

**TOWN OF KENT
TOWN BOARD MEETING
Tuesday, December 21, 2021**

Public Hearing: 7:00 p.m.
Removal of Unsafe Buildings – 238-240 Route 52

Workshop/Meeting:

1. Pledge of Allegiance
2. Roll Call
3. Discussion and/or Vote on the following:
 - a. Highway – Employee duties and supervision, add roads to Town Road Inventory, award Highway bids, grant award
 - b. Recreation – Improvements at Huestis Park and grant award
 - c. Police – Body worn cameras
 - d. Kent Water Works Corporation
 - e. New Year's Holiday
 - f. Approval of Vouchers and Claims
4. Announcements
5. Public Comment



Building Inspector
OF
THE TOWN OF KENT, PUTNAM COUNTY, N.Y. 10512
845-306-5597

ORDER TO REMEDY VIOLATION

238-240 Route 52 Inc.
PO BOX 561
Carmel, NY 10512

Tax Map #: 44.5-2-28

Date: September 9, 2021

Owner: 238-240 Route 52 Inc.
240 Route 52
Kent, NY

Report # SI-2021-009

Complaint: Unsafe Building

Inspections related to this complaint found the following:

Inspected the above property after the high brush was removed. Several holes were found in the roof in multiply locations. It was evident that no maintenance has been performed in some time on the structure. A section of rear side wall has sign of failure. Front main support is rotten on the right front corner. larger opening around the foundation which allows water to collect in the basement. Front porch supports are not plumb and leaning toward the roadway. Front and side step are broken or missing. Water found dripping from interior floor system with sign of mold and rot. This building is unsafe and needs to be removed This is a violation of NYS Property maintenance code 107.1.1 and Chapter 55a-11D of the town code.

In violation of :

IPMC\PMCNYS-107.1.1 Unsafe structures which states 107.1.1 An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Town of Kent Municipal Code\Chapter 55a-Property Maintenance Code\Section 11 Subs B--D - Unsafe Structures which states (d) Structurally unsound, loose, dangerous, crumbling, missing, broken, rotted or unsafe exterior portion of buildings or structures, including but not limited to porches, landings, balconies, stairways, handrails, steps, walls, overhangs, roofs, fences, retaining walls, supporting members, timbers, abutments, fire escapes and signs and loose, crumbling or falling bricks, stones, mortar or plaster.

You are hereby directed and ordered to remedy the violations by:9/28/2021

Failure to remedy the condition aforesaid and to comply with the applicable provisions of the law may constitute an offense punishable by fine or imprisonment or both.

If you have any further questions, please feel free to contact me at 845-225-3900.

Respectfully,



Public Hearing



Building Inspector
OF
THE TOWN OF KENT, PUTNAM COUNTY, N.Y. 10512
845-306-5597

ORDER TO REMEDY VIOLATION

Sclafani Fam Ltd. Partners
PO BOX 561
Carmel, NY 10512

Tax Map #: 44.5-2-29

Date: September 9, 2021

Owner: Sclafani Fam Ltd. Partners
238 Route 52
Kent, NY 10512

Report # SI-2021-010

Complaint: Unsafe Building

Inspections related to this complaint found the following:

It was evident that no maintenance has been performed in some time on the structure. The rear support beam was found to be decayed and rotten and section missing. Larger openings around the foundation which allows water to collect in the basement. A storm drain on the left front was found with a missing grate. This building is unsafe and needs to be removed. This is a violation of NYS Property maintenance code 107.1.1 and Chapter 55a-11D of the town code.

In violation of :

IPMC\PMC\NYS-107.1.1 Unsafe structures which states 107.1.1 An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Town of Kent Municipal Code\Chapter 55a-Property Maintenance Code\Section 11 Subs B--D - Unsafe Structures which states (d) Structurally unsound, loose, dangerous, crumbling, missing, broken, rotted or unsafe exterior portion of buildings or structures, including but not limited to porches, landings, balconies, stairways, handrails, steps, walls, overhangs, roofs, fences, retaining walls, supporting members, timbers, abutments, fire escapes and signs and loose, crumbling or falling bricks, stones, mortar or plaster.

Town of Kent Municipal Code\ Chapter 29 Unsafe Buildings\Section 29-1 Unsafe Building Purpose which states Unsafe buildings pose a threat to life and property in the Town of Kent. Buildings and structures may become unsafe by reason of damage by fire, the elements, age or general deterioration. Vacant buildings not properly secured at doorways and windows also serve as an attractive nuisance for young children who may be injured therein, as well as a point of congregation by vagrants and transients. A dilapidated building may also serve as a place of rodent infestation thereby creating a health menace to the community. It is the purpose of this chapter to provide for the safety, health protection and general welfare of persons and property in the Town of Kent by requiring such unsafe buildings to be repaired or demolished and removed.

You are hereby directed and ordered to remedy the violations by: 9/28/2021

Failure to remedy the condition aforesaid and to comply with the applicable provisions of the law may constitute an offense

punishable by fine or imprisonment or both.

If you have any further questions, please feel free to contact me at 845-225-3900.

Respectfully,



William Walters
Building Inspector
Town of Kent













Office (845) 306-5597

Fax (845) 225-5130

Email: buildinginspector@townofkentny.gov

October 20th 2021

TM# 44.5-2-29 & 44.5-2-28

Sclafani Fam.Ltd. Partners
PO BOX 561
Carmel, NY 10512

238-240 Route 52 Inc.
PO Box 561
Carmel NY 10512

NOTICE OF VIOLATION- ORDER TO REMEDY

RE: Notice of Unsafe Condition
Record Owner:
Premises: 238-240 Route 52, Carmel NY 10512

Dear Sir/Madam:

PLEASE TAKE NOTICE that the above premises now or formerly owned by 238-240 Route 52 Inc. located at 238-240 Route 52, in the Town of Kent, Putnam County, New York, was inspected on September 9, 2021 and the following were found:

1. The structure is unfit for the purposes for which it may lawfully be used.

Building 1, It was evident that no maintenance has been performed in some time on the structure. The rear support beam, found, decayed, rotten and sections of foundation missing. Larger openings around the foundation, which allows water to collect in the basement. A storm drain near the left front corner of the building has a missing protective grate. This building is unsafe and needs to be removed.

This is a violation of NYS Property maintenance code 107.1.1 and Chapter 55a-11D of the town code.

Building 2 (240 Route 52)

It was evident that no maintenance has been, performed in some time on the structure. A section of right rear sidewall has signs of failure. Several holes in roof system and found several roof support rafters had failed. Found roof support on the back of the building left side also in failure.

Water found dripping from interior floor system with sign of mold and rot.
Front main support beam is rotten on the right and left front corner.
Large opening around the foundation, which allows water to collect in the basemen
Front porch supports are not plumb and leaning toward the roadway.
Front and side steps are broken or missing.
This building is unsafe and needs to be removed these is a violation of NYS Property
Maintenance code 107.1.1 and Chapter 55a-11D of the town code.

2. A potential fire hazard.

Please be further advised that the following corrective measures must commenced within thirty (30) days of the serving of this notice and must be completed within sixty (60) days of service of this notice: **Obtain a demolition permit and remove all unsafe structures.**

Pursuant to Section 29-6 (E) of the Town of Kent Code, you are hereby further notified that a hearing before the Town Board of the Town of Kent in relation to such dangerous or unsafe building has been scheduled for :

You may appear and testify at said hearing with respect to matters concerning this order.

In the event of your neglect or refusal to comply with this order within thirty days of service of this notice as required pursuant to Chapter 29 of the Town Code of the Town of Kent, then consistent with its rights, the Town will take such action as necessary to make such property safe again and the expense of such repair or demolition shall be a charge against the land on which the Premises is located and shall be assessed, levied and collected pursuant to Section 29-10 of the Town Code.

Please do not hesitate to contact this office for any further information.

