A regular meeting of the Town Board was held on Tuesday, August 2, 2016, at 6:00 p.m. at the Kent Town Hall, 25 Sybil’s Crossing, Town of Kent, New York, 10512.

It was indicated that Town Clerk Cappelli need not be present for Executive Session.

**Resolution #253 - Open Meeting- Adjourn to Executive Session**

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: The Town Board Meeting of August 2, 2016 opened and adjourned to executive session at 6:05p.m. to discuss the medical, financial credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation and Nancy Tagliafierro, the Town Attorney, was appointed to take minutes of the Executive Session.

Motion carried unanimously

**Resolution #254 -Employee Discipline**

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: An amendment to the Last Chance Agreement regarding employee discipline for a certain employee is approved.

Motion carried unanimously.

**Resolution #255- Adjourn Executive Session**

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: Executive session adjourned at 7:22 p.m.

Motion carried unanimously

Nancy Tagliafierro

**Pledge of Allegiance**- At 7:25 p.m. Supervisor Fleming called the Workshop Meeting to order with the Salute to the Flag.

**Public Comment –** There was none.

**The Town Board Meeting was called to order with 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 Cappelli, Town Counsel Nancy Tagliafierro, Police Chief DiVernieri, Co-Chairperson of Kent Recycling Sue Kotzur, May Katz member of the Lake Tibet Advisory Board and three residents.

**Resolution#256 – Accept Proposal for Lake Tibet Suction Harvesting**

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

**WHEREAS**, the Town of Kent has determined there is a need for suction harvesting of Lake Tibet (Park District 2); and

**WHEREAS**, in accordance with the Town’s Procurement Policy, the Town obtained requests for proposals from companies which provide this specialized service, and received two written proposals in response to such request, copies of which are annexed hereto and incorporated herein by reference; and

**WHEREAS**, Pristine Waters LLC, has submitted the lowest proposal in the total amount of $30,000, including a $15,000 deposit; and

**WHEREAS**, the Town Board of the Town of Kent wishes to accept the proposal submitted by Pristine Waters LLC;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby approves the suction harvesting of Lake Tibet for the price set forth on the proposal annexed hereto in the amount of $30,000, including a $15,000 deposit; 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 #257- Authorize Correction of Violation, Accept Proposal & Charge to Owner**

On a motion by Councilman Denbaum

Seconded by Supervisor Fleming

**WHEREAS**, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation directing the owners to remove all rubbish and debris from the exterior area of 25 Hampton Drive, Carmel, New York identified as Tax Map # 22.58-1-7 (the “Property”); and

**WHEREAS,** the Order to Remedy required the owner of the Property to remove rubbish and 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 andthe owner of the Property has 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 Code Enforcement Officer to immediately correct the violations at the Property and the costs of such correction shall be charged to the property owner;

**WHEREAS**, consistent with the Town’s Procurement Policy, the Town of Kent requested written proposals from contractors to correct the violation on the Property and received only one quote in response, a copy of which is annexed hereto and incorporated by reference; and

**WHEREAS**, JB Affordable Care Inc. has submitted the lowest proposal to clear the Property at a cost of $200; and

**WHEREAS**, the Town Board of the Town of Kent wishes to accept the proposal submitted by JB Affordable Care Inc. in the amount of $200;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby accepts the proposal of JB Affordable Care Inc. 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 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 #258- Authorize Temporary Sales Event – Lakeview Community Church**

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

**WHEREAS**, pursuant to Chapter 58 of the Code of the Town of Kent, no temporary sales event may be conducted in the Town of Kent without first applying for a permit from the Town Board; and

**WHEREAS**, Lakeview Community Church has submitted an application to conduct a temporary sales event in the form of a community tag sale at its location at 387 Route 52 on September 17, 2016 and proposes a rain date of September 24, 2016; and

**WHEREAS**, the Town Board has reviewed the Application and supporting documentation and finds the Application to comply with the requirements of the Town Code of the Town of Kent in all respects; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby authorizes the issuance of a permit to Lakeview Community Church to conduct a community tag sale at its location at 387 Route 52 on September 17, 2016 with a rain date of September 24, 2016.

