

**TOWN OF KENT  
TOWN BOARD MEETING  
Tuesday, August 1, 2017**

**Workshop** – 7:00 p.m.

1. Pledge of Allegiance
2. Police Officer Swearing In
3. Promotion of Police Sergeant
4. Police Sergeant Swearing In
5. Recreation Department – Concessionaire for Kent Community Day; inclusive playground bid
6. Planning Board –Town Code change regarding surety bonds; new member
7. Lake Carmel Park District – removal of dock behind 8 Teatown Court
8. Code Enforcement – Cleanup of property at 10 Ridgeway Road
9. Fire Inspector – Permit for Community Tag Sale at Lakeview Church
10. Ownership status of property adjacent to 29 Amawalk Road
11. Announcements
12. Public Comment

**Meeting**

1. Roll Call
2. Vote on the following:
  - a) Concessionaire for Kent Community Day
  - b) Inclusive playground
  - c) Set Public Hearing for Town Code changes regarding surety bonds
  - d) New member for Planning Board
  - e) Removal of dock behind 8 Teatown Court
  - f) Contractor to cleanup property at 10 Ridgeway Court
  - g) Permit for Community Tag Sale at Lakeview Church
  - h) Ownership status of property adjacent to 29 Amawalk Road
3. Vouchers and claims
4. Public comment

Louis M. Fernandez  
Director of Recreation and Parks



W5  
Town of Kent Recreation and Parks Department  
25 Sybil's Crossing Kent Lakes, NY 10512

Telephone: (845) 531-2100  
Fax: (845) 225-5130

Email: [recreation@townofkentny.gov](mailto:recreation@townofkentny.gov)  
Webpage: [www.townofkentny.gov](http://www.townofkentny.gov)

July 31, 2017

Kent Town Board  
25 Sybil's Crossing  
Kent Lakes, NY 10512

Subject: Concessionaire for 2017 Kent Community Day

Dear Town Board Members,

As Kent Community Day approaches I have been working to secure a concessionaire for the day. We have used Carmel Bagel Deli North, successfully, for the past few years to run the concession during Kent Community Day. This year Carmel Bagel Deli North is unable to provide the services necessary for our event. I approached Gino's Deli and Carmel Bagel Deli to see if either would be interested to run the concession for 2017. Gino's was not but Carmel Bagel Deli was and with your permission I would like to use them this year.

I have worked with Kevin Stenger, the owner of Carmel Bagel Deli, many times and he provided concession service for Community Day from 2012 to 2015. In this agreement Carmel Bagel Deli will obtain the necessary permits and be responsible for all facets of running the concession stand. They will provide insurance; worker's compensation and a hold harmless agreement to the Town. In return the Town will gain a capable and qualified concessionaire and 15% of the net profit. I have included Kevin Stenger's proposal for your information. Please let me know if you have any questions or concerns regarding this. Thank you for your consideration in this matter.

Sincerely,

Louis Fernandez  
Director of Recreation and Parks



## CARMEL BAGEL DELI...LICIOUS

126 ROUTE 52  
CARMEL N.Y. 10512  
845 225-3630

7/29/17

Louis Fernandez  
Director of Recreation and Parks  
25 Sybil's Crossing  
Kent N.Y. 10512

It is a pleasure to write this proposal to serve as the concessionaire for the Town of Kent for the town's Community Day at Ryan's Field for 2017.

I spoke to Mr. Fernandez last week and he requested I return to serve at this function once again. I am honored that he was pleased with my past performances and would consider allowing me to provide my services again.

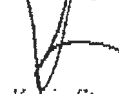
Once again due to the limited facilities at the park my menu options will be limited but, as in the past, I will make every attempt to provide as diverse a menu as possible. It will consist of hot dogs, hamburgers; wedge slices, chips, ice cream, water and other assorted beverages as well as a variety of snacks.

Regarding the compensation to the Town of Kent for affording Carmel Bagel Deli this opportunity I would like to offer 15% of the net profits. I am offering this system of compensation, rather than a flat fee, because I feel it is a more even distribution of profits due to the many uncontrollable variables that could affect the turn out. As usual I will provide the town with all supply bills, payroll costs and sales figures so that the profit can be ascertained correctly.

If this proposal is accepted all necessary insurance documents will be forwarded to your office once my broker has issued them.

Again thank you for the opportunity to present this proposal for the very worthwhile event.

Sincerely,



Kevin Stenger  
President  
Carmel Bagels Inc.

## Playground Bid Specifications Kent Town Hall Complex

The Town of Kent Recreation and Parks Department is looking for bids for the following playground project.

### SCOPE

The Town of Kent is seeking bids for playground equipment and design of a fully inclusive, all accessible playground. The design, play elements and theme should be focused around the concept of a playground for children of all abilities. The playground should be suitable for users 2-12 years of age.

Size of Playground should be 70' x 70'. Design may not exceed these dimensions and may be no less than 5% smaller.

### GENERAL CONDITIONS

**Bidders must meet in person or by telephone with the Director of Recreation and Parks to ensure a full understanding of the project scope. Contact: Lou Fernandez – 845-531-2100.**

All proposals shall be made upon forms furnished by the Clerk's Office, Town of Kent, Kent Lakes, New York, and shall be contained in sealed envelopes addressed to: Clerk's Office, Town of Kent, 25 Sybil's Crossing, Kent Lakes, New York 10512, and prominently marked:

**“PROPOSAL ENCLOSED FOR: BID #09-2017 – TOWN OF KENT – INCLUSIVE PLAYGROUND EQUIPMENT”**

The bid prices submitted shall be exclusive of all Federal, State, and Local Taxes.

Forms of proposal as issued by the Clerk's Office of the Town of Kent shall be completely filled in, in ink or typewritten. No proposal will be accepted that is not legible and clear.

Bidder must submit with bid detailed specifications, literature and all necessary data on equipment they propose to furnish. This information must show clearly that the equipment offered meets all detailed specifications stated herein. The Town Board reserves the right to reject any bid if its compliance with the specifications is not clearly evident. If equipment offered differs from the provisions contained these specifications, such differences must be explained in detail. All bids will receive careful consideration if they do not depart from the intent of these specifications and are in the best interests of the Town of Kent interpreted by the Town of Kent.

The Town Board of the Town of Kent reserves the unrestricted right to waive any proposal irregularity which is not prejudicial to any bidder or prospective bidder, and to accept or reject any bid proposal in whole or in part and to award this bid on whatever basis it deems it to be in the best interests of the Town.

Sealed proposals must be received by the Clerk's Office, of the Town of Kent, 25 Sybil's Crossing, Kent Lakes, New York, before 12pm on September 1, 2017 when they will be opened and read. Bids received later than date and time specified may not be considered, and any bid submitted after the first bid is opened shall not be considered under any circumstances.

