSE PUBLIC HEARING ON PROPERTY MAINTENANCE

On a motion by Supervisor Fleming

Seconded by Councilman Huestis

Resolved: The public hearing on the amendments to Kent Town Code Chapter 55A regarding Property Maintenance was closed.

Motion carried unanimously

RESOLUTION #112 - OPEN PUBLIC HEARING ON FOOD TRUCKS

On a motion by Supervisor Fleming

Second by Councilwoman McGlasson

Resolved: The public hearing on the amendments to Kent Town Code Chapter 39B on Food Trucks was reopened.

Motion carried unanimously

Supervisor Fleming said this was left open for further comments or emails she has not received any. There were no further comments.

RESOLUTION #113 - ADJOURN PUBLIC HEARING ON FOOD TRUCKS

On a motion by Supervisor Fleming

Seconded by Councilman Huestis

Resolved: The public hearing on the amendments to Kent Town Code Chapter 39B regarding Food Trucks was closed.

Motion carried unanimously

PLEDGE OF ALLEGIANCE

Supervisor Fleming called the Workshop Meeting to order with the Salute to the Flag.

WORKSHOP MEETING

The Board discussed and reviewed all items on the workshop agenda. To see what transpired at the workshop meeting please see Videos on Demand on the Town's website. www.townofkentny.gov.

PUBLIC COMMENT

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Susan Kotzur of Kent Cliffs and Kent Recycling said discussion took place a year ago about Clancy Brothers, coming in and using Recycling access, a lot of meetings took place and she hasn't heard anything. She asked if it is a topic of discussion or not?

Supervisor Fleming replied Clancy has made a business decision to not come to the Town of Kent. Mrs. Kotzur asks is there any special reason why? Supervisor Fleming explained the reasons according to Mr. Clancy have nothing to do with the Town of Kent or the recycling Center. She said the town worked very hard with them to make it a viable location and they were appreciative of our work, and the efforts of the County, but for business reasons they've decided to go in another direction.

Dan Hous a resident of Lake Carmel stated it seems we keep throwing money and chemicals into the lake to clean it. He asked when we are going to sit down and seriously take care of it. He cannot use his rowboat because you can't breathe that algae when it is on the Lake. He used to do his cardio on the Lake; he grew up in Lake Peekskill and moved here 30 years ago. He sees bids for trees and chemicals when are we going to dredge it? When are we going to do something that has a firm commitment and take a serious look at it? Take the money set it aside and fix the lake. We're paying for life guards, he lives there and if 50 people use it all year long. Why do you have the beaches open?

Supervisor Fleming responded in Dec. 2017 the Governor released a list of priority lakes, Lake Carmel being one of them. She understands the frustration this is a problem that nobody seems to understand the solution. Last year in Lake Peekskill they put an aeration system in. They spent \$132,000 which is a smaller lake than Lake Carmel and the Town Supervisor assures it's going to work. Last year Lake Peekskill was closed more frequently than Lake Carmel. She attended along with members of Lake Carmel Park District Advisory board the Summit that was held with 20 different scientists in attendance. The consensus unfortunately was nobody knew what the solution was. Last year we were part of the two pilot programs. Hydrogen peroxide at two of the beaches and the ultrasonic device at the third beach. The results were the same amount of closures as the untreated beaches. She said, DEC hired an engineering firm to do a feasibility study at Lake Carmel and Palmer Lake. For Lake Carmel the recommendation was to sewer Lake Carmel, a grant application was submitted but not received. The application of Cutrine Ultra is a band aid. She said we suggested high density areas of the Town around lakes decrease the time between septic pump outs because run off and septic are two of the major detrimental effects on the lake. There was a lot of resistance. We've encouraged people to pick up after their dogs and to have their septic tanks inspected. We are going to be planting more buffers. But unfortunately nobody has the solution and dredging may not be the solution she encouraged him to come to the advisory board meetings.

Mr. Haus asks are we setting monies in our budget to put it aside to help the lake.

Councilman Chris Ruthven said, there are a lot of town committees working on different aspects of this project. One of the reports was sewers, but there was also the inflow from the pipes coming into the lake and two main feeder streams coming in the lake could have work done, there are different committees looking into these small housekeeping issues that we can do that are less expensive to help curb the nutrient levels of phosphorous getting into the lake. Mr. Haus said we could have run off from the Patterson Crossing that's one of the streams. Supervisor Fleming said, Patterson Crossing did a large storm water project that was supposed to help. Mr. Haus said he sees Lake Tibet, putting carp and barriers. He drove by Lake Tibet and there are about 70 to 80 houses and a third is weekend homes. They have one small beach and we have a lake that a whole community depends on.

