

Town of Kent
Town Board Meeting
January 17, 2023

Executive Session: 6:45

Workshop/Meeting 7pm

1. Pledge of Allegiance
2. Roll Call
3. Discussion and/or Vote on the following:
 - a) Set Public Hearing for Senior Tax Exemptions
 - b) Recycling: accept resignation
 - c) Putnam County Mutual Aid Agreement for Law Enforcement
 - d) Vacant Property Registry: Updates
 - e) Planning: Appoint Planning Board Chair/Co-Chair, Appoint new member
 - f) Recreation: AED's for parks, advertise for part time Rec Assistant
 - g) Highway: Promotions
 - h) Set Public Hearing to extend the Mining Moratorium
4. Vouchers
5. Announcement
6. Public Comment

TOWN OF KENT
County of Putnam, State of New York
RESOLUTION _____

RESOLUTION INTRODUCING
LOCAL LAW ___-2023 AND PROVIDING FOR PUBLIC
NOTICE AND HEARING

INTRODUCED BY:

SECONDED BY: _____

DATE OF CONSIDERATION/ADOPTION: _____ 2023

BE IT RESOLVED that an amendment to Kent Town Code Chapter 67, entitled "Taxation", is hereby introduced by _____, as Introductory Local Law # ___ of the year 2023 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 Local Law, 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 Local Law at the Town Hall, in the Town of Kent, New York at 7:00 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 McGlasson _____
Councilwoman Campbell _____
Councilman Tompuri _____

Councilman Ruthven _____
Councilman Boyd _____

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

Dated: _____, 2023

Yolanda D. Cappelli, Town Clerk

TOWN OF KENT
NOTICE OF HEARING

AMENDMENTS TO CHAPTER 67
OF THE KENT TOWN CODE

PUBLIC NOTICE is hereby given that there has been introduced before the Town Board of the Town of Kent, New York, on _____, 2023 an amendment to Kent Town Code Chapter 67, entitled "Taxation", which amendment will revise Chapter 67-2 to amend the maximum senior citizen tax exemption and 67-3.1 to amend the procedure for amending eligibility requirements.

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 _____, 2023 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: _____, 2023

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF KENT

YOLANDA D. CAPELLI, TOWN CLERK

TOWN OF KENT
AMENDMENT TO
CHAPTER 67
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 67, entitled “Taxation” Article I, entitled “Senior Citizen Tax Exemption” Subsections 67-2 and Subsection 67-3.1 shall be amended as follows:

§ 67-2 Application; income limits.

- A. All of the provisions, conditions and requirements of § 467 of the Real Property Tax Law and § 467-b, Subdivision 3a, of the Real Property Tax Law and § 467-c, Subdivision 1d, of the Real Property Tax Law and amendments thereto shall apply to the applications for and the granting of such an exemption on the assessment roll of the Town of Kent, except that no exemption shall be granted if the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the **\$48,400 for the year 2023; \$53,400 for the year 2024; and \$58,400 or the year 2025.** ~~the sum of \$37,400.~~
- B. Real property owned by persons 65 years of age or over shall be exempt from certain town taxes up to a minimum of 50% of the assessed valuation pursuant to the following schedule:

(1) For the Assessment Roll Year 2023

Annual Income	Percentage of Assessed Value Exempt from Taxation
\$29,000 or less <u>\$40,000 or less</u>	50%
\$29,000 to \$30,000 <u>\$40,001 to \$41,000</u>	45%
\$30,000 to \$31,000 <u>\$41,001 to \$42,000</u>	40%
\$31,000 to \$32,000 <u>\$42,001 to \$43,000</u>	35%
\$32,000 to \$32,900 <u>\$43,001 to \$43,900</u>	30%
\$32,900 to \$33,800 <u>\$43,901 to \$44,800</u>	25%
\$33,800 to \$34,700 <u>\$44,801 to \$45,700</u>	20%
\$34,700 to \$35,600 <u>\$45,701 to \$46,600</u>	15%
\$35,600 to \$36,500 <u>\$46,601 to \$47,500</u>	10%
\$36,500 to \$37,400 <u>\$47,501 to \$48,400</u>	5%

(2) For the Assessment Roll Year 2024

<u>Annual Income</u>	<u>Percentage of Assessed Value Exempt from Taxation</u>
<u>\$45,000 or less</u>	<u>50%</u>
<u>\$45,001 to \$46,000</u>	<u>45%</u>
<u>\$46,001 to \$47,000</u>	<u>40%</u>
<u>\$47,001 to \$48,000</u>	<u>35%</u>
<u>\$48,001 to \$48,900</u>	<u>30%</u>
<u>\$48,901 to \$49,800</u>	<u>25%</u>

<u>\$49,801 to \$50,700</u>	<u>20%</u>
<u>\$50,701 to \$51,600</u>	<u>15%</u>
<u>\$51,601 to \$52,500</u>	<u>10%</u>
<u>\$52,501 to \$53,400</u>	<u>5%</u>