Motion carried unanimously

**Resolution #259 - Authorize Supervisor to Sign Agreement to Authorize Credit Card Payments**

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

**WHEREAS**, certain departments within the Town of Kent wish to utilize a system to accept credit card payments for the ease and convenience of Town residents; and

**WHEREAS**, the Town Board is in receipt of a proposed Participation Agreement with Government Payment Service (“GPS”) to implement a credit card system; and

**WHEREAS**, pursuant to General Municipal Law §5-b the Town Board is authorized to enter into an agreement to accept credit card payments;

**NOW, THEREFORE, BE IT RESOLVED**, the Town board of the Town of Kent hereby agrees to enter into a Participation Agreement with GPS; 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 #260 –Accept Resignation of Town Assessor & Authorize Town Clerk to Advertise for the Position**

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

**WHEREAS**, the Town of Kent wishes to accept the resignation of Timothy W. McGowan as Town Assessor effective July 27, 2016; and

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

**WHEREAS**, the Town Board of the Town of Kent wishes to authorize its Town Clerk, Yolanda D. Cappelli, to advertise for applications for Town Assessor;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board accepts the resignation of Timothy W. McGowan as Town Assessor; and

**BE IT FURTHER 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 Assessor.

Motion carried unanimously

**Resolution #261- Establishing Paid Parental Leave Policy**

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

**WHEREAS**, the Town Board wishes to establish a policy for paid parental leave upon the birth or adoption of a child for eligible employees;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby adopts a policy authorizing the creation of Paid Parental Leave as follows:

*All eligible employees are entitled to up to two work weeks of paid parental leave upon the birth or adoption of a child at 100% of the employee’s regular salary. Eligible employee is defined as any non-union Town employee in good standing, that has been employed by the Town for at least six months at the time of the birth or adoption of a child. All paid parental leave shall run concurrently with leave provided pursuant to the Family and Medical Leave Act (“FMLA”), if the employee is eligible for such FMLA leave; and*

**BE IT FURTHER RESOLVED**, that this Paid Parental Leave Policy shall be included in the appropriate portion of the Employee Handbook; and

**BE IT FURTHER RESOLVED**, 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.

Upon Roll Call Vote:

Councilman Denbaum – aye Councilwoman McGlasson – aye

Councilman Huestis – abstained Councilman Chin –aye

Supervisor Fleming – aye

Motion carried

**Resolution #262 -Establishing Lake Carmel Sanitation Department Uniform Policy**

On a motion by Councilman Chin

Seconded by Councilwoman McGlasson

**WHEREAS**, the Town Board wishes to establish a uniform policy for the Lake Carmel Sanitation Department;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby adopts a policy authorizing the wearing of shorts from May 1st through September 15th by employees of the Lake Carmel Sanitation Department; and

**BE IT FURTHER RESOLVED**, 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.

Upon Roll Call Vote:

Councilman Denbaum – aye

Councilwoman McGlasson – aye

Councilman Huestis – nay based upon liability concerns

Councilman Chin –aye

Supervisor Fleming – aye

Motion carried

**Resolution #263- Kent Recycling 25th Anniversary Celebration**

On a motion by Councilman Chin

Seconded by Councilwoman McGlasson

**WHEREAS,** in celebration of the 25th Anniversary of the Kent Recycling Center, the Kent Recycling Commission is planning a celebration event to take place on September 11, 2016 at 3:00pm; and

**WHEREAS**, in anticipation of the celebration event, Susan Kotzur, Co-Chairperson of the Kent Recycling Commission, has requested funds up to $1,500 to cover the costs of the event; and