Sincerely,

William Walters
Building Inspector
Town of Kent



Office (845) 306-5595
Fax (845) 225-5130

December 03, 2021

Email: ceovacant@townofkentny.gov.

To: Supervisor Fleming and Town Board Members of Kent
From: Jack Keher C.E.O. of Vacant Buildings
Re: 238 Route 52

TM.# 44.5-2-29

Enclosed please find the violation issued by William Walters, Building Inspector for the Town Of Kent and bids for correction.

The following proposals have been submitted;

JP Nelson Excavating, Inc.	\$25,300.00
Hickory Homes & Properties	\$21,495.00
Epic Contracting	\$17,100.00
FI Adams, Inc.	\$16,000.00

For your consideration and approval.

Respectfully,

Jack Keher
Town of Kent
C.E.O. of Vacant Buildings

JP Nilsen Excavating, Inc
374 Route 292
Holmes, NY 12531
Phone: 845-225-0797
Putnam County License #1058/PC3179-A
Westchester County License #092/WCC-22216-H09
Connecticut License #5230

October 21, 2021

Town of Kent NY

RE: Building removal

- Remove (2) buildings located at Route 52 # 238 & 240
- Buildings to be carted away via dumpsters
- Foundations to be caved in and filled with imported material
- Electrical and communications to be disconnected from building prior to commencement
- Not responsible for the removal of any contaminants
- Grade foundation areas, seed and mulch hay for stabilization

Total Cost.....	\$25,300.00
Deposit prior to commencement.....	\$10,000.00
Due upon completion.....	\$15,300.00

* Not responsible for underground waterlines, buried oil tanks, septic tanks, electric lines, drainage lines, erosion, driveway surfaces, sprinkler systems. Damage to any of the above is out of our control and repairs will be made at the expense of the owner. Neither rock hammering nor rock removal are included unless noted. Not responsible for settling of soil, nor is grass growth guaranteed. Any additional trenching piping or utility trenching will be extra. No dust control included and will be extra if required. Silt fence to remain until grass has grown and to be removed by others. Septic repairs are not guaranteed. This price may be withdrawn in 10 days.



Hickory Homes and Properties, Inc.
 PO Box 244
 Mount Kisco, NY 10549

Estimate

Date	Estimate #
10/26/2021	1920

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

Item	Description	Total
Demolition	DEMOLITION PROPOSAL Jobsite Address: 238-240 Route 52 Carmel, NY 10512 BUILDING DEMOLITIONS Demolish Two (2) Existing Structures on Property Dispose of Masonry Foundation at Concrete Recycling Facility Dispose of all Demolition Debris Off-Site at Transfer Station Facility Price Includes all Machinery, Operator(s), Fuel, Transportation, Labor, & Disposal Fees	17,995.00
Landscaping	BACKFILL (OPTIONAL) Backfill Foundations with Clean Fill, Deliver and Install Topsoil to Prepare for Grass Apply Jonathan Green Sun-Thru-Shade Grass Seed and Mulch Master Shredded Straw Install Erosion Control Measures on Completion of Project (silt fence and hay bales) TERMS: Tax Exemption Certificate Required Proposal Valid Until 1/15/2022 COMPANY INFO: HH&P, Inc Established 1986 - Fully Licensed, Insured, and Bonded BBB - Better Business Bureau Registered/Accredited A+ Business Westchester County Home Improvement License #: WC-06490-H95 Putnam County Home Improvement License #: PC5430 State of Connecticut Home Improvement License #: HIC.0632873	3,500.00
Please review, sign, and email back. We look forward to doing business with you.		Total \$21,495.00

Signature _____

Phone #	Fax #	E-Mail	Web Site
(914) 666-6300	(914) 206-4775	mike@hhpny.com	http://www.hhpny.com

PROPOSAL ESTIMATE

EPIC CONTRACTING/ROBERT STANTON

ESTIMATE
DATE: NOVEMBER, 2021

70 Newburgh Rd
Patterson NY 12563

238-240 RT 52

EpiccontractingNY.com
Rjstroop@aol.com

House Demo/Excavation		238-240 Rt 52 Kent	
House Demo/Removal to Transfer Station			
1. Demo two homes/separate materials 2. Install Orange Safety fence 3. Clear land and trees adjacent to the home remove trees/stumps/brush 4. Prep for removal and remove two homes to transfer station 5. Fill in Foundation area and bury existing rock into the foundation 6. Any extra material that may be needed at a per load cost			\$7,500.00
Estimate of house removal to transfer station is approximately 12 loads Dumping fees on 20 yard load is \$650/\$800/load-- based on weight			\$9,600.00
***The Number of loads is an estimate may be different at the end of the job +/-			
*** Includes all tree work and dumping fees associated with trees/stumps/debris			
*** Includes all trucking grinding facility			
*** Includes all trucking to transfer station			
***Includes Excavator/Operator/Fuel Costs			
***Any Further site work on the property other than the House demo will be at a daily rate			
ESTIMATE			\$17,100.00

610 Route 292
Holmes, NY 12531 Fiadamsinc@gmail.com
(845)-855-3733 (914)760-8959

FI Adams, Inc.

Estimate

For: Jack Keher Town Of Kent
ceovacant@townofkentny.gov
238-240 Rt 52

Estimate No: 403
Date: 11/04/2021

Description	Quantity	Rate	Amount
Take down the two buildings located at 238-240 rt 52. Load debris into dumpsters and haul away. Fill existing foundations level with ground.	1	\$16,000.00	\$16,000.00
		Subtotal	\$16,000.00
		TAX 0%	\$0.00
		Total	\$16,000.00
Total			\$16,000.00

Comments

Power to both buildings to be disconnected by town prior to buildings being taken down.

PAUL ELDRIDGE
Personnel Officer



ADRIENE IASONI
*Deputy Personnel
Officer*

December 16, 2021

Sent via email

Maureen Fleming, Town of Kent Supervisor
25 Sybil's Crossing
Kent Lakes, NY 10512

Dear Supervisor Fleming,

Upon the request of Kent Highway Superintendent, Richard Othmer, I have reviewed a proposed Resolution concerning duties to be assigned to Ms. Angela Verity.

Angela Verity has permanent competitive civil service status in the title of Payroll Clerk. It is my understanding that Ms. Verity will continue to perform duties appropriate to the title of Payroll Clerk.

In addition, from a civil service perspective, she may be assigned confidential clerical/administrative duties to assist the Highway Superintendent, on a limited, as needed basis.

Very truly yours,

A handwritten signature in cursive script that reads "Paul Eldridge".

Paul Eldridge
Personnel Officer

cc: Town Board Members
Richard Othmer, Town of Kent Highway Department

PUTNAM COUNTY PERSONNEL DEPARTMENT
110 Old Route Six, Building Three
Carmel, NY 10512
Tel: 845-808-1650 Fax: 845-808-1921
www.putnamcountyny.com/personneldept

Item a



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
E-mail: highwaykent@townofkentny.gov

December 15, 2021

Town of Kent Supervisor Maureen Fleming
Kent Town Board Members
25 Sybil's Crossing
Kent Lakes, NY 10512

Subject: Resolution to add roads to the Town of Kent Road Inventory for CHIPS Reimbursement

Dear Supervisor Fleming and Kent Town Board Members,

The Highway Department has been conducting a forensic audit of Town Roads.

The following roads are not currently listed on the New York State Department of Transportation list of Town of Kent Roads for CHIPS reimbursement.

I would like to request that Clarkson Court and East Road be added to the Town of Kent Road Inventory so they can qualify for 2022 CHIPS Funding.

Please do not hesitate to contact me with any questions.

Sincerely,

Richard T. Othmer, Jr.
Kent Highway Superintendent

**BID OPENING
HIGHWAY DEPARTMENT
DECEMBER 17, 2021**

At the Kent Highway Department, 62 Ludington Court, Town of Kent, New York at 12:10 p.m. the Highway Bids were opened.

