

TOWN BOARD MEETING OF FEBRUARY 24, 2015

At 7:10 p.m., a Workshop Meeting was held at the Kent Town Center, 25 Sybil's Crossing, Town of Kent, NY 10512. The board discussed and reviewed all the items on the Workshop Agenda.

Public Comment-Pledge of Allegiance

Supervisor Fleming called the meeting to order at 8:50 p.m. with the Salute to the Flag.

Roll Call

Supervisor Maureen Fleming - present Councilman Paul Denbaum - present
Councilwoman Penny Osborn - present Councilman Bill Huestis - present
Councilman Mike Tierney - not present

Also Present: Town Clerk Yolanda "Lana" Cappelli, Highway Superintendent Rich Othmer, Police Chief Alex DiVernieri, Town Counsel Nancy Tagliafiero of Hogan and Rossi, Recreation Director Lou Fernandez, Sue Kotzur, Co-Chair of Recycling and approximately 6 residents.

Resolution #97 - Authorizing Town Clerk to Advertise for Bids Salt Shed Construction

On a motion by Councilman Denbaum

Seconded by Councilwoman Osborn

WHEREAS, the Town of Kent is accepting bids for the construction of a Salt Shed; and WHEREAS, the Town of Kent wishes to advertise for bidders to construct a Salt Shed; and WHEREAS, the Town Board of the Town of Kent wishes to authorize its Town Clerk, Yolanda D.

Cappelli, to advertise for bids for the construction of a Salt Shed on behalf of the Town of Kent;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes its Town Clerk Yolanda D. Cappelli, to advertise for the construction of a Salt Shed on behalf of the Town of Kent.

Motion carried unanimously

Resolution #98 - Approve the Cost to Codify Local Laws #1, #2, #3/2014

On a motion by Councilman Denbaum

Seconded by Supervisor Fleming

Resolved: The Supervisor is authorized to approve the estimate received from General Code to codify Local Laws #1, #2, #3/2014 not to exceed \$5,510.00.

Motion carried unanimously

Resolution #99 - Authorizing Release of Erosion Control & Stormwater Management Bond BBJ Associates, LLC TM#44.10-1-4

On a motion by Councilwoman Osborn

Seconded by Councilman Huestis

WHEREAS, BBJ Associates, LLC (the "Owner") owns a parcel of land known as Hillcrest Commons, identified on the Town of Kent Tax Map as No. 44.10-1-4 (the "Lot"); and

WHEREAS, the Planning Board of Town of Kent approved an application from the Owner for Site Plan Approval of the Hillcrest Commons Senior Housing Development, which included erosion control and stormwater management measures to be undertaken by the Owner, among other things (the "Project"); and

WHEREAS, the Owner posted a performance bond for erosion control and stormwater management relating to the Project to the Town of Kent in the amount of \$67,380 (the "Bond"); and

WHEREAS, the Owner has submitted a request that the Bond be released; and

WHEREAS, by Memorandum to the Planning Board dated January 8, 2015, the Town's Planning Consultant has recommended that \$65,380 of the Bond be released, and \$2,000 of

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the Bond be held until certain stabilization issues are addressed by the Owner and a Notice of Intent is filed with the NYSDEC; and

WHEREAS the Planning Board, at their meeting held on January 15, 2015 approved Resolution #1 of Year 2015, following the Town Planning Consultant's recommendation that \$65,380 of the Bond be released, and \$2,000 of the Bond be held until certain stabilization issues are addressed by the Owner and a Notice of Intent is filed with the NYSDEC; and

WHEREAS, the Town Board of the Town of Kent wishes to follow the recommendation of the Planning Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the release of \$65,380 of the Bond, and the retention of \$2,000 of the Bond until the outstanding stabilization issues have been addressed to the satisfaction of the Town Board, and confirmation is received that a Notice of Intent has been filed with the NYSDEC. Motion carried unanimously

Resolution #100 - Contract for Cleanup of 24 Chauncey Street TM#33.56-1-20

On a motion by Supervisor Fleming

Seconded by Councilman Huestis

Councilman Huestis asked if anything can be done as this is a repetitive situation, maybe counseling. Councilman Denbaum thought the Town Attorney to enforce the law to the fullest extent. Councilman Osborn thought that has been done. Councilman Huestis questioned if we will ever recoup the monies spent. Town Counsel Tagliafiero said she would look into this and advise the board at the next meeting.

WHEREAS, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation dated December 16, 2014 (the "Order to Remedy") directing the owner to remove all building materials, insulation, wood, plastic and metal debris from the exterior area of the property identified as 24 Chauncey Road, Tax Map 33.56-1-20 (the "Property"); and

WHEREAS, the Order to Remedy required the owner of the Property to remove all building materials, insulation, wood, plastic and metal debris from the exterior area of the Property or submit a written request to the Code Enforcement Officer for a hearing to discuss remedial action to abate said violation within ten days; and

WHEREAS, to date, the owner of the Property has not corrected the violation as required by the Order to Remedy, nor submitted the required written request to the Code Enforcement Officer to discuss remedial action to abate the violation; and