Supervisor Fleming replied Lake Tibet is a Park District like Lake Carmel in a very small scale the residents in the Lake Tibet Community also pay additional fees they are paying for that.

Councilman Huestis said you're right on as far as dredging, if we could afford it. There is a retention pond going to be built on Montrose and one built already near Ryan's Park. He is concerned about the East Lake Boulevard coming off Huguenot and Yorktown going right into the lake. There is definitely a septic issue that needs to be addressed. The Lake Carmel Dam just completed phase 1 and East of the Hudson Water Corporation paid for it. The inlets going in need to be looked at. There's a couple other retention ponds around Lake One is Beach 6, one is near the old Town Hall. We have to maintain them they don't give us money to do that we are responsible. We definitely need sewers the question is can people afford the sewers if

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they go in? That's a concern. Mr. Haus replies, they will have to do it sooner or later something has to be done. He stated, even with all of us pumping out our septic's, those fields are 500 ft away from the water if you put sewers in now it is still going to take them years for those fields to be cleaned out. Supervisor Fleming responds they sewer around Peach Lake and they did see improvement. When we sit with DEC and talk about the cost, peoples' ideas of what is prohibitive and what's acceptable are different we have to have a plan, that people can stay in their homes, and afford to pay this fee to improve the water quality.

Mr. Haus responds and if it doesn't our property values are dropping. We can't get what we wanted for our houses and that's upsetting approaching retirement age. We get thirty years; build everything pay everything we need to pay and the Lake went all up. We are paying for it again, now because we are taking 25,000, 30,000, 50,000 hits. This is our retirements, we need our houses. There are a lot of us that are upset. Councilman Huestis stated there are over 100 trees down around the lake which serve as filters for runoff, they are very important. He is working with arborists and environmental people volunteers that are a committee. We are hoping to put specific species around in certain areas that will help with the filtering. That's only part of it; the septic is one, the water quality, the flow what's coming in what's coming out. I mean it's a whole combination it's not just dumping chemicals in.

Mr. Haus said as far as trees go why Instead of finding money for it why don't you just ask people to pay and donate them in their name. Mr. Huestis replied we have had some families. Supervisor Fleming states said the town received an insurance settlement after the two tornados and the microburst that should go far in replanting around the lake.

THE TOWN BOARD MEETING WAS CALLED TO ORDER WITH ROLL CALL

Supervisor Maureen Fleming – present	Councilman Paul Denbaum – present
Councilwoman Jaime McGlasson – present	Councilman Bill Huestis – present
Councilman Chris Ruthven – present	

Also Present: Town Clerk Yolanda Cappelli, Highway Superintendent Rich Othmer, Town Counsel Nancy Tagliafiero, Co- Chair of Recycling Sue Kotzur and member Janet Barnard, LCPDAB Bob Ulich and several members of the public.

Resolution #114 - Adopt Local Law #1/2019 – Amendments to Property Maintenance code

On a motion by Councilman Denbaum
Seconded by Councilwoman McGlasson

WHEREAS, a local law to amend the Kent Town Code chapter 55A, entitled "Property Maintenance", was introduced as Introductory Local Law # 1 of the year 2019 before the Town Board of the Town of Kent on January 22, 2019; and

WHEREAS, a public hearing was held on February 5, 2019 and continued to February 19, 2019 and the public was invited to attend and be heard on the matter;

NOW THEREFORE, BE IT RESOLVED, that Introductory Local Law #1 of 2019 is hereby enacted by the Town Board of the Town of Kent; and

BE IT FURTHER RESOLVED, that a true copy of the law is attached hereto and made a part hereof.

Motion carried unanimously

Resolution #115 - Adopt Local Law #2/2019 – Amendments to Food Truck Code

On a motion by Councilman Denbaum
Seconded by Councilwoman McGlasson

WHEREAS, a local law to amend the Kent Town Code to provide a procedure for qualifying individuals or business entities to obtain a permit to operate a food truck within the Town of Kent, was introduced as Introductory Local Law # 2 of the year 2019 before the Town Board of the Town of Kent on January 22, 2019; and

WHEREAS, a public hearing was held on February 5, 2019 and continued to February 19, 2019 and the public was invited to attend and be heard on the matter;

NOW THEREFORE, BE IT RESOLVED, that Introductory Local Law #2 of 2019 is hereby enacted by the Town Board of the Town of Kent; and

BE IT FURTHER RESOLVED, that a true copy of the law is attached hereto and made a part hereof.