Present: Councilman Paul Denbaum, Highway Superintendent Othmer, Town Clerk Cappelli, Highway Clerk Verity and several bidders.

Highway Sand – No Bid was received

Street Sweeping – No Bid was received

Fuel & Diesel Oil

1. Mirabito Holdings, Inc. PO Box 5306, Binghamton, NY 13902

Bituminous Asphaltic Concrete In-Place

1. Clove Excavators, Inc. 212 Van Wagner Road, Poughkeepsie, NY 12603 – Non-Collusion Submitted.
2. KECT Construction Corp. PO Box 201 Patterson, NY 12563- Non-Collusion Submitted
3. Intercounty Paving Co., Inc. PO Box 360, Carmel, NY 10512 – Non-Collusion Submitted.
4. Gorman Bros., Inc. 200 Church St, Albany, NY 12202 - - Non – Collusion Submitted.

Bituminous Asphaltic Concrete

1. Thalle Industries, Inc. 172 Route 9, Fishkill, NY 12524 – Non-Collusion Submitted.
2. Peckham Materials Corp. 172 Prospect Hill Rd, Brewster, NY 10509 – Non-Collusion Submitted.
3. B. Metcalf Asphalt Paving, Box 327, Salisbury, CT 06068 – Non-Collusion Submitted
4. Package Pavement Co., PO Box 408, Stormville, NY 12582 – Non Collusion Submitted **but not executed.**

Highway Equipment & Operator

1. Fred Adams, Inc. 691 Farmers Mills Road, Carmel, NY 10512 – Non-Collusion submitted

Highway Materials

1. Thalle Industries, Inc. 172 Route 9, Fishkill, NY 12524 – Non-Collusion Submitted.
1. Harlem Valley Sand & Gravel, Inc. 138 Kent Road, Wassauc, NY 12592 –Non-Collusion Submitted.
2. Glenco Supply, Inc. PO Box 638 Oakhurst, NY 07755 – Non-Collusion Submitted **DATE INCOMPLETE 12/10/20**
3. Red Wing Properties, Inc. PO Box 408, Stormville, NY 12582, - Non Collusion Submitted
4. Putnam Materials, RT 311, Patterson, NY – Non-Collusion Submitted
5. Wingdale Materials LLC, 3206 Pleasant Ridge Road, Wingdale, NY 12594 – Non Collusion Submitted.
6. Chemung Supply Corp. PO Box 527, Elmira, NY 14902 – Non-Collusion Submitted
7. Expanded Supply Products Inc. 3330 Route 9, Cold Spring, NY 10516 – Non Collusion Submitted.

Tree Work

1. Barney Zipkin Tree Service, Inc. 124 Ridge Road, Montgomery, NY 12549 – Non-Collusion Submitted.

Stump Shear Grinding

1. R.T.I Industries, LLC, PO Box 241 Stormville, NY 12582 Non-Collusion Submitted

Tri-Axle Dump Truck Rental

1. R.T.I Industries, LLC, PO Box 241 Stormville, NY 12582 Non-Collusion Submitted

**NEW YORK STATE DEPARTMENT OF TRANSPORTATION
2021 BRIDGE NY PROJECT AWARDS**

Capitol Region - \$13.6 million

- \$1.165 million to the Town of Cairo (Green County) for the replacement of Polly's Rock Road bridge over Kiskatom Brook
- \$835,000 to the Town of Guilderland (Albany County) for the replacement of the Grand Street culvert carrying the Bozen Kill Tributary
- \$1.0 million to Columbia County for the replacement of the Columbia County Route 7 culvert carrying the tributary to Roeliff Jansen Kill
- \$1.0 million to Columbia County for the replacement of the Columbia County Route 7 culvert carrying Punsit Creek
- \$985,000 to the Town of Catskill (Green County) for the replacement of the Game Farm Road culvert carrying tributary to Kiskatom Brook
- \$1.0 million to the City of Rensselaer (Rensselaer County) for the replacement of the Wilson Street culvert carrying Quackenderry Creek
- \$998,000 to Saratoga County for the replacement of the County Road 24 culvert carrying the tributary to Hudson River
- \$869,000 to Saratoga County for the replacement of the Scotch Bush Road (CR56) culvert carrying the tributary to Larue Creek
- \$963,000 to Schenectady County for the replacement of the Old River Road (CR1) culvert carrying the tributary of the Mohawk River
- \$985,000 to Schenectady County for the replacement of the Sanders Road (CR38) culvert carrying Washout Creek
- \$1.0 million to Warren County for the replacement of the Peaceful Valley Road (CR29) culvert
- \$839,000 to Town of Queensbury (Warren County) for the replacement of the Luzerne Road culvert carrying Clendon Brook
- \$1.0 million to Warren County for the replacement of the Corinth Road (CR28) culvert carrying Clendon Brook
- \$998,000 to Town of Jackson (Washington County) for the replacement of the Murray Hollow Road culvert carrying Murray Hollow Brook

Central New York Region - \$12.5 million

- \$1.073 million to Cayuga County Highway Department for the replacement of the Jericho Road bridge over Putnam Brook
- \$4.662 million to City of Auburn (Cayuga County) for the rehabilitation of the Lake Avenue bridge over Owasco Outlet
- \$2.175 million to Madison County Highway Department for the rehabilitation of the Solsville Road (CR41) bridge over Oriskany Creek
- \$1.643 million to Onondaga County Department of Transportation for the rehabilitation of the North Manlius Road bridge over Limestone Creek

- \$1.895 million to Oswego County for the replacement of the Maple Avenue bridge over Little Sandy Creek
- \$1.0 million to the City of Cortland (Cortland County) for the replacement of the Maple Avenue culvert carrying Otter Creek

Finger Lakes Region - \$9.7 million

- \$758,000 to the Town of Brighton (Monroe County) for the rehabilitation of the French Road bridge over Allen Creek
- \$1.061 million for Orleans County for the replacement of the Lakeshore Road bridge
- \$710,000 to Seneca County for the superstructure replacement of the Marshall Road bridge over Kendig Creek
- \$1.462 million to Yates County for the replacement of the Haley Road bridge over Big Stream
- \$757,000 to Genesee County for the replacement of the South Street (CR3) culvert
- \$1.0 million to Livingston County for the replacement of the Presbyterian Road (CR72) culvert carrying the tributary to Keshequa Creek
- \$1.0 million to Ontario County Department of Public Works for the replacement of the County Road 12 culvert carrying the tributary to Canandaigua Lake
- \$999,000 to the Village of Interlaken (Seneca County) for the replacement of the Route 96 culvert carrying Lively Run Tributary
- \$982,000 to the Village of Newark (Wayne County) for the replacement of the West Miller Street culvert carrying Military Run
- \$1.0 million to Wyoming County Highway Department for the replacement of the Silver Lake Road (CR22) culvert carrying Silver Lake Outlet