(3) For the Assessment Roll Year 2025

<u>Annual Income</u>	<u>Percentage of Assessed Value Exempt from Taxation</u>
<u>\$50,000 or less</u>	<u>50%</u>
<u>\$50,001 to \$51,000</u>	<u>45%</u>
<u>\$51,001 to \$52,000</u>	<u>40%</u>
<u>\$52,001 to \$53,000</u>	<u>35%</u>
<u>\$53,001 to \$53,900</u>	<u>30%</u>
<u>\$53,901 to \$54,800</u>	<u>25%</u>
<u>\$54,801 to \$55,700</u>	<u>20%</u>
<u>\$55,701 to \$56,600</u>	<u>15%</u>
<u>\$56,601 to \$57,500</u>	<u>10%</u>
<u>\$57,501 to \$58,400</u>	<u>5%</u>

C. The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption from all sources, as set forth in §§ 467 and 467-b, Subdivision 3a, of the Real Property Tax Law and § 467-c, Subdivision 1d, of the Real Property Tax Law, must not exceed **\$48,400 for the year 2023; \$53,400 for the year 2024; and \$58,400 or the year 2025.** \$48,399. "Income Tax Year" shall mean the twelve-month period for which the owner or owners file a federal personal income tax return or, if no such return is filed, in the calendar year. When title is vested in either husband or wife, the combined income of both may not exceed such sum.

D. This article shall apply to the assessment roll as follows: **for §67-2(B)(1) commencing for the year 2023 and for the taxable year 2023/2024; for §67-2(B)(2) commencing for the year 2024 and for the taxable year 2024/2025; and for §67-2(B)(3) commencing for the year 2025 and for the taxable year 2025/2026.** ~~commencing for the year 2009 and for the taxable year 2009/2010.~~

E This article shall take effect immediately.

§67-3.1 Amending eligibility requirements.

The Town Board may amend the schedule set forth in §184-2(B) ~~§67-2(B)~~, by resolution, following a duly noticed public hearing.

Section 2. 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 3: 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: _____, 2023

BY THE ORDER OF THE TOWN BOARD
TOWN OF KENT

Howard E. Carpenter
106 Nimham Rd.
Kent Cliffs, New York 10512

845-225-7075

January 3, 2023

Supervisor Jaime McGlasson
Kent Town Board
25 Lybil's Court
Kent Lakes, NY 10512

2023 JAN -03 AM 11:39

POST OFFICE

OTB
gum/via

Dear Supervisor,

It is time to say adieu. Please accept my resignation as Co-Chair of the Kent Recycling Commission.

Since 1991 I have had the pleasure of working with exceptional people. We have established a unique recycling center, no other like it in the state, we did it our way.

Respectfully
Howard Carpenter

TOWN OF KENT
25 Sybil's Crossing
Kent Lakes, New York 10512

Yolanda D. Cappelli
Town Clerk

Administrative Office
Tel. (845) 225 - 2067
Fax (845) 225 - 5130



RESOLUTION

Local Law #2/2020 Foreclosure of Mortgages & Vacant Property Registry

On a motion by Supervisor Fleming
Seconded by Councilwoman McGlasson

WHEREAS, a local law to add a new Chapter to the Kent Town Code, Chapter 68, entitled "Foreclosure of Mortgages and Vacant Property Registration", was introduced as Introductory Local Law # 2 of the year 2020 on January 21, 2020; and

WHEREAS, the public hearing on said proposed amendment to the Town Code was opened on March 3, 2020 and continued to May 12, 2020, at which time the public was invited to attend and be heard on the matter;

NOW THEREFORE, BE IT RESOLVED, that Introductory Local Law # 2 of 2020 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.

UPON ROLL CALL VOTE:

Councilman Denbaum: aye, he commended Bill for his continued advocacy for this, visiting every road in Kent. He believes this will give them the teeth they need to get these abandoned homes turned around. It has been a long time coming, but Bill deserves a lot of credit getting this from nothing to now, something the town can work with to enforce and provide a better quality of life for all our residents. He thanked him.

Councilwoman McGlasson: aye

Councilman Huestis: aye, he relinquishes his title of the zombie hunter to the Building Inspector as he will do a commendable job. He thanked his colleagues.

Councilman Ruthven: aye

Supervisor Fleming: aye, she thanked Bill for his tireless work on this and thanked Town Counsel Nancy Tagliaferro who actually found and recommended the company. If we can solve the problem and it brings revenue kudos all around.

Motion carried unanimously

I, Yolanda D. Cappelli, the Town Clerk of the Town of Kent, does hereby certify that the above is a true and exact copy of Resolution adopted by the Town Board of the Town of Kent at a meeting of said Board on May 12, 2020.

DATED: May 19, 2020



Yolanda D. Cappelli, Town Clerk

LOCAL LAW NO. 2 OF THE YEAR 2020

LOCAL LAW CREATING CHAPTER 68 OF THE TOWN CODE OF KENT TO BE ENTITLED, "FORECLOSURE OF MORTGAGES AND VACANT PROPERTY REGISTRY"; REQUIRING THE REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY BY MORTGAGEES AND VACANT PROPERTY BY OWNERS;

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

Section 1: Name of Chapter:

This Local Law shall be known as: "FORECLOSURE OF MORTGAGES AND VACANT PROPERTY REGISTRY.

Section 2: Purpose.