## **Wage Rates**

The Contract is subject to the prevailing wage rates in effect during the Contact Period as determined by the New York State Department of Labor. Certified payrolls will be required to be submitted with each payment requisition

## **Insurance Requirements**

1. Notwithstanding any terms, conditions or provisions in any other writing between the parties, the contractor hereby agrees to effectuate the naming of the municipality as an unrestricted additional insured on the contractor's insurance policies, with the exception of worker's compensations. Before any of the work is started under this contract, the contractor shall file with the municipality a certificate(s).
2. The policy naming the municipality as an additional insured shall:
  - a. Be an insurance policy from an A.M. Best rated "secured" or better, New York State admitted insurer.
  - b. Provide for 30 days notice of cancellation.
  - c. State that the contractor's coverage shall be primary coverage for the municipality, its Board, employees and volunteers.
  - d. The municipality shall be listed as an additional insured by using endorsement CG 2026 or broader. The certificate must state that the endorsement is being used. If another endorsement is used, a copy shall be included with the certificate of insurance.
3. The contractor agrees to indemnify the municipality for any applicable deductibles
4. Required insurance:
  - a. Commercial General Liability Insurance
    - i. \$1,000,000 per occurrence/\$2,000,000 general and products/completed operations aggregates. The general aggregate shall apply on a per-project basis

## **Workers Compensation Insurance:**

Before performing any work on the contract, the contractor shall procure Worker's Compensation insurance in accord with the laws of the State of New York on behalf of all employees who are to provide labor or service under the contract. Insurance certificates, policies and endorsements must be sent to the following address:

The Town of Kent  
25 Sybil's Crossing  
Kent Lakes, NY 10512

## **Payments:**

1. Payment will be made only after correct presentation of a Town of Kent Voucher with invoices attached, as may be required.
2. Payment on any claim shall not preclude the Town of Kent from making claim for adjustment on any item found not to have been in accordance with the contract.

## **Performance Bond**

The bidder awarded the contract by the Kent Town Board will not have to supply a bond unless installation addendum (A) or addendum (C) is awarded with the contract. If the installation addendum (A) or addendum (C) is awarded the bidder must supply a performance bond or cash

deposit of 10% of the amount of the total proposed project cost, which shall serve as security to guarantee that the project is successfully and satisfactorily completed.

The bidder awarded the project must execute a written agreement and performance bond within ten (10) days of receipt of notice of award.

### **Site Conditions:**

The playground location is directly adjacent to a concrete walking path that runs the full length of the playground and extends beyond. There is a parking lot with two handicap accessible ramps to the walking path.

A fence, to be installed at a later date will surround the playground in its entirety and will have 1 access gate at the front of the playground.

### **Specific Bid Conditions:**

Bid for Playground Design, Equipment cost including cost of equipment delivery to site.

Site Location: Kent Town Hall Complex, 25 Sybil's Crossing, Carmel, NY 10512

- Must provide at least two color renderings of playground design and equipment.
- Must provide an "overhead" design view of the playground with all equipment labeled.
- Must provide a design layout for all necessary footings, including depth and width, for proposed equipment.
- Schedule A must be completed with physical description of each piece of equipment.
- A list of color choices available must be provided for all elements of the playground (a color palette will be chosen at the time of equipment order).

#### **Addendum A**

Price for professional installation of equipment, specified in bid, by certified playground installers for the manufacturer of equipment.

#### **Addendum B**

Price for professional supervision during community build of playground of the equipment specified in bid

#### **Addendum C**

Price for professional installation by an insured and factory-certified crew capable of completing the installation by the agreed upon completion date.

### **General Equipment and Design Guidelines:**

IPEMA Certified: ASTM, CPSC and ADA compliant playground design and equipment

Playground Design for the designated playground area (70' x 70')

Playground signage that meets ASTM, CPSC and ADA conformance standards.

IPEMA Certified; Interlocking recycled rubber tiles that meet ASTM requirements for fall heights and accessibility standards.

#### **Equipment Warranty:**

Equipment must have industry standard warranties against material and production defects and structural failure. The Town reserves the right to reject any and all bids that do not include warranties deemed sufficient by the Town. **Copies of warranties shall be attached.**

## **Specific Equipment and Design Requirements**

- Playground must be designed to be a universally accessible and inclusive design. Play elements and activities should be integrated into the design with this as the first priority.
- Playground must be designed for use by children 2-12 years of age.
- All elevated play features must be accessible.
- The use of at least 1 ramp entrance/exit, in a centralized structure, is required.
- A roof on equipment or shade structures over at least 50% of equipment/area is required.
- A centralized structure is not required as long as the overall play value of the playground area is maximized.
- Deck height should not exceed 5 feet (60 inches) from ground level.
- The playground must have a design theme and playground elements and amenities must match the overall theme of the playground. Custom playground pieces are not required to create a playground theme.
- Use of multi sensory activities that provide tactile, auditory, visual and movement experiences.
- Playground signs must be included in design and provided as part of the equipment.
- Interlocking rubber tiles must have a design and or color scheme that reasonably matches or enhances the theme/design of the playground.
- Playground design must include 2 benches that are least 6 feet in length but not more than 8 feet in length each.
- The playground design should not include swings, water tables or sand tables.

**Total bid amount for playground design, equipment cost, surfacing tiles and delivery is not to exceed \$150,000**

### **Addendum A:**

#### **Playground Installation of Playground Equipment**

Must provide professional installation by an insured and factory-certified crew capable of completing the installation by the agreed upon completion date.

Site preparation, including grading and leveling will be done by the Town of Kent. Footings for the equipment will be dug by the Town of Kent. The bidder must supply accurate drawings and descriptions of all footings required for proposed equipment in playground design.

### **Addendum B:**

#### **Professional Supervision of Playground Build**

Must provide professional supervision by an insured and factory certified personnel capable of overseeing and managing a small crew to build a playground if this projects size and scope.

### **Addendum C:**

#### **Professional Installation of Interlocking Rubber Tiles**

Must provide professional installation by an insured and factory-certified crew capable of completing the installation by the agreed upon completion date.

Site preparation, including grading and leveling will be done by the Town of Kent. The bidder must supply accurate requirement and descriptions of all surface preparation required for proposed rubber tiles.

### **Description of How Bids Will Be Evaluated:**

Bids will be evaluated on the overall best value. The criteria to determine will be as follows:

1. Adherence to the section in this bid regarding Specific Equipment and Design Requirements.
2. Total number of play activities.
  - a. Play activities will then be given a value based upon size, design, interactivity and play value.
    - i. General base value ratings are as follows:
      1. 4 points
        - a. Freestanding spinners, bouncers, see saws, etc. – capacity of 7 children or more.
        - b. Inclusive Glider, raft, etc – capacity of 12 children or more.
        - c. Themed elements made from GFRP, GFRC or similar material – Large in size.
      2. 3 points
        - a. Slides (metal, plastic, etc.) – tube, spiral, open, sectional.
        - b. Large themed plastic, hdpe climbers – climb through.
        - c. Freestanding spinners, bouncers, see saws, etc – 3 – 6 child capacity.
        - d. Large free standing climbers – made of any material – child capacity of 9 or more.
        - e. Themed elements made from GFRP, GFRC or similar material medium in size.
      3. 2 points
        - a. Climbers made from HDPE, Plastic, etc. – vertical, inclined, deck to deck, etc.
        - b. Crawl tubes made from HDPE, Plastic, etc - vertical, inclined, freestanding, deck to deck, etc.
        - c. Net Climbers- vertical, inclined, deck to deck, etc.
        - d. Freestanding spinners, spring riders, bouncers, see saws, etc – 2 child or less capacity.
        - e. Freestanding climbers – any type – child capacity 8 children or less.
        - f. Themed elements made from GFRP, GFRC or similar material medium in size.
      4. 1 point
        - a. Metal climbers – vertical, inclined, deck to deck, etc.
        - b. Spring riders, similar- capacity 1 child.
      5. .5 point – play panels – interactive, manipulative, sound, etc,
      6. .25point – play panels – imaginative (no movement, sound, etc.)
    - ii. Any activity (excluding panels and inclusive glider, raft, cruiser) that has a design for handicap specific inclusion (must be clearly noted in



product description or catalogs) will receive a .5 value increase to the base value.

