

TOWN BOARD MEETING/WORKSHOP JULY 10, 2018

A regular meeting was held at 6:00 p.m. at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, New York 10512.

Resolution#251 - Adjourn to Executive Session

On the motion by Supervisor Fleming

Seconded by Councilwoman Woolley

Resolved: The Town Board adjourned to executive session at 6:00 p.m. to discuss matters related to the financial history of a particular person and litigation.

Motion carried unanimously

Resolution#252 - Adjourn Executive Session

On the motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: Executive session adjourned at 7:07 p.m. no action was taken.

Motion carried unanimously

Public Hearing – Cablevision Franchise Agreement

Resolution#253- Open Public Hearing

On the motion by Supervisor Fleming

Seconded by Councilwoman Woolley

Resolved: Public hearing for Cablevision Franchise Agreement was opened.

Motion carried unanimously

Nancy Tagliafiero, Town Counsel said Cablevision serves a limited population in a very limited area of the town. She has reviewed and approved the agreement. Annmarie Baisley believes 10 residents of Kent are served. She asked if the meetings can be broadcast to those residents, they are isolated from the town. They should be able to know what is going on.

Resolution #254 - Close Public Hearing

On a motion by Councilman Huestis

Seconded by Councilwoman Woolley

Resolved: The Public Hearing for Cablevision Franchise Agreement was closed.

Motion carried unanimously

Pledge of Allegiance

The workshop meeting was called to order with the Salute to the Flag

Workshop Meeting

The Board reviewed and discussed all items on the workshop agenda.

Public Comment

Kimberly from Lake Carmel asked if the board can talk to other towns asking if our Lake passes can be used at other lakes like Putnam County Veterans Park and Candlewood when our lake is not suitable for swimming. Supervisor Fleming did not think there would be that kind of reciprocity.

A resident stated there are a lot of people using the lake that do not belong, she asked about enforcement. Lt. Owens said the people who fish are permitted along Route 52, if they receive a complaint they will address it. When they respond to a complaint the people usually are residents, accompanied by a non-resident Fishing is not permitted along the causeway.

Roll Call

Supervisor Fleming- present

Councilman Denbaum- not in attendance

Councilwoman McGlasson- present

Councilman Huestis- present

Councilwoman Woolley- present

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Also Present: Town Clerk Cappelli, Town Counsel Nancy Tagliafiero, Lt. Owens, Lake Carmel Co Chairperson Vargas and several residents.

Resolution #255 - Award Bid for Lake Carmel Streambank Stabilization Project

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

WHEREAS, the Town of Kent duly advertised for bids for the Lake Carmel Streambank Stabilization Project;

WHEREAS, three bids were received in response to the advertisement and the bid were opened and publicly read at the Kent Town Center; and

WHEREAS, Insite Engineering, acting as Town Engineer, reviewed the bids submitted and has determined that G&M Construction of Holmes, New York submitted the lowest bid in the amount of \$68,320, and is therefore recommending awarding the contract to G&M Construction as the lowest bidder.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby awards the bid for the Lake Carmel Streambank Stabilization Project to G&M Construction; 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 #256 - Hire Lake Carmel Park District Lifeguard

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

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

WHEREAS, Kathryn Salisbury has submitted an application which reflects the proper qualifications to fill the lifeguard position;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring of Kathryn Salisbury at a rate of \$10.40 per hour as a lifeguard for the Lake Carmel Park District; 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 257 - Authorize Consolidated Funding Applications – Palmer Lake

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

WHEREAS, there is currently an opportunity for the Town of Kent to apply for grants through Consolidated Funding, and the monies from these grants would benefit Palmer Lake; and

WHEREAS, the Town Board wishes to authorize the preparation and submission of grant applications for these Consolidated Funding opportunities; and

WHEREAS, the proposed action requires review under the State Environmental Quality Review Act ("SEQRA)

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NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the preparation and submission of the grant applications set forth hereinabove; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby declares itself Lead Agency for SEQRA purposes.

Motion carried unanimously

Resolution #258 - Table - Authorizing No Parking Signs along Route 52

On a motion by Councilwoman McGlasson

Seconded by Councilman Huestis

Resolved: Table authorizing no parking signs along Route 52, until Lt. Owens contacts the Chamber of Commerce and the business's involved is notified as a courtesy.

