

ORGANIZATION MEETING JANUARY 9, 2018

An Organization meeting was held at on January 9, 2018 at 6:00 p.m. at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, New York 10512.

Resolution # 1- Adjourn to Executive Session

On a motion by Councilman Huestis

Seconded by Councilman Chin

Resolved: The town board adjourned to executive session at 6:04 p.m. to discuss the medical, financial, credit or employment history of a particular person or corporation and current litigation.

Motion carried unanimously

Resolution #2 - Adjourn Executive Session

On a motion by Councilman Denbaum

Seconded by Councilman Huestis

Resolved: The town board adjourned executive session at 7:10 p.m. no votes were taken.

Motion carried unanimously

Swearing In of Elected Officials

The evening began with the swearing in of Supervisor Maureen Fleming, Councilman Denbaum, Councilman Bill Huestis, Town Clerk Lana Cappelli and Highway Superintendent Rich Othmer, officiated by the Honorable J. Peter Collins.

Salute to the Flag

Supervisor Fleming opened the Workshop Meeting with the Salute to the Flag.

Workshop

The board proceeded to review the items on the workshop agenda.

Public Comment

Mary DeBourben residing at 26 Barrett Circle Court observed the proposal which she read on the website to be very impressive, very thorough in terms of the history of the relevant communities, in terms of what has been done up to this point. It seemed to take in the whole picture, the fact the roads are private, the fact there is a pressing need for emergency vehicles to get through. She thought it was very well done.

Roll Call

Supervisor Maureen Fleming – present

Councilman Paul Denbaum – present

Councilwoman Jaime McGlasson – present

Councilman Bill Huestis – present

Councilman Scott Chin - present

Also Present: Town Clerk Lana Cappelli, Town Counsel Nancy Tagliafierro, Highway Superintendent Richard Othmer, Police Chief Alex DiVernieri, and several residents.

Resolution #3- Set Time & Place for Town Board Workshops and Meetings

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

Resolved: Combined Town Board workshops and regular meetings are on Tuesdays of the month at 7:00 p.m. as per the attached schedule.

Motion carried unanimously

Resolution #4 - Re- Adopt Procedures for Conducting Business at Public Meetings

On a motion by Councilman Denbaum

Seconded by Supervisor Fleming

Resolved: The procedures for Conducting Business at a Public Meeting were adopted with a minor change (attached).

Motion carried unanimously

Resolution #5- Set Salaries of Union Employees & Non-Union Employees pursuant to the 2018 Budget

On a motion by Councilman Denbaum

Seconded by Councilman Chin

Resolved: The salaries of Union and Non-Union employee salaries set pursuant to their respective Collective Bargaining Agreements and the 2018 budget.

Motion carried unanimously

Resolution #6 - Appoint Deputy Supervisor

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On a motion by Councilman Denbaum
Seconded by Councilwoman McGlasson
Resolved: Councilman Bill Huestis was appointed as Deputy Town Supervisor.
Motion carried unanimously

Resolution #7 Appoint Delegate to the Association of Towns

On a motion by Councilman Denbaum
Seconded by Councilman Chin
Resolved: Councilman Bill Huestis is appointed as Delegate to the Association of Towns.
Motion carried unanimously

Resolution #8- Reappoint Town Supervisor as Budget Officer

On a motion by Councilman Denbaum
Seconded by Supervisor Fleming
Resolved: Supervisor Maureen Fleming is reappointed as Budget Officer.
Motion carried unanimously

Resolution #9- Reappoint Jasmine Ramos as Supervisor's Confidential Secretary

On a motion by Councilman Denbaum
Seconded by Councilman Chin
Resolved: Jasmine Ramos is reappointed as the Supervisor's Confidential Secretary at the rate of pay set forth in the 2018 Budget.
Motion carried unanimously

Resolution #10-Reappoint Yolanda Cappelli as Access to Records Clerk

On a motion by Councilman Denbaum
Seconded by Councilman Chin
Resolved: Yolanda Cappelli is reappointed as Access to Records Clerk.
Motion carried unanimously

Resolution #11 -Reappoint Yolanda Cappelli as Registrar of Vital Statistics

On a motion by Councilman Denbaum
Seconded by Councilman Chin
Resolved: Yolanda Cappelli is reappointed as Registrar of Vital Statistics.
Motion carried unanimously

Resolution #12 - Reappoint Yolanda Cappelli as Marriage Officer

On a motion by Councilman Denbaum
Seconded by Councilman Chin
Resolved: Yolanda Cappelli is reappointed as Marriage Officer.
Motion carried unanimously

Resolution #13- Reappoint Lauren Louderback as Deputy Town Clerk 1

On a motion by Councilman Denbaum
Seconded by Councilwoman McGlasson
Resolved: Lauren Louderback is reappointed as Deputy Town Clerk 1.
Motion carried unanimously

