

**Town of Kent**  
**Town Board Meeting**  
**October 3, 2023**

**Workshop/Meeting**

1. Pledge of Allegiance
2. Roll Call
3. Discussion and/or Vote on the following:
  - a. Crest Funding
  - b. Energy Benchmarking- discussion
  - c. Planning- accept bonds
  
4. Vouchers
5. Announcement
6. Public Comment

Town of Kent Planning Board  
25 Sybil's Crossing  
Tel: 845-306-5712

email: [planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)  
Kent, NY 10512  
Fax: 845-306-5283

# Memorandum

:Resolution # 13  
Year 2023

Date: September 21, 2023  
From: The Kent Planning Board  
To: The Kent Town Board:  
Jaime McGlasson, Supervisor - w/Att  
Shaun Boyd  
Anne Campbell  
Jorme Tompuri  
CC: W. Walters, Building Inspector - w/Att Claudia Dworazak  
L. Cappelli, Town Clerk - w/Att Finance Department - w/Att.  
Re: **Accepting an Erosion Control Bond and Inspection Fee for  
Ahlers Property  
TM: 21.-1-19**

Resolved: On June 8, 2023 Kent Planning Board reviewed material pertaining to the recommendation noted above (attached) and agreed that it was appropriate to forward it to the Town Board for their action.

Mr. German asked for a motion to accept the Resolution prepared by Mr. Andrews as written, which includes the bonds, and to approve the bond in the amount of \$4,700.00 and \$1,000.00 Final Inspection Fee and to forward it to the Kent Town Board to accept.

The motion was made by Mr. Hugo German and seconded by Mr. Thomas Faraone. The roll call votes were as follows:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar	<u>Absent</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Richard Morini	<u>Aye</u>

The motion carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they approve these recommendations.

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, 2023.

  
\_\_\_\_\_  
Vera Patterson

Dated September 22, 2023

Town of Kent Planning Board  
25 Sybil's Crossing  
Tel: 845-306-5712

email: [planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)  
Kent, NY 10512  
Fax: 845-306-5283

# Memorandum

DATE: September 7, 2023  
TO: Finance Department  
CC: Werner Ahler - wfahlers@gmail.com  
Re: Ahler Property - Erosion Control Bond  
TM: 31.-1-19

Please find enclosed supporting documentation for the Erosion Control Bond for the Ahlers Property as well as the Bond Agreement and the following checks and surety bond:

Arch Surety Bond SU7107025-0000, received 9/5/23 - \$4,700.00  
Citi Private Bank Ck. 1482 - 1,000.00

**RECEIPT** DATE September 7, 2023 No. 533385

RECEIVED FROM Werner Ahler \$1,000.00

One Thousand and <sup>00</sup>/<sub>100</sub> DOLLARS

FOR RENT  
 FOR Initial Inspection fee TM 21.-1-19

ACCOUNT		<input type="radio"/> CASH
PAYMENT		<input checked="" type="radio"/> CHECK
BAL. DUE		<input type="radio"/> MONEY ORDER
		<input type="radio"/> CREDIT CARD

FROM V. Patterson TO W. Ahler

BY \_\_\_\_\_

3-11

**RECEIPT** DATE September 7, 2023 No. 533386

RECEIVED FROM W. Ahler - Arch Insurance Co \$4,700.00

Four Thousand Seven Hundred and <sup>00</sup>/<sub>100</sub> DOLLARS

FOR RENT  
 FOR Surety Bond SU 7107025-0000

ACCOUNT		<input type="radio"/> CASH
PAYMENT		<input checked="" type="radio"/> CHECK
BAL. DUE		<input type="radio"/> MONEY ORDER
		<input type="radio"/> CREDIT CARD

FROM V. Patterson TO Arch Ins Co

BY \_\_\_\_\_

3-11

**PERFORMANCE BOND FOR**  
**EROSION AND SEDIMENT CONTROL**  
**Werner Ahlers and Tatyana Miron Ahlers**  
**2 O'Brien Court or 769 Gipsy Trail Road**  
**Kent, NY 10512**  
**TM: TM: 21.-1-19**

Bond given by Werner Ahlers and Tatyana Miron Ahlers, 2 O'Brien Court or 769 Gipsy Trail Road, Kent, NY 10512/Tax Map # 21.-1-19 ("Obligor") to the Town of Kent, a municipal corporation whose Town Hall is located at 25 Sybil's Crossing, Kent Lakes, New York, 10512 ("Obligee") dated August 29, 2023

KNOW ALL PEOPLE BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sum of \$4,700.00, along with an initial inspection fee deposit of \$1,000.00 for the payment whereof to the Obligee the said Obligor binds itself, its successors and assigns.