- b. Decks, railings, ramps, stairs and transfer points will have no play value. Themed Transfer points will receive 1 point.
  - c. Point values are awarded by the Town of Kent.
  - d. Activities that are unique or that do not fit into the preexisting point system will be reviewed and given a point value by the Town of Kent.
3. Total Price to Total Play value ratio.

TO: The Clerk's Office, TOWN OF KENT, KENT LAKES, NEW YORK

The undersigned, having a principal place of business at:

\_\_\_\_\_  
\_\_\_\_\_

and being experienced and responsible for the performance of the same, agrees to furnish and deliver:

\_\_\_\_\_TOWN HALL PLAYGROUND EQUIPMENT\_\_\_\_\_

for the Town of Kent, 25 Sybil's Crossing., Kent Lakes, N.Y., Putnam County, in accordance with the specification annexed hereto, or per exception to specifications as enumerated.

Note:

- 1) Proposers shall provide a complete description of equipment being proposed as specified herein as per Schedule "A" (attached).
- 2) Client reference list must also accompany this proposal as specified herein.

\_\_\_\_\_  
(Bidders Signature)

\_\_\_\_\_  
(Bidder, Name, Title)

\_\_\_\_\_  
(Company Name)

\_\_\_\_\_  
(Address)

DATED: \_\_\_\_\_

\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(Fax Number)

Louis M. Fernandez  
Director of Recreation and Parks



Town of Kent Recreation and Parks Department  
25 Sybil's Crossing Kent Lakes, NY 10512

Telephone: (845) 531-2100

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Webpage: [www.townofkentny.gov](http://www.townofkentny.gov)

**BID PROPOSAL**

PROPOSED TOTAL PRICE IN DOLLARS:

\$

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PROPOSED TOTAL PRICE IN WORDS:

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**NOT TO EXCEED \$150,000.00**

**Addendum A Price**

PROPOSED TOTAL PRICE IN DOLLARS:

\$

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PROPOSED TOTAL PRICE IN WORDS:

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**Addendum B Price**

PROPOSED TOTAL PRICE IN DOLLARS:

\$

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PROPOSED TOTAL PRICE IN WORDS:

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**Addendum C Price:**

PROPOSED TOTAL PRICE IN DOLLARS:

\$

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PROPOSED TOTAL PRICE IN WORDS:

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Louis M. Fernandez  
Director of Recreation and Parks



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NAME AND TITLE

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COMPANY NAME

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ADDRESS

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PHONE

---

FAX

---

E-MAIL

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Director of Recreation and Parks



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SCHEDULE "A"  
DESCRIPTION OF EQUIPMENT BEING PROPOSED

Please attach a detailed description of the equipment being proposed to this page. Brochures, photos, designs and literature required.

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COMPANY NAME

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NAME OF EQUIPMENT MANUFACTURER

---

SIGNATURE

---

NAME AND TITLE

---

ADDRESS

---

PHONE

---

FAX

---

E-MAIL

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### **HOLD HARMLESS STATEMENT**

The Contractor shall, during the performance of this work, take all necessary precautions and place proper safeguards for the prevention of accident and shall indemnify and save harmless, the Town of Kent and their employees, officers and agents from all claims suits and actions and all damages and costs to which they make put by reason of death or injury to all persons or property of another resulting from unskillfulness, willingness, negligence or carelessness in the performance of the work, or in guarding and protecting the same or from any improper methods materials, implements or appliance used in its performance or construction, or by or any account of any direct or indirect act of omission of the Contractor or his employees or agents, and whether or not any active or passive or concurrent negligent act or omission by the Town of Kent, or any of their employees, officers or agents may have directly or indirectly caused or contribute thereto.

Bidder:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Subscribed and sworn to before

me this \_\_\_\_\_ day of

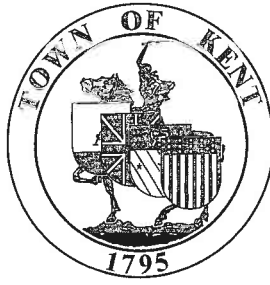
\_\_\_\_\_ 2012

\_\_\_\_\_  
Signature, Title and date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Notary Public

Louis M. Fernandez  
Director of Recreation and Parks



Town of Kent Recreation and Parks Department  
25 Sybil's Crossing Kent Lakes, NY 10512

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**Non-Collusion Affidavit**

**General Municipal Law: Section 103(d)  
"NON-COLLUSIVE BIDDING CERTIFICATE"**

1. By submission of his bid, each Proposer and each person signing on behalf of any Proposer, certifies, and in the case of a joint bid, each party thereto, certifies as to its own organization under penalty of perjury that to the best of their knowledge and belief:
  - a. The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Proposer, with any competitor:
  - b. Unless otherwise required by law, the prices which have been quoted in the bid have not been knowingly disclosed by the Proposer, and will not knowingly be disclosed by the Proposer prior to opening, directly, to any other Proposer or to any competitor; and
  - c. No attempt has been made or will be made by the Proposer to include any other person, partnership or corporation to submit or not to submit a bid for the purpose restricting competition.

\_\_\_\_\_  
Name of Proposer

\_\_\_\_\_  
By

\_\_\_\_\_  
Address

\_\_\_\_\_  
Accepted

\_\_\_\_\_  
Date

W6

TOWN OF KENT  
NOTICE OF HEARING

AMENDMENTS TO THE KENT TOWN CODE  
REGARDING BONDS

PUBLIC NOTICE is hereby given that there has been introduced before the Town Board of the Town of Kent, New York, on \_\_\_\_\_ an amendment to Kent Town to authorize the acceptance by Town of Kent Boards of surety bonds and letters of credit when a bond is required pursuant to the Town Code.

NOW THEREFORE, pursuant to Section 20 of the Municipal Home Rule Law, the Town Board of the Town of Kent, New York will hold a public hearing on the aforesaid Amendment at the Town Offices, 25 Sybil's Crossing, Kent, New York, on \_\_\_\_\_, at 7:00 p.m. in the evening of that day at which time all persons interested therein shall be heard. The Town Board will make every effort to assure that the hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Town Clerk.

