

A regular meeting on the Town Board was held on Tuesday February 28, 2017 at 7:00p.m., at the Kent Town Hall, 25 Sybil's Crossing, Town of Kent, New York 10512

Public Hearing - Lake Carmel Fire Department Fire Protection Contract

Supervisor Fleming stated that they sent around the materials and posted it on the website, they have a proposed 2 year contract as well as a 2 year budget from the Lake Carmel Fire Department. The President of Lake Carmel Fire Department, PJ Ryan was present to answer any questions. She also stated that they are still waiting for a couple of years of audits from the Fire Department and informed that it will be provided as soon as it is complete. Councilman Huestis asked how far back does the audit go. PJ replied the Board already has 2013; they are currently working on 2014 and 2015 which will be available in the next few weeks. Then they will then start 2016 which should be available by June 2017. Councilman Huestis stated the Lake Carmel Fire Department is a top-notch volunteer agency that provides quality service, having lived in this town over 60 years, that they do a good job. As a public official he wanted to express that and thanked them. There were no other comments. Supervisor Fleming felt this public hearing should be adjourn to provide others an opportunity to comment.

Resolution#103 - Adjourn Public Hearing Lake Carmel Fire Protection Contract

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: The Public Hearing on Lake Carmel Fire Protection Contract was adjourned until additional audits are received and to provide for public comment.

Motion carried unanimously

Public Hearing - Local Law Removing Fees from the Town Code and Establishing a Fee Schedule to be set by Resolution of the Town Board

Supervisor Fleming opened the public hearing stating that currently the Town lists its fees for all different departments as part of the Town Code which then require that if there are any changes in a fee is to be made there has to be a local law to change that. This simplifies the process that any changes to fees would be by resolution of the Town Board but would still welcome any comments regarding any changes. It makes a less cumbersome and expensive because we don't have to pay our code updated for each change. There were no public comments.

Councilman Denbaum stated that personally he doesn't have a real thought about specific fees at the moment. There may be a very good reason why we're raising them or keeping them the same going forward. His concern and, he doesn't even know where he'll come down on this issue but his one thought is the purposes of having the fees in the local law requires us to go through a pretty cumbersome process including a lot of notices to the residents before we actually raise fees. He also think that this town code will streamline that but he doesn't know if it's above the system that we are required to post and let the residents of the Town know that we are raising fees and allow from them to have a public hearing and have comments before we do so. He's been on the Board for 3 years and the Board has been good about discussing matters from meetings upon meetings we'll do so but that has not always been the case and keeping it the local law keeps the Town Board from just putting a resolution in the agenda package and then changing the fees at the next meeting. It does require a process, he is not saying he'll vote against this local law he just think that it definitely make it easier but there is the other side to the argument of being easier that it is not that easy to change the fee structure. Usually government fees tend to go up and not down. That is his comment. Supervisor Fleming stated that her only respond is that she makes it a real point when she prepares the agendas because at the beginning of her tenure at least it was agreed that if anything was less than a matter of course issue that they would never put it on for workshop and meeting; they would never discuss it in the workshop and vote on it in the meeting unless it was a pro forma and she has stuck to that. She does not think that they have never put in an important issue on the workshop and voted, specifically if it affects the public in this kind of way. In some respect since they do open every meeting up to public comment with every item it is kind of like having a public hearing without the formal notice in the newspaper requirement and actually submitting it to eCode and having it update the code and all that. Councilman Denbaum agrees but they have passed the term limit law and they might not all be here very long and it's just a thought. Councilman Huestis stated that this is a streamlined and updated process, he has reviewed the document and as long as we do things proper within the auditing procedure this is good to do. Supervisor Fleming said that putting it before the Board and if it gets passed we adopt all fees as stated presently and work on them department by department. She's not sure how they would want to do it but they have been asked to review certain fees. She thinks that if we pass this law, we adopt all the fees as stated and do a fee review. Councilman Chin stated that being proactive as far as streamlining and he's confident that the Board would maintain the integrity of the law and fees only as required or needed, either up or down and not just one direction. There were no public comment.

Resolution#104 - Adjourn Public Hearing Local Law Removing Fees from the Town Code and Establishing a Fee Schedule to be set by Resolution of the Town Board

On a motion by Supervisor Fleming

Seconded by Councilman Denbaum

Resolved: The Public Hearing on local law removing fees from the town code and establishing a fee schedule to be set by resolution of the town board was adjourned until the next meeting for public comment.

Motion carried unanimously

Pledge of Allegiance- Supervisor Fleming called the Workshop Meeting to order with the Salute to the Flag. The board reviewed and discussed the items on the Workshop agenda.

Public Comment- Toni DiFazio a resident of Geneva Drive, representing her mom Rosemarie addressed the town board regarding overgrown trees at a property on 44 Livingston Road. In 2013 she wrote the owners at the time, presently it is bank owned. She also has discussed this with Mr. Looney and received a reply that the situation does not apply to the town's code on property maintenance, that this is a private civil matter. She explained it is owned by the bank and provided the board with photos. She said fallen branches have broken their fence. She has tried to contact the bank, they have cut the lawn but not the trees. The board said they would ask Mr. Looney to revisit the property. There was none.

The Town Board Meeting was called to order with a Roll Call

Supervisor Fleming- present

Councilman Huestis- present

Councilman Denbaum- present

Councilwoman McGlasson- present

Councilman Chin- present

Also Present: Deputy Town Clerk Louderback, Town Counsel Tagliafierro, Chief DiVernieri, Director of Finance Kelly, Building Inspector Walters.