Mid-Hudson Region - \$34.8 million

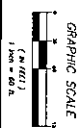
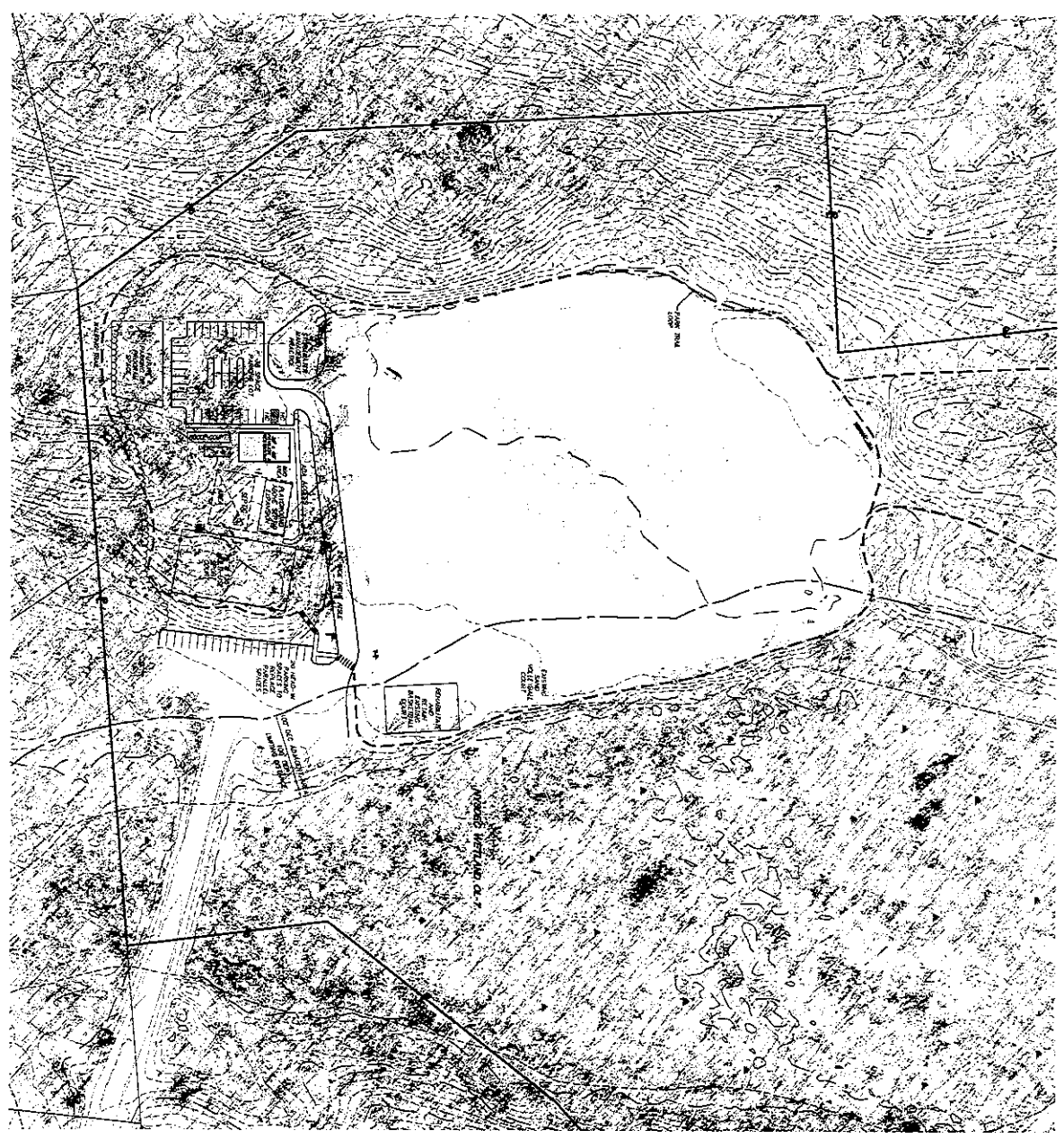
- \$1.603 million to the Town of red Hook (Dutchess County) for the replacement of the Saw Kill Road bridge over the Saw Kill
- \$4.235 million to Orange County Department of Public Works (Orange County) for the replacement of the Hulsetown Road bridge over Cromline Creek
- \$1.256 million to Rockland County for the rehabilitation of the Lawrence Street bridge over the tributary to Pascack Brook
- \$4.477 million to Sullivan County for the replacement of the County Route 49 bridge over Neversink River
- \$4.727 million to Sullivan County for the replacement of the Beaver Brook Road bridge over Beaver Brook
- \$4.095 million to Ulster County for the replacement of the County Road 54 bridge over the Beaver Kill
- \$1.999 million to the Town of Rochester (Ulster County) for the replacement of the Boice Mill Road bridge over Falls Mill Brook

- \$4.842 to the Town of Rye (Westchester County) for the replacement of the South Barry Avenue bridge over Otter Creek
- \$993,000 to the Town of East Fishkill (Dutchess County) for the replacement of the Hillside Lake Road culvert
- \$1.0 million to Orange County Department of Public Works for the replacement of the Neversink Drive (CR80) culvert carrying the tributary to Shinhollow Brook
- \$526,000 to the Town of Newburgh (Orange County) for the replacement of the Elmhurst Avenue culvert carrying Bushkill Creek
- \$1.0 million to Orange County Department of Public Works for the replacement of the Lakes Road (CR5) culvert carrying the tributary to Shinhollow Brook
- \$1.0 million to Putnam County for the replacement of the Peekskill Hollow Road culvert carrying Wiccopee Brook
- \$1.0 million to Putnam County for the replacement of the Snake Hill Road culvert carrying the Philipse Brook Tributary
- \$999,000 to the Town of Kent Highway Department (Putnam County) for the replacement of the Lake Louise Drive culvert
- \$999,000 to Rockland County for the replacement of the Spook Rock Road culvert carrying Willow Tree Brook

Mohawk Valley Region - \$31.0 million

- \$3.914 million to the Town of Ohio (Herkimer County) for the replacement of the Harvey Bridge Road bridge over West Canada Creek
- \$2.837 million to the Village of Canajoharie (Montgomery County) for the superstructure replacement of the Incinerator Road bridge over Canajoharie Creek
- \$2.445 million to the City of Rome (Oneida County) for the rehabilitation of the South James Street bridge over Erie Barge Canal
- \$1.150 million to the Town of Forestport (Oneida County) for the replacement of the Round Lake Road bridge over Long Lake Outlet
- \$3.768 million to the Town of Trenton (Oneida County) for the replacement of the Old Poland Road (CR56) bridge over Cincinnati Creek
- \$3.933 million to the Town of Maryland (Otsego County) for the replacement of the Loft Road bridge over Schenevus Creek
- \$4.743 million to Otsego County for the replacement of the County Road 59 bridge over Oaks Creek
- \$3.171 million to Schoharie County for the replacement of the Hunterland Road bridge over Little Schoharie Creek
- \$2.332 million to Schoharie County for the replacement of the Englesville Road (CR40) bridge over West Creek
- \$697,000 to the City of Gloversville (Fulton County) for the replacement of the Spring Street culvert carrying Cayadutta Creek
- \$971,000 to the Village of Boonville (Oneida County) for the replacement of the Summit Street culvert carrying Mill Creek

DEPARTMENT OF REVENUE, LANDS AND SURVEY
 ACTING CHIEF OF BUREAU OF SURVEY
 ACTING CHIEF OF BUREAU OF LANDS



NO.	DATE	BY	REVISIONS	DATE	BY
1	7-14-21	J.L.C.	REVISED FOR COMMENTS		J.P.
2	7-21-21	J.L.C.	REVISED FOR COMMENTS		J.P.
3	7-21-21	J.L.C.	REVISED FOR COMMENTS		J.P.