Dated: \_\_\_\_\_

BY ORDER OF THE TOWN BOARD OF THE  
TOWN OF KENT

YOLANDA D. CAPELLI, TOWN CLERK



TOWN OF KENT

County of Putnam, State of New York

RESOLUTION \_\_\_\_\_

RESOLUTION INTRODUCING  
LOCAL LAW \_\_\_\_-2017 AND PROVIDING FOR PUBLIC  
NOTICE AND HEARING

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

DATE OF CONSIDERATION/ADOPTION: \_\_\_\_\_, 2017

BE IT RESOLVED that an amendment to Kent Town Code authorizing the acceptance by Town of Kent Boards of surety bonds and letters of credit in addition to cash bonds is hereby introduced by \_\_\_\_\_, as Introductory Local Law # \_\_\_\_ of the year 2017 before the Town Board of the Town of Kent in the County of Putnam and State of New York, and

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Amendment, which is attached hereto, be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED, that the Town Board will hold a public hearing on said proposed Amendment at the Town Hall, in the Town of Kent, New York at \_\_\_\_ o'clock P.M. on \_\_\_\_\_, 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.

UPON ROLL CALL VOTE:

Supervisor Fleming: \_\_\_\_\_  
Councilman Chin: \_\_\_\_\_  
Councilman Denbaum: \_\_\_\_\_

Councilwoman McGlasson: \_\_\_\_\_  
Councilman Huestis: \_\_\_\_\_

VOTE: RESOLUTION CARRIED BY A VOTE OF \_\_\_\_\_ TO \_\_\_\_\_ ABSTAIN \_\_\_\_\_

State of New York       )  
County of Putnam       ) ss:

I, Yolanda D. Cappelli Town Clerk of the Town of Kent, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Kent at a meeting of said Board on \_\_\_\_\_, 2017.

Dated: \_\_\_\_\_, 2017

\_\_\_\_\_  
Yolanda D. Cappelli, Town Clerk

**LOCAL LAW NO. \_\_ OF THE YEAR 2017**

**LOCAL LAW AUTHORIZING THE ACCEPTANCE BY TOWN BOARDS OF THE  
TOWN OF KENT OF SURETY BONDS AND LETTERS OF CREDIT IN ADDITION  
TO CASH BONDS WHEN A BOND IS REQUIRED BY THE TOWN CODE**

**BE IT ENACTED** by the Town Board of the Town of Kent, County of Putnam as follows:

Section 1: This Local Law shall be known as: "Local Law authorizing the acceptance by Town of Kent Boards of surety bonds and letters of credit in addition to cash bonds".

Section 2: The Town of Kent Code contains several sections which require the posting of a cash bond. The Town Board wishes to expand the types of bonds which may be accepted by the various Town Boards which require such bonds to include surety bonds and letters of credit wherever a cash bond is required.

Section 3. Chapter 39A regarding "Freshwater Wetlands" is hereby amended to read as follows:

§ 39A-9. Limitations, duration and posting of permit; inspections; certificate of completion.

A. In granting a permit, the approving authority may limit the same or impose conditions or limitations designed to carry out public policy set forth in this chapter. The approving authority may require a **cash** bond, **a surety bond or a letter of credit** in an amount and with ~~[surety and]~~ conditions satisfactory to it securing to the Town of Kent compliance with the conditions and limitations set forth in the permit. The approving authority, or its designated agent, may inspect the premises in question from time to time. The approving authority shall suspend or revoke a permit if it finds after public hearing on 10 days' written notice to the applicant, and such further notice as may have been required for the public hearing held under § 39A-7E hereof, that the applicant has not complied with one or more of the conditions or limitations set forth in the permit or has exceeded the scope of the permitted activity. An immediate stop-work order may, however, be issued by the Town Engineer pending such hearing where, in his reasonable judgment, additional damage may be done to the wetland, water body, watercourse or regulated area, pending a determination on such hearing. No public hearing shall be required for the suspension or revocation of a permit where no public hearing was required for the issuance of the same.

Section 4. Chapter 57 regarding "Driveways" is hereby amended to read as follows:

§ 57-24. Bond or surety.

No bond or surety shall be required of any applicant in connection with a driveway permit unless such work will require the breaking of pavement on a Town road or unless culvert work or other work, such as erosion control work, is required for satisfactory construction. In such case, the Highway Superintendent shall require sufficient surety, in ~~[a form and manner satisfactory to him,]~~ **the form of a cash bond, surety bond, or letter of credit** to ensure the restoration of the pavement or completion of the work, as the case may be.

Section 5. Chapter 63 regarding “Soil Removal” is hereby amended to read as follows:

§ 63-5. Performance of work.

M. The applicant shall file with the Town Board a performance bond, in such form and with such surety as shall be acceptable to the Town Board, in such amount as the Town Board may deem sufficient to ensure the faithful performance of the work to be undertaken.

Section 6. Chapter 62 regarding “Sewer Use, Connections and Rents” is hereby amended to read as follows:

§ 61-74. Delinquent payments; performance bonds; liability insurance.

...

B. Performance bonds. The Inspector may decline to reissue a permit to any user which has failed to comply with the provisions of this chapter or any order or previous permit issued hereunder, or may require, as a condition of reissuance, such user to first file with the sewer district a ~~[satisfactory]~~ **cash bond, surety bond or letter of credit**, payable to the sewer district, in a sum not to exceed a value determined by the Inspector to be necessary to achieve consistent compliance.

Section 7. Chapter 66 regarding “Steep Slope Protection and Stormwater Management” is hereby amended to read as follows:

§ 66-7. Performance bond; inspection.

A. Performance bond.(1) In order to insure the full and faithful completion of all construction activities related to compliance with all conditions set forth by the Town in its issuance of a steep slope and erosion control permit, the Planning Board may require the owner or applicant to provide, prior to construction, a performance bond, supported by sufficient security in the form of **cash bond, surety bond**, a cash escrow account, irrevocable letter of credit or certified check drawn upon an national or state bank or other cash equivalent, which guarantees satisfactory completion of the project and names the Town as the beneficiary. The security shall be in an amount to be determined by the Planning Board based on submission of final design plans.

Section 8. Chapter 66A regarding “Subdivision of Land”, Article VI, is hereby amended to read as follows:

§ 66A-32. Performance security; maintenance security.

...

C.

Performance security required by the Planning Board.

(1) Where a performance security is required by the Planning Board, the subdivider shall file with the Town a **cash bond, a security bond or a letter of credit** in an amount sufficient to cover 100% of the cost of the required improvements as estimated by the Superintendent, the Planning Board Planner, the Planning Board Environmental Consultant or the Planning Board Engineer. Such security shall be subject to the review and acceptance by the Town Attorney as to form, sufficiency and manner of execution. The security shall be accepted by the Town Board prior to the time of

the Chairman's signature on the final plat. The security shall be accepted by the Town Board and filed with the Town Clerk prior to commencement of any site work or construction. The security shall run for a term to be fixed by the Planning Board, but in no case for a longer term than three years; provided, however, that the term of such security may be extended by the Planning Board with the consent of the parties thereto. If the Planning Board decides at any time during the term of the security that the extent of building development that has taken place in the subdivision is not sufficient to warrant all of the improvements covered by the security, or that the required improvements have been installed in sufficient amount to warrant reduction in the amount of the security, then, upon approval by the Town Board, the Planning Board may modify its requirements for any or all such improvements, and the amount of such security shall be reduced by an appropriate amount so that the new amount will cover the cost in full of the amended list of improvements required by the Planning Board.

...

