

**TOWN BOARD MEETING/WORKSHOP OF MARCH 24, 2015**

At 7:00 p.m. A Workshop Meeting was held at the Kent Town Center, 25 Sybil's Crossing, Town of Kent, NY 10512. The board recognized the accomplishments and commendations for the Kent Police Department for 2014 and discussed and reviewed all the items on the Workshop Agenda.

**Public Comment-**

Mr. Narbey asked if there is any litigation against the current or previous town board relating to Smokey Hollow Cell Tower from the residents. Councilwoman Osborn replied there is. Supervisor Fleming said an Appellate Brief was filed from the homeowners on March 20. Mr. Narbey asked if the plaintiffs are seeking damages. Councilwoman Osborn replied no but she hasn't seen the paper work.

Mr. Narbey asked Chief Financial Officer Fleming about the Comptrollers Report to be filed April 1<sup>st</sup>; he asked how the town did compared to last year's budget. Supervisor Fleming replied she will have that for him at the next meeting. She explained she hoped to have the new website, and looks forward to posting this type of financial information on the site.

Mrs. Noel asked if the cell tower located at the Highway Garage is on the tax rolls and are they paying taxes? Supervisor Fleming replied we are collecting revenue. Mrs. Noel explained the Kent Fire Department is tax exempt when the cell tower was placed there that portion is no longer tax exempt as it is a commercial operation. Supervisor Fleming stated she would look into it.

**Pledge of Allegiance** - Supervisor Fleming called the meeting to order at 9:42 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, Assessor Gary Link, Building Inspector Bill Walters, Fire Inspector Sean Madsen, Sue Kotzur, Co-Chair of Recycling, County Legislator Toni Addonizio.

**Resolution #113 - Highway – Advertise for Bids for Construction of Salt Shed Route 311**

On a motion by Councilman Denbaum

Seconded by Supervisor Fleming

WHEREAS, the Town of Kent is accepting bids for the construction of a Salt Shed at the 311 Highway Garage site; 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 at the Route 311 Highway Garage site.

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 bids for the construction of a Salt Shed on behalf of the Town of Kent at the Route 311 Highway Garage site on Friday, May 1, 2015 at noon.

Motion carried unanimously

**Resolution #114 - Release Performance Bond Bayswater Pondview TM 33.16-1-23 & 42**

On a motion by Councilman Denbaum

Seconded by Councilman Huestis

WHEREAS, Bayswater Pondview LLC (the "Owner") owns a parcel of land known as Bayswater Pondview Estates, identified on the Town of Kent Tax Map as Nos. 33.16-1-23 & 42 (the "Lots"); and

WHEREAS, the Owner submitted an application to the Town Planning Board to subdivide the Lots (the "Project"); and

WHEREAS, the Owner posted a surety performance bond relating to the Project to the Town of Kent in the amount of \$85,000 (the "Bond"); and

WHEREAS, the Owner has withdrawn its application relating to the Project, and submitted a request that the Bond be released; and

WHEREAS, by the Town's Planning Consultant and the Town's Building Inspector have inspected the Lots and advised the Planning Board that the Lots have not been compromised and remain stable; and

WHEREAS the Planning Board, at their meeting held on February 12, 2015 approved Resolution #4 of Year 2015, recommending that the Bond be released to Wells Fargo Insurance Services; 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

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release of the Bond relating to the Project to Wells Fargo Insurance Services.

Motion carried unanimously

**Resolution #115 - Waiver Erosion Control Bond/Seven Hills Lake**

On a motion by Councilman Denbaum

Seconded by Councilwoman Osborn

WHEREAS, the New York City Department of Environmental Conservation (“NYC DEP”) has been working with the Town Planning Board to obtain approvals for the freshwater wetland permit and steep slope and erosion control permits for rehabilitation of the dam located at Seven Hills Lake, relating to Tax Map Nos. 20.1-43.1, 20.1-43.2, and 20.11-1-3 (the “Project”); and

WHEREAS, the NYC DEP has requested that the Town accept a letter of assurance from the NYS DEP in lieu of the required erosion control bond in the amount of \$11,334, as calculated by the Town’s Planning Consultant; and

WHEREAS, by Memorandum dated March 12, 2015 and Planning Board Resolution # \_\_ of the Year 2015, the Planning Board has recommended that the Town accept the letter of assurance from NYC DEP in lieu of the required erosion control bond of \$11,334 relating to the Project; 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 accepts the letter of assurance from the NYC DEP in lieu of the required erosion control bond of \$11,334 relating to the Project.

Upon Roll Call Vote:

Councilman Denbaum – nay      Councilwoman Osborn – aye

Councilman Huestis – aye      Supervisor Fleming – aye

Councilman Tierney – Absent

Motion carried

**Extend Site Plan Approval - Holmes Presbyterian Conference Center TM 2.-1-48 & 49- Tabled**

**Homeland Tower Assignment - Tabled**

**Resolution #116 - Advertise for Bids Cemetery Mowing**

On a motion by Councilwoman Osborn

Seconded by Supervisor Fleming

WHEREAS, the Town of Kent wishes to advertise for bids for mowing and cleanup services for cemeteries located in the Town of Kent; and

WHEREAS, the Town Board of the Town of Kent wishes to authorize its Town Clerk, Yolanda D. Cappelli, to advertise for bids for mowing and cleanup services for cemeteries located in 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 bids for mowing and cleanup services for cemeteries located in the Town of Kent on Friday April 17, 2015 at noon.