PROJECT: **HUESTIS PARK**

DESIGNED BY: **LAND SITE**
 ENGINEER: **LAND SITE**
 ADDRESS: **10000 W. 100th St., Overland Park, KS 66204**
 PHONE: **(913) 241-1111**
 FAX: **(913) 241-1112**
 WWW: **WWW.LANDSITE.COM**

DATE: 7-21-21

SCALE: 1" = 60'

PROJECT: **HUESTIS PARK**

CONCEPT PLAN

DATE: 7-21-21

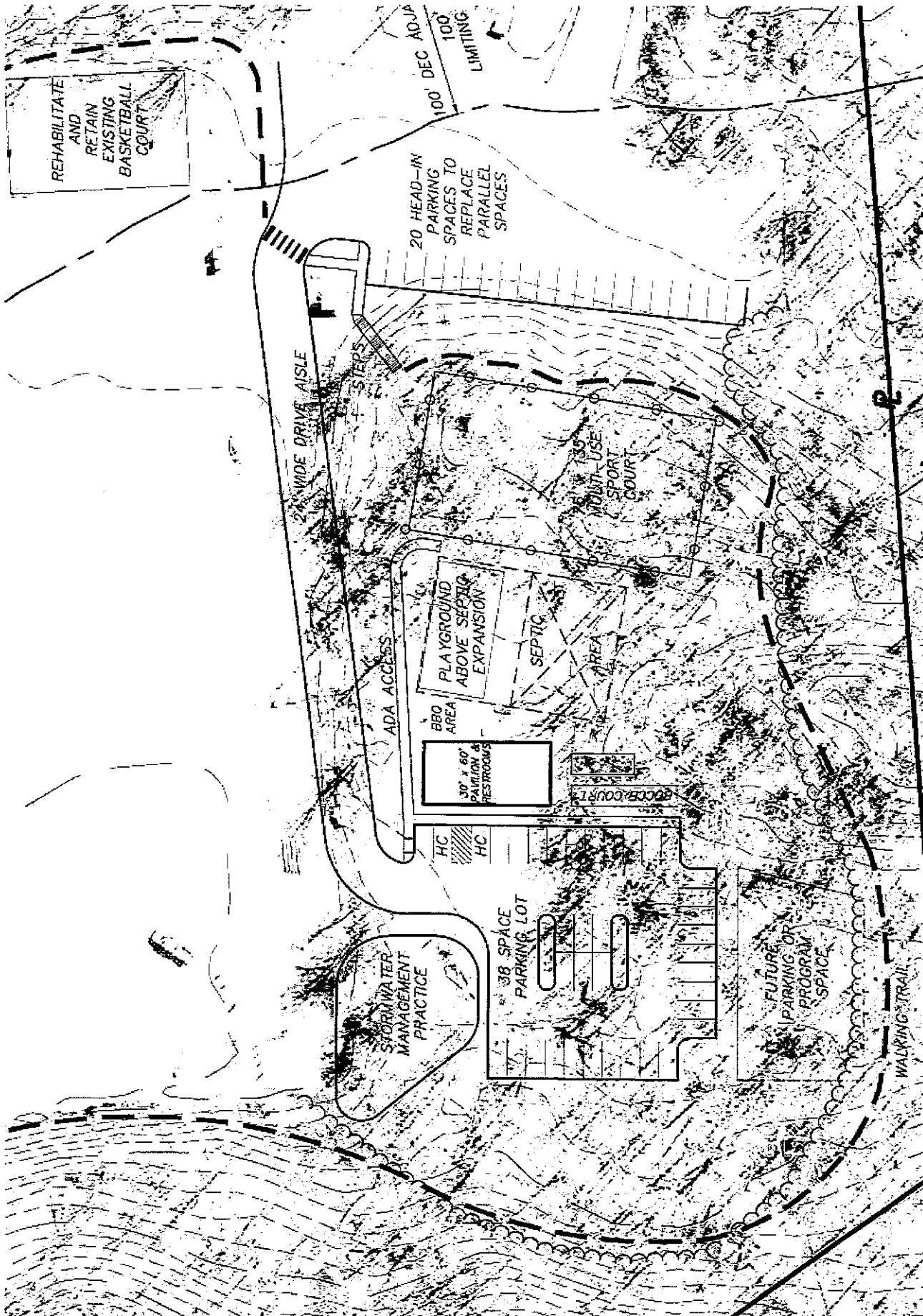
SCALE: 1" = 60'

SHEET: **CP-1** OF 1

GENERAL NOTES

1. Proposed limits and improvements shown herein were prepared by the Engineer and are not to be construed as a warranty of any kind.
2. All work shall conform to the Kansas State Survey Code of 1995.
3. All work shall conform to the Kansas State Survey Code of 1995.

Item b



REHABILITATE AND RETAIN EXISTING BASKETBALL COURT

20 HEAD-IN PARKING SPACES TO REPLACE PARALLEL SPACES

100' DEC ADA 100' LIMITING

24' WIDE DRIVE AISLE

STEPS

ADA ACCESS

PLAYGROUND ABOVE SEPTIC EXPANSION

SEPTIC

BBO AREA

30' x 60' PATIOL & RESTROOMS

BOILER COURT

MULTI-USE SPORT COURT

HC

HC

38 SPACE PARKING LOT

STORM WATER MANAGEMENT PRACTICE

FUTURE OF PARKING OR PROGRAM SPACE

WALKING TRAIL

Region	CFA #	County	Applicant	Project Title	Description	Agency / Program	Award
Mid-Hudson	108304	Orange	Storm King Art Center	Storm King Capital Project	Storm King Art Center in Orange County, offers local, national, and international audiences a chance to discover sculpture amid 500 acres of Hudson Valley landscape. In response to growth, Storm King launched Art that Moves You Outside, a Capital Project to enhance the experience of residents and visitors, and protect its art, nature, and people. The Art Center will begin Phase 1 and includes two building elements: the Welcome Sequence and the Conservation, Fabrication, and Maintenance Building. The Welcome Sequence will streamline the arrival into Storm King, and the Art Center's Conservation, Fabrication, and Maintenance Building will protect the safety of staff and the artwork.	ESD Grants	\$2,000,000
Mid-Hudson	110889	Orange, Rockland	New York-New Jersey Trail Conference	Harriman and Bear Mountain State Parks Trails Assessment and Trails Plan	The New York-New Jersey Trail Conference seeks funding for a 48-month planning project to assess the conditions and needs of the trails in two of New York's most popular parks, Harriman and Bear Mountain State Parks. The completion of an assessment of the highly popular and heavily-used trails would result in the creation of a trail plan to provide Park leadership with a prioritized list of project sites and broad scopes of work for each hot spot location.	OPRHP EPFPKSP	\$13,965
Mid-Hudson	110063	Orange, Sullivan, Ulster	Open Space Institute	O&W Rail Trail Comprehensive Feasibility Study	The Open Space Institute will conduct the first known comprehensive feasibility study of the entire 57-mile length of the historic Ontario and Western (O&W) rail corridor from the City of Kingston to the City of Port Jervis. The study will provide the foundational information, outreach, and analysis necessary to deliver a continuous multi-use recreational trail as called for in the 2020 NYS Greenway Trails Plan linking downtowns and village centers and improving access to natural treasures.	OPRHP EPFPKSP	\$500,000
Mid-Hudson	109432	Putnam	Hudson Valley Shakespeare Festival	An Outdoor Theater Campus and Permanent Home for Hudson Valley Shakespeare Festival	Hudson Valley Shakespeare Festival will transform 98 acres of land in Garrison from its current use as a golf course and restaurant into a vibrant year-round theater campus that fosters connections at the convergence of nature and culture while developing stewardship of the landscape. At the project's completion, the site will encourage recreation through picnic areas and walking trails through restored meadows and gardens, all of which will be accessible to the community.	OPRHP EPFPKSD	\$500,000
Mid-Hudson	107513	Putnam	Town of Kent	Huestis Park Rehabilitation	The Town of Kent will rehabilitate the Huestis Town Park. Funding will be used to construct ADA-compliant bathrooms, a pavilion, dog park, lawn court, additional parking, and install an ADA-compliant playground, new fencing, a multi-use game area, and provide electricity to the park.	OPRHP EPFPKSD	\$491,313
Mid-Hudson	109107	Putnam	Town of Kent	Lake Carmel Streambank Stabilization Planning Project	The Town of Kent will complete an engineering report to plan for future streambank stabilization projects in the Lake Carmel watershed in Putnam County. The project will address known streambank erosion to reduce the amount of nutrients entering Lake Carmel.	DEC NPS	\$30,000
Mid-Hudson	110573	Putnam	Town of Kent	Town of Kent Seven Hills Lake Streambank Stabilization Planning Project	The Town of Kent will complete an engineering report to plan for streambank stabilization projects in the Seven Hills Lake watershed. The proposed project will address known streambank erosion and reduce nutrients entering Seven Hills Lake.	DEC NPS	\$19,800
Mid-Hudson	109432	Putnam	Hudson Valley Shakespeare Festival	Outdoor Theater Campus and Permanent Home for Hudson Valley Shakespeare Festival	Hudson Valley Shakespeare Festival will create a new year-round cultural campus in Garrison, NY. The site will offer world-class theater productions with accessible Hudson River view pathways and meadows, on-site dining and concessions, and an ecologically sustainable operation.	ESD Grants	\$2,000,000
Mid-Hudson	107596	Rockland	Rockland County	Rockland County ESD Planning Project	Rockland County will develop a Strategic Economic Development Action Plan to strengthen the County's economy by identifying methods to attract new businesses and support existing local businesses and industries. The Strategic Economic Development Action Plan will also prepare Rockland County to implement initiatives that will connect low-income residents with employment, enhance tourism standing in the Mid-Hudson Region, and attract residents to Rockland County.	ESD SPFS	\$25,000
Mid-Hudson	108675	Rockland	Town of Orangetown	Comprehensive Plan Update	The town will develop an update to the 2003 comprehensive plan. The update will include provisions for combating climate change, increasing sustainability, and addressing environmental justice as well as assessing options for a significant stretch of Hudson river shoreline that has become a part of the town after the dissolution of the Village of Nyack.	DEC CSC	\$40,000
Mid-Hudson	110530	Rockland	TOWN OF CLARKSTOWN	Advancing the Revitalization of West Nyack	The Town of Clarkstown will invest in several infrastructure projects for the Revitalization of Historic West Nyack Hamlet. Projects include upgraded streetscape, improve parking, EV charging stations, and a new bus stop along with new sidewalks, curbs, energy-efficient lighting, and expanded green space with an accessible playground and benches that will accommodate and encourage economic activity.	ESD Grants	\$1,250,000
Mid-Hudson	108210	Sullivan	Sullivan Catskills Visitors Association	Sullivan Catskills - Beyond Summer Tourism Marketing Plan	Grant funds will be used to develop and initiate "Beyond Summer: Extending the Catskill Tourism Season", a three-pronged event and marketing strategy that aims to extend the upstate New York tourism season into the shoulder season of Fall and early Winter.	ESD MNY	\$329,531