Motion carried unanimously

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TOWN OF KENT
AMENDMENT TO
CHAPTER 39B 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 39B of the Kent Town Code entitled "Food Trucks", Section 2 regarding "Permit; fees" is amended as follows:

§ 39B-2. Permit; fees.

- A. No more than one permit shall be issued to any individual or qualifying business entity except as set forth in 39B-2(F) herein.
- 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 from April 1st to March 31st. 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~~ October 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.

Section 2. Chapter 39B of the Kent Town Code entitled "Food Trucks", Section 3 regarding "Location" is amended as follows:

§ 39B-3. Location.

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- 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 (collectively, "food establishment") during the hours of operation of such existing food establishment without the express written consent of the existing food 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.

RESOLUTION #116 - REGARDING DETERMINATION OF SIGNIFICANCE UNDER SEQRA ISSUANCE OF BONDS FOR PAVING OF TOWN HIGHWAYS

On a motion by Councilman Denbaum

Seconded by Councilman Ruthven

WHEREAS, the Town Board is considering the paving of certain Town Highways which will be financed by the issuance of bonds; and

WHEREAS, the Town Board declares itself to be lead agency for purposes of the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, pursuant to 6 NYCRR 617.5(c)(5) the repaving of existing highways not involving the addition of new travel lanes is an unlisted action, and requires no further review under SEQRA;

NOW THEREFORE BE IT, RESOLVED, that the Town Board does hereby determine, pursuant to 6 NYCRR Part 617, that proposed action may be processed without further regard to SEQRA; and it is further

RESOLVED, that the Town of Kent hereby authorizes the Town Supervisor to execute any document and take any action to further the purpose of this resolution.

Motion carried unanimously

RESOLUTION #117 – REGARDING DETERMINATION OF SIGNIFICANCE UNDER SEQRA ISSUANCE OF BONDS FOR IMPROVEMENTS TO EXISTING STRUCTURES AT HIGHWAY DEPARTMENT FACILITY

On a motion by Councilman Denbaum

Seconded by Councilman Ruthven

WHEREAS, the Town Board is considering the addition of a roof to existing material bins at the Route 311 Town Highway Department facility, which will be financed by the issuance of bonds; and

WHEREAS, the Town Board declares itself to be lead agency for purposes of the State Environmental Quality Review Act ("SEQRA"); and

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WHEREAS, pursuant to 6 NYCRR 617.5(c)(9) construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities is an unlisted action, and requires no further review under SEQRA; and

WHEREAS, the proposed action involves less than 4,000 square feet of gross floor area and does not involve a change in zoning or a use variance;

NOW THEREFORE BE IT, RESOLVED, that the Town Board does hereby determine, pursuant to 6 NYCRR Part 617, that proposed action may be processed without further regard to SEQRA; and it is further

RESOLVED, that the Town of Kent hereby authorizes the Town Supervisor to execute any document and take any action to further the purpose of this resolution.
Motion carried unanimously

RESOLUTION #118 - AUTHORIZING THE CONSTRUCTION OF A ROOF CANOPY AT THE HIGHWAY YARD, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$60,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$60,000 TO FINANCE SAID APPROPRIATION

On a motion by Councilman Denbaum

Seconded by Councilman Ruthven

THE TOWN BOARD OF THE TOWN OF KENT, IN THE COUNTY OF PUTNAM, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town of Kent, in the County of Putnam, New York (herein called the "Town"), is hereby authorized to construct a roof canopy at the Highway Yard. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$60,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds of the Town in the principal amount of not to exceed \$60,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of not to exceed \$60,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), to finance said appropriation.

Section 3. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law, is fifteen (15) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board as to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the "*Putnam County Press*," a newspaper having a general circulation in said Town, which newspaper is hereby designated as the official newspaper of the Town for such publication, and to post on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

Motion carried unanimously

Section 8. The Town Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Motion carried unanimously

RESOLUTION #119 - AUTHORIZING THE CONSTRUCTION OF ROAD IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,440,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS OF THE TOWN IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,440,000 TO FINANCE SAID APPROPRIATION

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

THE TOWN BOARD OF THE TOWN OF KENT, IN THE COUNTY OF PUTNAM, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town of Kent, in the County of Putnam, New York (herein called the "Town"), is hereby authorized to construct road improvements. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,440,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds of the Town in the principal amount of not to exceed \$1,440,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of not to exceed \$1,440,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), to finance said appropriation.