Motion carried unanimously

**Resolution #117 - Advertise for Bids Cleaning Service**

On a motion by Councilwoman Osborn

Seconded by Councilman Denbaum

WHEREAS, the Town of Kent wishes to advertise for bids for cleaning services for the Town of Kent Town Hall, Library, Police Department and Highway Department; and

WHEREAS, the Town Board of the Town of Kent wishes to authorize its Town Clerk, Yolanda D. Cappelli, to advertise for bids for cleaning services for the Town of Kent Town Hall, Library, Police Department and Highway Department;

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 bids for cleaning services for the Town of Kent Town Hall, Library, Police Department and Highway Department to be opened on Friday, May 1<sup>st</sup> 2015 at noon.

Motion carried unanimously

**Resolution #118 - Permission to Advertise for Laborer - Lake Carmel Sanitation Department**

On a motion by Councilwoman Osborn

Seconded by Councilman

WHEREAS, the Town of Kent is seeking to fill a laborer position in the Lake Carmel Sanitation Department; and

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WHEREAS, the Town of Kent wishes to advertise for applications to fill said position; and

WHEREAS, the Town Board of the Town of Kent wishes to authorize its Town Clerk, Yolanda D. Cappelli, to advertise for applications for the laborer position in the Lake Carmel Sanitation Department;

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 applications for the laborer position in the Lake Carmel Sanitation Department to be received by Friday April 17, 2015.

Motion carried unanimously

**Resolution #119- Authorization for Building Inspector to attend Hudson Valley Code Enforcement Officials Education Conference**

On a motion by Councilwoman Osborn

Seconded by Councilman Huestis

Resolved: Building Inspector Walters is authorized to attend the Hudson Valley Code Enforcement Officials Education Conference not to exceed \$300.00.

Motion carried unanimously

**Resolution #120 - Approve Members of Lake Carmel Fire Department - 2014 Service Awards Program**

On a motion by Supervisor Fleming

Seconded by Councilman Huestis

Resolved: The 2014 service awards list was approved as submitted for the members of the Lake Carmel Fire Department.

Motion carried unanimously

**Resolution # 121 - Contract for Independence Day Fireworks**

On a motion by Supervisor Fleming

Seconded by Councilwoman Osborn

Resolved: Supervisor Fleming is authorized to contract with Fireworks Extravaganza for Independence Day Fireworks.

Motion carried unanimously

**Resolution #122 - Accept Resignation of Nancy Rubino - Lake Carmel Park District Advisory Board**

On a motion by Supervisor Fleming

Seconded by Councilman Denbaum

Resolved: The resignation of Nancy Rubino from the Lake Carmel Park District Advisory Board was accepted with regret.

Motion carried unanimously

**Resolution #123 - Add to Agenda**

On a motion by Supervisor Fleming

Seconded by Councilman Denbaum

Resolved: The lateral transfer of a highway employee was added to the agenda.

Motion carried unanimously

**Resolution #124 - Lateral Transfer – Robert Nix – Highway Dept to Lake Carmel Park District**

On a motion by Supervisor Fleming

Seconded by Councilman Denbaum

Resolved: The lateral transfer of Robert Nix from the Kent Highway Department to the Lake Carmel Park District was approved effective March 30, 2015.

Motion carried unanimously

**Resolution #125 - Approve Vouchers and Claims**

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: All vouchers #200132450 - #200132684 and claims submitted by:

- |                             |            |                     |
|-----------------------------|------------|---------------------|
| 1. Arkel Motors             | \$3,602.43 | Auto Parts          |
|                             | \$5,012.79 |                     |
| 2. Cemco                    | \$3,685.50 | WD#2 Repair         |
| 3. City Carting             | \$4,764.83 | Lake Carmel Garbage |
| 4. Timothy J. Curtiss, P.C. | \$5,973.68 | January: General    |
|                             | \$3,334.50 | January: Traffic    |
|                             | \$3,322.50 | February: Traffic   |
| 5. Hogan & Rossi            | \$5,416.67 | April 2015          |

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6. Hudson River Truck Equipment	\$4,195.00	Plow
7. Morton Salt	\$38,273.99	Salt
8. NYCOMCO	\$2,622.00	2 Way Radios
9. NYSEG	\$3,442.69	Electric: Police
	\$2,117.11	Electric: Town Hall
10. Purchase Power	\$2,000.00	Postage
11. Royal Carting	\$3,726.77	Recycling Garbage
12. State Comptroller	\$28,428.00	Justice Court
13. Town of Kent Municipal Repairs	\$6,383.45	Chargebacks: Sanitation
	\$56,755.33	Chargebacks: Highway
14. Windstream	\$3,650.36	Telephone
15. Craig Zottola, Inc.	\$2,589.59	Sanitation Truck #18

In the amount of \$232,506.17 may be paid.

Motion carried unanimously

### Correspondence

Mr. Narbey asked about NYSDOT letter on Little Fill. Councilman Huestis replied several officials have been contacted and hopeful that something will be done soon. Mr. Narbey asked about item #34 from the Office of the State Comptroller. Supervisor Fleming replied it is an acceptance of an extension of 30 days for the financial report to May 1, 2015.

### Public Comment

#### Resolution #126 - Adjournment

On a motion by Councilman Denbaum

Seconded by Supervisor Fleming

Resolved: The Town Board Meeting of March 24, 2015 adjourned at 10:05 p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli  
Town Clerk