Axon Enterprise, Inc.
 17800 N 85th St.
 Scottsdale, Arizona 85255
 United States
 Phone: (800) 978-2737

Q-275194-44215.692RF

Issued: 01/19/2021

Quote Expiration: 02/01/2021

Account Number: 109634

Payment Terms: Net 30
 Delivery Method: Fedex - Ground

SHIP TO

Corey Ashe
 Kent Police Dept. - NY
 40 SYBIL'S CROSSING
 KENT LAKES, NY 10512
 US

BILL TO

Kent Police Dept. - NY
 40 SYBIL'S CROSSING
 KENT LAKES, NY 10512
 US

SALES REPRESENTATIVE

Rachael Foster
 Phone: (480) 502-6212
 Email: rfoster@axon.com
 Fax:

PRIMARY CONTACT

Corey Ashe
 Phone: (845) 225-4600
 Email: cashe@townofkentny.gov

Year 1

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Axon Plans & Packages						
73731	REDACTION ASSISTANT 1-10 SWORN AGENCY-WIDE LICENSE	12	1	0.00	0.00	0.00
20248	TASER 7 EVIDENCE.COM ACCESS LICENSE	60	1	0.00	0.00	0.00
73746	PROFESSIONAL EVIDENCE.COM LICENSE	60	16	0.00	0.00	0.00
73686	EVIDENCE.COM UNLIMITED AXON DEVICE STORAGE	60	16	0.00	0.00	0.00
73683	10 GB EVIDENCE.COM A-LA-CART STORAGE	60	160	0.00	0.00	0.00
73449	RESPOND DEVICE LICENSE	60	16	0.00	0.00	0.00
20248	TASER 7 EVIDENCE.COM ACCESS LICENSE	60	16	0.00	0.00	0.00
20246	TASER 7 DUTY CARTRIDGE REPLACEMENT ACCESS LICENSE	60	16	0.00	0.00	0.00
Hardware						
70112	AXON SIGNAL UNIT		10	279.00	279.00	2,790.00
20160	TASER 7 HOLSTER - SAFARILAND, RH+CART CARRIER		16	0.00	0.00	0.00
75015	SIGNAL SIDEARM KIT		16	0.00	0.00	0.00
22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS		48	0.00	0.00	0.00
22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS		48	0.00	0.00	0.00

Year 1 (Continued)

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware (Continued)						
73202	AXON BODY 3 - NA10		16	699.00	699.00	11,184.00
22179	TASER 7 INERT CARTRIDGE, STANDOFF (3.5-DEGREE) NS		15	0.00	0.00	0.00
22181	TASER 7 INERT CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS		15	0.00	0.00	0.00
74210	AXON BODY 3 - 8 BAY DOCK		2	1,495.00	1,495.00	2,990.00
70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK		2	43.90	43.90	87.80
20008	TASER 7 HANDLE, YLW, HIGH VISIBILITY (GREEN LASER), CLASS 3R		16	0.00	0.00	0.00
20040	TASER 7 HANDLE WARRANTY, 4-YEAR		16	0.00	0.00	0.00
71044	BATTERY, SIGNAL SIDEARM, CR2430 SINGLE PACK		32	0.00	0.00	0.00
22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS		32	0.00	0.00	0.00
22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS		32	0.00	0.00	0.00
22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS		32	0.00	0.00	0.00
22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS		32	0.00	0.00	0.00
80090	TARGET FRAME, PROFESSIONAL, 27.5 IN. X 75 IN., TASER 7		1	0.00	0.00	0.00
20018	TASER 7 BATTERY PACK, TACTICAL		19	0.00	0.00	0.00
20041	TASER 7 BATTERY PACK WARRANTY, 4-YEAR		19	0.00	0.00	0.00
20042	TASER 7 DOCK & CORE WARRANTY, 4-YEAR		1	0.00	0.00	0.00
70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK		1	0.00	0.00	0.00
74200	TASER 7 6-BAY DOCK AND CORE		1	0.00	0.00	0.00
74028	WING CLIP MOUNT, AXON RAPIDLOCK		16	0.00	0.00	0.00
11534	USB-C to USB-A CABLE FOR AB3 OR FLEX 2		16	0.00	0.00	0.00
Other						
73441	REDACTION ASSISTANT 1-10 SWORN PAYMENT	12	1	2,100.00	2,100.00	2,100.00
73810	OFFICER SAFETY PLAN 7	60	16	0.00	0.00	0.00

Year 1 (Continued)

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Other (Continued)						
Not Eligible TASER 7 INSTRUCTOR COURSE VOUCHER	Not Eligible TASER 7 INSTRUCTOR COURSE VOUCHER		1	0.00	0.00	0.00
73811	OFFICER SAFETY PLAN 7 PAYMENT	12	16	1,908.00	1,908.00	30,528.00
Not Eligible TASER 7 MASTER INSTRUCTOR SCHOOL VOUC	Not Eligible TASER 7 MASTER INSTRUCTOR SCHOOL VOUCHER		1	0.00	0.00	0.00
Not Eligible Evidence.com Viewer Licenses	Not Eligible Evidence.com Viewer Licenses		1	0.00	0.00	0.00
Not Eligible Halt Suit	Not Eligible Halt Suit		1	0.00	0.00	0.00
Not Eligible for VR Headset	Not Eligible for VR Headset		1	0.00	0.00	0.00
20247	TASER 7 ONLINE TRAINING CONTENT ACCESS LICENSE	60	16	0.00	0.00	0.00
20249	VR EMPATHY DEVELOPMENT STARTER CONTENT ACCESS	60	16	0.00	0.00	0.00
73827	AB3 CAMERA TAP WARRANTY	60	16	0.00	0.00	0.00
73828	AB3 8 BAY DOCK TAP WARRANTY	60	2	0.00	0.00	0.00
80087	TASER 7 TARGET, CONDUCTIVE, PROFESSIONAL (RUGGEDIZED)		1	0.00	0.00	0.00
71019	NORTH AMER POWER CORD FOR AB3 8- BAY, AB2 1-BAY / 6-BAY DOCK		2	0.00	0.00	0.00
Services						
80129	SIGNAL ONLY OR ROUTER ONLY INSTALLATION PER VEHICLE		10	250.00	250.00	2,500.00

