

**Town of Kent**  
**Town Board Meeting**  
**April 11, 2023**

**Workshop/Meeting 7pm**

1. Pledge of Allegiance
2. Roll Call
3. Discussion and/or Vote on the following:
  - a. Lake Carmel- appoint new members, lake treatment, order sand
  - b. Recreation- advertise for seasonal park maintenance workers
  - c. Cornell Cooperation Extension- Food Insecurity Grant
  - d. Benchmarking of energy consumption for NYSERDA Clean Energy Communities Program
  - e. Planning Board: appoint consultants
  - f. Clerk's Office- one day marriage officiant
4. Vouchers
5. Announcement
6. Public Comment

**Jaime McGlasson**

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**From:** wrecher@verizon.net  
**Sent:** Monday, March 27, 2023 8:59 AM  
**To:** Jaime McGlasson; Christopher Ruthven  
**Cc:** [REDACTED]  
**Subject:** LCPDAB New Member Recommendations

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Greetings LCPDAB Town Board Liaisons,

On behalf of our Advisory Board, I am submitting to you our recommendation to add Jeremy Goldberg and Steven Perry to our board.

Please let us know if you can add this topic to your next Town Board meeting.

Thank you.

Walt

**RESOLUTION NO. [#]-2017**

**ESTABLISHING ENERGY BENCHMARKING REQUIREMENTS FOR  
CERTAIN MUNICIPAL BUILDINGS**

*Drafting Note: This template legislation is presented here as a resolution, but communities should note that it may also be adopted as a local law or ordinance, where they have the power to do so. The following information should not be a substitute for legal advice from an attorney familiar with local requirements.*

**WHEREAS**, buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use; and

**WHEREAS**, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the [Village/Town/City/County] is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

**WHEREAS**, the [Village/Town/City/County] [Legislative Body] desires to use Building Energy Benchmarking - a process of measuring a building’s energy use, tracking that use over time, and comparing performance to similar buildings - to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the [Village/Town/City/County]; and

**WHEREAS**, the [Village/Town/City/County] [Legislative Body] desires to establish procedure or guideline for [Village/Town/City/County] staff to conduct such Building Energy Benchmarking; and

**NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED**, that the following specific policies and procedures are hereby adopted;

**BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES**

**§1. DEFINITIONS**

(A) “Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(B) “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.

(C) “Commissioner” shall mean the head of the Department.

(4) “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the [Village/Town/City/County] that is 1,000 square feet or larger in size.

(5) “Department” shall mean the [Department selected to enforce the Benchmarking Policy].

(6) “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) “Energy Performance Score” shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) “Energy Use Intensity (EUI)” shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(11) “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(12) “Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(13) “Weather Normalized Site EUI” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

## **§2. APPLICABILITY**

(1) This policy is applicable to all Covered Municipal Buildings as defined in Section 2 of this policy.

(2) The Commissioner may exempt a particular Covered Municipal Building from the benchmarking requirement if the Commissioner determines that it has characteristics that make benchmarking impractical.

## **§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS**

(1) No later than May 1, 2017, and no later than May 1 every year thereafter, the Commissioner or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Commissioner or his or her designee from the Department shall begin inputting data in the following year.

#### **§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION**

(1) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) no later than September 1, 2017 and by September 1 of each year thereafter for Covered Municipal Buildings; and

(2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Policy; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

(iv) A comparison of the annual summary statistics (as required by Section 5(2)(b)(iii) of this Policy) across calendar years for all years since annual reporting under this Policy has been required for said building.

#### **§5. MAINTENANCE OF RECORDS**

The Department shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

#### **§6. ENFORCEMENT AND ADMINISTRATION**

(1) The Commissioner or his or her designee from the Department shall be the Chief Enforcement Officer of this Policy.

(2) The Chief Enforcement Officer of this Policy may promulgate regulations necessary for the administration of the requirements of this Policy.

(3) Within thirty days after each anniversary date of the effective date of this Policy, the Chief Enforcement Officer shall submit a report to the [Legislative Body] including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Commissioner determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

**§7. EFFECTIVE DATE**

This policy shall be effective immediately upon passage.

**§8. SEVERABILITY**

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

The vote on the foregoing resolution was as follows:

[member, position]	_____
[member, position]	_____
[member, position]	_____
[member, position]	_____

This resolution was adopted.