**WHEREAS**, the Town Board wishes to support the event and authorize the payment of the above referenced funds;

**NOW THEREFORE, BE IT RESOLVED,** the Town Board of the Town of Kent hereby authorizes the payment of the above referenced funds to cover the costs of the Kent Recycling Center 25th Anniversary Celebration; and it is

**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 #264- Hiring Lifeguard for Lake Carmel Park District**

On a motion by Councilman Chin

Seconded by Supervisor Fleming and Councilman Huestis

**WHEREAS**, the Town of Kent is seeking to fill a summer position for a lifeguard in the Lake Carmel Park District; and

**WHEREAS**, Gino DeGiorgio has submitted an application which reflects the proper qualifications to fill the lifeguard position; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby authorizes the hiring of Gino DeGiorgio as lifeguard of the Lake Carmel Park District at a rate of $11.50 per hour; 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 #265 – Add to the Agenda**

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: Upon the recommendation of the Planning Board accept and release an erosion control bonds were added to the agenda.

Motion carried unanimously

**Resolution #266 - Release Erosion Control l Bond Frangel Realty/Milnes Co. TM#33.48-1-6**

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

**WHEREAS**, Frangel Realty/Milnes Co. (the “Owner”)owns a parcel of land at 529-533 Route 52, Kent, New York, identified as Tax Map No. 33.48-1-6 (the “Lot”); and

**WHEREAS**, the Owner posted a bond for erosion control to the Town of Kent in the amount of $10,500; and

**WHEREAS**, the Owner has submitted a request that the erosion control bond be released and returned to the Milnes Company at 12 Frear Hill Road, Tunkhannock, Pennsylvania 18657; and

**WHEREAS**, the Planning Board, at their meeting held on July 15, 2016, approved Resolution #8 of Year 2016 recommending the release of the erosion control bond and a waiver of the two (2) year waiting period; 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 the erosion control bond in the amount of $10,500 and the waives the two (2) year waiting period.

Motion carried unanimously

**Resolution #267 - Accept Erosion control Bond TM#42.8-1-2 - Morini**

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

**WHEREAS**, the Planning Board, at their meeting held on July 15, 2016, approved Resolution #7 of Year 2016 recommending that the Town Board accept an Erosion Control Bond in the amount of $5,871.24 and an Escrow Fund for an initial inspection fee in the amount of $1,000.00 from the owners Robert & Patrice Morini of a parcel of land located at China Circle Court, Kent, New York 10512, identified as Tax Map No. 42.8-1-2 (the “Lot”), with regard to the development of the Lot; and

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

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Kent hereby accepts the recommendation of the Planning Board and approves the posting of an Erosion Control Bond in the amount of $5,871.24 and the establishment of an Escrow Fund for an initial inspection fee in the amount of $1,000 for the development of the Lot on China Circle Court.

Motion carried unanimously

**Resolution #268 - Vouchers & Claims**

On a motion by Councilman Huestis

Seconded by Councilwoman McGlasson

Resolved: All Vouchers 200138587 - #200138703 and claims submitted by:

1. City Carting $5,545.54 Lake Carmel Garbage
2. Timothy J. Curtiss, P.C. $8,595.00 Jan - June 2016 Traffic & Violations
3. Hogan & Rossi $5,416.63 August 2016 Legal Services
4. Medicare Reimbursement $16,567.20 3rd Quarter Reimbursements
5. Pristine Waters $15,000.00 Deposit for Harvesting Lake Tibet

In the amount of $81,701.70 may be paid.

Motion carried unanimously

**Correspondence -** (attached)

**Public Comment -** none

**Resolution #269 - Adjournment**

On a motion by Councilman Huestis

Seconded by Councilwoman McGlasson

Resolved: The Town Board meeting of August 2, 2016 adjourned at 8:26 p.m.

Motion carried unanimously

Cordially submitted,

Yolanda D. Cappelli

Town Clerk