F. Execution of contracts. The Town Board resolution shall require that the owner or owners of real property execute such contracts with the Town as the Town Board may deem necessary for the purpose of ensuring that the expense of such construction or installation, including the cost of issuing obligations to raise moneys to pay the expense thereof and interest on such obligations, shall not be an undue burden upon the property deemed benefitted by the agreements or of such improvement district or extension thereof as the case may be and may require a security agreement, including but not limited to the filing of a surety bond, letter of credit, or the deposit of cash or securities in a form approved by the Town Attorney and accepted by the Town Board so as to assure the performance of such contracts.

Section 9. Chapter 77 regarding "Zoning", Article XVII regarding "Special Use and Site Plan Requirements" is hereby amended to read as follows:

§ 77-61. Approval procedure.

C. Performance bond or surety and inspection fee. The applicant may be required to post a performance bond **in the form of a letter of credit, cash bond** or surety **bond** in an amount sufficient to assure that all streets or other public improvements shown on the site plan are suitably graded and paved, and that street signs, sidewalks, streetlighting, curbs, gutters, street trees, water mains, sanitary sewers, fire alarm signal devices, including associated ducts, pipes, cable and connecting facilities, are installed in accordance with applicable standards, specifications, and procedures acceptable to the Town. Prior to commencement of work and as a condition of a building permit, the applicant shall pay an inspection fee in an amount as set from time to time by resolution of the Town Board.

Section 10. Severability.

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstance, and the Town Board of

the Town of Kent hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 11: Effective Date.

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Dated: \_\_\_\_\_, 2017

BY THE ORDER OF THE TOWN BOARD  
TOWN OF KENT

[----] deleted text

[ ] new text

Town of Kent Planning Board  
 25 Sybil's Crossing  
 Tel: 845-225-7802

email: planningkent@townofkentny.gov  
 Kent, NY 10512  
 Fax: 845-306-5283

# Memorandum

Date: June 8, 2017

From: The Kent Planning Board

To: The Kent Town Board  
 Maureen Fleming, Supervisor. Bill Huestis, Deputy Supervisor  
 Scott Chin Jaime McGlasson  
 Paul Denbaum

CC: W. Walters, Building Inspector. J. Ramos – w/Att.  
 L. Cappelli, Town Clerk. Finance Dept. – w/Att

Re: Recommendation Pertaining to filling Vacant Planning Board Seat  
 Appointment of:  
 Stephen M. Papas  
 16 Darryl Lane  
 Carmel, NY 10512  
 Resolution #13 2017

Resolved:

The Kent Planning Board met in an Executive Session on June 8, 2017 to discuss replacing George Brunner, who resigned from his position as a Planning Board member two months ago. The Board met with Stephen Papas in April and was impressed with his credentials and qualifications, which include prior service on a municipal planning board in Rockland County.

As the Planning Board has been functioning with at least one vacant seat for all of 2017, we are anxious to get back to full strength. Towards that end, we are recommending that the Town Board appoint Stephen Papas to fill the rest of George Brunner's term, which expires in 2020. The motion was made by Stephen Wilhelm and seconded by Gary Lam. The votes were as follows:


Michael McDermott, Chairman	-	<u>Aye</u>
Mr. Dennis Lowes, Vice Chairman	-	<u>Aye</u>
Mr. Gary Lam	-	<u>Aye</u>
Mr. Charles Sisto	-	<u>Absent</u>
Mr. Phillip Tolmach	-	<u>Absent</u>
Mr. Stephen Wilhelm	-	<u>Aye</u>

The motion carried.

The Planning Board respectfully asks that the Town Board pass a resolution decreeing that the above action be taken as soon as possible so that the Planning Board can be returned to full membership.

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on June 8, 2017.

Dated: June 8, 2017

  
 Vera Patterson  
 Planning Board Secretary



W7

## CODE ENFORCEMENT

OF THE TOWN OF KENT, PUTNAM COUNTY, N.Y. 10512  
845-306-5598

July 17, 2017.

**From: Zoning Enforcement Officer, Town of Kent:**  
**To: Supervisor Fleming, Town board members, Town of Kent:**  
**Subject: STRUCTURAL VIABILITY OF LAKE DOCK IN REAR OF 8**  
**TEATOWN COURT, TAX MAP# 33.65-1-36.**

Please be advised that the undersigned, acting as Zoning Enforcement Officer for the town of Kent was present this date to evaluate the structural integrity of a lake dock in the rear of 8 Teatown Court, tax map # 33.65-1-36 and my observations are as follows:

There is no evidence of wood rot and the timber construction is solid on all sides.

The wood railings are securely attached and can support human weight.

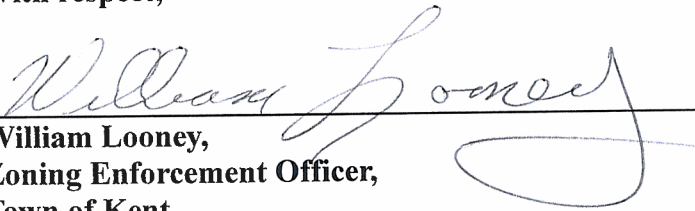
The front support poles are no longer evident (or never existed) and although laterally level, the entire dock leans forward at an approximate 30 degree angle into the water. See attached photos.

### IMPRESSION

Although solidly constructed, the safety of anybody using the dock would be severely compromised by the forward listing of the structure.

Lacking a newly built support structure this dock would have to be removed in the interest of public safety.

With respect,

  
\_\_\_\_\_  
William Looney,  
Zoning Enforcement Officer,  
Town of Kent.

















## CODE ENFORCEMENT

OF THE TOWN OF KENT, PUTNAM COUNTY, N.Y. 10512  
845-306-5598

W8  
**RECEIVED**

**JUL 26 2017**

Town of Kent  
Supervisor's Office

July 26, 2017.

**From: Zoning Enforcement Officer, Town of Kent:**  
**To: Supervisor Fleming, Town board members, Town of Kent:**  
**Subject: Violation requiring town corrective action:**

Enclosed please find violation issued by the undersigned and bids for correction.

Location requiring correction and lowest bid for each site:  
10 Ridgeway Road. \$500.00.

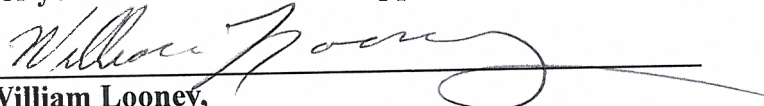
Site owner has not responded to Notices of Violation.

The above stated bid has been proposed by FI Adams Inc.

Putnam Handyman Construction failed to submit a bid.

Dirt and Demolition Inc. failed to submit a bid.

For your consideration and approval:

  
William Looney,  
Zoning Enforcement Officer,  
Town of Kent.