*Limnology Information and Freshwater Ecology Inc*  
*19 Sandy Pines Blvd*  
*Hopewell Junction, New York, 12533*  
*845-227-8805 office*  
*845-227-0406 fax*  
*845-494-1359 cell*  
*www.lifeincponds.com*  
*markroland@lifeincponds.com*

April 3, 2023

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

**Re: Lake Carmel**

Dear Town of Kent;

I want to thank you for the opportunity to provide a lake management proposal for Lake Carmel. I am aware that the major problem associated with the lake are Blue Green Algae Blooms. This problem can be controlled for the lake to be esthetically pleasing and useable. The following is an estimate for **Lake Carmel** for the 2023 summer season.

For the management of any algae bloom including a HAB (Harmful Algae Bloom); the lake should be treated with an **algaecide/cyanobactericide**. The two products that LIFE Inc is recommending for 2023 are Cutrine Ultra and Earth Tec; I have attached a copy of the manufactures label for your information. You should be aware that although the treatments will clear up the algae blooms, ongoing maintenance is a **yearly** recommendation. The costs for these treatments are as follows:

<b>I. Cutrine Ultra: <i>Per Treatment</i></b>	
Labor and Product:	\$10,000.00
<b>II. Earth Tec: <i>Per Treatment</i></b>	
Labor and Product:	\$9500.00
<b>II: NYS DEC Pesticide Permit &amp; Permit Preparation fees:</b>	\$300.00
<b>III: NYS Division of Water NPDES Permit fees:</b>	\$110.00

LIFE Inc began using Earth Tec in 2022 at Mohegan Lake at the request of the Mohegan Lake Improvement District. Mohegan Lake has a long history of HAB blooms which has closed the lake to swimming many times during the past decade. LIFE Inc treated Mohegan lake with Earth Tec twice a month for the entire summer, beginning in May and continuing through September. We found Earth Tec to be an excellent algaecide/cyanobactericide. The product is slightly less expensive than Cutrine Ultra providing cost savings along with excellent control.

The price per treatment includes the required product, labor for the application and posting the shoreline of the lake per NYSDEC regulations. LIFE Inc will also be performing water quality analysis of the DO (Dissolved Oxygen) levels that are needed 24 hours before and after a scheduled treatment. Water quality analysis is an important component to any application of an algaecide in a large lake.

Earth Tec is a Copper Sulfate product, per NYSDEC regulations, an application of a Copper Sulfate product into a water body requires a swimming restriction of 24 hours. The Lake would need to be closed for the entire day of treatment. Cutrine Ultra's label states that the water body may be used immediately after treatment. Once a treatment is completed, the water body may be used.

The cost of the permits and associated fees includes the filing fees for 2 NYSDEC Pesticide Permits and one NYSDEC Division of Waters Permit. The preparation fees include hydrogeology work, creating topographical, aerial, and scaled maps of the water body.

If you decide to use my firm for this work, please provide a letter of acceptance from the Town. Upon town approval, I will prepare the NYSDEC aquatic permit package for your signature.

It is imperative that at the first sign of the Blue Green Algae (HAB) that a treatment begins.

If you have any further questions, please feel free to contact me.

Sincerely,  
*Mark Roland*  
Mark Roland  
President



## Jaime McGlasson

---

**From:** Lake Carmel Parks Clerk  
**Sent:** Thursday, April 6, 2023 9:01 AM  
**To:** Jaime McGlasson  
**Cc:** Claudia Dworaczyk  
**Subject:** Agenda Item - Cowboy Sand Quotes - Lake Carmel  
**Attachments:** Sand Quotes 2023.pdf

**Importance:** High

Three (3) quotes were requested for 70 yards of cowboy sand to be delivered to Lake Carmel. Quotes were received from MJB Enterprises and KLM Trucking with no quote from Liberty Trucking. MJB had the lowest price at \$3,920.00 for 70 yards of sand delivered. Crew Chief Frank Sabatini requests that MJB be hired to deliver sand for the beach for the 2023 season.

Thank you.

**Heidi Link**

**Lake Carmel Park District Clerk**

Town of Kent

25 Sybil's Crossing

Kent Lakes, NY 10512

Office: 845-306-5602

Fax: 845-225-5130

Email: [lcpdclerk@townofkentny.gov](mailto:lcpdclerk@townofkentny.gov)

Web: <https://www.townofkentny.gov/lake-carmel-park-district>

Sent from [Mail](#) for Windows

DATE 4/6/2023  
 Beach Sand for Lake Carmel Park District  
 Cowboy Sand 1 mil - 70 yards total  
 2023 Season

		<u>\$ Amount Per</u> <u>Yard/Ton</u>	<u>Total # of</u> <u>Yards</u>	<u>Total \$/ Delivered</u>
MJB Enterprises	Pawling, NY	\$56/Yard	70	\$3,920.00 Delivered
KLM	Rocky Point, NY	\$56.50/Yard	70	\$3,955.00 Delivered
Liberty Trucking	Holmes, NY	\$/Yard	70	No quote received

**From:** MJB Trucking  
**Sent:** Thursday, March 23, 2023 1:11 PM  
**To:** Lake Carmel Parks Clerk  
**Subject:** Re: Town of Kent/Lake Carmel Parks - Quotes for 70 Yards Cowboy Sand Delivered

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Good Afternoon Heidi,

MJB Enterprises LLC would be able to provide 70 yards of cowboy sand at the rate of \$44.00/yard plus \$12/yard delivery. That would come out to \$56.00/yard delivered.