WHEREAS, the Town Board desires to protect the public health, safety, and welfare of the citizens of the Town of Kent and maintain a high quality of life for the citizens of the Town through the maintenance of structures and properties in the Town; and

WHEREAS, the Town Board recognizes properties subject to foreclosure action or foreclosed upon and vacant properties (hereinafter referred to as "Registrable Properties") located throughout the Town lead to a decline in community and property value; create nuisances; lead to a general decrease in neighborhood and community aesthetic; create conditions that invite criminal activity; and foster an unsafe and unhealthy environment; and

WHEREAS, the Town Board has already adopted property maintenance codes to regulate building standards for the exterior of structures and the condition of the property as a whole; and

WHEREAS, the Town Board recognizes that, in the best interest of the public health, safety, and welfare, a more regulated method is needed to discourage Registrable Property Owners and Mortgagees from allowing their properties to be abandoned, neglected or left unsupervised; and

WHEREAS, the Town Board has a vested interest in protecting neighborhoods against decay caused by Registrable Property and concludes that it is in the best interests of the health, safety, and welfare of its citizens and residents to impose registration requirements of Registrable Property located within the Town to discourage Registrable Property Owners and Mortgagees from allowing their properties to be abandoned, neglected or left unsupervised.

Section 3. Amendment to Town Code.

The Town Board does hereby amend the Town Code by creating Chapter 68, entitled "Foreclosure Mortgages and Vacant Property, Registration Required" to read as follows.

CHAPTER 68.

FORECLOSURE OF MORTGAGES AND VACANT PROPERTY REGISTRY.

Sec. 68-1. PURPOSE AND INTENT.

It is the purpose and intent of the Town Board to establish a process to address the deterioration, crime, and decline in value of Town neighborhoods caused by property with foreclosing or foreclosed mortgages located within the Town and otherwise abandoned properties, and to identify, regulate, limit and reduce the number of these properties located within the Town. It has been determined that Owner-occupied structures are generally better maintained when compared to vacant structures, even with a diligent off-site property Owner. Vacant structures or structures owned by individuals who are economically strained and unable to meet their mortgage obligations are often not properly or diligently maintained, which contribute to blight, declined property values, and have a negative impact on social perception of the residential areas where they are located. It is the Town Board's further intent to establish a registration program as a mechanism to help protect neighborhoods from becoming blighted through the lack of adequate maintenance of properties that are in Foreclosure or Foreclosed, or otherwise abandoned properties; and to provide a mechanism to avert foreclosure actions through timely intervention, education, or counseling of property Owners.

Sec. 68-2. DEFINITIONS

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Code Enforcement Officer shall mean a person certified by the State of New York as a Code Enforcement Officer, and a duly authorized representative of the Town of Kent.

Default shall mean that the mortgagor has not complied with the terms of the mortgage on the property, or the promissory note, or other evidence of the debt, referred to in the mortgage.

Enforcement Officer shall mean any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector, building inspector, or other person authorized by the Town to enforce the applicable code(s).

Evidence of Vacancy shall mean any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but are not limited to: overgrown and/or dead vegetation; past due Utility notices and/or disconnected Utilities; accumulation of trash junk or debris; abandoned vehicles, auto parts and/or materials; the absence of furnishings and/or personal items consistent

with habitation or occupancy; the presence of an unsanitary, stagnant swimming pool; the accumulation of newspapers, circulars, flyers and/or mail; statements by neighbors, passers-by, delivery agents or government agents; and/or the presence of boards over doors, windows or other openings in violation of applicable code.

Foreclosure or Foreclosure Action shall mean the legal process by which a Mortgagee, or other lien holder, terminates or attempts to terminate a property Owner's equitable right of redemption to obtain legal and equitable title to the Real Property pledged as security for a debt or the Real Property subject to the lien. The legal process is not concluded until the property obtained by the Mortgagee, lien holder, or their designee, by certificate of title, or any other means, is sold to a non-related bona fide purchaser in an arm's length transaction to satisfy the debt or lien.

Mortgagee shall mean the creditor, including but not limited to, trustees; mortgage servicing companies; lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee of the creditor's rights, interests or obligations under the mortgage agreement; or any other person or entity with the legal right to foreclose on the Real Property, excluding governmental entities.

Owner shall mean every person, entity, or Mortgagee, who alone or severally with others, has legal or equitable title to any Real Property as defined by this Chapter; has legal care, charge, or control of any such property; is in possession or control of any such property; is shown to be the owner or owners on the record of the Town of Kent Assessor's Office; and/or is vested with possession or control of any such property. The Property Manager shall not be considered the Owner.

Property Manager shall mean any party designated by the Owner as responsible for inspecting, maintaining and securing the property as required in this Chapter.

Real Property shall mean any residential or commercial land and/or buildings, leasehold improvements and anything affixed to the land, or portion thereof identified by a property parcel identification number, located in the Town limits.

Registrable Property shall mean:

- (a) Any Real Property located in the Town, whether vacant or occupied, that is encumbered by a mortgage subject to an ongoing Foreclosure Action by the Mortgagee or Trustee, has been the subject of a Foreclosure Action by a Mortgagee or Trustee and a Judgement has been entered, or has been the subject of a Foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the Foreclosure and any properties transferred under a deed in lieu of foreclosure/sale. The designation of a "foreclosure" property as "registrable" shall remain in place until such time as the property is sold to a non-related bona fide purchaser in an arm's length transaction or the Foreclosure Action has been dismissed; or
- (b) Any property that is vacant for more than thirty (30) days or has been subject to any cancellation of Utility or Service, whichever occurs first.

