

TOWN BOARD MEETING/WORKSHOP FEBRUARY 7, 2017

A regular meeting was held on Tuesday February 7, 2017 at the Kent Town Hall, 25 Sybil's Crossing, Town of Kent, New York, 10512.

Resolution #89 - Adjourn to Executive Session

On a motion by Supervisor Fleming

Seconded by Councilman Chin

Resolved: The Town Board adjourned to Executive Session at 6:12 p.m. to discuss the matter leading to the appointment of a particular person or corporation.

Motion carried unanimously

Resolution #90 - Adjournment

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: Executive session adjourned at 7:08 p.m.

Motion carried unanimously

Pledge of Allegiance- At 7:05 p.m. Supervisor Fleming called the Workshop Meeting to order with the Salute to the Flag.

Workshop Meeting

The board reviewed and discussed the items on the Workshop agenda.

Public Comment-

Sue Kotzur, resident of Kent asked that a survey be put out to the public on Item #4 before voting on the amenities at Ryan Park. It sounds neat; it's a way to get kids out on their bikes in the fresh air. She said there are many dangerous things like ice skating and even walking on the sidewalk. She thought the residents should be polled.

The Town Board Meeting was called to order with Roll Call at 8:57 p.m.

Supervisor Maureen Fleming – present

Councilman Paul Denbaum – present

Councilwoman Jaime McGlasson – present

Councilman Bill Huestis – present

Councilman Scott Chin – present

Also Present: Town Clerk Cappelli, Town Counsel Nancy Tagliafierro, Recreation Director Lou Fernandez, Director of Finance Yulia Kelly, Police Chief Alex DiVernieri, and two residents

Resolution #91 - Authorizing Additional Amenities at Ryan Memorial Park

On a motion by Councilman Denbaum

Seconded by Councilman Huestis for discussion.

He reiterated his concerns being the need, as far as a board, to see what the community needs are for Kent residents. He expressed safety concerns, he still thinks because they do need a helmet from what was shown. The location, if it is the farthest volleyball court it is wet there, over the years he had seen both volley ball courts being used with teenagers after school. He would hate to see that court down. The age population you have to be careful mixing the old with the young back in that corner.

Seconded by Councilwoman McGlasson

WHEREAS, the Town Board of the Town of Kent received a recommendation dated January 18, 2017, from Lou Fernandez, the Director of Recreation and Parks, recommending the addition of a Bicycle Skills Park and Pump Track as recreational amenities to the Edward Ryan Memorial Park; and

WHEREAS, the Town Board believes it to be in the best interest of the Town to accept the recommendation of the Director of Recreation and Parks and to add a Bicycle Skills Park and Pump Track as recreational amenities to the Edward Ryan Memorial Park.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the construction of a Bicycle Skills Park and Pump Track to the Edward Ryan Memorial Park; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute any and all agreements and other documents necessary to give effect to this Resolution, consistent with the terms hereof, all in form satisfactory to the Supervisor and the Town Attorney.

Upon Roll Call Vote:

Councilman Denbaum – nay

Councilwoman McGlasson – aye

Councilman Huestis – nay

Councilman Chin – aye

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Supervisor Fleming – aye
Motion carried

Resolution #92 - Hire Lake Carmel Park District Supervisor of Lifeguards

On a motion by Councilman Denbaum
Seconded by Councilwoman McGlasson

WHEREAS, the Town of Kent is seeking to fill the summer position of supervisor of lifeguards in the Lake Carmel Park District; and

WHEREAS, Andrea Elizabeth McKinley has submitted an application which reflects the proper qualifications to fill the head lifeguard position.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring of Andrea Elizabeth McKinley as Supervisor of lifeguards of the Lake Carmel Park District at a rate of \$8,500 for the summer ; 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 #93 - Authorization to Advertise for Positions of Lifeguard, Head Lifeguard & Water Safety Instructor

On a motion by Councilman Denbaum
Seconded by Councilman Chin

WHEREAS, the Town of Kent is seeking to fill summer positions of Lifeguard, Head Lifeguard and Water Safety Instructor in the Lake Carmel Park District; and

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

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 Lifeguard, Head Lifeguard and Water Safety Instructor positions for the Lake Carmel Park District.

Motion carried unanimously

Resolution #94 - Introduce Local Law # /2017 Fees

On a motion by Councilwoman McGlasson
Seconded by Councilman Chin

BE IT RESOLVED that an amendment to Kent Town Code removing all fees from the Code and authorizing the Town Board to set all fees by Resolution is hereby introduced by Councilwoman McGlasson, as Introductory Local Law # ___ of the year 2017 before the Town Board of the Town of Kent in the County of Putnam and State of New York, and

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Amendment, which is attached hereto, be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED, that the Town Board will hold a public hearing on said proposed Amendment at the Town Hall, in the Town of Kent, New York at 7 o'clock P.M. on February 28, 2017, and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published a public notice in the official newspaper of the Town of Kent of said public hearing at least five (5) days prior thereto.

Motion carried unanimously

Resolutions #95 - Purchase of Video Surveillance & Panic Duress System

On a motion by Councilwoman McGlasson
Seconded by Councilman Chin

WHEREAS, the Town Board wishes to upgrade the video surveillance system on Town Hall property and install a panic/duress system for the Town Hall and Police Department; and

WHEREAS, the Town Board is in receipt of a proposal to upgrade the video surveillance system and install a panic/duress system from Commercial Instruments and Alarm Systems, Inc. for a total cost of \$48,100, as set forth on the proposal annexed hereto and hereby made a part hereof; and

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WHEREAS, the Town Board believes it to be in the best interests of the Town to accept the proposal and authorize the payment for the upgrade to the video surveillance system and installation of a panic duress system.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the proposal of Commercial Instruments and Alarm Systems, Inc. for a total cost not to exceed \$48,100 including a down payment of \$24,050; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute any and all agreements and other documents necessary to give effect to this Resolution, consistent with the terms hereof, all in form satisfactory to the Supervisor and the Town Attorney. Motion carried unanimously

Resolution #96 - Acceptance of Proposal & Charge Property Owners – Towners & Sebago Road

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

WHEREAS, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation directing the owners to remove all debris from the exterior area of each of the following properties in the Town of Kent:

73 Towners Road Tax Map 33.73-1-72

20 Sebago Road Tax Map 22.82-1-44

(the "Properties"); and

WHEREAS, the Order to Remedy required the owner of each of the Properties to remove 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, more than ten days have elapsed since the service of the Order to Remedy and the owner of the Properties have failed to correct the violations as required by the Order to Remedy, or submit a 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 immediately correct the violations at the Properties and the costs of such correction shall be charged to the property owners;

WHEREAS, consistent with the Town's Procurement Policy, the Town of Kent obtained written proposals from contractors to correct the violation on the Properties, copies of which are annexed hereto and incorporated by reference; and

WHEREAS, FI Adams, Inc. of Holmes, New York has submitted the lowest proposal to clear all both properties as follows:

73 Towners Road \$150

20 Sebago Road \$150

and

WHEREAS, the Town Board of the Town of Kent wishes to accept the proposal submitted by FI Adams, Inc. in the amount of \$300 as set forth above;

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NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the proposal of FI Adams, Inc. for the correction of the violation on the Properties; 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 violations, plus the accrued legal rate of interest per annum from the date of completion of the work, if not paid by the property owner, shall be charged to each property owner by the Town in accordance with Chapter 55A-12(B).

Motion carried unanimously

Resolution #97 - Standard Workday for Elected Officials

On a motion by Councilman Chin

Seconded by Councilman Denbaum

Resolved: Standard workday for elected officials was tabled.

Motion carried unanimously

Resolution #98 - Execute the Stipulation of Settlement – The Universal Great Brotherhood Aquarian Mission, Inc.

On a motion by Supervisor Fleming

Seconded by Councilman Chin

WHEREAS, the UNIVERSAL GREAT BROTHERHOOD AQUARIAN MISSION, INC. has petitioned the Assessor of the Town of Kent requesting an exemption from the Real Property Tax Law pursuant to Section 420(a) alleging that they are a 503(c) charitable corporation wholly exempt from the Real Property Tax Law; and

WHEREAS, the UNIVERSAL GREAT BROTHERHOOD AQUARIAN MISSION, INC. has demonstrated that they used the property solely for charitable, educational, and philanthropic purposes; and

WHEREAS, the Petitioners have demonstrated that they have received 503(c) status from the Internal Revenue Service of the United States of America; and

WHEREAS, the Petitioners' classification as a 503(c) corporation allows them to claim exemption from the Real Property Tax Law pursuant to Section 420(a); and

WHEREAS, the Petitioners have demonstrated that their charitable purposes qualified them to seek exemption from the Real Property Tax Law pursuant to Section 420(a); and

WHEREAS, the Town Board of the Town of Kent wishes to resolve the current tax certiorari proceeding by stipulating to the terms as set forth in the Stipulation of Settlement which is attached hereto making Petitioners' property wholly exempt from the Real Property Tax Law pursuant to Section 420(a); and

WHEREAS, the Town Board of the Town of Kent wishes to authorize its Town Counsel, Timothy J. Curtiss, Esq., to sign said Stipulation on behalf of the Town of Kent.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes its counsel, Timothy J. Curtiss, Esq., to sign the Stipulation of Settlement on behalf of the Town of Kent and any further documents necessary to accomplish the settlement.

Motion carried unanimously

Resolution #99 - Table Appoint Counsel as per RFP Sections 2 – 5

On a motion by Councilman Denbaum

Seconded by Councilman Huestis

Resolved: Appoint Counsel as per RFP for Items #2-#5 be tabled until next meeting.

Upon Roll Call Vote:

Councilman Denbaum – aye

Councilwoman McGlasson – aye

Councilman Huestis – aye

Councilman Chin – aye

Supervisor Fleming – aye

Motion carried unanimously

Resolutions #100 - Vouchers & Claims

On a motion by Councilman Huestis

Seconded by Councilman Chin

Resolved: All Vouchers #200140778 - #200140830 and claims submitted by:

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	2016	
1. State Comptroller	\$36,929.00	Justice Court Fines & Fees
	2017 VOUCHERS	
1. Accela	\$5,581.00	Annual Support
2. Hogan & Rossi	\$5,416.63	February Legal Services
3. MobileTec International	\$31,944.00	Annual Maintenance
4. NYCOMCO	\$2,622.00	February Communication System
5. Purchase Power	\$2,000.00	Postage

In the amount of \$112,000.94 may be paid.

Public Comment

There was none

Resolution # 101- Adjourn to Executive Session

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: The Town Board adjourned to discuss proposed pending or current litigation at 9: 15p.m.

Motion carried unanimously

Resolution #102 - Adjournment

On a motion by Supervisor Fleming

Seconded by Councilman Chin

Resolved: The Town Board meeting, executive session adjourned at 9:55 p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli

Town Clerk