**CODE ENFORCEMENT  
OF  
THE TOWN OF KENT, PUTNAM COUNTY, N.Y. 10512  
845-306-5598**

**ORDER TO REMEDY VIOLATION**

**Location:** 10 Ridgeway Rd Kent, NY

**Map NO:** 33.27-2-18

**June 15, 2017.**

**TO:**

**James Mohalley  
10 Ridgeway Rd  
Carmel, NY 10512**

**PLEASE TAKE NOTICE: THERE EXISTS A VIOLATION OF:**

**Town of Kent Municipal Code\Chapter 55 A Property Maintenance Code\11 Subs B-1-A-  
Rubbish**


**at premises hereinafter described in that:**

**RUBBISH: OWNER/AGENT HAS FAILED TO MAINTAIN SITE FREE OF RUBBISH AS  
DESCRIBED BY CODE.**

**OWNER/AGENT MUST REMOVE ALL SUCH DESCRIBED DEBRIS FROM SITE.**

**OWNER/AGENT MUST NOTIFY THIS OFFICE WITHIN TEN DAYS OF A PROPOSAL  
TO REMEDY THE AFOREMENTIONED VIOLATION. IF THE REMEDY IS NOT  
FORTHCOMING THE TOWN OF KENT WILL CONTRACT WITH A VENDOR TO  
CORRECT THE VIOLATION AND THE FEE CHARGED WILL BE CHARGED TO THE  
PROPERTY OWNER OR THE TAX ASSESSMENT LEVIED ON THE SITE.**

**YOU ARE THEREFORE DIRECTED AND ORDERED to comply with the law and  
remedy the conditions above mentioned within ten days from this date. Failure to remedy  
the conditions aforesaid and to comply with the law and may constitute an offense  
punishable by fine or imprisonment or both.**

  
**WILLIAM LOONEY**

**WILLIAM LOONEY  
ZONING ENFORCEMENT  
OFFICER TOWN OF KENT**











# Estimate

**FI Adams, Inc.**

610 Route 292

Holmes, NY 12531 Fiadamsinc@gmail.com

(845)-855-3733 (914)760-8959

**For:**

Town Of Kent

10 Ridgeway Road

Carmel N.Y

**Estimate No:** 106

**Date:** Jul 26, 2017

Description	Quantity	Rate	Amount
Clean up garbage, two lawn tractors and tent shed from 10 Ridgeway Road	1.00	\$500.00	\$500.00

\* Indicates non-taxable item

---

Subtotal	\$500.00
TAX (0.00%)	\$0.00
<b>Total</b>	<b>\$500.00</b>



Town of Kent  
25 Sybil's Crossing  
Kent Lakes NY 10512

W9  
Application #: 33, 18 - 1 - 14

## OPERATING PERMIT APPLICATION FORM

Page 1 of 4

### Part I Applicant/Building Information

Applicant's Name: Lakeview Community Church

Applicant's Address: 387 Rt. 52, Carmel, NY

Contact Person: Angela Day Telephone: 845-490-7905

Address of Premises for which Operating Permit is requested: ☒ same as above

☐ Other (specify): \_\_\_\_\_

Tax Map Number: 33, 18 - 1 - 14 Current Occupancy Class: E,

### Part II Type Operating Permit

An Operating Permit is required to conduct any activity or to use any class of building listed below. **Please indicate the type(s) of Operating Permit(s) requested by checking each applicable box.** (If you require assistance, or would like more information, contact the Town of Kent Building Department at 845-225-3900.)

☐ Manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4), of the Fire Code of New York State (see 19 NYCRR Part 1225); **(See Appendix A.)** Identify the materials and quantities and describe the manner in which the materials will be manufactured, stored or handled (attach additional sheets if necessary):  
\_\_\_\_\_  
\_\_\_\_\_

☐ Conducting a hazardous process or activity (including but not limited to, any commercial or industrial operation which produces combustible dust as a byproduct, fruit and crop ripening, and waste handling; **(See Appendix B.)** Describe the process(es) or activity(ies) to be conducted (attach additional sheets if necessary):  
\_\_\_\_\_  
\_\_\_\_\_

☐ Use of pyrotechnic devices in assembly occupancies; **(See Appendix C.)** Describe the proposed use (attach additional sheets if necessary):  
\_\_\_\_\_  
\_\_\_\_\_

☐ Use of a building containing one or more areas of public assembly with an occupant load of 100 persons or more **(See Appendix D.)** Describe the proposed use (attach additional sheets if necessary):  
\_\_\_\_\_  
\_\_\_\_\_

Town of Kent  
25 Sybil's Crossing  
Kent Lakes NY 10512

Application #: 35.18-1-14

## OPERATING PERMIT APPLICATION FORM

### Part II (continued)

Page 2 of 4

- ☒ Temporary Sales Events (attach a plan drawn to scale showing the general location of the building and / or lot where the temporary sales event is) Community Tag Sale on Sat.  
9/16/17 with rain date on 9/23/17 if needed.
- ☐ Use of a building whose use or occupancy classification has been determined by Town of Kent Building Department as posing a substantial potential hazard to public safety. (See Appendix E.) Describe the proposed use (attach additional sheets if necessary):  
\_\_\_\_\_  
\_\_\_\_\_

### Part III Premises/Building Information

1. Date of last Inspection of Premises? 7-22-17
2. Has a Certificate of Occupancy been issued for the premises?  
☐ YES      Type: ☐ Permanent ☐ Temporary      Date of Issuance: N/A  
☐ NO
3. Date(s) of issuance of previous Certificate(s) of Occupancy? (If any): N/A
4. Are there currently any open Building Permits associated with the premises? ☐ YES ☐ NO  
If yes, please describe (attach additional sheets if necessary):  
N/A
5. Have any violations to the Uniform Code been issued in relation to the Premises? ☐ YES ☒ NO  
If yes, please describe (attach additional sheets if necessary):  
\_\_\_\_\_  
\_\_\_\_\_
6. Have any variances to the Uniform Fire Prevention and Building Code been granted in relation to these premises?  
☐ YES ☒ NO If yes please describe (attach additional sheets if necessary): (Include Variance Decision Number)  
\_\_\_\_\_  
\_\_\_\_\_

Town of Kent  
25 Sybil's Crossing  
Kent Lakes NY 10512

Application #:

33,18-1-14

**OPERATING PERMIT APPLICATION FORM**

**Part III (continued)**

Page 3 of 4

**7. Additional Comments:**

Please consider waiving the application fee for this event. The primary purpose is to add value to the community, and fees charged are primarily used to fund future community events.

**SIGNATURE OF APPLICANT**

I hereby certify that the foregoing information (and all information in attached sheets, if any) is true and complete.

7/20/17

Signature of ~~Applicant or Authorized~~ Representatives Signature

Date

Angela Day, Church Administrator  
Name (and Title, if applicable of person signing Application (Please print))

**Part IV**

**To be completed by Town of Kent Building and or Fire Inspector**

Inspection Required ☒ YES

☐ NO

Inspections Performed ☒ YES  
☐ NO

Date of Inspection: 7-22-17

Tests or Reports required verifying compliance?