Registry shall mean a web-based electronic database of searchable Real Property records, used by the Town to allow Mortgagees and Owners the opportunity to register properties and pay applicable fees as required in this Chapter.

Semi-Annual Registration shall mean six (6) months from the date of the first action that requires registration, as determined by the Town, or its designee, and every subsequent six (6) months. The date of the initial registration may be different than the date of the first action that required registration.

Utilities and Services shall mean any utility and/or service that is essential for a building to be habitable and/or perform a service necessary to comply with all Town codes. This includes, but is not limited to, electrical, gas, water, sewer, lawn maintenance, pool maintenance, and snow removal.

Vacant shall mean any parcel of land in the Town that contains any building or structure that is not lawfully occupied.

Sec. 68-3. APPLICABILITY AND JURISDICTION

This Chapter applies to Foreclosing, Foreclosed, and Vacant property within the Town of Kent.

Sec. 68-4. ESTABLISHMENT OF A REGISTRY

In accordance with the provisions of Section 68-6, the Town, or its designee, shall establish a registry cataloging each Registrable Property within the Town, containing the information required by this Chapter.

Sec. 68-5. INSPECTION AND REGISTRATION OF REAL PROPERTY UNDER FORECLOSURE

- (a) Any Mortgagee who holds a mortgage on Real Property located within the Town shall perform an inspection of the property upon default by the mortgagor as evidenced by the filing of a Foreclosure Action.
- (b) Property inspected pursuant to subsection (a) above that remains in Foreclosure shall be inspected every thirty (30) days by the Mortgagee or Mortgagee's designee. If an inspection shows a change in the property's occupancy status the Mortgagee shall, within ten (10) days of that inspection, update the occupancy status of the property registration.
- (c) Within ten (10) days of the date any Mortgagee files a Foreclosure Action, the Mortgagee shall register the Real Property with the Town Registry, and, at the time of registration, indicate whether the property is Vacant, and if so shall designate in writing a Property Manager to inspect, maintain, and secure the Real Property subject to the mortgage under

a Foreclosure Action. A separate registration is required for each property under a Foreclosure Action, regardless of whether it is occupied or vacant.

- (d) Initial registration pursuant to this section shall contain, at a minimum, the name of the Mortgagee, the mailing address of the Mortgagee, email address, telephone number and address of the Property Manager.
- (e) At the time of initial registration, each registrant shall pay a non-refundable Semi-Annual Registration fee in the amount set by resolution the Town Board, as amended from time to time, for each property. Subsequent non-refundable Semi-Annual renewal registrations of properties and fees in the amount set by resolution the Town Board, as amended from time to time, are due within ten (10) days of the expiration of the previous registration. Said fees shall be used to offset the costs of: (1) registration and registration enforcement, (2) code enforcement and mitigation related to Defaulted properties, (3) for any related purposes as may be adopted in the policy set forth in this Chapter. Said fees shall be deposited to a special account in the Town's Building Department dedicated to the cost of implementation and enforcement of this Chapter and fulfilling the purpose and intent of this Chapter. None of the funds provided for in this section shall be utilized for the legal defense of Foreclosure Actions.
- (f) If the mortgage and/or servicing on a Registrable Property is sold or transferred, the new Mortgagee is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the new Mortgagee shall register the property or update the existing registration. The previous Mortgagee(s) will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Mortgagee's involvement with the Registrable Property.
- (g) If the Mortgagee sells or transfers the Registrable Property in a non-arm's length transaction to a related entity or person, the transferee is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the transferee shall register the property or update the existing registration. Any and all previous unpaid fees, fines, and penalties, regardless of who the Mortgagee was at the time registration was required, including, but not limited to, unregistered periods during the Foreclosure process, are the responsibility of the transferee and are due and payable with the updated registration. The previous Mortgagee will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Mortgagee's involvement with the Foreclosed Property.
- (h) If the Foreclosing or Foreclosed Property is not registered, or the registration fee is not paid within thirty (30) days of when the registration or renewal is required pursuant to this section, a late fee equivalent to ten percent (10%) of the Semi-Annual Registration fee shall be charged for every thirty-day period (30), or portion thereof, the property is not registered and shall be due and payable with the registration.

- (i) This section shall also apply to properties that have been the subject of a foreclosure sale where title is transferred to the Mortgagee as well as any properties transferred to the Mortgagee under a deed in lieu of foreclosure or by any other legal means.
- (j) Properties subject to this section shall remain subject to the Semi-Annual Registration requirement, and the inspection, security, and maintenance standards of this section as long as the property remains Registrable Property.
- (k) Failure of the Mortgagee and/or property Owner of record to properly register or to modify the registration to reflect a change of circumstances as required by this Chapter is a violation of this Chapter and shall be subject to enforcement by any of the enforcement means available to the Town.
- (l) If any property is in violation of this Chapter the Town may take the necessary action to ensure compliance with and/or place a lien on the property for the cost of the outstanding obligation and any additional cost incurred to bring the property into compliance.

Sec. 68-7. INSPECTION AND REGISTRATION OF REAL PROPERTY THAT IS NOT SUBJECT TO A MORTGAGE IN FORECLOSURE.