Section 3. The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board as to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

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and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the *“Putnam County Press,”* a newspaper having a general circulation in said Town, which newspaper is hereby designated as the official newspaper of the Town for such publication, and to post on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form: Section 8. The Town Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Motion carried unanimously

RESOLUTIONS #120 – TABLE ITEM F

On a motion by Councilman Denbaum

Seconded by Supervisor Fleming

Resolved: Item F. Approve Highway Law §284 Agreement was tabled until further information is received to complete the resolution.

Motion carried unanimously

RESOLUTION #121 - AUTHORIZING TOWN CLERK TO ADVERTISE FOR HIGHWAY EQUIPMENT AND OPERATOR

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

WHEREAS, the Town of Kent Highway Superintendent wishes to advertise for the daily rate with operator for the following equipment:

- (1) T15 Atlas Single Lane Rock Drill with rubber tracks or equivalent;
 - (2) Excavator Komatsu PC 60 Hammer on Rubber tracks single lane or equivalent;
 - (3) Excavator 180 with Hammer 6000 pound and Crusher Bucket to crush the rock on site or equivalent
- (hereinafter, collectively, the “Equipment”); and

WHEREAS, the Town Board of the Town of Kent wishes to authorize its Town Clerk, Yolanda D. Cappelli, to advertise for bids for the daily rates for the Equipment and operators;

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 the daily rate for the Equipment and operators.

Upon Roll Call Vote

Councilman Denbaum – nay Councilwoman McGlasson – aye

Councilman Huestis – aye Councilman Ruthven – aye

Supervisor Fleming – aye

Motion carried

RESOLUTION #122 - AUTHORIZING TOWN CLERK TO ADVERTISE FOR PART TIME RECREATION ASSISTANT

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

WHEREAS, the Town of Kent is seeking to fill a part time position of Recreation Assistant in the Recreation and Parks Department; and

WHEREAS, the Town of Kent wishes to advertise for applications to fill said position;

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 applications for the part time Recreation Assistant position for the Town of Kent Recreation and Parks Department.

Motion carried unanimously

RESOLUTION #123 - AUTHORIZING EXTENSION OF HIRING TEMPORARY PART TIME CLERK FOR BUILDING DEPARTMENT

On a motion by Councilwoman McGlasson

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Seconded by Supervisor Fleming

WHEREAS, the Town of Kent recently filled a temporary position for a part-time Clerk for the Building Department for a maximum of three months; and

WHEREAS, James Babu was hired as a part time Clerk for the Building Department and the Building Inspector has requested a two-month extension of Mr. Babu's employment as a part time Clerk for the Building Department at the current rate of pay of \$12 per hour; and

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes a two month extension of Mr. Babu's employment as a part time Clerk for the Building Department at the current pay rate of \$12 per hour.

Motion carried unanimously

RESOLUTION #124 - CONFIRMING APPOINTMENT OF DEPUTY TAX RECEIVER

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

WHEREAS, the Town of Kent Receiver of Taxes is authorized to appoint a Deputy Tax Receiver pursuant to Town Law; and

WHEREAS, the Receiver of Taxes has appointed Stephanie Nix as Deputy Tax Receiver; and

WHEREAS, the Town of Kent wishes to confirm the appointment of Stephanie Nix as Deputy Tax Receiver, at a rate of \$15 per hour, subject to the receipt and review of an acceptable background check;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby confirms the appointment of Stephanie Nix as Deputy Tax Receiver at a rate of \$15 per hour, subject to receipt of an acceptable background check.

Motion carried unanimously

RESOLUTION #125 - ACCEPTING PROPOSAL FOR LAKE TREATMENT SERVICES

On a motion by Councilman Ruthven

Seconded by Councilwoman McGlasson

WHEREAS, Limnology Information and Freshwater Ecology Inc. has submitted a proposal to provide Cutrine Ultra algaecide treatment to Lake Carmel (the "Proposal"), as set forth in the Proposal annexed hereto and hereby incorporated by reference; and

WHEREAS, algaecide treatment is a specialized service and Limnology Information and Freshwater Ecology Inc. has demonstrated the necessary qualifications to provide such service; and

WHEREAS, the Town Board believes it is in the best interest of the Town to accept the Proposal in the amount of \$17,960 and authorize the obtaining of a permit from the NYS DEC and NYS Division of Water.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby approves the Cutrine Ultra algaecide treatment of Lake Carmel for the price set forth on the Proposal in the amount of \$17,960 and authorizes the Town Supervisor to execute all documentation required to obtain all necessary permits to apply Cutrine Ultra; 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 #126 - AUTHORIZING MAINTENANCE CONTRACT FOR WATER DISTRICT NUMBER 1