Year 1 (Continued)

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Services (Continued)						
85144	AXON STARTER		1	2,750.00	0.00	0.00
					Subtotal	52,179.80
					Estimated Shipping	0.00
					Estimated Tax	0.00
					Total	52,179.80

Year 2

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS		32	0.00	0.00	0.00
22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS		32	0.00	0.00	0.00
Other						
73441	REDACTION ASSISTANT 1-10 SWORN PAYMENT	12	1	2,100.00	2,100.00	2,100.00
73811	OFFICER SAFETY PLAN 7 PAYMENT	12	16	1,908.00	1,908.00	30,528.00
					Subtotal	32,628.00
					Estimated Tax	0.00
					Total	32,628.00

Year 3

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
22178	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, CLOSE QUART NS		32	0.00	0.00	0.00
22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS		32	0.00	0.00	0.00
22177	TASER 7 HOOK-AND-LOOP TRN (HALT) CARTRIDGE, STANDOFF NS		32	0.00	0.00	0.00
22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS		32	0.00	0.00	0.00
Other						
73441	REDACTION ASSISTANT 1-10 SWORN PAYMENT	12	1	2,100.00	2,100.00	2,100.00
73811	OFFICER SAFETY PLAN 7 PAYMENT	12	16	1,908.00	1,908.00	30,528.00
73309	AXON CAMERA REFRESH ONE		16	0.00	0.00	0.00

Year 3 (Continued)

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Other (Continued)						
73689	MULTI-BAY BWC DOCK 1ST REFRESH		2	0.00	0.00	0.00
					Subtotal	32,628.00
					Estimated Tax	0.00
					Total	32,628.00

Year 4

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS		32	0.00	0.00	0.00
22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS		32	0.00	0.00	0.00
Other						
73441	REDACTION ASSISTANT 1-10 SWORN PAYMENT	12	1	2,100.00	2,100.00	2,100.00
73811	OFFICER SAFETY PLAN 7 PAYMENT	12	16	1,908.00	1,908.00	30,528.00
					Subtotal	32,628.00
					Estimated Tax	0.00
					Total	32,628.00

Year 5

Item	Description	Term (Months)	Quantity	List Unit Price	Net Unit Price	Total (USD)
Hardware						
22176	TASER 7 LIVE CARTRIDGE, CLOSE QUARTERS (12-DEGREE) NS		32	0.00	0.00	0.00
22175	TASER 7 LIVE CARTRIDGE, STANDOFF (3.5-DEGREE) NS		32	0.00	0.00	0.00
Other						
73441	REDACTION ASSISTANT 1-10 SWORN PAYMENT	12	1	2,100.00	2,100.00	2,100.00
73811	OFFICER SAFETY PLAN 7 PAYMENT	12	16	1,908.00	1,908.00	30,528.00
73310	AXON CAMERA REFRESH TWO		16	0.00	0.00	0.00
73688	MULTI-BAY BWC DOCK 2ND REFRESH		2	0.00	0.00	0.00
					Subtotal	32,628.00
					Estimated Tax	0.00
					Total	32,628.00

Grand Total 182,691.80

Discounts (USD)

Quote Expiration: 02/01/2021

List Amount	185,441.80
Discounts	2,750.00
Total	182,691.80

**Total excludes applicable taxes*

Summary of Payments

Payment	Amount (USD)
Year 1	52,179.80
Year 2	32,628.00
Year 3	32,628.00
Year 4	32,628.00
Year 5	32,628.00
Grand Total	182,691.80

Notes

Sourcewell Contract #010720-AXN used for pricing and purchasing justification.

Purchase of TASER 7 are governed by the TASER 7 Agreement located at <https://www.axon.com/legal/sales-terms-and-conditions> and not the Master Services and Purchasing Agreement referenced below.

Tax is subject to change at order processing with valid exemption.

Axon's Sales Terms and Conditions

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at www.axon.com/legal/sales-terms-and-conditions), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Signature: _____ **Date:** _____
Name (Print): _____ **Title:** _____
PO# (Or write N/A): _____

Please sign and email to Rachael Foster at rfoster@axon.com or fax to

Thank you for being a valued Axon customer. For your convenience on your next order, please check out our online store buy.axon.com

The trademarks referenced above are the property of their respective owners.

Axon Internal Use Only

		SFDC Contract#:
		Order Type:
		RMA#:
		Address Used:
		SO#:
Review 1	Review 2	
Comments:		

Young Sommer LLC

ATTORNEYS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205

Phone: 518-438-9907 • Fax: 518-438-9914

www.youngsommer.com

Kevin M. Young, Esq.
Writer's Telephone Extension: 225
kyoung@youngsommer.com

December 6, 2021

VIA FEDEX

Town Board
Town of Kent
25 Sybil's Crossing
Kent Lakes, New York 10512

Nancy Tagliaferro, Esq.
Hogan & Rossi
3 Starr Ridge Road
Brewster, New York 10509

RE: Kent Hills Water Works Corporation – Petition

Dear Town Board and Town Attorney Tagliaferro:

RFB, LLC (“Owner”) is petitioning the Town Board of the Town of Kent for consent to incorporate the Kent Hills Water Works Corporation pursuant to Article 4 of the Transportation Corporations Law in connection with the construction of a condominium project located in the Town of Kent. Enclosed are five (5) copies of the Petition. Section 41 of the New York State Transportation Corporations Law requires a proposed water works corporation to obtain the consent to incorporate from the municipality in which the project is located, and since the proposed project is located within the Town of Kent, consent is required by the Town Board of the Town of Kent for the formation of the transportation corporation. In 2008, the Town Board passed a similar resolution authorizing the formation of the Kent Manor Sewer Works Corporation. A copy of that resolution is enclosed.

Normally, the water works corporation would be created during project construction; but DEC is requiring that the Town issue its approval now as a condition to issuing the permit. The wells are already installed and this is the third time that the wells have been permitted by DEC.

Item d

Also attached for the Board's consideration is a draft resolution issuing its approval. We are hoping to have the Board address the resolution at its Board meeting on December 7. Thank you for whatever consideration will be given to this late request.

Very truly yours,

YOUNG/SOMMER LLC

A handwritten signature in blue ink that reads "Kevin M Young". The signature is stylized, with the first name "Kevin" written in a cursive-like font, followed by "M" and "Young". The "Y" in "Young" has a long, sweeping tail that extends downwards and to the right.

Kevin M Young

Encl.

In the Matter of the Petition of RFB, LLC
for Consent to Incorporate Kent Hills Water Works Corporation
Pursuant to Article 4 of the Transportation Corporations Law

The Petition of RFB, LLC (“Petitioner”), a Connecticut domestic limited liability company, states upon information and belief:

1. Petitioner is a Connecticut domestic limited liability company authorized to perform business within New York State and maintains its principal offices at 120 Main St., Mount Kisco, NY 10549. Petitioner respectfully requests that the Town of Kent consent to the incorporation of a water works corporation pursuant to Article 4 of the Transportation Corporations Law (“TCL”).

