

TOWN BOARD MEETING/WORKSHOP JUNE 20, 2017

A regular meeting was held on Tuesday June 20, 2017 at the Kent Town Hall, 25 Sybil's Crossing, Town of Kent, New York, 10512.

Resolution #220 - Adjourn to Executive Session

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: The Town Board opened the meeting and adjourned to Executive Session at 6:36 p.m. to discuss the matter leading to the appointment of a particular person or corporation and pending litigation.

Motion carried unanimously

Resolution #221 - Salary Adjustments for Non-Union Employees

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

Resolved: The salary adjustments for non-union employees were approved as attached. The adjustments are retroactive to January 1st, 2017 as per the 2017 budget and legal advice of counsel.

Motion carried unanimously

Resolution #222 - Lake Carmel Sanitation – Promotion

On a motion by Supervisor Fleming

Seconded by Councilman Huestis

Resolved: Eugene Livulpi was promoted to Supervisor Crew Chief for the Lake Carmel Sanitation Department.

Motion carried unanimously

Resolution #223 - Adjournment

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

Resolved: Executive session adjourned at 7:00p.m.

Motion carried unanimously

Supervisor Fleming explained the board had an executive session; votes were taken authorizing salary adjustments and a promotion.

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

Supervisor Fleming stated we are going out of order this evening with a vote.

Resolution #224 - Kent Police Department Promotion

On a motion by Supervisor Fleming

Seconded by Councilman Huestis

Resolved: Detective Gerald Locascio was promoted to Detective Sergeant.

Motion carried unanimously

Sergeant Locascio was sworn in with his wife, family and friends in attendance. Sergeant Locascio thanked the town board, the chief and his department.

The board continued on with all the items listed on the workshop agenda. A presentation of the 2016 Audit was made by Robert Daniele and Leslie of PKF O'Connor Davies.

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 Yolanda Cappelli, Town Attorney Nancy Tagliafierro, Police Chief Alex DiVernieri, Director of Finance Yulia Kelly, Co Chair of Recycling Sue Kotzur, Recreation Director Lou Fernandez.

Resolution #225 - Award Bid for Construction of Retaining Wall at Edward Ryan Memorial Park

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

TOWN BOARD MEETING/WORKSHOP JUNE 20, 2017

WHEREAS, the Town of Kent duly advertised for bids for the construction of a retaining wall at Edward Ryan Memorial Park; and

WHEREAS, bids were received and opened and publicly read at the Kent Town Center on June 9, 2017; and

WHEREAS, Fred Adams Jr., Inc. of Carmel, New York submitted the lowest bid in the amount of \$112,000 and was therefore the lowest bidder; and

NOW THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby accepts the bid of Fred Adams Jr., Inc. for the purchase of the construction of a retaining wall at Edward Ryan Memorial Park; 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 #226 - Authorization to Advertise for Bids for Inclusive Playground

On a motion by Councilman Denbaum
Seconded by Councilwoman McGlasson

WHEREAS, the Town of Kent desires to build an inclusive playground at the Town Center in order to benefit children of all abilities; and

WHEREAS, the Town Board of the Town of Kent wishes to authorize its Town Clerk, Yolanda D. Cappelli, to advertise for bids for inclusive playground equipment;

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 inclusive playground equipment for the Town Center.
Motion carried unanimously

Resolution #227 - Hire Seasonal Park Maintenance Worker

On a motion by Councilman Denbaum
Seconded by Councilwoman McGlasson

WHEREAS, the Town of Kent is seeking to fill a position for a Seasonal Park Maintenance Worker in the Recreation and Parks Department; and

WHEREAS, the Director of Recreation has recommended hiring Austin Fikaris to fill the position; and

WHEREAS, the Town Board believes it to be in the best interests of the Town to accept the Director's recommendation; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring of Austin Fikaris as Seasonal Park Maintenance Worker at the rate of \$9.70 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 #228 - Advertise for Start Smart Soccer Assistant Positions – Recreation Department

On a motion by Councilwoman McGlasson
Seconded by Supervisor Fleming

WHEREAS, the Town of Kent is seeking to fill positions for Start Smart Soccer Assistants in the Recreation Department; and

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

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 Start Smart Soccer Assistant positions in the Town of Kent Recreation Department.

Motion carried unanimously

TOWN BOARD MEETING/WORKSHOP JUNE 20, 2017

Resolution #229 - Accepting Proposals for Replacement Windows - Smokey Hollow Road Garage

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

WHEREAS, the Town of Kent has received a request dated May 15, 2017 from the Town of Kent Highway Superintendent, Richard Othmer, requesting to remove and replace eight (8) windows at the Kent Highway Garage located at 21 Smokey Hollow Road (the "Garage"); and

WHEREAS, in accordance with the Town's Procurement Policy, the Town obtained proposals from businesses which provide this service, and received three written proposals in response to such request, copies of which are annexed hereto and incorporated herein by reference; and

WHEREAS, Steve Zamborsky has submitted the lowest proposal in the amount of \$3,400; and

WHEREAS, the Town Board of the Town of Kent wishes to accept the proposal submitted by Steve Zamborsky;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the proposal of Steve Zamborsky to remove and replace eight (8) windows at the Garage for the price set forth on the proposal annexed hereto; 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 #230 - Table F & G – Resignation and Appointment of Planning Board Member

On a motion by Councilwoman McGlasson

Seconded by Councilman Denbaum

Resolved: Accept resignation of Planning Board member and appoint Planning Board member were tabled.