On a motion by Councilman Ruthven

Seconded by Councilwoman McGlasson

WHEREAS, at the Organizational Meeting of the Town of Kent Town Board held on January 8, 2019, CEMCO Water and Wastewater Specialists Inc. ("CEMCO") was appointed to provide specialized maintenance services for the Town of Kent Water District No. 1; and

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WHEREAS, the Town of Kent has received a proposed Contract from CEMCO to provide such service for a monthly cost of \$1,250, a copy of which is annexed hereto and incorporated herein by reference; and

WHEREAS, the Town Board of the Town of Kent wishes to accept the proposal submitted by CEMCO and authorize the Town Supervisor to execute the Contract;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the proposal of CEMCO for a monthly cost of \$1,250 and authorizes the Town Supervisor to execute all documents necessary to give effect to this resolution.

Motion carried unanimously

RESOLUTION #127 - AUTHORIZING TOWN CLERK TO ADVERTISE FOR PROPOSALS FOR LIABILITY INSURANCE

On a motion by Councilman Ruthven

Seconded by Supervisor Fleming

WHEREAS, the Town of Kent wishes to advertise for bids for proposals for liability insurance; and

WHEREAS, the Town Board of the Town of Kent wishes to authorize its Town Clerk, Yolanda D. Cappelli, to advertise for proposals for liability insurance;

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 proposals for liability insurance quotes, to be opened and publicly read aloud on March 27, 2019

Motion carried unanimously

RESOLUTION #128 - AUTHORIZING THE TOWN CLERK TO ADVERTISE REQUEST FOR PROPOSALS FOR CERTAIN LEGAL SERVICES

On a motion by Councilman Ruthven

Seconded by Councilwoman McGlasson

WHEREAS, it is the policy of the Town Board of the Town of Kent to periodically seek proposals for professional services; and

WHEREAS, the Town Board believes it to be in the best interests of the Town to advertise that it is seeking Proposals for Legal Services as set forth in the Legal Specification documents annexed hereto and incorporated by reference;

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 Requests for Proposals for Legal Services for Part 4 – Planning and Zoning Legal Services to be opened and publicly read aloud on March 27, 2019.

Motion carried unanimously

RESOLUTION #129 – ADD ITEM TO THE AGENDA

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: Advertise for an MEO for the Highway Department was added to the agenda.

Motion carried unanimously

Resolution #130 - Advertise for MEO Highway Department

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: The Town Clerk Yolanda D. Cappelli is authorized to advertise for a MEO position for the Highway Department.

Upon Roll Call Vote

Councilman Denbaum – nay Councilwoman McGlasson – aye

Councilman Huestis – aye Councilman Ruthven – aye

Supervisor Fleming – nay

Motion carried

Resolution #131- Payment of Vouchers and Claims

On a motion by Councilman Huestis

Seconded by Councilwoman McGlasson

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Resolved: All Vouchers #200149539 - #200149685 and claims submitted by

2018 VOUCHERS		
1. Gorman Brothers, Inc.	\$67,171.26	Fibermat of Roads
2. Lexipol, LLC	\$6,950.00	LE Implementation Service
2019 VOUCHERS		
1. Business Automation Services	\$2,000.00	Tax Collection System
	\$2,350.00	
	\$6,650.00	
2. Chemung Supply Corp.	\$42,875.04	Bond: Drainage
3. City Carting	\$4,783.82	Lake Carmel Garbage
	\$4,005.95	
	\$6,225.99	
4. Kent Fire District #1	\$483,300.00	2019 Budget
5. Mobiltec International	\$31,944.00	Annual Maintenance
6. Morton Salt	\$18,067.04	Salt
	\$32,989.22	
7. NYS Dept of Civil Service	\$210,464.00	Health Insurance: February
8. Northeast Aquatic Research	\$3,221.00	Lake Tibet Water Quality
9. Selective Insurance	\$5,020.00	Flood Insurance
10. Town of Kent Municipal Repairs	\$7467.51	Chargebacks: Sanitation
11. Truckmarket.com	\$88,000.00	Kenworth Truck
	\$96,000.00	Kenworth Dump Truck
12. Windstream	\$4,013.51	Telephone Service

In the amount of \$916,364.35 may be paid.
Motion carried unanimously

CORRESPONDENCE
List attached.

PUBLIC COMMENT
There was no further public comment.

RESOLUTION #132 - ADJOURNMENT
On a motion by Councilman Huestis
Seconded by Supervisor Fleming
Resolved: The Town Board meeting of February 19, 2019 adjourned at 8:55p .m.
Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli
Town Clerk