☐ YES

☐ NO

If YES, have Tests or Reports been received?  
Description:

☐ YES

☐ NO

Application(s) Approved:

☒ YES

☐ NO

Operating Permit Issued By: Nicholas Cecere - Fire Inspector

Date Operating Permit Issued: 9-16-17 (Rain Date) Date Operating Permit Expires: 9-17-17 (Rain Date)  
9-23-17 9-24-17

Type/Description of Operating Permit:

Conditions of Operating Permit (list conditions here AND in the space provided in the Operating Permit):

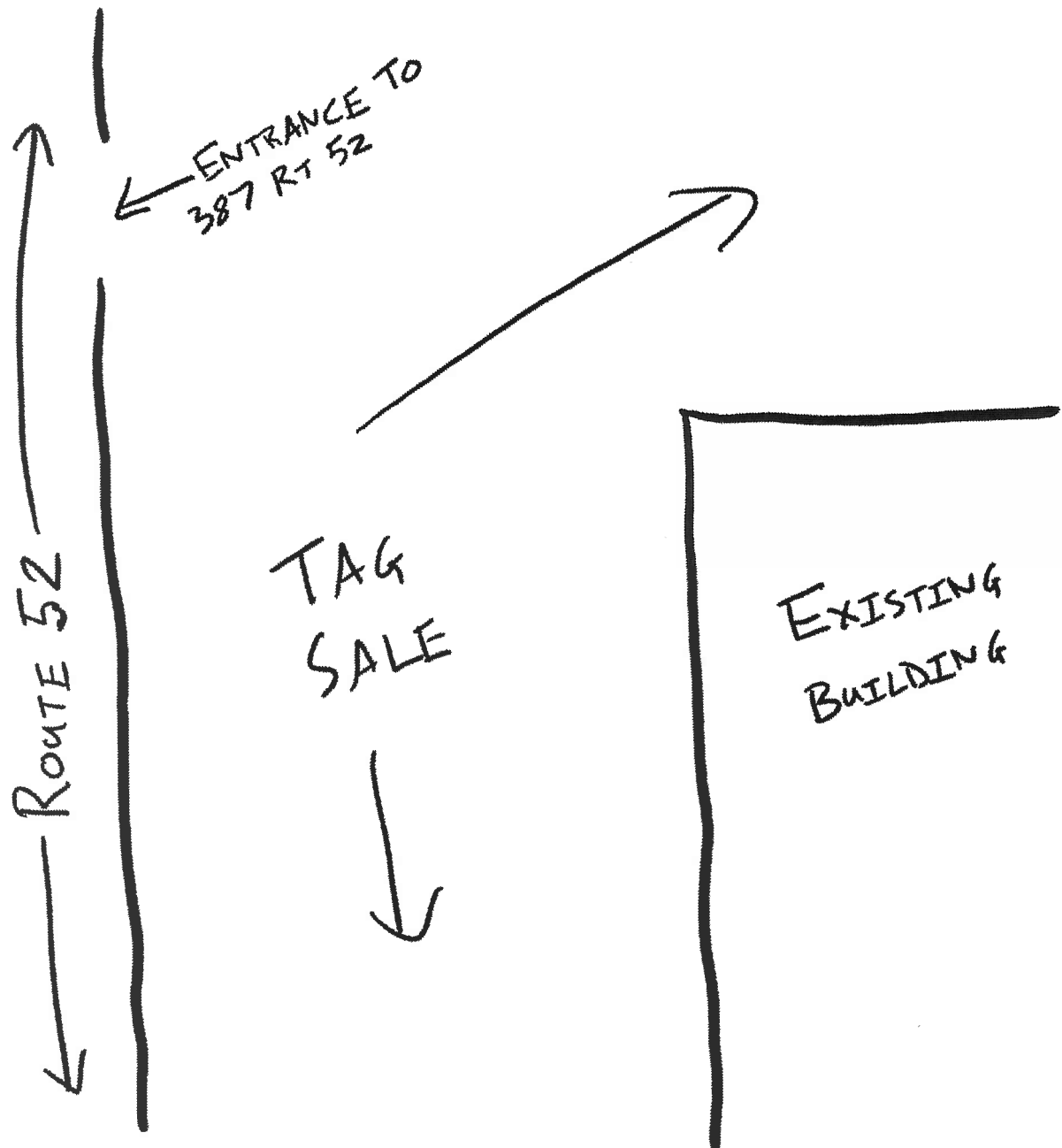
NONE

Additional Comments:

NONE

# Community Tag Sale at Lakeview - Map

Saturday, May 9, 2015 9:55 AM





## Town of Kent Building Department OPERATING PERMIT

This Operating Permit must be displayed at Premises

Application #: 33.18-1-14

Application's Name: Lakeview Community Church

Applicant's Address: 387 Route 52- Kent Lakes, NY 10512

Contact Person: Angela Day

Telephone: 845-490-7905

Address of Premises for which Operating Permit is requested: ☒ same as above ☒ other (specify):

Date of Issuance: September 16, 2017 (Rain Date 9-23-17) Expiration: September 17, 2017 (Rain Date 9-24-17)

This Operating Permit is issued to the Applicant named above to conduct the activity (ies) and/or to use the class (es) of buildings indicated below at the Premises specified above:

- ☐ Cutting & Welding Operations – International Fire Code - 3501.2
- ☐ Manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) or 5003.1.1(4), of the International Fire Code (see 19 NYCRR Part 1225); as described in the Application.
- ☐ Conducting a hazardous process or activity; as described in the International Fire Code. 104.1 & 2301.1
- ☐ Use of pyrotechnic devices in assembly occupancies; as described in the Application
- ☐ Use of a building containing one or more areas of public assembly with an occupant load of 100 persons or more; as described in the Application.
- ☒ Use of a building whose use or occupancy classification has been determined by *Town of Kent Building Department* as posing a substantial potential hazard to public safety; as described in the Application. (TAG SALE)

The conditions, surroundings and arrangements for the activity(ies) and/or use(es) subject to this Operating Permit shall be

in accordance with all applicable laws, ordinances, regulations and the conditions (if any) mentioned below. The Premises shall be subject to periodic inspection by *Town of Kent Building Department* to ensure compliance with all applicable laws, ordinances, regulations and conditions. The Operating Permit is subject to revocation for failure to comply with any applicable law, ordinance, regulation or condition. This Operating Permit shall expire on the earlier of the Expiration Date specified above or on the date of revocation pursuant to the preceding sentence. CONDITIONS (continue on attached sheets, if necessary):

TOWN OF KENT BUILDING DEPARTMENT

By: Nicholas J Cecere  
Nicholas J Cecere, Fire Inspector

jasmine ramos

---

**From:** Maureen Fleming  
**Sent:** Monday, July 31, 2017 3:45 PM  
**To:** jasmine ramos  
**Subject:** FW: 29 Amawalk Rd - Survey

---

**From:** Rich Othmer <[rothmer@townofkentny.gov](mailto:rothmer@townofkentny.gov)>  
**Date:** Thursday, March 9, 2017 at 1:19 PM  
**To:** Nancy Tagliaferro <[ntag@hoganandrossi.com](mailto:ntag@hoganandrossi.com)>, Maureen Fleming <[mfleming@townofkentny.gov](mailto:mfleming@townofkentny.gov)>, Nancy Tagliaferro <[nancytags@gmail.com](mailto:nancytags@gmail.com)>  
**Subject:** RE: Fwd: 29 Amawalk Rd - Survey

Nancy & Maureen;

OK, here are the results of my research.