WHEREAS, pursuant to Chapter 55A of the Town Code of the Town of Kent regarding "Property Maintenance", upon the failure, neglect or refusal of any owner to comply, the Building Inspector is authorized to correct a violation or cause such violation to be corrected subject to the approval of the Town Board; and

WHEREAS, the Town Board wishes to authorize the Building Inspector to correct the violation and the costs of such correction will be charged to the property owner; and

WHEREAS, consistent with the Town's Procurement Policy, the Town Board of the Town of Kent obtained written proposals from contractors to correct the violation on the Property; and

WHEREAS, Dirt & Demolition Guys of New York LLC has submitted the lowest responsible proposal; and

WHEREAS, the Town Board of the Town of Kent wishes to accept the proposal submitted by Dirt & Demolition Guys of New York LLC in the amount of \$1,309;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the bid of Dirt & Demolition Guys of New York LLC for the correction of the violation on the Property; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes and directs the Supervisor to execute any and all documents necessary to give effect to this resolution; and it is

FURTHER RESOLVED, that the actual cost of the correction of the violation, plus the accrued legal rate of interest per annum from the date of completion of the work, if not

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paid by the property owner, shall be charged to the property owner by the Town in accordance with Chapter 55A-12(B).

UPON ROLL CALL VOTE:

Councilman Denbaum - aye Councilwoman Osborn - aye Councilman Huestis - aye
Supervisor Fleming - aye
Motion carried unanimously

Resolution #101 - Putnam County Hazard Mitigation Plan

On a motion Supervisor Fleming

Seconded by Councilwoman Osborn

Resolved: The Supervisor is authorized to submit the Town of Kent Annex for the Putnam County Hazard Mitigation Plan.

UPON ROLL CALL VOTE:

Councilman Denbaum - nay Councilwoman Osborn - aye Councilman Huestis - aye
Supervisor Fleming - aye
Motion carried

Resolution #102 - Approve Vouchers & Claims

On a motion by Councilman Huestis

Seconded by Councilwoman Osborn

Resolved: All Voucher #200132054 - #200132326 and claims submitted by:

1. Arkel Motors	\$2,192.88	Auto Parts
	\$11,451.28	
2. Cemco	\$5,785.00	Repairs WD#2
3. City Carting	\$2,516.45	Lake Carmel Garbage
	\$3,325.17	
	\$4,159.46	
4. Danbury Auto Spring	\$2,612.19	Rear Loader Repair
5. Global Montello Group	\$4,538.88	Gas
6. Heritagenergy	\$5,018.80	Diesel/Kero
7. Hogan & Rossi	\$5,416.67	March 2015
8. Jasper Engines	\$2,175.00	Truck #70
9. Kent Fire District #1	\$454,650.00	2015 Budget
10 Kent Manor Sewer Corp.	\$480,000.00	Final Payment
11 KVS Information Systems	\$2,736.08	Quarterly Installment
	\$5,993.00	Annual Subscription
12 Mac Tools	\$2,281.96	Scanner
13 Medicare Reimbursements	\$17,728.10	1 st Quarter Reimbursements
14 Morton Salt	\$47,080.10	Salt
	\$95,743.86	
15 National Gear & Piston	\$2,015.26	Auto Parts
16 NYCOMCO	\$2,622.00	2 Way Radio: Police
17 NYS Dept of Civil Service	\$174,352.88	March Health Insurance
18 NYS Municipal Workers Comp	\$14,457.28	Annual Assessment
19 Putnam County Comm of	\$10,497.78	Erroneous, Outreach,
20 Royal Carting	\$4,884.15	Recycling Garbage
21 Selective Insurance	\$2,282.00	Lake Carmel Flood Insurance
22 State Comptroller	\$19,592.50	Justice Court Fines & Fees
23 Tenco Industries	\$24,045.00	Hwy Truck 26
24 Tire Buys	\$2,493.84	Tires
25 Town of Kent Municipal	\$3,038.19	Chargebacks: Police
26 Town of Kent P.B.A.	\$18,780.00	Welfare Fund
27 Transaxle	\$4,019.94	Hwy Truck 42
	\$2,039.74	Hwy Truck 13
	\$2,267.34	Hwy Truck 27
	\$2,019.94	Hwy Truck 32
	\$2,039.74	Hwy Truck 24
28 Westhook Sand & Gravel	\$14,208.68	Sand

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	\$7,669.43	
29 Windstream	\$3,657.96	Telephone

In the amount of \$1,514,404.07 may be paid.
Motion carried unanimously

Correspondence

Attached

Public Comment

Councilman Huestis urged all to check on their elderly neighbors, it's been a rough winter. He said on M March 7, 2015 from 9:00 a.m. to Noon the Carmel Rotary is sponsoring a Basketball Shoot Out. It is a method for fundraising for non-profits. He hopes some of the non-profits in Kent will reap the benefit and get involved. On traffic safety he has received a response from the State, they will be performing various studies and asked them to be in touch with our Police Chief and Supervisor, he knows of another accident on Ludingtonville Road.

Resolution #103 - Adjournment

On a motion by Supervisor Fleming

Seconded by Councilman Huestis

Resolved: The town board meeting of February 24, 2015, adjourned at 9:10 p.m. Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli Town Clerk