Resolution #14- Reappoint Elain Abraham-Rigo as Deputy Town Clerk 2

On a motion by Councilman Denbaum
Seconded by Councilman Chin
Resolved: Elain Abraham-Rigo is reappointed as Deputy Town Clerk 2 pro tem.
Motion carried unanimously

Resolution #15-Reappoint Lauren Louderback as Deputy Registrar of Vital Statistics

On a motion by Councilman Denbaum
Seconded by Councilman Chin
Resolved: Lauren Louderback is reappointed as Deputy Registrar of Vital Statistics.
Motion carried unanimously

Resolution #16- Reappoint Michele Sclafani as Court Clerk to Judge Timothy Curtiss

On a motion by Councilman Denbaum
Seconded by Councilman Chin
Resolved: Michele Sclafani is reappointed as Court Clerk to Judge Timothy Collins.

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Motion carried unanimously

Resolution #17 - Reappoint Beth McKinney as Court Clerk to Judge Kevin Douchkoff

On a motion by Councilman Denbaum

Seconded by Councilman Chin

Resolved: Beth McKinney is reappointed as Court Clerk to Judge Kevin Douchkoff.

Motion carried unanimously

Resolution #18 - Appoint Arleen Larzelere as Deputy Receiver of Taxes

On a motion by Councilman Denbaum

Seconded by Councilman Chin

Resolved: Arleen Larzelere is appointed as Deputy Receiver of Taxes.

Motion carried unanimously

Resolution #19-Reappoint Ron Calkins as Deputy Fire Inspector

On a motion by Councilman Denbaum

Seconded by Councilman Chin

Resolved: Ron Calkins is reappointed as Deputy Fire Inspector.

Motion carried unanimously

Resolution #20- Appoint David Churchill as Assistant Fire Inspector

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

Resolved: David Churchill is appointed as Assistant Fire Inspector.

Motion carried unanimously

Resolution #21- Appoint Justine Byrne as Assistant Fire Inspector

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

Resolved: Justine Byrne is appointed as Assistant Fire Inspector.

Motion carried unanimously

Resolution #22- Reappoint Mahopac National Bank, Putnam County Savings Bank & Putnam County National Bank as Additional Bank Depository

On a motion by Councilman Denbaum

Seconded by Councilman Chin

Resolved: Mahopac National Bank is reappointed as Bank Depository and Putnam County Savings Bank & Putnam County National Bank as additional Bank Depository.

Motion carried unanimously

Resolution #23- Reappoint Putnam County Press as Official Newspaper

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

Resolved: Putnam County Press was reappointed as the Official Newspaper and any other newspaper as necessary.

Motion carried unanimously

Resolution # 24 – Add to the Agenda

On a motion by Councilman Denbaum

Seconded by Councilman Chin

Resolved: Giancarlo Gattucci as Planning Board Member, Pat Madigan as Chairperson to the Lake Carmel Advisory Committee, Lewis & Greer as Attorney to the Planning Board, Putnam Examiner as Alternate Newspaper and Bill Huestis and Jaime McGlasson as liaison to the Recreation Department were added to the agenda.

Motion carried unanimously

Resolution #25 – Appoint Giancarlo Gattucci to the Planning Board

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

Resolved: Giancarlo Gattucci is appointed to the Kent Planning Board to fill the vacancy of Michael McDermott.

Motion carried unanimously

Resolution #26 – Appoint Pat Madigan as Chairperson of the Lake Carmel Advisory Committee

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On a motion by Councilman Denbaum

Seconded by Supervisor Fleming for discussion. She believes it is a premature action as we have another candidate and as the board has not met in two months, this was not discussed at the November meeting and the board should table this appointment until such time as both candidates who are interested in the position can meet with the advisory board. She does not see a problem with not appointing at this point. Councilman Chin said if we have a second interest we can give them an opportunity to come forward to be fair.

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson to appoint Pat Madigan as Chairperson of the Lake Carmel Advisory Committee.

The board took a poll vote as follows:

Councilman Denbaum – aye Councilwoman McGlasson – aye

Councilman Huestis – aye

Councilman Chin - he would not mind waiting to give the second person an opportunity to speak and said no at this time.