Please let me know if you need anything further.

Thank you!

Colin Napolitano  
(845) 208-1321 - Direct  
MJB Enterprises LLC  
PO Box 764  
Pawling, NY 12564  
P:845-855-0124  
F:239-236-0473  
[MJBTruckingNY@gmail.com](mailto:MJBTruckingNY@gmail.com)

On Thu, Mar 23, 2023 at 10:23 AM Lake Carmel Parks Clerk <[icpdclerk@townofkentny.gov](mailto:icpdclerk@townofkentny.gov)> wrote:

The Lake Carmel Park District (Town of Kent, NY) is looking for price quotes for 70 yards of cowboy sand including delivery (2 truckloads) to Lake Carmel. Would you please let me know if you are interested in providing a quote? If you have any questions, please let me know.

Thank you,

**From:** KLM Kenny  
**Sent:** Monday, March 27, 2023 10:41 AM  
**To:** Lake Carmel Parks Clerk  
**Subject:** Re: Town of Kent/Lake Carmel Parks - Quotes for 70 Yards Cowboy Sand Delivered

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Good morning, I can deliver the cowboy sand at 56.50 per yard .. to Town of Kent Carmel parks .. any questions please feel free to contact me [516-250-7908](tel:516-250-7908) thanks Kenneth L Maudlin

Sent from my iPhone

On Mar 23, 2023, at 10:23 AM, Lake Carmel Parks Clerk <[lcpdclerk@townofkentny.gov](mailto:lcpdclerk@townofkentny.gov)> wrote:

The Lake Carmel Park District (Town of Kent, NY) is looking for price quotes for 70 yards of cowboy sand including delivery (2 truckloads) to Lake Carmel. Would you please let me know if you are interested in providing a quote? If you have any questions, please let me know.

Thank you,

**Heidi Link**  
**Lake Carmel Park District Clerk**  
Town of Kent  
[25 Sybil's Crossing](https://www.townofkentny.gov)  
[Kent Lakes, NY 10512](https://www.townofkentny.gov)  
Office: [845-306-5602](tel:845-306-5602)  
Fax: [845-225-5130](tel:845-225-5130)  
Email: [lcpdclerk@townofkentny.gov](mailto:lcpdclerk@townofkentny.gov)  
Web: <https://www.townofkentny.gov/lake-carmel-park-district>

Sent from [Mail](#) for Windows

**From:** LINDA SHULTZ

**Sent:** Thursday, March 23, 2023 10:50 AM

**To:** Lake Carmel Parks Clerk

**Subject:** Re: Town of Kent/Lake Carmel Parks - Quotes for 70 Yards Cowboy Sand Delivered

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Hi Heidi,

Sorry, unable to quote at this time.

Best,  
Linda

Sent from my iPad

On Mar 23, 2023, at 10:23 AM, Lake Carmel Parks Clerk <[lcpdclerk@townofkentny.gov](mailto:lcpdclerk@townofkentny.gov)> wrote:

The Lake Carmel Park District (Town of Kent, NY) is looking for price quotes for 70 yards of cowboy sand including delivery (2 truckloads) to Lake Carmel. Would you please let me know if you are interested in providing a quote? If you have any questions, please let me know.

Thank you,

***Heidi Link***

***Lake Carmel Park District Clerk***

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# Planning Board Consultants for 2023



Planning Kent

To: Jaime McClasson

Cc: Claudia Dworaczyk; Lana Cappelletti; Hugo German <kentplanning@proton.me>

Wed 4/5/2023 12:27 PM

The Planning Board would like to recommend that the following firms be appointed as their consultants for 2023 effective immediately.

- Cornerstone Appraisal - Bruce Barber
- Barton & Loguidice - Don Fletcher
- Rohde, Soyka & Andrews - John Andrews
- Vandewater & Vandewater - Jeff Battistoni

The Planning Board would appreciate it very much if this matter could be placed on the Town Board's next agenda.

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)

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