Motion carried unanimously

Resolution #259 - Hire a Special Prosecutor

On a motion by Councilwoman Woolley

Seconded by Councilwoman McGlasson

WHEREAS, the Town of Kent is currently prosecuting a case from which the Town Prosecutors, Laura Roberts, Esq. and Kevin Irwin, Esq. have recused themselves; and

WHEREAS there is a need to appoint another attorney to continue the prosecution of the Case; and

WHEREAS, the Town Board of the Town of Kent wishes to hire John McCarron as Special Prosecutor to prosecute the Case on behalf of the Town of Kent; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring of John McCarron as Special Prosecutor to prosecute the Case at a rate of pay of \$90.00 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 #260 - Accept Erosion Control Surety Bond TM#44.05-1-63

On a motion by Councilwoman Woolley

Seconded by Councilwoman McGlasson

WHEREAS, the Planning Board, by Resolution dated July 5, 2018, has recommended that the Town Board accept an Erosion Control Bond in the amount of \$500 from the owner of the property located at 16 Westleigh Drive, Kent New York, identified as Tax Map No. 44.05-1-63 (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 \$500.

Motion carried unanimously

Resolution #261 - Authorize Correction of Violation, Acceptance of Proposal, & Charge to Property Owner TM#22.58-1-35

On a motion by Councilwoman Woolley

Seconded by Councilman Huestis

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WHEREAS, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation June 11, 2018 (the “Order to Remedy the Dangerous Tree”) directing the owner to remove a dangerous tree from the exterior of the property identified as 26 Geneva Drive, Kent, New York, Tax Map No. 22.58-1-35 (the “Property”), and an Order to Remedy a Violation of even date directing the owner to remove grass, brush and debris from the exterior of the Property (the “Order to Remedy Removal of Grass”); 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 the violations 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 violations on the Property and received one proposal in response to the Order to Remedy the Dangerous Tree from Johnson’s Tree Service in the amount of \$900, a one proposal in response to the Order to Remedy Removal of Grass from JB Affordable Care in the amount of \$150, copies of said proposals are annexed hereto and incorporated by reference; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the bids of Johnson’s Tree Service and JB Affordable Care for the correction of the violations at a cost not to exceed \$1,050; 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 #262 - Authorize Consolidated Funding Application for Lake Carmel

On a motion by Supervisor Fleming
Seconded by Councilwoman Woolley

WHEREAS, there is currently an opportunity for the Town of Kent to apply for grants through Consolidated Funding, and the monies from these grants would benefit Lake Carmel; and

WHEREAS, the Town Board wishes to authorize the preparation and submission of grant applications for these Consolidated Funding opportunities; and

WHEREAS, the proposed action requires review under the State Environmental Quality Review Act (“SEQRA)

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the preparation and submission of the grant applications set forth hereinabove; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Kent hereby declares itself Lead Agency for SEQRA purposes.
Motion carried unanimously

Resolution 263 - Add to the Agenda

On a motion by Supervisor Fleming
Seconded by Councilwoman McGlasson

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Resolved Approve arbitration in an employee grievance case and approve a 207-C status for an employee was added to the agenda.

Motion carried unanimously

Resolution #264 - Approve Arbitration in an Employee Grievance

On a motion by Supervisor Fleming

Seconded by Councilwoman Woolley

Resolved: The Town is authorized to go forward with Arbitration in a grievance involving employee A.

Motion carried unanimously

Resolution #265 - Approve 207-C Status for an Employee

On a motion by Supervisor Fleming

Seconded by Councilman Huestis

Resolved: The Town approves a 207-C status for Town Employee B.

Motion carried unanimously

Resolution #266 - Approve Vouchers and Claims

On a motion by Councilman Huestis

Seconded by Councilwoman McGlasson

Resolved: All vouchers #200146788 - #200147032 and claims submitted by:

1. Andren Equipment	\$3,678.95	Rebar
2. Auto Craft Body & Collision	\$6,498.04	Police Car #66
3. City Carting	\$6,607.67	Lake Carmel Garbage
	\$6,628.67	
	\$6,676.43	
	\$6,599.07	
4. Global Montello Group	\$4,128.30	Gas
5. Hogan & Rossi	\$5,416.63	July Legal Services
6. Kent Seniors	\$8,680.00	Feb-June Trips
7. Mondial	\$3,726.05	Truck Parts
8. New England Bounce About	\$3,027.60	Deposit for Community Day
9. John P. Nilsen	\$13,504.00	Balance for 5 Harriman Road
10. NYSEG	\$2,136.47	Electric: Field Lights
	\$2,036.61	Electric: Police Station
11. Purchase Power	\$2,000.00	Postage
12. Royal Carting	\$4,227.70	Recycling Garbage
13. State Comptroller	\$36,681.75	Justice Court Fines & Fees
14. Tire Buys	\$3,046.04	Tires
15. Town of Kent Municipal Repairs	\$4,451.28	Chargebacks: Sanitation

In the amount of \$236,908.08 may be paid.

Motion carried unanimously

Public Comment – There was none.

Resolution #267 - Adjournment

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: The Town Board meeting of July 10, 2018 adjourned at 8:35 p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli
Town Clerk

