

Resolution #220- Adjourn to Executive Session

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: The Town Board adjourned to executive session at 6:06p.m. to discuss proposed, pending or current litigation and 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.

Motion carried unanimously

Resolution #221 - Adjourn Executive Session

On a motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: Executive Session adjourned at 7:02 p.m. No action was taken

Motion carried unanimously

The Town of Kent regularly scheduled meeting was held on Tuesday, June 16, 2020 at 7:00 p.m. at the Kent Town Hall, 25 Sybil's Crossing, Town of Kent, New York. To see the full meeting visit the Town of Kent's website at www.townofkentny.gov under Video's on Demand.

Present: Supervisor Fleming, Councilpersons, Denbaum, McGlasson, Huestis and Ruthven.

Also Present: Town Counsel Tagliafierro, Chief Owens, Co-Chair of Recycling Kotzur, Lake Carmel Park District Advisory Board Members Ulich, Bargamian, Perez and several residents.

Pledge of Allegiance

The meeting began with the Salute to the Flag.

Supervisor Fleming explained the board will be retaining the current format combining the workshop and meeting.

RESOLUTION #222 - ACCEPTING RESIGNATION OF MEMBER OF THE LAKE CARMEL PARK DISTRICT ADVISORY BOARD

Supervisor Fleming said Rachel was an active member who participated in everything, she had excellent insights and thanked her for her service to the community.

On a motion by Councilwoman McGlasson

Seconded by Councilman Ruthven

WHEREAS, the Town of Kent wishes to accept the resignation of Rachel Paradise as a member of the Lake Carmel Park District Advisory Board;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board regrettably accepts the resignation of Rachel Paradise as a member of the Lake Carmel Park District Advisory Board, with thanks for their service.

Motion carried unanimously

RESOLUTION #223 - AUTHORIZING TOWN CLERK TO ADVERTISE FOR APPLICANTS LAKE CARMEL PARK DISTRICT ADVISORY BOARD

On a motion by Councilman Ruthven

Seconded by Councilwoman McGlasson

WHEREAS, the Town Board of the Town of Kent is seeking to fill a vacancy on the Lake Carmel Park District Advisory Board; and

WHEREAS, the Town Board of the Town of Kent wishes to advertise for applicants for the Lake Carmel Park District Advisory Board; and

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 applicants to the Town of Kent Lake Carmel Park District Advisory Board.

Motion carried unanimously

RESOLUTION #224 - ACCEPTING PROPOSAL FOR LAKE TREATMENT SERVICES

Supervisor Fleming said the board has discussed the different proposals and had requested proposals using Cutrine ultra. She said some presented other chemicals which the liaison's researched recommending Cutrine ultra as the best option also the obtained permit is for Cutrine ultra and copper

sulfate only. Bob Ulich asked the board to review the proposals he thought there was a \$2,950 difference. The board reviewed the quotes and the three treatment options noting the difference comes if a third treatment is needed there is a \$2,000 difference otherwise the difference is \$1,025 for the second. The board was in agreement LIFE provides regular inspections and even though it might be a little more it was the best value. .

On a motion by Councilman Ruthven

Seconded by Supervisor Fleming

WHEREAS, there is a need for algacide treatment at Lake Carmel; and

WHEREAS, the Town of Kent requested quotes from companies that have the necessary qualifications to provide such services and received 3 proposals in response, copies of such proposals are annexed hereto and hereby incorporated by reference; and

WHEREAS, the Town Board believes it is in the best interest of the Town to accept the proposal submitted by Limnology Information & Freshwater Ecology Inc. in the amount of \$17,960.00 for two treatments 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 algacide treatment of Lake Carmel by Limnology Information & Freshwater Ecology Inc. for the price not to exceed \$17,960.00, consistent with the annexed proposal, and authorizes the Town Supervisor to execute all documentation required to obtain all necessary permits and other documents necessary to give effect to this Resolution.

Motion carried unanimously

RESOLUTION #225 - TO HIRE LAKE CARMEL PARK DISTRICT LIFEGUARDS

Supervisor Fleming said this has been a difficult year. We were able to obtain applicants qualified for the position.