- (a) Any Owner of Vacant property located within the Town shall within ten (10) days after the property becomes Vacant, register the Real Property with the Town Registry.
- (b) Initial registration pursuant to this section shall contain, at a minimum the name of the Owner, the mailing address of the Owner, e-mail address, and telephone number of the Owner, and if applicable, the name and telephone number of the Property Manager and said person's address, e-mail address, and telephone number.
- (c) At the time of initial registration each registrant shall pay a non-refundable Semi-Annual Registration fee the amount set by resolution the Town Board, as amended from time to time, for each Vacant property. Subsequent non-refundable Semi-Annual renewal registrations of Vacant properties and fees in the amount set by resolution the Town Board, as amended from time to time, are due within ten (10) days of the expiration of the previous registration. Said fees shall be used to offset the costs of: (1) registration and registration enforcement, (2) code enforcement and mitigation related to Vacant properties, and (3) for any related purposes as may be adopted in the policy set forth in this Chapter. Said fees shall be deposited to a special account in the Town's Department dedicated to the cost of implementation and enforcement of this local law, and fulfilling the purpose and intent of this Chapter.
- (d) If the property is sold or transferred, the new Owner is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the new Owner shall register the Vacant property or update the existing registration. The previous Owner(s) will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Owner's involvement with the Vacant property.

- (e) If the Vacant property is not registered, or either the registration fee or the Semi-Annual Registration fee is not paid within thirty (30) days of when the registration or Semi-Annual Registration is required pursuant to this section, a late fee shall be equivalent to ten percent (10%) of the Semi-Annual Registration fee shall be charged for every thirty (30) day-period, or portion thereof, the property is not registered and shall be due and payable with the registration. This section shall apply to the initial registration and registrations required by subsequent Owners of the Vacant property.
- (f) Properties subject to this section shall remain subject to the Semi-Annual Registration requirement, and the inspection, security, and maintenance standards of this section as long as the property is Vacant.
- (g) Failure of the Owner to properly register or to modify the registration to reflect a change of circumstances as required by this local law is a violation of this Chapter and shall be subject to enforcement by any of the enforcement means available to the Town.
- (h) If any property is in violation of this Chapter the Town may take the necessary action to ensure compliance with and place a lien on the property for the cost of the outstanding obligation and any additional cost incurred to bring the property into compliance.
- (i) Properties registered as a result of this section are not required to be registered again pursuant to the Foreclosure mortgage property section unless such property shall subsequently become subject to a mortgage in foreclosure.

Sec. 68-8. EXEMPTIONS FROM REGISTRATION REQUIREMENTS.

A building which has suffered fire damage or damage caused by extreme weather events shall be exempt from the registration requirement for a period of 180 days (or that time required to settle an active insurance claim) after the date of the fire or extreme weather event, if the property owner submits a request for exemption, in writing, to the Building Inspector. This request shall include the following information supplied by the owner:

- (a). A description of the premises.
- (b) The names and address of the owner or owners.
- (c) A statement of intent to repair and reoccupy the building in an expedient manner, or the intent to demolish the building.

Sec. 68-9. MAINTENANCE REQUIREMENTS

- (a) In addition to the conditions set forth in Chapter 55-A of the town Code regarding Property Maintenance, properties subject to this chapter shall be kept free of weeds,

overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspaper circulars, flyers, notices, except those required by federal, state or local law, discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material, or any other items that give the appearance that the property is abandoned.

- (b) Registrable Property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.
- (c) Front, side, and rear yards, including landscaping, of Registrable Property shall be maintained in accordance with the applicable code(s) at the time registration is required.
- (d) Registrable yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.
- (e) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.
- (f) Pools and spas shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code(s).
- (g) Failure of the Mortgagee, Owner, and transferees to properly maintain the property as required by this Chapter may result in a violation of the applicable code(s) and issuance of a citation or notice of violation in accordance with the applicable code of the Town. Pursuant to a finding and determination by the Town Sheriff, Town Judge or a court of competent jurisdiction, the Town may take the necessary action to ensure compliance with this section.

Sec. 68-10. SECURITY REQUIREMENTS

- (a) Properties subject to these Sections shall be maintained in a secure manner so as not to be accessible to unauthorized persons.
- (b) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates, and other openings of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by re-glazing of the window.
- (c) If a property is Registrable, and the property has become vacant or blighted, a Property Manager shall be designated by the Mortgagee and/or Owner to perform the work

necessary to bring the property into compliance with the applicable code(s), and the Property Manager must perform regular inspections to verify compliance with the requirements of this Chapter, and any other applicable laws.

