

## **TOWN BOARD MEETING MARCH 31, 2020**

A regular Town Board meeting was held on Tuesday, March 31, 2020, at 7:00 p.m. at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, New York 10512. Supervisor Fleming explained this is a closed meeting due to the Covid-19 directives from the Federal, State and County Governments and for those watching can see the board is observing social distancing. She said presently they are at 50% staff at town hall but closed to the public, if you need information please call or visit the towns website. The Highway Department is at 50%, the Kent Police Department and the Lake Carmel Sanitation are still working. The format for this evening will be different the workshop and meeting will be combined. To see what transpired at the meeting please see Videos on Demand on the Town's website. [www.townofkentny.gov](http://www.townofkentny.gov).

### **Pledge of Allegiance**

A 7:05 p.m. the meeting was opened with the Salute to the Flag.

### **Roll Call**

Supervisor Fleming – present                      Councilwoman McGlasson – present  
Councilman Denbaum – present                  Councilman Huestis – present  
Councilman Ruthven – present  
Also present: Town Clerk Cappelli and Town Counsel Tagliafiero

### **Resolution #142 - Appoint Member to Board of Assessment Review**

On a motion by Councilman Denbaum  
Seconded by Councilman Ruthven

**WHEREAS**, the Town of Kent Board of Assessment Review (the "Board") currently has a vacancy, and RICHARD TRICARICO has submitted an application to fill said vacancy; and;

**WHEREAS**, the Town of Kent wishes to appoint RICHARD TRICARICO to fill the vacant position on the Board of Assessment Review;

**NOW, THEREFORE, BE IT RESOLVED**, that RICHARD TRICARICO is hereby appointed to the Board of Assessment Review for a term of five (5) years, terminating on September 30, 2024.

Motion carried unanimously

Councilman Denbaum commented the public should be aware typically preliminary assessments are due by May. He said the 4<sup>th</sup> Tuesday in May being Grievance Day. At this point there have been no changes, he suggested those concerned keep apprised, check in, it could be moved to a later day. Supervisor Fleming said if there is a change it will be also posted on the website.

### **Resolution#143 - Providing for Public Notice & Hearing & Partial Payment Lake Carmel Fire Department Contract**

Supervisor Fleming explained in the 2020 Budget the board approved \$990,878 for the Lake Carmel Fire Department Protection. There were contractual matters that were ironed out and the contract recently resolved. Since it has already been budgeted they have asked for a one third payment until a public hearing can be held.

On a motion by Councilman Denbaum  
Seconded by Councilpersons Ruthven & McGlasson

**WHEREAS**, the Kent Town Board has negotiated for fire protection services with the Lake Carmel Fire Department ("LCFD") for the calendar year 2020, a copy of said contract is annexed hereto; and

**WHEREAS**, a public hearing is required to approve the proposed Contract, but the LCFD has been providing services to the Town and is in need of funds, and a hearing has been delayed due to the State of New York emergency declaration of disaster, but pending such public hearing the Town Board wishes to authorize the payment of one third (1/3<sup>rd</sup>) of the contract price and to set a public hearing on the aforementioned contract.

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NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the payment of one third of the contract price to the Lake Carmel Fire Department; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby sets a public hearing on said Contract between the Town of Kent and the LCFD to be held at the Town Hall, in the Town of Kent, New York at 7:00 p.m. on April 28, 2020; and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published a public notice in the official newspaper of the Town of Kent of said public hearing at least five (5) days prior thereto.

Motion carried unanimously

### **Resolution - Rescinding Appointment as Lake Carmel Park District Crew Chief**

Supervisor Fleming explained on March 11<sup>th</sup> the board appointed Frank Sabatini to the position of Lake Carmel Park District Crew Chief. Soon after the 50% staff initiative went into effect. She said discussions took place with all how to best meet the highway staffing concerns, she asked the board to rescind the appointment date not the appointment until they go back to full staffing. Councilwoman McGlasson disagreed, she was not fine with taking it back and thought he is going to be needed in Lake Carmel, she received emails regarding issues. A discussion in length took place on the reduction of work force to 50%, essential staff, and ways upon Mr. Sabatini's request that he could still assist highway and still be able to perform work at Lake Carmel.

On a motion by Councilman Ruthven

Seconded by Supervisor Fleming and Councilman Huestis

Councilman Huestis raised concerns about town employee and park district employee. He has been hearing from the Lake Carmel Park District Advisory Board that there is significant things to be done, and will vote based upon their concerns. Councilman Ruthven thought the board should stick with the plan he wants and readdress it in two weeks. Councilman Denbaum agrees too, but we are going to rescind the resolution and will have to meet again to readdress. The board discussed working out of title staying an MEO.

**WHEREAS**, by motion made at a special meeting of the Town Board held on March 11, 2020, the Town Board appointed Frank Sabatini to the position of Lake Carmel Park District Crew Chief effective as of March 27, 2020; and

**WHEREAS**, by Executive Order 202 dated March 7, 2020 the New York State Governor declared a disaster emergency within the State of New York; and

**WHEREAS**, by Executive Order 202.4, the Governor modified Executive Order 202 to provide that, commencing March 23, 2020, local governments must permit non-essential personnel to work from home or take leave without charging accruals; and

**WHEREAS**, due to the State disaster emergency Frank Sabatini has not commenced employment in the position of Lake Carmel Park District Crew Chief and the Town wishes to rescind said appointment, with the intention of appointing Mr. Sabatini to the position after the disaster emergency order has been lifted;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Kent hereby rescinds the appointment of Frank Sabatini as Lake Carmel Park District Crew Chief; and

**BE IT FURTHER RESOLVED**, that this action is being taken without prejudice to appointing Mr. Sabatini to said position once the disaster emergency has been lifted; and

**BE IT FURTHER RESOLVED** that the Town Board of the Town of Kent hereby approves and ratifies all acts heretofore taken by the Town Supervisor in connection with this resolution.