Roll Call

Councilman Denbaum – aye

Councilwoman McGlasson – aye

Councilman Huestis – aye

Councilman Chin – aye

Supervisor Fleming – nay. She believes we need to trust our Planning Board and our Chairperson of the Planning Board and members of our Planning Board, and support them, believe them when they tell us something has transpired and voted no.

Motion carried

Resolution #231 - Add to the agenda

On a motion by Councilwoman McGlasson

Seconded by Councilman Denbaum

Resolved: Advertise for Public Hearing was added to the agenda

Motion carried unanimously

Resolution #232 - Advertise for Public Hearing

On a motion by Councilwoman McGlasson

Seconded by Councilman Denbaum

Resolved: The Town Clerk may advertise for a Public Hearing at the next town board meeting to remove a Planning Board Member.

Motion carried unanimously

Resolution #233 - Release of Escrow Funds Gino's Grab N Go TM# 33.72-1-18

On a motion by Councilwoman McGlasson

Seconded by Councilman Chin

WHEREAS, in connection with the development of the property located at 406 Route 52, Carmel, New York and otherwise identified as Tax Map # 33.72-1-18, the sum of \$682.09 posted by Amit Patel, the owner of the property, (the "Owner") remains in an escrow fund; and

WHEREAS, the Owner has requested a refund of the \$682.09 held in escrow; and

WHEREAS, the Planning Board, at their meeting held on June 8, 2017, approved Resolution #14 of Year 2017 recommending the refund of the remaining \$682.09; and the Town Board wishes to follow

TOWN BOARD MEETING/WORKSHOP JUNE 20, 2017

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 \$682.09 from the escrow to the Owner.

Motion carried unanimously

Resolution #234 - Authorizing Correction of Violation & Acceptance of Proposal

On a motion by Councilman Chin

Seconded by Councilwoman McGlasson

WHEREAS, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation dated April 10, 2017 (the "Order to Remedy") directing the owner to remove all rubbish from the exterior area of the property identified as 73 Towners Road, Tax Map 33.73-1-72 (the "Property"); and

WHEREAS, the Order to Remedy requires the owner to correct the violations or respond to the Code Enforcement Office within ten days and, to date, the owner of the Property has not responded; and

WHEREAS, pursuant to Chapter 55A of the Town Code of the Town of Kent regarding "Property Maintenance", upon the failure of any owner to comply, the Building Inspector is authorized to correct a violation subject to the approval of the Town Board; and the Town Board wishes to authorize the Building Inspector to correct the violation; and

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

WHEREAS, the Town Board of the Town of Kent wishes to accept the proposal submitted by FI Adams Inc.;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the bid of FI Adams Inc. for the correction of the violation; and

FURTHER RESOLVED, that the actual cost of the correction of the violation, plus the accrued legal rate of interest from the date of completion of the work, shall be charged to the property owner by the Town in accordance with Chapter 55A-12(B).

Motion carried unanimously

Resolution #235 - Authorizing Correction of Violations – Acceptance of Proposal

On a motion by Councilman Chin

Seconded by Councilwoman McGlasson

WHEREAS, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation (the "Order to Remedy") directing the owners to remove excess weed, grass and brush growth from the exterior area of each of the following properties in the Town of Kent:

20 Sebago Road	Tax Map 22.82-1-44
37 Cottage Road	Tax Map 33.50-1-21
26 Geneva Drive	Tax Map 22.58-1-35
32 Cottage Road	Tax Map 33.51-1-15
24 Chauncey Road	Tax Map 33.56-1-20

(the "Properties"); and

WHEREAS, the Order to Remedy requires each owner to correct the violations or respond to the Code Enforcement Office within ten days and, to date, the owners of the Properties have not responded; and

WHEREAS, pursuant to Chapter 55A of the Town Code of the Town of Kent regarding "Property Maintenance", upon the failure of any owner to comply, the Building Inspector is authorized to correct a violation subject to the approval of the Town Board; and the Town Board wishes to authorize the Building Inspector to correct the violations; and

TOWN BOARD MEETING/WORKSHOP JUNE 20, 2017

WHEREAS, consistent with the Town's Procurement Policy, the Town of Kent requested three written proposals from contractors to correct the violations on the Properties and received proposals from one contractor, JB Affordable Lawn Care, Inc., a copy of which is annexed hereto and incorporated by reference; and

WHEREAS, the Town Board wishes to accept the proposal submitted by JB Affordable Lawn Care, Inc.;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the bid of JB Affordable Lawn Care, Inc. for the correction of the violations if said violations are not remedied within ten days of each Order to Remedy; and

FURTHER RESOLVED, that the actual cost of the correction of the violation, plus the accrued legal rate of interest from the date of completion of the work, shall be charged to the property owner by the Town in accordance with Chapter 55A-12(B).