- (d) In addition to the above, the property is required to be secured in accordance with the applicable code(s) of the Town.
- (e) When a foreclosure property subject to this Chapter becomes Vacant, it shall be posted with the name and twenty-four (24) hour contact telephone number of the Property Manager. The Property Manager shall be available to be contacted by the Town Monday through Friday between 9:00 a.m. and 5:00 p.m., legal holidays excepted. The sign shall be placed in a window facing the street and shall be visible from the street. The posting shall be no less than eighteen (18) inches by twenty-four (24) inches and shall be of a font that is legible from a distance of forty-five (45) feet. The posting shall contain the following language with supporting information:

THIS PROPERTY IS MANAGED BY _____
AND IS INSPECTED ON A REGULAR BASIS. _____
THE PROPERTY MANAGER CAN BE CONTACTED _____
BY TELEPHONE AT _____
OR BY EMAIL AT _____

- (f) The posting required in subsection (e) above shall be placed on the interior of a window facing the street to the front of the property so that it is visible from the street, or secured to the exterior of the building/structure facing the street to the front of the property so that it is visible from the street or if no such area exists, on a stake of sufficient size to support the posting in a location that is at all times visible from the street to the front of the property but not readily accessible to vandals. Exterior posting shall be constructed of and printed with weather-resistant materials.
- (g) Failure of the Mortgagee and/or property Owner of record to properly inspect and secure a property subject to this Chapter, and post and maintain the signage noted in this section, is a violation and shall be subject to enforcement by any of the enforcement means available to the Town. The Town may take the necessary action to ensure compliance with this section, and recover costs and expenses in support thereof.

Sec. 68-11. PROVISIONS SUPPLEMENTAL

The provisions of this Chapter are cumulative with and in addition to other available remedies. Nothing contained in this Chapter shall prohibit the Town from collecting on fees, fines, and penalties in any lawful manner; or enforcing its codes by any other means, including, but not limited to, injunction, abatement, or as otherwise provided by law or local law

Sec. 68-12. PUBLIC NUISANCE

All Registrable Property is at risk of being a public nuisance and if vacant or blighted can constitute a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare, and safety of the residents of the Town.

Sec. 68-13. ADDITIONAL AUTHORITY

- (a) If the Enforcement Officer has reason to believe that a property subject to the provisions of this Chapter is posing a serious threat to the public health, safety, and welfare, the code Enforcement Officer may temporarily secure the property at the expense of the Mortgagee or Owner, and may bring the violations before the Justice Court as soon as possible to address the conditions of the property. Nothing herein shall limit the Town from abating any nuisance or unsafe condition by any other legal means available to it.
- (b) The Sheriff, Town of Kent Police Department, Code Enforcement Officer, or Justice Court shall have the authority to require the Mortgagee or Owner affected by this section, to implement additional maintenance and/or security measures including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard or other measures as may be reasonably required to help prevent further decline of the property.
- (c) If there is a finding that the condition of the property is posing a serious threat to the public health, safety, and welfare, then the Sheriff, Town of Kent Police Department, Town Board or Justice Court may direct the Town to abate the violations and charge the Mortgagee or Owner with the cost of the abatement.
- (d) If the Mortgagee or Owner does not reimburse the Town for the cost of temporarily securing the property, or of any abatement directed by the Sheriff, Town of Kent Police Department, code enforcement officer, Town Board or Justice Court, within thirty (30) days of the Town sending the Mortgagee or Owner the invoice then the Town may lien the property with such cost, along with an administrative fee as determined in the Town's fee local law to recover the administrative personnel services. In addition to filing a lien the Town may pursue financial penalties against the Mortgagee or Owner. The Town shall maintain a record of the lien against the property in the Building Department records until such lien is satisfied.
- (e) The Town may contract with an entity to implement this Chapter, and, if so, any reference to the Enforcement Officer herein shall include the entity the Town contract with for that purpose.

Sec. 68-14. OPPOSING, OBSTRUCTING ENFORCEMENT OFFICER; PENALTY

Whoever opposes, obstructs or resists any Enforcement Officer or any person authorized by the enforcement office in the discharge of duties as provided in this chapter shall be subject to punishment as provided in the applicable code(s) or a court of competent jurisdiction.

Sec. 68.15 IMMUNITY OF ENFORCEMENT OFFICER

Any Enforcement Officer or any person authorized by the Town to enforce the sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon Real Property while in the discharge of duties imposed by this Chapter.

Sec. 68-16. PENALTIES

Unless otherwise provided for in this Chapter, a violation of this Chapter is declared unlawful. Any person who commits or permits any act in violation of any provisions of this chapter shall be deemed to have violated this chapter and to have committed a misdemeanor against the chapter and, shall be liable to the following penalties, following prosecution consistent with the laws of the State of New York:

- (a) For each violation of the provisions of this chapter, the person violating the same shall be subject to a fine consistent with the fine range for misdemeanors set forth in the Penal Law of the State of New York, or imprisonment not to exceed one (1) year, or to both such fine and imprisonment. Each day that the violation continues shall be a separate offense.

In addition to the above-provided penalties, the Town Board may maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this chapter.

Sec. 68-17. AMENDMENTS

Registration fees and penalties outlined in this Article may be modified by resolution, administrative order, or an amendment to this Article, passed and adopted by the Town Board.