On a motion by Councilwoman McGlasson

Seconded by Councilman Ruthven

WHEREAS, the Town of Kent is seeking to fill summer positions for head guards and lifeguards in the Lake Carmel Park District ("LCPD"); and

WHEREAS, the Town Board is in receipt of a list from Andrea McKinley, Lifeguard Supervisor, recommending the hiring of head guards and life guards for the 2020 season, a copy of said list is annexed hereto and incorporated herein by reference; and

WHEREAS, the Town Board desires to accept the recommendations of Ms. McKinley and hire the head guards and lifeguards on the annexed list at the rate of pay indicated on the attached list.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring's described in the annexed list at the rate of pay provided for the LCPD for the 2020 season; 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 #226 - TO HIRE SEASONAL PARK MAINTENANCE HELPER FOR LAKE CARMEL PARK DISTRICT

Supervisor Fleming said the Lake Carmel Crew Chief recommended the hiring. The applicant has worked for the recreation department and comes with references.

On a motion by Councilman Ruthven

Seconded by Councilwoman McGlasson

WHEREAS, the Town of Kent is seeking to fill a vacant position for a Seasonal Park Maintenance Helper for the Lake Carmel Park District ("LCPD"); and

WHEREAS, Frank Sabatini, Lake Carmel Crew Chief, has recommended the hiring of Jose Rodriguez at a rate of \$11.80 per hour to fill the seasonal position; and

WHEREAS, the Town Board wishes to accept the recommendation of Mr. Sabatini and hire Mr. Rodriguez;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring of Jose Rodriguez, as Seasonal Park Maintenance Helper for the LCPD at the hourly rate of \$11.80.
Motion carried unanimously

RESOLUTION #227 - ACCEPTING QUOTE FOR TREE PLANTINGS LAKE CARMEL PARK DISTRICT

Supervisor Fleming said the Lake Carmel Advisory Board sought three quotes and received two. Councilman Huestis said a Tree Trust was formed and asked for a photo assignment for the tree plantings made from the donation from the Rotary in honor of longtime Lake Carmel resident George and Jay Nauchel.
On a motion by Councilwoman McGlasson
Seconded by Councilman Ruthven

WHEREAS, there is a need for the purchase of certain trees to be planted in the Lake Carmel Park District; and

WHEREAS, in accordance with the Town’s Procurement Policy, the Lake Carmel Park District requested quotes for the trees, and received 1 written quote and 1 verbal quote in response, copies of such quotes are attached hereto and incorporated hereby; and

WHEREAS, Hardscrabble Farms submitted the lowest quote in the amount of \$2,025; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby approves the quote of Hardscrabble Farms for trees to be planted in the Lake Carmel Park District for a price not to exceed \$2,025.
Motion carried unanimously

RESOLUTION #228 - ACCEPTING EROSION CONTROL SURETY BOND & ESCROW FOR INSPECTION FEE

On a motion by Councilwoman McGlasson
Seconded by Councilman Ruthven

WHEREAS, the Planning Board, by Resolution #5 of the Year 2020, dated June 11, 2020, has recommended that the Town Board accept: (i) an Erosion Control Bond in the amount of \$8,930; and (ii) an escrow for the Final Inspection Fee in the amount of \$1,500 from the owner of the property located at 189 Churchill Road, Kent, New York, identified as Tax Map No. 12.1-28; 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 the above referenced bonds and escrow for inspection fees.
Motion carried unanimously

RESOLUTION #229 - AUTHORIZING CORRECTION OF VIOLATIONS, ACCEPTANCE OF PROPOSAL & CHARGE TO PROPERTY OWNERS

On a motion by Councilman Denbaum
Seconded by Councilman Ruthven

WHEREAS, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation (the “Order to Remedy Removal of Brush”) directing the removal rubbish, excess weed, grass and brush growth from the following properties:

8 Teatown Court	Tax Map 33.65-1-36;
8 Heathcote Road	Tax Map
58 Whangtown Road	Tax Map 11.20-1-41;
44 Craft Road	Tax Map 33.32-1-22;
30 Craft Road	Tax Map 33.32-1-18;
31 Larchmont Road	Tax Map 33.50-1-42; and

WHEREAS, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation (the “Order to Remedy the Rubbish Removal”) directing the owners to remove a dangerous tree from the exterior of the following properties in the Town of Kent:

8 Teatown Court	Tax Map 33.65-1-36
34 Amazon Road	Tax Map 33.81-1-42; 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

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 one proposal in response, copies of which are annexed hereto and incorporated by reference; and

WHEREAS, the Town Board wishes to accept the sole and therefore lowest proposals submitted on the properties as further outlined below:

