

TOWN BOARD MEETING OF AUGUST 20, 2013

A regular meeting was held at 7:00 p.m. at the Kent Town Hall, 25 Sybil’s Crossing, Kent Lakes, New York.

Salute to the Flag Supervisor Doherty called the Town Board Meeting to order with the Salute to the Flag.

Roll Call

Supervisor Katherine Doherty – present Councilwoman Penny Osborn – present
Councilman Lou Tartaro – present Councilman Mike Tierney – present
Councilman John Greene – present

Also Present

Town Counsel Curtiss, Lieutenant Oster, and Town Historian Kafes.

Resolution #295 - Approval of Vouchers and Claims

On a motion by Supervisor Doherty
Seconded by Councilman Tartaro
Resolved: All vouchers and claims submitted by

1. Broadview Networks	\$2,572.97	Telephone Bill
2. City Carting	\$5,697.00	Lake Carmel Garbage
3. Clearwater Construction Corp.	\$8,857.50	Retainage: Stormwater
4. Eastern Jungle Gym	\$7,778.50	Final Payment: Garage Recycling
5. Global Montello Group Corp.	\$5,445.27	Diesel Fuel
6. Hine Brothers, Inc.	\$2,692.13	Auto Parts
7. Insite Engineering	\$1,009.18	Ryan’s Field Retrofits
8. KVS Information Systems	\$2,736.08	Quarterly Installment
9. NYCOMCO	\$2,604.00	2 Way Radio: Police
10. Peckham Materials	\$5,095.50	Blacktop
11. Putnam Handyman Construction	\$3,400.00	Property Maintenance
12. Richard Harris	\$3,207.56	IT Service
13. Risk Mitigation Advisors, LLC	\$2,080.00	Defensive Driving
14. Software Consulting Assoc.	\$4,500.00	Tax Collector Software
15. State Comptroller	\$27,035.00	July Justice Court Fines & Fees
	\$20,755.00	June Justice Court Fines & Fees
16. Timothy J. Curtiss, P.C.	\$6,256.25	July 2013 Traffic

Dated for audit on August 20, 2013, may be paid.
Upon Roll Call Vote
Councilman Greene – aye Councilwoman Osborn – aye
Councilman Tartaro – aye Councilman Tierney –aye
Supervisor Doherty – aye
Motion carried unanimously

Resolution # 296 – Table Award Bid –Route 52 Sewer District

On a motion by Supervisor Doherty
Seconded by Councilwoman Osborn
Resolved: The bid award for the Route 52 Sewer District was tabled until Insite Engineering completes their review of the bids. A special meeting will take place to award the bid.
Motion carried unanimously

Resolution #297 - Film Permit

On a motion by Councilman Tartaro
Seconded by Supervisor Doherty
Resolved: The Application for a Film Permit submitted by Van Wormer International was approved with the provision that they meet the provision on the application.
Motion carried unanimously

Resolution #298 - Recreation – Start Smart Soccer Personnel

On a motion by Councilman Tierney
Seconded by Councilwoman Osborn

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Resolved: Upon the recommendation of Recreation Director Fernandez, Michael Lauria was hired as a Start Smart Assistant at a rate of \$140.00 for the session for the Smart Start Soccer program
Motion carried unanimously

Resolution #299 - Recreation – Kent Community Day Concessionaire

On a motion by Councilman Tierney

Seconded by Councilwoman Osborn

Resolved: Upon the recommendation of Recreation Director Fernandez, Carmel Bagel Delicious is authorized to run the concession stand on Kent Community Day.

Motion carried unanimously

Resolution #300 - Permission to Discard Obsolete Office Equipment

On a motion by Councilman Tierney

Seconded by Supervisor Doherty

Resolved: Richard Harris, IT Consultant is authorized to discard the following equipment from the Finance Dept: 1 Tripp Lite Backup BC-325 SN:D0021802, 1 Pacific Digital CD Writer SN:A3VPM7, 1 HP Photosmart 3180 Inkjet Printer SN: CN690C61NH

Motion carried unanimously

Resolution #301 - Lakeview Church Tag Sale

On a motion by Supervisor Doherty

Seconded by Councilwoman Osborn

Resolved: The Temporary Sales Event for a Tag Sale submitted by the Lakeview Community Church on September 7, 2013 was authorized; the fee is set at \$25.00.

Motion carried unanimously

Resolution #302 - Lake Carmel Hire Seasonal Maintenance Worker

On a motion by Supervisor Doherty

Seconded by Councilwoman Osborn

Resolved: Ryan Williams is hired effective August 21, 2013, as Seasonal Park Maintenance Helper for Lake Carmel Community Center at \$8.75 per hours.