Resolution#105 - Authorizing Telephone Audit Service

On the motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

WHEREAS, the Town of Kent is in receipt of a proposal dated November 16, 2016 from Walter A. McDermott (the "Proposal") to provide telephone auditing services to the Town of Kent, as set forth in the Proposal annexed hereto and hereby incorporated by reference; and

WHEREAS, pursuant to the Proposal, Mr. McDermott will audit the monthly service and equipment portion of the Town's telephone bills to obtain credit and/or refunds for any period of time during which the Town has been overcharged; the fee associated with such service is fifty (50%) percent of any credit or refund received; and

WHEREAS, the Town Board believes it to be in the best interests of the Town to accept the Proposal and authorize the telephone auditing services.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the Proposal and authorizes the telephone auditing services consistent with the Proposal; 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#106 - Authorizing Establishment of a Tactical Laser Tag League

On the motion by Councilwoman McGlasson

Seconded by Councilman Chin

WHEREAS, the Town of Kent is in receipt of a request from the Director of Recreation and Parks, Louis Fernandez, for authority to establish a Tactical Laser Tag League as set forth in the Proposal annexed hereto and hereby incorporated by reference; and

WHEREAS, Mr. Fernandez has negotiated with First Person Sports to provide all equipment, schedule all matches, provide supervision and referees during game play, organize all playing fields, and keep records and results of all game play; and

WHEREAS, a fee charged to each participant will cover all costs associated with the Tactical Laser Tag League; and

WHEREAS, the Town Board believes it to be in the best interests of the Town to authorize the establishment of the Tactical Laser Tag League for the Town of Kent Middle and High School students.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the Proposal and authorizes the establishment of the Tactical Laser Tag League; 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#107 - Authorizing Purchase of Laptops for Police Department

On the motion by Councilman Chin

Seconded by Supervisor Fleming

WHEREAS, the Town Board of the Town of Kent is in receipt of a request dated February 22, 2017 from the Town Chief of Police, Alexander W. DiVernieri, Jr., to purchase two (2) Toughbook laptop computers, along with the docking stations and auto adaptor, to be used in the patrol cars (the "Laptops"), 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 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, or any other political subdivision or district; and

WHEREAS, the specifications annexed hereto indicate the Laptops are being purchased under contracts awarded by an agency of the State of Pennsylvania, which authorizes the award of such contracts in a manner consistent with the General Municipal Law; 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 Laptops;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes and approves the purchase of purchase two (2) Toughbook laptop computers, along with the docking stations and auto adaptor, in the total amount of \$9,090; 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#108 - Accepting Proposal for Lake Treatment Services

On the motion Councilman Chin

Seconded by Councilwoman McGlasson

WHEREAS, Limnology Information and Freshwater Ecology Inc. has submitted a proposal to provide Cutrine Ultra algaecide treatment to Lake Carmel (the "Proposal"), as set forth in the Proposal annexed hereto and hereby incorporated by reference; and

WHEREAS, algaecide treatment is a specialized service and Limnology Information and Freshwater Ecology Inc. has demonstrated the necessary qualifications to provide such service; and

WHEREAS, the Town Board believes it is in the best interest of the Town to accept the Proposal in the amount of \$17,960 and authorize the obtaining of a permit from the NYS DEC and NYS Division of Water.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby approves the Cutrine Ultra algaecide treatment of Lake Carmel for the price set forth on the Proposal in an the amount of \$17,960 and authorizes the Town Supervisor to execute all documentation required to obtain all necessary permits to apply Citrine Ultra; 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#109 - Approval of Vouchers and Claims

On the Councilman Huestis

Seconded by Councilman Chin

Resolved: All voucher#200140867-200141150 and claims submitted by:

FEBRUARY 28, 2017

1.	Beyer Ford	\$37,834.10	Ford Explorer
2.	Burquip	\$4,665.00	Plow
3.	City Carting	\$5,080.44	Lake Carmel Garbage
		\$3,410.61	
4.	Timothy J. Curtiss, P.C.	\$2,376.00	January Traffic
5.	Goosetown Communications	\$22,950.00	Radio System Lease
6.	Hogan & Rossi	\$3,224.02	January Out of Retainer
7.	Insite Engineering	\$2,258.60	Lake Carmel Dam
8.	K&L Fabricating	\$2,600.00	Gate at Landfill
9.	Kent Fire District	\$473,175.00	2017 Budget

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10. Medicare Reimbursements	\$18,356.40	1 st Quarter
11. NYS Dept of Civil Service	\$206,216.81	Health Insurance
12. NYS Municipal Workers Comp.	\$17,419.83	2017 Annual Assessment
13. PCSB Bank	\$11,701.25	Loan Payment
14. Robert Green Truck	\$74,166.20	Ram 5500
15. Royal Carting	\$3,715.39	Recycling Garbage
16. Selective Insurance	\$3,357.00	Flood Insurance
17. Windstream	\$4,036.17	Telephone Service

In the amount of \$1,011,706.53 may be paid.

Motion carried unanimously

Correspondence

Attached

Public Comment- There was none.

Resolution#110 - Adjourn Town Board Meeting

On the motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: The town board meeting of February 28, 2017 adjourned at 8:15 p.m.

Motion carried unanimously

Respectfully Submitted:

Lauren Louderback

Deputy Town Clerk