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**WHEREAS**, the Proposal details all coverages and limits for liability, property, crime, equipment, auto, public officials, law enforcement, umbrella coverages, boiler and machinery and crime coverage, a copy of which Proposal is annexed hereto and incorporated by reference herein; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent approves and accepts the Proposal from Spain Agency to renew its insurance policies for liability, property, crime, equipment, auto, public officials, law enforcement, umbrella coverages, boiler and machinery for an annual premium cost of \$274,539.25; 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 #145 - Rejecting Bids Received for Structural Engineering Services**

Councilman Huestis said only one bid was received and thought we could do much better.

On a motion by Councilwoman McGlasson

Seconded by Councilman Ruthven

**WHEREAS**, the Town of Kent previously advertised a Notice To Bidders seeking bids for Structural Engineering Services; and

**WHEREAS**, bids received in response to the advertisement were opened and publicly read aloud on February 25, 2020 in accordance with the Notice to Bidders; and

**WHEREAS**, the Notice to Bidders specifically advised that the Town reserved the right to reject all bids, at the sole discretion of the Town Board; and

**WHEREAS**, the Town Board of the Town of Kent wishes to reject the bids received for Structural Engineering Services;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby rejects the bids for Structural Engineering Services which were publicly opened and read aloud on February 25, 2020.

Motion carried unanimously

### **Resolution #146 -Add to the Agenda**

On a motion by Councilman Ruthven

Seconded by Councilwoman McGlasson

Resolved: Establishing Ressique Street Landfill Site Management Policy was added to the agenda.

Motion carried unanimously

### **Resolution #147 Establishing Ressique Street Landfill Site Management Policy**

On a motion by Councilman Ruthven

Seconded by Councilwoman McGlasson

Resolved: The Ressique Street Landfill Site Management Policy established by Highway Superintendent Othmer be adopted with the amendments suggested by the town board to properly manage the landfill under the NYSDEC standards.

Councilman Denbaum agrees to adopt the policy for the purpose of liability with the right to discuss and ask the questions to the Highway Superintendent.

Motion carried unanimously

### **Resolution #148 - Approval of Vouchers and Claims**

On a motion by Councilman Huestis

Seconded by Councilman Ruthven

Resolved: Vouchers #200154391 - #200154622 and claims submitted by:

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1. American Petroleum	\$9,420.00	Balance: Gas Tanks
2. Chemung Supply	\$5,584.00	Guiderails Arts on the Lake
3. City Carting	\$6,156.42	Lake Carmel Garbage
	\$6,046.32	
	\$6,035.61	
4. Commissioner of Finance	\$22,891.96	2019 Warrant Adjustments/Tax Rolls
5. DiBella Electric	\$2,100.00	Conduit & Wiring for Fuel Pumps
6. F.I. Adams, Inc.	\$3,000.00	Property Clean-up
7. Fullerton Service	\$2,380.00	Feb/March: Police
8. Magna5	\$6,447.75	Telephone Service
9. Millennium Strategies	\$2,500.00	Grant Services
10. NYS Dept of Civil Service	\$206,585.72	Health Insurance
11. Royal Carting	\$5,186.86	Recycling Garbage
12. Town of Kent Municipal Repairs	\$15,713.91	Chargebacks: Highway January
13. Lake Carmel Fire Dept.	\$330,293	One third of their contract.

In the amount of \$670,447.60 may be paid.

Motion carried unanimously

### **Announcements**

- Call 211 for Free Emergency Food available for Pick up or Delivery, a partnership with United Way
- Call 211 for Information on Covid-19
- Call 888- 364-3065 to see where you can be tested for Covid-19
- Go to [Covid19screening.help.ny.gov](https://covid19screening.help.ny.gov) to do an on line assessment to see if you should be tested.
- Kent Cleanup Day – Postponed
- Kent Senior Trips – Postponed
- Kent Historical Society is looking for a donation of a well hand pump and wooden bucket, call 845/225-2067.
- Boyds Corner Deli is doing delivery service for western Kent.

Councilman Denbaum thanked our police officers for being out there, he understands his wife is a nurse. He thanked the highway department and the staff at town hall. A thank you to the town's employees is in order.

Councilman Huestis reminded all to be very careful of the scams, regarding Corona test kits. He suggested visiting the Police Departments web page.

Councilman Ruthven thanked the front line people, it is a community issue and time to call on each other

Councilwoman McGlasson provided a list of Kent business's open to do take out or delivery business. Kent Countryside Nursery, Gino's Grab and Go, Gappy's Pizza, Three Brothers Pizza, Kent Liquors, Cutillo's, Alejandro's Deli, Pastry Palate, Precison Armory was opened a note does state closed temporarily. Ultimate Auto Detailing, LIMNI, Deli Land, LaFamilia, McCarthy's , Ted Hill Pest Control, Saverio's Deli, Carmel Brick Oven Pizza and Boyd's Deli.

Supervisor Fleming thanked also the NY Riders who delivered lunch to the Kent Police Department and LIMNI who delivered lunch to the Kent Town Hall. She said everyone is hurting if you can get take out or delivery from a local business please try to do so. We have to pull together as a community.

She announced the next meeting is scheduled for April 21, 2020.

### **Resolution #149 - Adjourn Town Board Meeting**

On the motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: The town board meeting of March 31, 2020 was adjourned at 8:06 p.m.

Motion carried unanimously

Respectfully Submitted:

Yolanda D. Cappelli  
Town Clerk