Section 3. 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 4: **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: 5/12, 2020

BY THE ORDER OF THE TOWN BOARD
TOWN OF KENT

STATE OF NEW YORK
DEPARTMENT OF STATE

ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
WWW.DOS.NY.GOV

ANDREW M. CUOMO
GOVERNOR

ROSSANA ROSADO
SECRETARY OF STATE

May 26, 2020

Yolanda D Cappelli
Town Clerk
25 Sybil's Crossing
Kent Lakes NY 10512

RE: Town of Kent, Local Law 2 2020, filed on May 21 2020

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492

RECEIVED
KENT TOWN CLERK
2020 JUN -2 AM 10:00



Department
of State

TOWN OF KENT
25 Sybil's Crossing
Kent Lakes, New York 10512

Yolanda D. Cappelli
Town Clerk

Administrative Office
Tel. (845) 225-2067
Fax. (845) 306-5282



RESOLUTION

SETTING FORECLOSURE OF MORTGAGES & VACANT PROPERTY REGISTRATION FEE SCHEDULE

On a motion by Councilman Huestis
Seconded by Supervisor Fleming

WHEREAS, the Town Board of the Town of Kent wishes to set the fee schedule and the fee for late payment for Foreclosure of Mortgages and Vacant Property Registration; and

WHEREAS, the Semi Annual Fee for Foreclosure of Mortgages and Vacant Property Registration shall be \$500.00 except for properties owned by individuals in which case the fee shall be \$300.00; and

WHEREAS, the foreclosing or foreclosed property is not registered or the registration fee is not paid within 30 days of when the registration or renewal is required, a late fee equivalent to 10% of the semi annual registration fee shall be charged for every 30 day period or portion thereof the property is not registered it shall be due and payable with the registration

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes and approves the proposed Semi Annual Registration Fee and Late Fee for Foreclosure of Mortgages and Vacant Property Registration as set forth above;

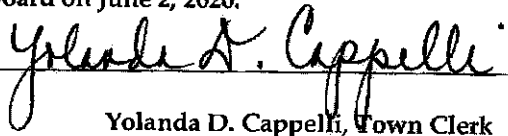
UPON ROLL CALL VOTE:

Councilman Denbaum - aye Councilwoman McGlasson - aye
Councilman Huestis - absolutely Councilman Ruthven - aye
Supervisor Fleming - aye

Motion carried unanimously

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 June 2, 2020.

June 16, 2020


Yolanda D. Cappelli, Town Clerk

AMENDMENT NO. 1 TO THE AGREEMENT

THIS AMENDMENT is made and entered into this _____ day of _____, 202__ by and between the TOWN OF KENT, a New York municipal corporation, (hereinafter "the Community") and PROPERTY REGISTRATION CHAMPIONS, LLC (hereinafter "PRC").

WITNESSETH

WHEREAS, PRC's fee is being amended to reflect \$75 due to a change in New York State law, which will be retained fully by PRC.

WHEREAS, If there is a fee that the Community would normally charge in excess of \$75 annually, the Community agrees it will change the existing fee to \$75 annually pursuant to New York State law as of November 21, 2022 and can only be charged when there is a Notice of Pendency/Lis Pendens which has been filed.

WHEREAS, PRC and the Community agree to reduce PRC's fee to the Community to \$75 as of November 21st, 2022.

WHEREAS, the Agreement previously provided to pay PRC a \$100 fee.

NOW THEREFORE, the parties agree that the Agreement is amended as follows:

1. Pursuant to this Amendment No. 1, the Community and PRC agree that PRC will reduce the fee for its service provided under the Agreement to \$75 dollars from \$100.
2. The Community agrees that PRC shall retain the \$75 registration fee as compensation for the Services PRC provides under the Agreement.
3. Ratification of Contract and Services. The provisions of the Contract shall remain in full force and effect except as expressly provided in this First Amendment. The Services performed by the Contractor under the current Agreement through the date of this First Amendment are hereby ratified and confirmed to the extent such Services were provided in accordance with the terms and conditions of the Contract.
4. Entire Agreement. This First Amendment is the entire Agreement of the parties regarding the modifications to the Contract provided herein and supersedes all prior Agreements and understandings regarding such subject matter and may be modified only by a writing executed by the party against whom the modification is sought to be enforced and shall bind and benefit the parties and their respective successors, legal representatives, and assigns.
5. Counterparts. This First Amendment may be executed electronically and in counterparts, the counterparts, and copies of which, when taken together, shall constitute one entire and original First Amendment.

[Remainder of page left blank intentionally. Signature pages to follow.]

TOWN OF KENT, NY

PROPERTY REGISTRATION CHAMPIONS, LLC

By: _____
Name, Title

By: _____
Stephen Arpaia, Esquire
General Counsel

ATTEST:

ATTEST:

By: _____

By: _____

Jaime McGlasson

From: Karina Bajo <KBajo@prochamps.com>
Sent: Friday, December 23, 2022 4:04 PM
To: Jaime McGlasson
Cc: Steve Arpaia; Amy Carcieri
Subject: Template Contract Amendment
Attachments: NY_Kent_Ordinance.pdf; NY_Kent_Amd. No 1.pdf

TOWN OF KENT NOTICE

THIS EMAIL IS FROM AN EXTERNAL SENDER!

DO NOT click links, DO NOT open attachments, DO NOT forward if you were not expecting this email or if it seems suspicious in any way! REMEMBER: NEVER provide your user ID or password to anyone for any reason!

Hello Jaime,

Pursuant to our meeting, please see attached the template contract amendment. The Ordinance amendments will follow, unless the Community will be completing them on their own, please advise. I have also attached your current Ordinance for your convenience. If you have any questions about changes that need to be made to it to meet the requirements of the new State Law please contact us.

