

TOWN BOARD MEETING FEBRUARY 5, 2019

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

RESOLUTION #97 - ADJOURN TO EXECUTIVE SESSION

On a motion by Supervisor Fleming

Seconded by Councilman Ruthven

Resolved: The town board adjourned to executive session at 6:38 p.m. to discuss the medical, financial, credit or employment history of a particular person or corporation and current litigation.

Motion carried unanimously

RESOLUTION #98 - ADJOURN EXECUTIVE SESSION

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: The town board adjourned executive session at 7:30 p.m. no votes were taken.

Motion carried unanimously

RESOLUTIONS #99 - OPEN PUBLIC HEARING ON PROPERTY MAINTENANCE

On a motion by Supervisor Fleming

Second by Councilman Huestis

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

Motion carried unanimously

Supervisor Fleming explained the amendments are in Section B (2), the following language was added. ***Notice of such charge shall be served either personally upon the person or entity or by mailing the same to the person or entity by certified mail at his last known address.*** The other change is in (3) the added language the Building Inspector ***shall maintain in the Building Department records and cause to be filed in the Office of the County Clerk*** what is to be stricken is the cause to be filed in the office of the Town Clerk. Councilman Huestis explained in order to address any issues the Building Inspector and Code Inspector has in the interest of public safety need to be corrected so money spent to correct the particular home is reimbursed back to the town. Town Counsel Tagliafiero said any prospective purchaser will know there is a charge that will have to be paid to the town. There were no additional comments from the board or the public.

RESOLUTION #100 - ADJOURN 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 adjourned until the next meeting February 26, allowing residents the opportunity to comment further.

Motion carried unanimously

RESOLUTION #101 - 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 opened.

Motion carried unanimously

Supervisor Fleming said the board recently passed the Food Truck Law and found it needed to be tightened. She said a meeting took place with Mr. Rogan of the Health Department. It was brought to the town's attention the Health Departments permit runs from April 1st to March 31st and we thought it best to have the dates coincide which is the change to Section C. The other change is D. ***any permit issued after October instead of July shall be ½ of the annual permit fee.*** The third change is 39B-3 D. ***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 is proposed*** to be stricken from the law. The fourth change is E. A permitted location shall not be closer than 500 feet to any existing restaurant, delicatessen, fast food establishment, or other food service establishment. To be added: ***during the hours of operation of such existing food establishment without the express written consent of the existing food establishment.*** Councilman Ruthven asked if the changes were recommended by the Health Department. Supervisor Fleming relied just to coincide with the permits issued by Putnam County Health Department. There were no additional comments from the board or the public.

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RESOLUTION #102 - ADJOURN PUBLIC HEARING ON FOOD TRUCKS

On a motion by Supervisor Fleming

Seconded by Councilman Ruthven

Resolved: The public hearing on the amendments to Kent Town Code Chapter 39B regarding Food Trucks was adjourned until the next meeting February 26, allowing residents the opportunity to comment further.

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

Mr. LaFranchi wanted to make sure the board understood that on November 8, 2018 he came to get a building permit and was denied by the Building Inspector, because everyone keeps stating he was delaying. He said he was going to deny it before he filled it out. He thought his final decision was inappropriate or unethical. He was told the next day by the Town Attorney that the Building Inspector was going to deny him a building permit. He said he did write the Town Attorney four letters and she said she does not have to respond. Supervisor Fleming said all these points have already been discussed.

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, Police Chief Kevin Owens, Town Counsel Nancy Tagliafiero, Building Inspector Bill Walters, LCPDAB Bob Ulich and several members of the public.

RESOLUTION #103 - AUTHORIZING PURCHASE OF POLICE INTERCEPTOR UTILITY VEHICLE

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

WHEREAS, the Town Board of the Town of Kent is in receipt of a request dated January 21, 2019 from the Town Chief of Police, Kevin Owens, to purchase one fully equipped 2019 Ford Police Interceptor Utility Vehicle, a copy of which request with proposed specifications is annexed hereto and incorporated herein by reference; and

WHEREAS, the General Municipal Law§103(16) exempts from competitive bidding purchase contracts over \$20,000 and authorizes the Town to purchase equipment or apparatus through contracts let by any state; and

WHEREAS, the specifications annexed hereto indicate the Police Vehicle is being purchased under a contract awarded by the State of New York; and

WHEREAS, in accordance with the Town's Procurement Policy and the General Municipal Law, the Town Board wishes to authorize the purchase of the Police Vehicle through Contract No. PC66676 awarded by the State of New York;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes and approves the purchase of one fully equipped 2019 Ford Police Interceptor Utility Vehicle for the purchase price of \$42,594.88; 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#104 - AWARD BID FOR CONSTRUCTION OF CARP BARRIER FOR LAKE TIBET

On a motion by Councilwoman McGlasson
Seconded by Councilman Ruthven

WHEREAS, consistent with the Town of Kent’s procurement policy, the Town requested three quotes for the construction of a Carp Barrier at Lake Tibet and received one quote in response for this specialized service; and

WHEREAS, FI Adams, Inc., of Holmes, New York submitted the sole quote in the amount of \$12,000, and was therefore the lowest bidder; and

NOW THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby accepts the bid of FI Adams, Inc. for the construction of a carp barrier for Lake Tibet; 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 #105 APPOINTMENT OF LAKE CARMEL SANITATION DEPARTMENT LABORER TO MOTOR EQUIPMENT OPERATOR

On a motion by Councilman Ruthven
Seconded by Councilman Huestis

WHEREAS, there is currently a vacancy in the position of Motor Equipment Operator (“MEO”) for the Lake Carmel Sanitation Department; and

WHEREAS, Geraldo Hernandez is currently employed as a laborer for the Lake Carmel Sanitation Department and has submitted an application to be promoted to the position of MEO for said Department; and

WHEREAS, the Town Board of the Town of Kent wishes to promote Mr. Hernandez to MEO for the Lake Carmel Sanitation Department at the salary set forth in the Collective Bargaining Agreement between Teamsters Local 456 and the Town of Kent.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby appoints Geraldo Hernandez as MEO of the Lake Carmel Sanitation Department.
Motion carried unanimously

Resolution #106 Payment of Vouchers and Claims

On a motion by Councilman Huestis
Seconded by Councilwoman McGlasson
Resolved: All Vouchers #200149341 - #200149531 and claims submitted by

2018 VOUCHERS

1. American Petroleum	\$8,730.00	Fuel Equipment
2. Carmel Animal Hospital	\$2,789.95	Dog Impounds
3. Carmel Central School District	\$3,816.00	Use of Gym
4. State Comptroller	\$37,071.00	Justice Court: Fines & Fees
In the amount of \$74,718.65		

2019 VOUCHERS

1. Chemung Supply Corp.	\$42,875.04	Bond Drainage Project
2. City Carting	\$5,562.91	Lake Carmel Garbage
	\$5,348.40	
	\$3,897.41	
	\$4,005.95	
3. DeBellis Construction	\$2,765.00	Voided Building Permit
4. Extreme Designs Sign Co.	\$2,720.00	Basketball Jerseys
5. F.I. Adams Inc.	\$14,500.00	Violation: 278 Lakeshore Dr.
6. Genserve, Inc.	\$4,690.00	Generators Service

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7. Goosetown Communications	\$23,490.00	Semi Annual Lease: Radio System
8. Hogan & Rossi	\$5,416.63	February Legal Services
9. NYCOMCO	\$2,671.00	Police 2 Way Radios
10. Purchase Power	\$2,000.00	Postage
11. Transaxle, LLC	\$2,622.88	Truck Parts
	\$2,523.00	

In the amount of \$124,263.21 may be paid.
Motion carried unanimously

PUBLIC COMMENT

There was no further public comment.

RESOLUTION #107 - ADJOURNMENT

On a motion by Councilman Huestis
Seconded by Councilman Ruthven
Resolved: The Town Board meeting of February 5, 2019 adjourned at 9:03 p.m.
Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli
Town Clerk