Supervisor Fleming- no she thinks there has been issues on the Lake Carmel Advisory Board that have been brought to this boards attention, she has made clear to the Lake Carmel Park District Advisory Board Chairwoman that there was a lack of communication that needed to be addressed, she thinks they have another candidate who is very interested and active and would be able to lead the advisory board in the right direction, as she stated previously there was no vote by the advisory board the chairwoman called individuals to ask them to support her, she thinks in a democratic society we allow people to have a vote we allow people to examine other candidates and see through their preferences that is what we do for town elections that is what we do on most boards that people have an opportunity to actually go to a meeting and vote and that was not done. She thinks that is in improper way she does not think we appoint people just because they have been in the position if they haven't effectively led. She has had numerous occasions where she has asked the Chairwoman to communicate prior to meetings that doesn't happen. We announced we were going to get a portion of a \$65 million dollar grant and she was never contacted. She thinks an active chairperson would have wanted to be involved in the process. She thinks communication is a real big problem and she thinks it is stifling some of the members that are on that board who have voiced their discontent so she votes no.

Motion carried

Resolution #27 – Appoint Lewis & Greer as Attorney to the Planning Board

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

Resolved: Lewis & Greer is appointed as Attorney to the Planning Board.

The board took a poll vote as follows:

M Councilman Denbaum – aye Councilwoman McGlasson – aye

Councilman Huestis – nay Councilman Chin – aye

Supervisor Fleming – nay

Motion carried

Resolution # 28 - Appoint Putnam Examiner as Alternate Newspaper

On a motion by Councilman Denbaum

Seconded by Supervisor Fleming for discussion. Councilman Huestis said there are three newspapers he would like a compromise involving the Courier and the Putnam Examiner they are all local newspapers. He knows the reporters and editors and wants to be fair, positively good news. Supervisor Fleming said when she drafted the resolution she looked at other towns as there is no requirement naming an alternate newspaper. She said other towns have used the language any other newspaper as necessary and thought that an inclusive step, as we only have three papers. Councilman Denbaum we have always had the Courier as the alternate, he thought the two local free papers pick up the stories and at the locations where people are reading and writing letters to the editor. The Courier is behind a boxed pay wall and that is fine and he has nothing against their business model. He thought the best way to get the residents access is to give them the papers they can pick up at the grocery store. Supervisor Fleming has no objection to the Putnam Examiner; she said the Courier reaches many residents through a subscription service that do not access the other papers. Councilman Denbaum asked if we want to use another paper do we have to vote to do so. Town Attorney replied no. Town Clerk explained there are times we use the Journal News to meet the 5 or 10 day notice requirements. Supervisor said the any other newspaper as necessary would cover those.

Resolved: Town shall use any newspaper as deemed necessary as an alternate newspaper.

Motion carried unanimously

Resolution #29 – Add Bill Huestis and Jaime McGlasson as Liaison to the Recreation Department

On a motion by Councilman Denbaum

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Seconded by Supervisor Fleming for discussion. She said we were not doing liaisons as a vote. Town Attorney Tagliaferro stated under Town Law the Supervisor can appoint any single person committee which includes liaisons. Councilman Denbaum asked if the Town Board has no authority to appoint liaisons. Town Attorney explained there is not an authorization under Town Law. Councilman Denbaum thinks it important certain departments especially Recreation which deals with the residents the most as opposed to Highway, having one or two board members for parents to reach out to if there is a problem is a good idea. He thinks those should be designated so if the Supervisor is going to appoint he hopes she appoints those two, if there is no harm he thinks the board should take a stance as to these two appointments and make the designation even if it carries only symbolic it seems that would be fine. Supervisor Fleming had no problem appointing them as liaison. Councilman Huestis said as an elected official he has been to different departments it is his duty.

Resolved: Bill Huestis and Jaime McGlasson are liaison to the Kent Recreation Department.

Motion carried unanimously

Resolution #30- Reappoint Audrey Calogero as Board Member Water District #1

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

Resolved: Audrey Calogero is reappointed as Board Member of Water District #1 for a 5-year term expiring December 31, 2022.

Motion carried unanimously

Resolution #31- Reappoint Carmine Mattioli as Board Member Water District #1

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

Resolved: Carmine Mattioli is reappointed as Board Member of Water District #1 for a 5-year term expiring December 31 2022.

Motion carried unanimously

Resolution #32- Reappoint Audrey Calogero as Chairperson Water District #1

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

Resolved: Audrey Calogero is reappointed as Chairperson of Water District #1.

Motion carried unanimously

Resolution #33-Reappoint Lumar Plumbing Water District #1

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

Resolved: Lumar Plumbing is reappointed as plumber for Water District #1.

Motion carried unanimously

Resolution #34- Reappoint Carol Croston as Chairperson of Water District # 2

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

Resolved: Carol Croston is reappointed as Chairperson for Water District #2.

Motion carried unanimously

Resolution #35- Reappoint Cemco as Water District # 2 Operator

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

Resolved: Cemco is reappointed as Water District #2 Operator.

Motion carried unanimously

Councilman Huestis thanked those involved with the Water Districts, there have been freezing pipes and they came out immediately.