8 Teatown Court	\$ 125	JB Affordable Lawn Care Inc.
8 Heathcote Road	\$ 120	JB Affordable Lawn Care Inc.
58 Whangtown Road	\$ 150	JB Affordable Lawn Care Inc.
44 Craft Road	\$ 150	JB Affordable Lawn Care Inc.
30 Craft Road	\$ 120	JB Affordable Lawn Care Inc.
1 Larchmont Road	\$ 150	JB Affordable Lawn Care Inc.
8 Teatown Court	\$ 1200	Larry Reynolds Tree Service
34 Amazon Road	\$ 375	Larry Reynolds Tree Service; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the proposals of JB Affordable Lawn Care Inc. and Larry Reynolds Tree Service, as described above for a total cost not to exceed \$2,390; and

BE IT 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 owners by the Town in accordance with Chapter 55A-12 (B).
Motion carried unanimously

RESOLUTION #230 - RENUMBERING LOCAL LAW FOR CODE ORGANIZATION

On a motion by Councilwoman McGlasson
Seconded by Councilman Ruthven

WHEREAS, by resolution dated May 12, 2020, the Town Board of the Town of Kent enacted Local Law 2 of the year 2020 entitled “Foreclosure of Mortgages and Vacant Property Registration” and said local law was added to the Town Code as Chapter 68; and

WHEREAS, by email dated June 9, 2020, and Editor of General Code has recommended that the Town renumber Local Law 2 of the year 2020 from Chapter 68 to Chapter 55 B in order for the Code to remain in alphabetical order; and

WHEREAS, the Town Board wishes to accept the recommendation of Ms. Rollo and renumber Local Law 2 of the year 2020 to Chapter 55B Art. I, in order for the Code to remain in alphabetical order;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the renumbering of Local Law 2 of the year 2020 entitled “Foreclosure of Mortgages and Vacant Property Registration” to Chapter 55B Art. I with a footnote that the Local Law was adopted as Chapter 68 and was renumbered to maintain the alphabetical organization of the Code.
Motion carried unanimously

RESOLUTION #231 -TO PARTNER WITH TOWN OF CARMEL REGARDING GRANT APPLICATION

Supervisor Fleming said a letter was received that there was East of Hudson Community Wastewater

Planning Assistance Grants open to certain lakes that had DEC preliminary studies determining grants should be made available. She said in order to go forward we have to partner with the Town of Carmel.
On a motion by Councilwoman McGlasson
Seconded by Councilman Ruthven

WHEREAS, by letter dated May 21, 2020, the New England Interstate Water Pollution Control Commission (NEIWPCC) advised the Town Supervisor that NEIWPCC is accepting applications for the East of Hudson Community Wastewater Planning Assistance Grant Program (the “Grant”) from certain municipalities, including the Town of Kent and Town of Carmel; and

WHEREAS, the Grant will provide funding to be allocated among identified municipalities to finance engineering studies and planning documents to assist municipalities in evaluating wastewater solutions; and

WHEREAS, the Town Board desires to partner with the Town of Carmel to submit an application for the Grant;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes a partnership with the Town of Carmel to submit an application for the Grant; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Kent hereby authorizes the Town Supervisor to take such action and execute such documentation required in connection with the application for the subject grant.
Motion carried unanimously

ESTABLISHING SOCIAL MEDIA/NETWORKING POLICY

Supervisor Fleming received a response from Labor Counsel with the additions noted in red. She said the additions have not been discussed but wanted everyone to be aware to start the discussion. Town Counsel said she drafted the original policy and has read what they added and thought it excellent. The board discussed taking time to review the policy and discussing it. Councilman Denbaum said he would hate to have the power vested in any political party to be able to use a social media policy to say the things that you post would be right for disciplinary action. Supervisor Flemings said the reason for establishing the policy is to make a clear distinction what an employee says that can be misunderstood as a position of the town. She is less interested in what they say on their personal page.