WHEREAS, Obligor has obtained the approvals from the Obligee for land disturbance activity, as that term is defined in Town of Kent Town Code Chapter 66 (the "Code"), on certain real property located in the Town of Kent, in connection with which erosion and sedimentation controls ("Controls") are required and the Erosion and Sediment Control Plan documents shall be required in accordance with the Code in effect as of the date of this Bond; and

WHEREAS, in conjunction with such Steep Slope and Erosion Control Permit Applications, the Obligor has submitted to the Obligee, plans prepared by MKM Landscape Architecture, 351 North Avenue - #1006, New Rochelle, New York 10801, for the construction of a berm against an existing failing retaining wall near a swimming pool, which is parallel to Gipsy Trail Road and Macadam Drive, which includes the implementation of sediment and erosion control measures, and

WHEREAS, all of these plans were reviewed and approved on June 8, 2023 by the Obligee. A Permit is required for a project which consists of the filling and grading against an existing retaining wall to stabilize and eliminate the need for the wall. The proposed project is within the NYCDEP East of Hudson watershed. Disturbance is below 5,000 SF of land. The proposal involves disturbance of steep slopes and the placement of 700 cubic yards of clean fill. A Town of Kent Steep Slope and Erosion Control Permit is required. Coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001 is not required.

WHEREAS, the amount of this bond is based upon the recommendation by the Planning Board Consulting Engineer to the Planning Board dated July 17, 2023, and



WHEREAS, as a condition to the issuance and approval of an Erosion Control Permit, the Code requires the Obligor, prior to construction, to provide the Obligee with a cash escrow, an irrevocable letter of credit or a certified check drawn upon a national or state bank or other cash equivalent, which guarantees satisfactory completion of the Erosion and Sediment Control Plan, which security shall remain in full force and effect until the Obligor is released from liability by the Town, provided that such period shall not be less than two years from the date of final acceptance or such other certification that the erosion and sediment controls have been completed in accordance with the approved Project Plans, and

WHEREAS, the Planning Board of the Town of Kent has granted the Erosion Control Permit subject to the posting of two checks made out to the Town of Kent, one in the amount of \$4,700.00 as a performance guarantee to be deposited into an escrow account pending the completion of the project for which the erosion control measures are necessary; and a second check in the amount of \$1,000.00 as the final inspection fee to be held in a separate escrow account and delivered to:

The Kent Planning Board  
25 Sybil's Crossing  
Kent, NY 10512

No funds may be withdrawn from the said \$4,700.00 escrow deposit until a resolution has been duly made by the **Town Board of The Town of Kent**, authorizing such withdrawals.

When the work shall have been fully completed as required by the conditions and specifications of the **Planning Board** either by **Werner Ahlers and/or Tatyana Miron Ahlers**, or by the **Town of Kent**, the aforesaid escrow monies (\$4,700.00 performance bond and remaining money left in the final inspection fee of \$1,000.00) after the work has been completed shall be returned or refunded to **Werner Ahlers and/or Tatyana Miron Ahlers**, except for any portion of the \$4,700.00 used by the Town to perform the approved work or paid by the Town to have the approved work performed.

This bond may not be assigned or transferred without the prior written approval of the **Planning Board and Town Board of The Town of Kent**.

The Obligor hereby expressly authorizes the **Town of Kent**, its agents, employees, engineer or planner to enter upon the Obligor's property for the purpose of inspecting the erosion control system installed and the site work being performed in accordance with the approved plans, provided that the **Town of Kent** or its consultants provides at least 24 hours' notice to **Werner Ahlers and/or Tatyana Miron Ahlers**.

Dated: August 29, 2023

WERNER AHLERS  
By: [Signature]  
(signature)

(print/type signatory's name)  
Werner Ahlers

TATYANA MIRON AHLERS  
By: [Signature]  
(signature)

(print/type signatory's name)  
Tatyana Miron Ahlers

Owner/Obligee, Werner Ahlers/Tatyana Miron Ahlers  
(print/type signatory's title)

STATE OF New York )

) ss.:

COUNTY OF New York )

On the 29<sup>th</sup> day of August, 2023, before me, the undersigned, a notary public in and for said state, personally appeared Werner & Tatyana Ahlers personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Signature]  
NO ~~Victoria E. Arduini~~  
Notary Public, State of New York  
No. 01AN6347912  
Qualified in New York County  
Commission Expires September 19, 2024



# ARCH INSURANCE COMPANY

FIRST TERM PREMIUM FULLY EARNED

Bond Number : SU 7107025-0000

## EROSION AND SEDIMENT CONTROL BOND FAITHFUL PERFORMANCE AND PAYMENT

KNOW ALL MEN BY THESE PRESENTS: That, Werner Ahlers and Tatyana Miron Ahlers, as Principal, and the ARCH INSURANCE COMPANY, a corporation organized and existing under the laws of the State of MISSOURI and authorized to transact surety business in the State of New York as Surety, are held and firmly bound unto Town of Kent, NY, as Obligee, in the sum of Four Thousand Seven Hundred and 00/100 DOLLARS (\$4,700.00), for which the payment whereof, well and truly to be made, said Principal and Surety bind themselves, their heirs, administrators, successors, and assigns, jointly and severally, firmly by these presents.

THE Condition of the foregoing obligation is such that, whereas the above bounden Principal has entered into a contract/agreement, dated June 8, 2023, with the Obligee to do and perform the following work; to wit: erosion and sediment controls at 2 O'Brien Court or 769 Gipsy Trail Road, Kent, NY 10512/Tax Map #21.-1-19. NOW, THEREFORE, if the above bounden Principal shall well and truly perform the work contracted to be performed under said contract, then this obligation shall be void; otherwise to remain in full force and effect.

SIGNED, SEALED, DATED: August 30, 2023

Werner Ahlers & Tatyana Miron Ahlers

(Principal)

By:

Arch Insurance Company  
(Surety)

By:

Aaron Steffey

, Attorney-in-fact

**DIRECT CORRESPONDENCE TO:**

ARCH INSURANCE COMPANY, 3 Parkway, Suite 1500, Philadelphia, PA 19102  
PHONE (215) 606-1600 • FAX (866) 637-6861

Dated: August 29, 2023

WERNER AHLERS

By: [Signature]  
(signature)

(print/type signatory's name)

Werner Ahlers

TATYANA MIRON AHLERS

By: [Signature]  
(signature)

(print/type signatory's name)

Tatyana Miron Ahlers

Owner/Obligee, Werner Ahlers/Tatyana Miron Ahlers

(print/type signatory's title)

STATE OF New York )

) ss.:

COUNTY OF New York )

On the 29<sup>th</sup> day of August, 2023, before me, the undersigned, a notary public in and for said state, personally appeared Werner & Tatyana Ahlers personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

[Signature]  
NO ~~Victoria E. Antunes~~  
Notary Public, State of New York  
No. 01AN6347912  
Qualified in New York County  
Commission Expires September 19, 2024





# Memorandum

To: Planning Board  
Town of Kent

Attn: Hugo German  
Chairman

From: John V. Andrews, Jr., P.E.

Subject: Erosion Control Plan –  
**Completeness**

Date: July 17, 2023

Project: Ahlers Residence  
TM # 21-1-19

The following materials were reviewed:

- Drawing L-100-Steep Slopes and Erosion Control Permit Plan-Ahlers 769 Gypsy Trail Road, prepared by MKM Landscape Architecture PC, dated June 5, 2023, scale 1" =20'.
- Short Environmental assessment Form (SEAF) Part 1 dated June 19, 2023

The project has been modified to involve the filling and grading against an existing retaining wall to stabilize and eliminate the need for the wall. The proposed project is within the NYCDEP East of Hudson watershed. Disturbance has been reduced to below 5,000 SF of land. The proposal involves disturbance of steep slopes and the placement of 700 cubic yards of clean fill. A Town of Kent Steep Slope and Erosion Control Permit is required. Coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001 is not required.

The subject Erosion and Sediment Control Plan is approved. The following comments are provided for the Planning Board's consideration:

1. Engineering concerns have been satisfactorily resolved.
2. The Planning Board's environmental consultant has no further concerns with regard to wetland issues.
3. The Planning Board accepted the bond estimate in the amount of \$4700.00 and referred the matter to the Town Board for approval of the amount and acceptance of the bond.
4. The Town must have a fully executed bond agreement form and a check (or other form of acceptable surety). The Town Board must accept the bond agreement and the check at a regular meeting. Upon acceptance by the Town Board, the final plans may be signed.
5. The applicant is responsible for full payment of actual costs of erosion control inspections. An initial inspection fee deposit of \$1000 is to be paid to the Town in accordance with the Town of Kent Fee Schedule.
6. If not already done, prior to the Planning Board Chairman's signature on plans, all Planning Board costs and fees including the erosion control bond, initial inspection fee

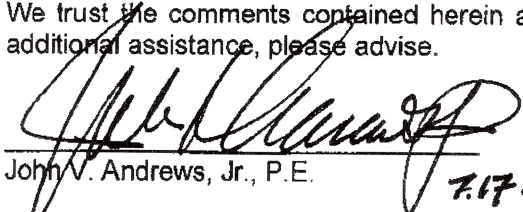


Memorandum  
Ahlers Residence ECP – **Completeness**  
TM # 21-1-19  
July 17, 2023  
Page 2 of 2

deposit and all professional review fees incurred during the review and approval of the application must be paid in full.

7. Vera Patterson, Planning Board Clerk, should verify that there are sufficient copies of the final drawings in the Planning Office for the Chairman's signature.

We trust the comments contained herein are satisfactory for your purposes. If we can be of additional assistance, please advise.



John V. Andrews, Jr., P.E.

7.17.2023

cc. Planning Board via email  
Bill Walters via email  
**23-261-999-183**

Bruce Barber via email

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**From:** Nicholas Matos <nickmk4@icloud.com>

**Sent:** Monday, September 25, 2023 8:10 AM

**To:** Municipal Repairs <municipalrepairs@townofkentny.gov>

**Subject:** Resignation Letter

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!

First off I would like to thank the Town of Kent for a great opportunity and a beautiful place to work. In times like these and the way the world is I need to better myself and my family. I will be putting my two weeks in today 9/25/2023 my last day of employment will be 10/9/2023. Again thank you so much for providing me with everything you have.

Nicholas Matos