Motion carried unanimously

Resolution #303 - Accept Erosion Control Bond - 225 Mooney Hill Road, TM#12.-3-1.1

On a motion by Councilman Greene

Seconded by Councilwoman Tierney

Resolved: On the recommendation of the Planning Board the Erosion and Sediment Control Bond in the amount of \$2,446.00 for 225 Mooney Hill Road, LLC Tax Map #12.-3-1.1 was accepted.

Motion carried unanimously

Resolution #304 - Appoint Fire Inspector

On a motion by Supervisor Doherty

Seconded by Councilwoman Osborn

Resolved: On the recommendation of Building Inspector Walters, Shawn Madsen is hired as Part-Time Fire Inspector effective August 21, 2013 at a rate of \$21.43 per hour for not more than 20 hours per week.

Upon Roll Call Vote

Councilman Greene – aye Councilwoman Osborn – aye

Councilman Tartaro – aye Councilman Tierney –aye

Supervisor Doherty – aye

Motion carried unanimously

Resolution #305 - Amend Section 70-2 of Town Code Chapter 70

On a motion by Supervisor Doherty

Seconded by Councilwoman Osborn

Resolved: The Town Clerk is authorized to advertise for a Public Hearing to Amend Section 70-2 of the Town Code Chapter 70 on September 24, 2013 at 7:00 p.m.

Motion carried unanimously

Resolution #306 - Hire Special Prosecutor

On a motion by Supervisor Doherty

Seconded by Councilman Tartaro

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WHEREAS, the Town of Kent wishes to employ special counsel to handle a personnel matter of a Town employee; and

WHEREAS, Town Counsel may have a conflict or a potential conflict of interest in representing the Town in this personnel matter; and

WHEREAS, the Town wishes to avoid the appearance of any impropriety.

NOW, THEREFORE, be it resolved that the Town Board of the Town of Kent hereby retains Joseph Charbonneau as Special Counsel to handle all matters in connection with the civil litigation that is pending under Index No. 2013/2013 with regard to the Town of Kent at the rate of \$135.00 per hour. The cost not to exceed \$3,500.00.

Upon Roll Call Vote

Councilman Greene – aye Councilwoman Osborn – aye

Councilman Tartaro – aye Councilman Tierney – aye

Supervisor Doherty – aye

Motion carried unanimously

Motion carried unanimously

Resolution #307 - Tax Certiorari – Karan Garewal

On a motion by Councilwoman Osborn

Seconded by Councilman Greene

WHEREAS, tax certiorari proceedings were brought on behalf of KARAN GAREWAL for the tax years 2012 and 2013 affecting a certain parcel of real property designated as Section 22.42, Block 1, Lot 53 in the Town of Kent; and

WHEREAS, the parties have agreed to settle the tax certiorari proceedings in accordance with the attached Consent Orders prepared by Bleakley Platt & Schmidt, LLP, attorneys for the Petitioner; and

WHEREAS, the Town Board of the Town of Kent wishes to authorize its counsel, Timothy J. Curtiss, Esq., to sign said Consent Orders on behalf of the Town of Kent; and

WHEREAS, the Town Board of the Town of Kent further wishes to authorize the Supervisor to seek financing, if necessary, to pay the judgment after entry and in accordance with said Orders, at an interest rate not to exceed Seven Percent (7%);

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 Consent Orders on behalf of the Town of Kent; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby authorizes the Supervisor to seek financing, if necessary, to pay the judgment obtained by Petitioner at an interest rate not to exceed Seven Percent (7%).

Upon Roll Call Vote

Councilman Greene – aye Councilwoman Osborn – aye

Councilman Tartaro – aye Councilman Tierney – aye

Supervisor Doherty – aye

Motion carried unanimously

Resolution # 308 - Lake Carmel Fire Department – Accept Members

On a motion by Councilwoman Osborn

Seconded by Supervisor Doherty

Resolved: On the recommendation of Chief Shawn Madsen, Kevin Darcy and Joseph Sadowski were accepted as members of the Lake Carmel Fire Department.

Motion carried unanimously

Resolution #309 - Police Dispatchers – Union Contract

On a motion by Councilman Tartaro

Seconded by Supervisor Doherty

Resolved: The Memorandum of Agreement between the Town of Kent and the United Federation of Police Officers, Inc. Town of Kent Dispatchers for January 1, 2013 to December 31, 2014 was accepted.

Upon Roll Call Vote

Councilman Greene – aye Councilwoman Osborn – aye

Councilman Tartaro – aye Councilman Tierney – aye

Supervisor Doherty – aye

Motion carried unanimously

Agenda Items & Correspondence

There were no questions or comments.

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Supervisor Doherty stated the telephones lines have been down for almost two weeks due to a vendor issue. She suggested the public call 845/306-5620 for the complex.

Resolution #310 - Adjournment

On a motion by Supervisor Doherty

Seconded by Councilman Tartaro

Resolved: The Town Board meeting of August 20, 2013 adjourned at 7:15 p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli

Town Clerk