Resolution #36 - Appoint Mike Phil Tolmach as Planning Board Chairperson

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

Resolved: Phil Tolmach is appointed as Chairperson to the Kent Planning Board.

Motion carried unanimously

Resolution #37 - Appoint Dennis Lowes as Planning Board Member

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

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Resolved: Dennis Lowes is reappointed as Planning Board Member for a 7-year term expiring 2024.
Motion carried unanimously

Resolution #38 - Appoint Simon Carey as Planning Board Member to fill the unexpired term of Gary Lam

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

Resolved: Simon Carey is appointed as Planning Board Member to fill the unexpired term of Gary Lam expiring 2022.

Motion carried unanimously

Resolution #39 – Reappoint Bruce Barber of Cornerstone Appraisals, Inc.

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

Resolved: Bruce Barber of Cornerstone Appraisals, Inc. is reappointed as Planning Board Environmental Consultant.

Motion carried unanimously

Resolution #40– Reappoint Julie Mangarillo of Rohde, Soyka & Andrews Consulting Engineers, PC.

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

Resolved: Julie Mangrillo of Rohde, Soyka & Andrews Consulting Engineers, P.C. is reappointed as Planning Board Engineer.

Motion carried unanimously

Resolution #41- Appoint Beth Herr as Chairperson of Conservation Advisory Committee

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

Resolved: Beth Herr is reappointed as Chairperson of the Kent Conservation Advisory Committee.

Motion carried unanimously

Resolution #42 – Appoint Gordon Moccio as Chairperson of the Zoning Board of Appeals

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

Resolved: Gordon Moccio is appointed as Chairperson of the Zoning Board of Appeals.

Motion carried unanimously

Resolution #43– Reappoint Howard Carpenter – Kent Recycling Commission

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

Resolved: Howard Carpenter is reappointed as member to the Kent Recycling Commission for a 5-year term to expire on December 31, 2022.

Motion carried unanimously

Resolution #44 - Reappoint Susan Kotzur – Kent Recycling Commission

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

Resolved: Susan Kotzur is reappointed as member to the Kent Recycling Commission for a 5-year term to expire on December 31, 2022.

Motion carried unanimously

Resolution #45- Reappoint Howard Carpenter as Co- Chairperson of Kent Recycling Commission

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

Resolved: Howard Carpenter is reappointed as Co- Chairperson of Kent Recycling Commission.

Motion carried unanimously

Resolution #46- Reappoint Susan Kotzur as Co-Chairperson of Kent Recycling Commission

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

Resolved: Susan Kotzur is reappointed as Co-Chairperson of Kent Recycling Commission.

Motion carried unanimously

Resolution #47– Reappoint Louis Falcone – Board of Assessment Review

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On a motion by Councilwoman McGlasson
Seconded by Supervisor Fleming
Resolved: Louis Falcone is reappointed as member to the Board of Assessment Review retroactive to 10/1/17 for a 5-year term to expire on December 31, 2022.
Motion carried unanimously

Resolution #48 – ReAppoint Dorian D’Ausilio as member of the Lake Tibet Park District #2 Advisory Board

On a motion by Councilwoman McGlasson
Seconded by Supervisor Fleming
Resolved: Dorian D’Ausilio is reappointed as member of the Lake Tibet Park District #2 Advisory Board for a 5-year term to expire December 31, 2022.
Motion carried unanimously

Resolution #49– Brian Lewis as member of the Lake Tibet Park District #2 Advisory Board

On a motion by Councilwoman McGlasson
Seconded by Supervisor Fleming
Resolved: Brian Lewis is appointed as member of the Lake Tibet Park District #2 Advisory Board for a 5-year term to expire December 31, 2022.
Motion carried unanimously

Resolution #50– ReAppoint Dorian D’Ausilio as Chairperson of the Lake Tibet Park District #2 Advisory Board

On a motion by Councilwoman McGlasson
Seconded by Councilman Chin
Resolved: Dorian D’Ausilio is appointed as Chairperson of the Lake Tibet Park District #2 Advisory Board.
Motion carried unanimously

Resolution #51 - Reappoint Erika Nitz as Chairperson of the Beautification Committee

On a motion by Councilwoman McGlasson
Seconded by Councilman Chin
Resolved: Erika Nitz is reappointed as Chairperson of the Beautification Committee.
Motion carried unanimously

Resolution #52 –Reappoint Kathy Kahng as Chairperson of the Stormwater Management Committee

On a motion by Councilwoman McGlasson
Seconded by Supervisor Fleming
Resolved: Kathy Kahng is reappointed as Chairperson of the Stormwater Management Committee.
Motion carried unanimously

Resolution #53 - Reappoint Pat Ravert as Chairperson of Lake Carmel Park District Community Center

On a motion by Councilwoman McGlasson
Seconded by Councilman Chin
Seconded by Councilman Denbaum
Resolved: Pat Ravert is reappointed as Chairperson of Lake Carmel Park District Community Center Board.
Motion carried unanimously

Resolution #54- Authorize Town Clerk to Publish Legal Notices

On a motion by Councilwoman McGlasson
Seconded by Supervisor Fleming
Resolved: The Town Clerk is authorized to publish legal notices.
Motion carried unanimously

Resolution #55 - Authorize Town Clerk to Advertise Notice for Bids

On a motion by Councilwoman McGlasson
Seconded by Councilman Chin
Resolved: The Town Clerk is authorized to advertise for bids.
Motion carried unanimously

Resolution #56- Authorize Town Clerk to Advertise Highway Department’s Bids

On a motion by Councilman Chin
Seconded by Supervisor Fleming
Resolved: The Town Clerk is authorized to advertise for highway bids.

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Motion carried unanimously

Resolution #57- Authorize Town Clerk to Draw Warrants

On a motion by Councilman Chin

Seconded by Supervisor Fleming

Resolved: The Town Clerk is authorized to draw warrants.

Motion carried unanimously

Resolution #58 - Appoint Hogan & Rossi as Legal Counsel to the Town Board

On a motion by Councilman Chin

Seconded by Supervisor Fleming

Resolved: Hogan & Rossi is appointed as Legal Counsel to the Town Board.

Motion carried unanimously

Resolution #59 - Authorize the Supervisor to pay upon receipt of Authorized Warrants and Contracts, Hospitalization, Telephone, Electric, Gas, Social Security, Freight and other similar bills as per Town Law Section 29(4)

On a motion by Councilman Chin

Seconded by Councilman Huestis

Resolved: The Supervisor is authorized to pay upon receipt of Authorized Warrants and Contracts, Hospitalization, Telephone, Electric, Gas, Social Security, Freight and other similar bills as per Town Law Section 29(4).

Motion carried unanimously

Resolution #60- Authorize Emergency Purchases – Highway \$8,000.00

On a motion by Councilman Chin

Seconded by Councilman Huestis

Resolved: The Highway Department is authorized to make emergency purchases up to \$8,000.

Motion carried unanimously

Resolution #61 -Authorize Emergency Purchases – Sanitation \$2,000.00

On a motion by Councilman Chin

Seconded by Councilman Denbaum

Resolved: Sanitation is authorized to make emergency purchases up to \$2,000.

Motion carried unanimously

Resolution #62 -Authorize Emergency Purchases – Municipal Repairs \$3,500.00

On a motion by Councilman Chin

Seconded by Supervisor Fleming

Resolved: Municipal Repairs is authorized to make emergency purchases up to \$3,500.

Motion carried unanimously

Resolution #63 - Authorize Emergency Purchases – Other Departments \$2,000.00

On a motion by Councilman Chin

Seconded by Councilman Denbaum

Resolved: All other department are authorized to make emergency purchases up to \$2,000.

Motion carried unanimously

On a motion by Councilman Chin

Seconded by Councilman Huestis

Resolution #64 - Authorize Highway Superintendent to Hire Jeeps and Trucks for Snow Plowing

On a motion by Councilman Chin

Seconded by Councilman Huestis

Resolved: The Highway Superintendent is authorized to hire jeeps and trucks for snow plowing. Motion carried unanimously

Resolution #65 - Set Mileage Rate per IRS at 54.5 cents/mile

On a motion by Councilman Chin

Seconded by Councilwoman McGlasson

Resolved: Reimbursement Mileage Rate is set at 54.5cents/mile per IRS.

Motion carried unanimously

Resolution #66 - Set Holiday Schedule as per Employee Handbook and collective bargaining agreements

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On a motion by Councilman Chin

Seconded by Councilwoman McGlasson

Resolved: The Holiday Schedule is set as per employee handbook and collective bargaining agreements.

Motion carried unanimously

Resolution #67 - Hire Start Smart Basketball Scorekeepers/Timekeepers Recreation Department

On a motion by Councilman Chin

Seconded by Councilman Huestis

WHEREAS, the Town of Kent is seeking to fill seasonal positions as Scorekeepers/Timekeepers in the Start Smart Basketball program; and

WHEREAS, the Senior Recreation Leader has recommended hiring Richard Davis, Andrew Fernandes, Maryellen Kelly, Christopher Minotti, Brian Mirchin, Erin Rangel, and Reese Wong to fill the positions; and

WHEREAS, the Town Board believes it to be in the best interests of the Town to accept the Senior Recreation Leader's recommendations;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring of Richard Davis, Andrew Fernandes, Maryellen Kelly, Christopher Minotti, Brian Mirchin, Erin Rangel, and Reese Wong as scorekeepers/timekeepers to the Start Smart Basketball Program for the Recreation Department at a rate of \$10.50 per game worked in the Minor and Junior division games or \$11.50 per game worked in the Senior and Adult division games; and

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

Motion carried unanimously

Resolution #68 - Hire Start Smart Basketball Assistants

On a motion by Councilman Chin

Seconded by Councilman Denbaum

WHEREAS, the Town of Kent is seeking to fill seasonal positions as Assistants in the Start Smart Basketball program; and

WHEREAS, the Senior Recreation Leader has recommended hiring Brian Mirchin, Andrew Fernandes and Maryellen Kelly to fill the positions; and

WHEREAS, the Town Board believes it to be in the best interests of the Town to accept the Senior Recreation Leader's recommendations;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring of Brian Mirchin, Andrew Fernandes and Maryellen Kelly as assistants to the Start Smart Basketball Program for the Recreation Department at a rate of \$140 for the season; and

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

Motion carried unanimously

Resolution #69 - Authorizing Town Clerk to Advertise for Bids for Highway Services & Materials

On a motion by Councilman Chin

Seconded by Councilwoman McGlasson

WHEREAS, the Town of Kent wishes to advertise for bids for Highway Services and Materials as set forth the documents annexed hereto and made a part hereof; and

WHEREAS, the Town Board of the Town of Kent wishes to authorize its Town Clerk, Yolanda D. Cappelli, to advertise for bids for Highway Services and Materials;

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 Highway Services and Materials as set forth in the documents annexed hereto.

Motion carried unanimously

Resolution #70 Establishing Policy for Roads in Ancient Subdivisions

On a motion by Councilman Chin

Seconded by Councilwoman McGlasson

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WHEREAS, the Town Board wishes to establish a policy or local law for roads in certain Ancient Subdivisions, a copy of said policy is annexed hereto and hereby made a part hereof;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby adopts a policy in the form annexed.

Roll Call

Councilman Denbaum – aye

Councilwoman McGlasson – aye

Councilman Huestis – aye

Councilman Chin – aye

Supervisor Fleming – recused herself as her road is one of the roads listed in the policy.

Policy

WHEREAS, pursuant to the Municipal Home Rule Law, the Town Board of the Town of Kent is vested with the authority to adopt local laws relating to the Town's property, affairs or government which are not inconsistent with the provisions of the Constitution or any general law; and

WHEREAS, Municipal Home Rule Law §10(1)(12) authorizes the Town Board to adopt local laws for the protection, order, conduct, safety, health and well-being of persons or property within the Town of Kent: and

WHEREAS, the Town Board and the Superintendent of Highways believe that all roadways in the Town of Kent should be maintained at all times in the best interests of the health, safety and general welfare of its residents and others who travel along the roads within the Town of Kent, including roads which have been dedicated to the Town as well as certain private roads which have not been dedicated because they cannot be accepted by the Town as they do not comply with current minimum road standards; and

WHEREAS, The Town Highway Vehicles regularly traverse private road, commercial and public connector roads and parking lots in order to expedite plowing efficiency, and this established practice benefits all Town residents; and

WHEREAS, there are three subdivisions within the Town of Kent that were created prior to the advent of the Town Zoning Board of Appeals, the Town Planning Board and all zoning laws, including the Town zoning ordinance, and were therefore not subject to modern zoning laws and as a result, the roads within these subdivisions were constructed to widths which are below minimum acceptable standards for traffic; and

WHEREAS, private contractors have been unable or unwilling to maintain these roads so that they are accessible and passable during all times, particularly emergency situations and inclement weather, and the Chief of Police, the Kent Fire Department, the Lake Carmel Fire Department and the Department of Environmental Conservation all require the roads in these three subdivisions; namely White Pond Colony, Sedgewood Club and Hill & Dale County Club (the "Ancient Subdivisions") to be accessible at all times for emergency situations;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby finds:

Presentation of Facts

1. The Ancient Subdivisions are the earliest recorded cluster housing developments located within the Town of Kent, being constructed in 1912, 1900 and 1927 respectively.
2. The roads within these Ancient Subdivisions have kept their identity as private roads, yet have been historically graded, patched and plowed during the winter months by the Town of Kent Highway Department on an emergency basis, and the costs of materials used by the Highway Department has been reimbursed to the Town by the Ancient Subdivisions.
3. The Town of Kent Police, the Town of Kent Fire Department, the Lake Carmel Fire Department and the New York State Department of Environmental Conservation have requested that these roads be maintained in a passable condition for unexpected emergency access. A private contractor cannot fulfill this requirement in a timely manner.