RESOLUTION #232 - AUTHORIZING TOWN CLERK TO ADVERTISE FOR BIDS FOR CLEANING SERVICES FOR TOWN HALL/COURT, LIBRARY, POLICE DEPARTMENT AND HIGHWAY DEPARTMENT

The board discussed some changes to the attachment. Supervisor Fleming suggested they email them to her for revision.
On a motion by Councilman Ruthven
Seconded by Councilwoman McGlasson

WHEREAS, the Town of Kent wishes to advertise for bids for cleaning services for the Town of Kent Town Hall/Court, Library, Police Department and Highway Department; and

WHEREAS, the Town Board of the Town of Kent wishes to authorize its Town Clerk, Yolanda D. Cappelli, to advertise for bids for cleaning services for the Town of Kent Town Hall/Court, Library, Police Department and Highway Department;

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 cleaning services for the Town of Kent Town Hall/Court, Library, Police Department and Highway Department.
Motion carried unanimously

Resolution #233- Approval of Vouchers & Claims

On a motion by Councilman Huestis
Seconded by Councilwoman McGlasson
Resolved: All vouchers #200155321 - #200155445 and claims submitted by:

1. Cemco Water	\$2,631.65	WD#1
2. Chemung Supply	\$12,300.00	Grates
3. Clove Excavators, Inc.	\$97,394.28	Asphalt
	\$833,468.67	
4. Hudson River Truck & Trailer	\$3,151.00	Trailer

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5. NYCOMCO	\$2,846.00	2 Way Radios: Police
6. NYS Dept. of Civil Service	\$198,779.73	Health Insurance
7. Peckham Materials	\$20,661.27	Blacktop
8. Putnam Materials	\$9,775.24	Blacktop
9. State Comptroller	\$29,433.00	Justice Court Fines & Fees
10. Town of Kent Municipal Repairs	\$3,810.14	Chargebacks: Highway
	\$6,868.09	Chargebacks: Police
	\$8,755.21	Chargebacks: Sanitation
11. Royal Carting	\$5,684.85	Recycling and sand bag

In the amount of \$1,284,095.55 can be paid.

Motion carried unanimously

Announcements

Supervisor Fleming said we are in Phase II of reopening. She said the playgrounds will be open in the near future following state guidelines. She said the public will be notified when that happens. She said Kent Recreation is hosting Kent Rec Live on Facebook. Last week was the first episode at 5:00 p.m. this Thursday it will be held at 7:00 p.m.

Councilman Huestis congratulated Tyler Vager and Chris Heller who have worked and volunteered for the Town of Kent and received scholarship towards college from the Rotary Club.

Councilman Denbaum encouraged Jared to get the playgrounds open as soon as feasibly possible. He said the Rec show sounds great but let's get the kids back outside this summer. He said in Phase III groups of 25 can get together he hopes there will be programs for the kids immediately. Also he wants the public to be aware that many long stretches of roads have been paved.

Supervisor Flemings said three trails have been opened at Town Hall and Huestis Park. People were so happy to walk them without going out of town.

Public Comment

Kathy Doherty asked for clarification on the agreement between LIMNI and the Lake Carmel Park District. Supervisor Fleming replied there is no current agreement. She explained the Governor's Executive Order allows towns to have private business use town property such as sidewalks, roads for outdoor seating because indoor seating is not permitted. Mrs. Doherty said the resolution is vague, what are they using. Town Counsel said it was to temporarily authorize them to use the property in the Park District for outdoor dining in accordance with the Governor's Executive Order. Mrs. Doherty said the Park District pays special taxes, the committee should have been aware. The board explained when the executive order was received they were scrambling. Mrs. Doherty said the restaurant is not even in the Lake Carmel Park District since 1964. Councilman Denbaum compared it to Arts on the Lake. Mrs. Doherty said it should have been discussed, alcohol is not permitted. She said the lake looks beautiful he is doing a great job. The board agreed the resolution will be revised to be more specific and if more than temporary it will be discussed with the advisory board.

Sue Kotzur, thanked the board for the face to face meeting. She said before COVID-19 there were some issues one being the Mining Moratorium she asked the status. Councilman Ruthven thought we have a very good reason for an extension as discussions need to begin. She also asked about the property next to Recycling. Supervisor Fleming replied nothing. Sue asked about the grass cutting of the cemeteries. Supervisor Fleming replied it is being cut.

Mr. Ullich asked the board to consider just allowing the swings to be open, it is not a playground. He said the Governor has implemented New York State Police Reform Collaboration giving a rebirth to all police department in the state at the local level to come up with a plan to be submitted by April 1st 2021. He wants his statement known he supports the Chief and the Kent Police Department 101 %. If not submitted municipalities will not receive funding or grants. Supervisor Fleming said guidance has been received from labor counsel. Police Chief Owens said they are aware and he has been in touch with the Sheriff and the Carmel Chief to bring forth what is needed to do to make them better.

Resolution #234- Adjournment

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: The Town Board meeting of June 16, 2020 adjourned at 8:45 p.m. Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli, Town Clerk