- 1) It is not a Town Road
- 2) There are no records in my office that this was ever, and is not now, a Town paper road or abandoned road.
- 3) However, It does look like that it is Town owned property but not under the purview of the Highway Department.
- 4) Presently it looks as if they split the usage with the neighbors so if it is sold I would assume they would have to be consulted as well.
- 5) If sold, the Town must make sure that they do not land lock anyone behind them.
- 6) It looks as if this was originally (1930's) meant to punch through and connect with South Terry Hill Road (County Road) behind it.
- 7) Conveying or selling of this section of property to this person and if required his neighbor, would not interfere with Highway operations what-so-ever.

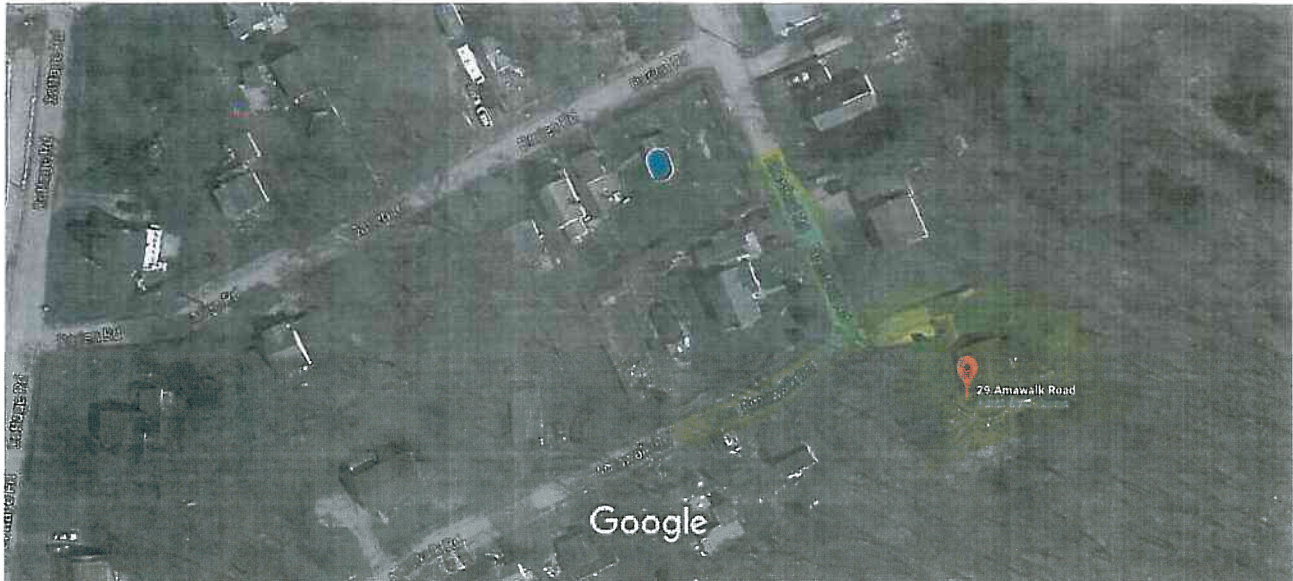
I am always a firm believer in getting land back on the tax roll and that this would be a situation where government can serve the public, it would be of useful value to these people and would help straighten out the Lake Carmel property boundary mess.

I do not know how you would go about this from this point on and who does & pays for what but I hope this has helped.

Hope all is well.

Richie O

## Google Maps 29 Amawalk Rd

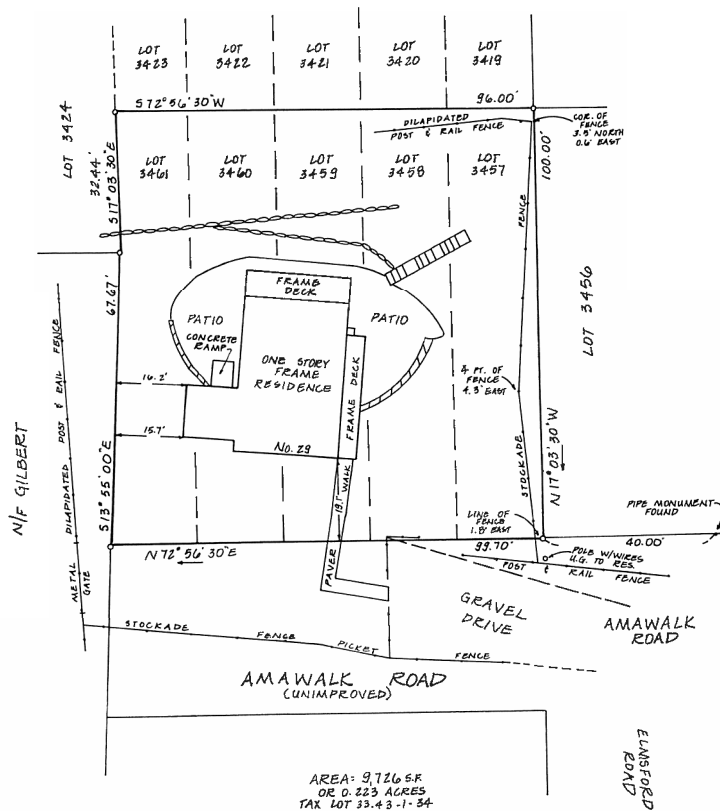


Imagery ©2017 DigitalGlobe, New York GIS, Map data ©2017 Google 50 ft



29 Amawalk Rd  
Carmel, NY 10512





Certifications indicated herein signify that this survey was prepared in accordance with the existing code of practice for Land Surveying as adopted by the New York State Association of Professional Land Surveyors. Said certifications shall be valid only to the party for whom the survey was prepared, and on that party's behalf to the title company, governmental agency and/or lending institution listed hereon, and to the assignees of the lending institution, for mortgage purposes for said party for whom this survey was prepared. Certifications are not transferrable to additional institutions or subsequent owners. Only copies from the original of this survey map bearing the signature and an original of this Land Surveyor's title or his embossed seal shall be considered to be true and valid copies. In addition, unauthorized alteration or addition to a survey map bearing a licensed Land Surveyor's seal is a violation of Section 7209, sub-division 2, of the New York State Education Law. The location of underground improvements or encroachments hereon, if any exist, are not certified.

CERTIFIED TO: HENRY CHURCHILL, MICHELLE NEPTON & SHARON CHURCHILL  
FIRST AMERICAN TITLE INSURANCE COMPANY  
PERMIER ABSTRACT, LTD.

TITLE NO. PAL 2680E  
Field survey performed: AUGUST 4, 2016  
and map prepared: AUGUST 26, 2016

**DAVID L. ODELL**  
David L. Odell, P.L.S., N.Y. State Licensed Land Surveyor No. 050074

SURVEY OF PROPERTY  
PREPARED FOR  
**HENRY CHURCHILL**  
&  
**MICHELLE NEPTON**

BEING LOTS 3457 THRU 3461 INCLUSIVE AS SHOWN ON A CERTAIN MAP ENTITLED, "THIRD MAP OF LAKE CAROL, ETC.", SAID MAP FILED IN THE PUTNAM COUNTY CLERK'S OFFICE, FEBRUARY 2, 1931 AS MAP NUMBER 130-BB.

SITUATE IN THE  
TOWN OF KENT  
PUTNAM COUNTY, NEW YORK  
SCALE: 1" = 15'

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Land Surveying Company  
123 Cushman Road  
Patterson, NY 12568  
(845) 235-0100

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C16-035