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4. The Ancient Subdivisions and their roadways were constructed prior to the advent of organized planning and zoning boards in the Town of Kent, and the roads were not built to modern acceptable standards. Therefore, the Town of Kent cannot accept these roads as "Highway by Use" because of the substandard condition of the existing roads.
5. The homeowners of the subject subdivisions purchased their homes and incurred mortgage debt with the reasonable expectation and already established precedent that the Town of Kent Highway Department would make emergency repairs and plow the snow during inclement weather conditions.
6. The roads in the Ancient Subdivisions cannot be reconfigured to meet modern standards due to the limited right of ways available on the roadsides.
7. Failure to maintain the status quo would place an untenable financial burden on the residents of the Ancient Subdivisions, who pay taxes to the Town of Kent. These taxes are proportionately used in the purchase of Highway Equipment which is used equally throughout the Town.
8. Taxes raised to construct and maintain the Town's highway garages are paid for by all Town residents, regardless of the status of the roadways they utilize.
9. New York State Highway Law since the early 20th century has developed in an inconsistent and fragmented manner. As small towns, like the Town of Kent, have matured and standardized building, zoning and planning regulations have been adopted, more and more property and roadway deficiencies and contradictions set in precedent were exposed, but never solved, by the New York State Legislature.
10. Historically, Kent Highway Superintendents assisted the Ancient Subdivisions as they saw fit, never establishing a written policy to be obeyed by successive administrations. Policy was vague and open to interpretation and cannot stand up to modern state audit standards and laws
11. Organized road inventories were not required for Towns until the 1960's. In 1965, the NYS Legislature mandated that the county highway commissioners inventory their own roads as well as the roads in each individual municipality within their respective county and create a map. Putnam County did not do this until 1984. Some roads in the Ancient Subdivisions are listed in this map and inventory even though they were private, thus confusing matters more.
12. The first modern road inventory for financial aid for local roads system (NYS DOT "CHIPS") was not instituted and standardized until 1981. This set in motion the legal growing pains municipalities experience today.
13. There is no written record of any agreement between the Town of Kent and its Ancient Subdivisions.

Policy or Local Law is Necessary:

14. The Town of Kent needs to establish a written policy or local law for road maintenance agreement with its Ancient Subdivisions which were constructed prior to Town Zoning and Planning Board formation and enforcement for the safety of its residents and others using roads in the Ancient Subdivisions.
15. New York State Highway laws fail to adequately address and offer a solution for this situation.
16. The Town Board of the Town of Kent believes it to be in the best interests of the Town to otherwise establish a local law for the Ancient Subdivisions which are in a unique situation, as their existence pre-dated the Town Zoning and Planning Boards and were not subject to their review prior to construction of their roadways.
17. The Town of Kent believes it necessary to enter into a written agreement with the Boards of the Ancient Subdivisions to authorize the Highway Department to:

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- i. continue to remove fallen trees from the roadways;
 - ii. patch potholes on an emergency basis, for which the Town Highway Department shall be reimbursed for the costs of materials;
 - iii. plow and sand roads during inclement weather, for which the Town shall be reimbursed for the costs of materials used, and
 - iv. perform such other services as necessary to maintain the roads in the ancient subdivisions so that emergency services and school buses have access to those roads at all times, the cost of materials to be reimbursed.
18. The costs will be reimbursed immediately or an escrow fund established in order to ensure compliance with the New York State Constitution's restriction of gifts of public credit to private entities.
19. The costs for the use of Highway Department machinery have already been paid by the residents of the Ancient Subdivisions in taxes which are paid by all Town residents.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby adopts the foregoing policy, and directs the Town Attorney to draft a local law pursuant to the Municipal Home Rule Law to ensure the safety of the roadways in Ancient Subdivisions and authorize the Town to enter into agreements with the Boards of the Town's Ancient Subdivisions to maintain roadways so that they are safe and accessible, the costs of which shall be paid to the Town.

Motion carried unanimously

Resolution #71- Authorizing Purchase of Police Interceptor Utility Vehicle & Police Interceptor Utility Vehicle with the Canine Package

On a motion by Councilman Chin

Seconded by Supervisor Fleming

WHEREAS, the Town Board of the Town of Kent is in receipt of a request dated January 8, 2018 from the Town Chief of Police, Alexander W. DiVernieri, Jr., to purchase one fully equipped 2018 Ford Police Interceptor Utility Vehicle and one fully equipped 2018 Ford Police Interceptor Utility Vehicle with the canine package, a copy of which request with proposed specifications is annexed hereto and incorporated herein by reference; and

WHEREAS, the Town's Procurement Policy exempts from competitive bidding purchase contracts over \$20,000 that are made under certain other contracts pursuant to the General Municipal Law, and subdivision 16 of section 103 of the General Municipal authorizes the Town to purchase equipment or apparatus through contracts let by any state; and

WHEREAS, the specifications annexed hereto indicate the Police Vehicles are being purchased under a contract awarded by the State of New York; and

WHEREAS, in accordance with the Town's Procurement Policy and the General Municipal Law, the Town Board wishes to authorize the purchase of the Police Vehicles through Contract No. PC66676 awarded by the State of New York;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes and approves the purchase of one fully equipped 2018 Ford Police Interceptor Utility Vehicle for the purchase price of \$40,615.89 and one fully equipped 2018 Ford Police Interceptor Utility Vehicle with the canine package for the purchase price of 44,550.89; 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.

Motion carried unanimously

Resolution #72 - Accepting Members to the Lake Carmel Fire Department

On a motion by Councilman Chin

Seconded by Councilwoman McGlasson

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WHEREAS, the Lake Carmel Fire Department has recommended the acceptance of Adam Alpa, Cooper Hillyer, Shera D. Levin, and Michael Madsen as new members of the Lake Carmel Fire Department; and

WHEREAS, the Town Board wishes to accept the recommendation of the Lake Carmel Fire Department;

NOW, THEREFORE, BE IT RESOLVED, that Town Board of the Town of Kent hereby accepts and welcomes Adam Alpa, Cooper Hillyer, Shera D. Levin, and Michael Madsen as members of the Lake Carmel Fire Department; 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, consistent with the terms hereof and in such form as is satisfactory to the Town Supervisor and the Town Attorney.

Motion carried unanimously

Resolution #73 - Authorizing Town Clerk to Advertise for Town Planner

On a motion by Councilman Chin

Seconded by Councilman Huestis, it is a very important decision. Our former Planner has retired and thanked him very much. He said Phil Tolmach will be the Chair. He would like the Town to consider a component to the Planner that will assist the Supervisor and the Town Board as things are happening.

WHEREAS, the Town of Kent is seeking to appoint a Town Planner; and

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 a Town Planner;

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 position of Town Planner.
Motion carried unanimously

Resolution #74 – Add to the Agenda

On a motion by Supervisor Fleming

Seconded by Councilman Denbaum

Resolved: Change the title of Jared Kuczenski , to hire Michael DeMarco as Acting Part Time Recreation Assistant and to Appoint Kathleen VanCoughnett as Deputy Receiver of Taxes were added to the agenda

Resolution #75 – Change Title of Jared Kuczenski to Acting Director of Recreation & Parks

On the motion of Supervisor Fleming

Seconded by Councilman McGlasson

Resolved: Jared Kuczenski was appointed as Acting Director of Recreation and Parks.

Motion carried unanimously.

Resolution #76– Employ Michael DeMarco as Acting Part Time Recreation Assistant

On a motion by Supervisor Fleming

Seconded by Councilman Chin

Resolved: Michael DeMarco is employed at a maximum of 20 hours per week at the rate of \$15.00 per hour as Acting Part Time Recreation Assistant until such time as a permanent Part Time Recreation Assistant is hired.

Motion carried unanimously.

Resolution #77 – Appoint Kathleen VanCoughnett as Deputy Receiver of Taxes

On the motion by Supervisor Fleming

Seconded by Councilman Denbaum

Resolved: Kathleen VanCoughnett was reappointed as Deputy Receiver of Taxes.

Motion carried unanimously

Public Comment

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Resolution #78– Approve Vouchers and Claims

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: All vouchers #200144700 - #2001404860 and claims submitted by:

2017 Vouchers

1. Auto Craft Body & Collision	\$6,000.91	Police Car #60
2. City Carting	\$4,349.45	Lake Carmel Garbage
	\$4,637.25	
	\$5,157.62	
3. Timothy J. Curtiss, P.C.	\$2,929.50	November: General
4. Fred Adams Jr., Inc.	\$12,000.00	Roller
5. Heritagenergy	\$4,114.58	Diesel
6. Kent Fire District	\$476,875.00	2018 Budget
7. Konica Minolta	\$2,147.20	Copier lease
8. NYSEG	\$3,320.39	Electric: Police Dept.
9. Purchase Power	\$2,000.00	Postage
10. State Comptroller	\$28,820.50	Justice Court: Fines & Fees
11. Town of Kent Municipal Repairs	\$2,995.79	Chargebacks: Police
	\$11,828.63	Chargebacks: Highway
	In the amount of \$143,672.02 and	

2018 Vouchers

1. Business Automation Services	\$4,220.00	Property System Support Fee
2. NYS Municipal Workers' Comp	\$310,167.00	2018 Contribution
3. Westchester Tractor, Inc.	\$52,811.00	Portable Screener

In the total amount of \$936,988.99 can be paid.

Motion carried unanimously

Resolution #79- Adjournment

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: The Town Board meeting of January 9, 2018 adjourned at 7:40 p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli
Town Clerk