2. The Kent Manor project (Map 33, Lots 79 and 79.401-79.6507, the “Property”) was originally approved and construction commenced in the late 1980s. The Town of Kent Planning Board granted both subdivision and site plan approval, (originally approved for 318 units/lots and through stipulation later reduced to 303 units/lots; hereinafter referred to as the “Original Project”). Through a multitude of litigation cases, the final, distilled outcome was that Kent Manor was awarded the status of ‘vested rights’ by court decision and the parties (the Town of Kent, the Kent Planning Board and the Developer) agreed to a Stipulation of Agreement, which was “so ordered” by the Court.¹

3. The Stipulation of Agreement, among other items, authorized Kent Manor to build and modify the project without further municipal review or fees, and the Town was required to issue permits within thirty (30) days of submission of building permit applications. Specifically, modifications are allowed to the plat and plan without municipal approval pursuant to two distinct criteria/parameters: 1) modifications are designed to ameliorate environmental impacts or comply with regulations subsequently enacted by the federal, state or county governments; or 2) any plan changes cannot result in an increase in (i) water consumption, (ii) septic effluent, or (iii) required parking beyond what is already approved for the site.

4. The Petitioner (i.e., current owner of the Property) and the contract-vendee owner, Kent Hills Development, LLC (“Kent Hills”), have proposed to develop the Property in a manner consistent with the Stipulation of Agreement and related court orders. Simultaneously with the

¹ The project was delayed almost 20 years due to the NYC Watershed Regulations which prohibited new WWTPs with surface discharges in a phosphorous restricted basin. Petitioner was able to get a permit to construct a new WWTP in or about 2009 by obtaining a 3 to 1 phosphorus offset. That permit/approval was later modified to allow the construction of a 103,200 gpd sewage treatment plant (i.e., MBR). The new MBR has been in operations since 2015 serving the Town of Kent Sewer District. The Town Board has also issued an approval for the Petitioner to form a sewage works corporation (Kent Manor Sewage Works Corporation). That corporation currently owns and operates the WWTP.

filing of this petition, the Petitioner has filed with the Planning Board and Town Board a final site plan/subdivision plat for signature. The Modified Project is described below:

- a. The Modified Project will reduce the number of dwelling units from 303, to not more than 150 dwelling units.
- b. The Modified Project is a condominium community that requires an amendment to the existing subdivision maps, which are filed in the office of the Putnam County Clerk as Maps 2417B and 2417C, and which depict 303 fee simple lots, in order to accommodate the layout and reduced number of dwelling units proposed by the Modified Project (the "Amended Subdivision Plat").
- c. The Modified Project substantially reduces the number of bedrooms to not more than of 400 bedrooms.
- d. The Modified Project shall require an allocation of no more than 45,000 gallons per day ("GPD") of the available capacity of the wastewater treatment plant ("WWTP"), which is a reduction from the up to 60,000 GPD that is currently allocated for the Original Project.
- e. The Modified Project shall be an active adult "age-restricted" development, which should result in a reduction in the generation of both traffic and school-age children from the Original Project. Said restriction shall be incorporated into any Offering Plan and deeds.
- f. RFB and/or Kent Hills shall obtain any and all necessary approvals or modifications to approvals from any outside agency with jurisdiction over the Modified Project, as such parties were not subject to the Court Stipulation of Agreement entered into by the Town Board and Planning Board.

5. Upon comparison of the plans for the Original Project and the Modified Project, the Town Board and the Planning Board Chairman have acknowledged that: (i) the Modified Project is consistent with the Original Project; and (ii) the Modified Project requires no further discretionary approvals from the Town Board and/or Planning Board. In the near future, the Planning Board Chairman will be signing the Amended Subdivision Plat for filing with the Putnam County Clerk.

6. Section 41 of the New York Transportation Corporations Law requires a proposed water works corporation to obtain the consent to incorporate from the municipality in which the project is located. Since the Modified Project is located in the Town of Kent, the Petitioner is submitting this petition to the Town Board of the Town of Kent for its consent to incorporate Kent Hills Water Works Corporation to operate and maintain the water supply and/or distribution system for the Modified Project.

7. The proposed water-supply wells for the Kent Manor project were originally sited and drilled in 1986. Four successful wells were drilled, identified as Wells 5, 6, 7, and 8. Wells

5, 6, 7 and 8 were yield tested in 1986 by Leggette, Brashears & Graham, Inc. The results of the yield tests demonstrated well capacities of 55 gpm, 40 gpm, 26 gpm and 65 gpm, respectively. Based on the results of the 1986 yield testing, approval of plans for the Kent Manor water facilities was received from the New York State Department of Health (“NYSDOH”) in April 1988 and a New York State Department of Environmental Conservation (“NYSDEC”) Water Withdrawal Permit WSA NO. 7826 was issued in June 1988. Although approvals were received, the water system was not developed at that time. Project construction commenced but ceased in the early 1990s when financing terminated.

8. In 2007, additional yield testing was conducted on Wells 5, 6, 7 and 8 by SSEC. The results of that yield testing demonstrated yield capacities of 27 gpm, 34 gpm, 38 gpm and 50 gpm, respectively, in the wells. A second NYSDEC water withdrawal permit was obtained for the planned water system withdrawal in June 2009. Plans for residential development on the Kent Manor property were reinitiated in 2018 with the intention of utilizing the existing NYSDOH and NYSDEC permits and approvals. However, discussions with both NYSDEC and NYSDOH indicated that they would prefer the project obtain updated approvals to proceed with development on the project site. In response to this request, the onsite proposed water-supply wells were reevaluated. It was determined by WSP that because the water demand of the current proposed project (150 units) was lower than prior development plans, only three of the four successful onsite wells were needed to meet the project’s water demand requirement. The casings in the three proposed supply wells were extended from 20 feet below grade to a minimum of 50 feet below grade meeting current NYSDOH construction requirements for public water-supply wells and Wells 7 and 8 were deepened. The wellhead protection areas (i.e. 200-foot radius of sanitary control) around the wells were also revisited. A portion of the sanitary control radius for Well 7 falls on an adjacent parcel, therefore, an easement agreement with the adjacent property owner for this area has been obtained.

9. Pursuant to the Transportation Corporations Law, Petitioner submitted a copy of its design plans and specifications for the proposed water main extension to the NYSDOH for its approval. Attached as **Exhibit A** is a copy of the approved design and NYSDOH’s comment letters.

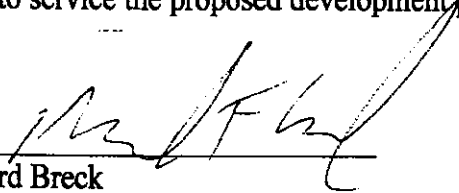
10. Pursuant to New York State Environmental Conservation Law, Article 15, Petitioner submitted a water supply permit application to NYSDEC. NYSDEC has indicated that the application is complete and approved as submitted; but NYSDEC is requiring a water works corporation be the permittee. Attached as **Exhibit B** is a copy of NYSDEC’s approval letter and the Engineering Report for the Water Supply Permit.

11. Simultaneous with the property closing, the Petitioner will file with NYSDEC permit transfer forms under 6 NYCRR 621. 11 with the name and specifics of the new owner. The new owner will be responsible for implementing the project in accordance with the approved plans. Most likely, the new owner will install the project infrastructure and, at appropriate time, transfer the water supply infrastructure (with access easements) into the water works corporation in exchange for the stock of that corporation. At or about that time, the water works corporation will file with the Public Service Commission for approval, if necessary, of its rate schedule. In order to proceed with the project, new owner will have to prepare an offering statement

identifying the terms and conditions of common areas and utility operation. The offering plan will identify the formation of the HOA/condominium association and details regarding service and rates including water, sewer and maintenance of the common areas.

12. Attached as **Exhibit C** is a draft copy of the certificate of incorporation for Kent Hills Water Works Corporation.

Wherefore, your Petitioner requests that the Town Board of the Town of Kent consent to Petitioner incorporating a water works corporation to service the proposed development pursuant to the Transportation Corporations Law.

By: 
Richard Breck

Title: Principal Member of RFB, LLC

Date: _____