Additionally, please update the Ordinance and possibly the definitions that may deal with Notice of Default or Filing prior to Notice of Pendency. They need to be identified and updated and/or removed to where the Registration can only be charged when there is a Notice of Pendency/Lis Pendens which has been filed.

Thank you, Happy Holidays!

KARINA BAJO
Paralegal
PROCHAMPS

Melbourne, FL
Legal: (321)204-6363
E-Mail: kbajo@prochamps.com



Jaime McGlasson

From: Planning Kent
Sent: Monday, January 9, 2023 4:53 PM
To: Jaime McGlasson
Cc: Claudia Dworaczyk; Lana Cappelli; Hugo German; spmcarey@gmail.com
Subject: Three Resolutions to be voted on Thursday 1/12/22 at KPB Mtg.

FYI, on Thursday there will be three items to be voted on which the Planning Board would like added to the Town Board's agenda. I know the agenda is prepared on Friday, so I wanted to let you know ahead of time. Following are the items:

Resolution 1 - Appoint Hugo German as Chairman of the Planning Board

Resolution 2 - Appoint Simon Carey as Vice - Chairman of the Planning Board

Resolution 3 - Appoint Thomas Faraone as a new member to the Planning Board to replace Stephen Wilhelm

I will send you the Resolutions after the meeting on Thursday evening.

Thanks very much.

Vera Patterson
Town of Kent
Planning Board Secretary
25 Sybil's Crossing
Kent, NY 10512
planningkent@townofkentny.gov
845-306-5612 (T)
845-306-5283 (F)



Automated External Defibrillator Packages

Product Features	Philips FRx	Zoll AED Plus	Powerheart G5	Hearstline	Hearstline Connected	ZOLL AED 3	Lifepak CR2 Bag OR Handle
Shock Delivery	Semi-Automatic	Fully / Semi-Automatic	Fully / Semi-Automatic	Fully / Semi-Automatic	Fully / Semi-Automatic	Fully / Semi-Automatic	Fully / Semi-Automatic
Real Time CPR Feedback	NO	Rate and Depth	Rate and Depth	Rate (450P only)	Rate (450P only)	Rate and Depth	Rate and Depth
CPR Support	YES	YES	YES	YES	YES	YES	YES
Child Mode *additional purchase	*KEY	*PADS	*PADS	*PADS	*PADS	BUTTON	BUTTON
Bilingual	NO	NO	YES	NO	NO	NO	YES
Battery/Pad Life	4 Years/ 2 Years	5 Years / 5 Years	4 Years / 2 Years	4 Years / 4 Years	4 Years / 4 Years	5 Years / 5 Years	4 Years / 4 Years
Warranty	8 Years	5 years 7 with Registration	8 Years	8 Years	8 Years	6 Years 8 with Registration	8 Years
Red Cross Exclusive Packages	<ul style="list-style-type: none"> • AED unit • Carrying case • Battery • 2 Adult pad cartridges • Wall Sign • Wall Cabinet 	<ul style="list-style-type: none"> • AED unit • Soft carrying case • 10 Duracell 123 lithium batteries • 1 Pair CPR-D-PADZ • ARC Responder Pack • FREE Wall Cabinet 	<ul style="list-style-type: none"> • AED Unit • Carrying case • 1 Adult pak and battery 	<ul style="list-style-type: none"> • AED Unit • Carrying case • 1 Adult pak and battery 	<ul style="list-style-type: none"> • AED Unit • Operating Manual • CPR Uni-pak: III • Battery • ARC Responder Pack 	<ul style="list-style-type: none"> • AED Unit • Bag OR Handle • 1 Adult pak /Pedi Pak 	<ul style="list-style-type: none"> • FREE Wall Cabinet
Jan - Mar 2023	\$2,061	\$1,499	\$1,649	350P SA - \$1200 360P FA - \$1260 450P SA - \$1320	Choice of one FREE Wall Cabinet Backpack Pedi-Pak 360P SA - \$1376 360P FA - \$1445 450P SA - \$1480	\$1,749	English Handle Semi \$1665 English Bag Semi \$1720 English/Spanish Bag Fully \$1775 English/Spanish Handle Fully \$1830
*Additional Cost							



Town of Kent Highway Department
Richard T. Othmer, Jr., Highway Superintendent
62 Ludington Court
Kent Lakes, New York 10512
(845) 225-7172 Fax (845) 225-9464
highwaykent@townofkentny.gov

January 11, 2023

Town of Kent Supervisor Jaime McGlasson
Kent Town Board Members
25 Sybil's Crossing
Kent Lakes, NY 10512

Subject: Personnel Changes

Dear Supervisor McGlasson and Kent Town Board Members,

I will be promoting Peter Erickson to Construction Equipment Operator effective January 11, 2023 to backfill the vacant CEO position when Robert Herde Jr. was promoted to Crew Chief.

In addition, Robert Donohue will be promoted to Construction Equipment Operator February 3, 2023 when Stanley Robinson officially retires on February 2, 2023.

Peter and Robert meet all the qualifications necessary to fill these positions and each have proven their abilities to run all Town owned equipment responsibly.

Please adjust their personnel records to reflect their promotions and please do not hesitate to contact me with any questions.

Sincerely,

Richard T. Othmer, Jr.
Kent Highway Superintendent