Motion carried unanimously

Resolution #236 - Accepting Members to the Lake Carmel Fire Department

On a motion by Councilman Chin

Seconded by Councilwoman McGlasson

WHEREAS, the Lake Carmel Fire Department has recommended to the Town Board of the Town of Kent the acceptance of Stephanie Roscoe and Lamar Shuler as new members of the Lake Carmel Fire Department; and

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

NOW, THEREFORE, BE IT RESOLVED, that Town Board of the Town of Kent hereby accepts Stephanie Roscoe and Lamar Shuler 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 #237 - Add to the Agenda

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: Hire Seasonal Park Maintenance Worker, Hire Lake Carmel Park District Lifeguards, Accept Resignation of Lake Tibet Park District Board Member and Approve Operating Permit for fireworks were added to the agenda.

Motion carried unanimously

Resolution #238 - Hire Seasonal Park Maintenance Worker – Lake Carmel Park District

On a motion by Supervisor Fleming

Seconded by Councilman Huestis

WHEREAS, the Town of Kent is seeking to fill a position for a Seasonal Maintenance Worker in the Lake Carmel Park District; and

WHEREAS, the Crew Chief of the Lake Carmel Park District has recommended the hiring of Nicholas Palazzo to fill the position; and

WHEREAS, the Town Board believes it to be in the best interests of the Town to accept the recommendation of the Crew Chief; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring of Nicholas Palazzo as Seasonal Maintenance Worker at the rate of \$9.70 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

TOWN BOARD MEETING/WORKSHOP JUNE 20, 2017

Resolution #239 - To Hire Lake Carmel Park District Lifeguards

On a motion by Supervisor Fleming
Seconded by Councilwoman McGlasson

WHEREAS, the Town of Kent has duly advertised and received applications for Lifeguards for the Lake Carmel Park District; and

WHEREAS, by email dated June 20, 2017, the Lake Carmel Park District has submitted a listing of proposed hires and rates of pay for the Lifeguards for the summer of 2017, a copy of which is annexed hereto; and

WHEREAS, the Town Board of the Town of Kent wishes to accept and approve the hiring of the Lifeguards at the rates of pay as set forth on the proposal;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts and approves the hiring of the Lifeguards at the proposed rates of pay for the Lake Carmel Park District Lifeguards for the summer of 2017 as set forth in the attached proposal.

Motion carried unanimously

Resolution #240 - Accepting Resignation of Member of the Lake Tibet Park District Advisory Board

On a motion by Supervisor Fleming
Seconded by Councilman Denbaum

WHEREAS, the Town of Kent wishes to accept the resignation of Bonnie Covey as a member of the Lake Tibet Advisory Board;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board accepts the resignation of Bonnie Covey as a member of the Lake Tibet Advisory Board; 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 #241 - Approve Operating Permit – Fireworks Extravaganza

On a motion by Supervisor Fleming
Seconded by Councilwoman McGlasson

Resolved: The operating permit received from Fireworks Extravaganza was accepted and approved for fireworks to take place July 1, 2017 with a rain date of July 8, 2017. The expiration of the permit will be July 9 2017.

Motion carried unanimously

Resolution #242 - Approve Vouchers & Claims

On a motion by Councilman Huestis
Seconded by Supervisor Fleming

Resolved: All Vouchers #200142384 - #200142535 and claims from:

- | | | |
|---|--------------|------------------------------|
| 1. Bill Henry Tree Service, Inc. | \$19,693.56 | Lake Carmel Trees |
| 2. City Carting | \$5,896.10 | Lake Carmel Garbage |
| | \$5,315.56 | |
| | \$5,514.77 | |
| | \$5,264.26 | |
| | \$5,817.45 | |
| 3. Computer Professionals International | \$7,579.21 | Police Computers |
| 4. Timothy J. Curtiss, P.C. | \$2,286.00 | April Traffic |
| 5. Fred Adams Jr., Inc. | \$30,480.00 | Paver |
| 6. Great American Financial Services | \$3,120.73 | Voice Recorder |
| 7. Hogan & Rossi | \$5,416.63 | Legal Services |
| 8. Insite Engineering | \$15,245.50 | Lake Carmel Dam |
| | \$4,201.00 | |
| 9. NYS Dept. of Civil Service | \$202,814.78 | Health Insurance |
| 10. Pristine Waters | \$22,500.00 | Lake Tibet Harvesting |
| 11. Royal Carting | \$3,578.41 | Recycling Garbage |
| 12. Spain Agency | \$72,429.24 | Insurance Installment |
| 13. Stateline Landscaping | \$2,600.00 | Lake Tibet Disposal Services |
| 14. Windstream | \$3,976.63 | Telephone Service |

TOWN BOARD MEETING/WORKSHOP JUNE 20, 2017

In the amount of \$494,076.14 are approved.
Motion carried unanimously

Correspondence – List Attached

Public Comment – There was none.

Resolution #243 - Adjournment

On a motion by Councilman Huestis
Seconded by Supervisor Fleming

Resolved: The Town Board Meeting of June 20, 2017 adjourned at 9:15 p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli