

## Town Board Meeting October 6, 2020

The Town of Kent regularly scheduled meeting was held on Tuesday, October 6, 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](http://www.townofkentny.gov) under Video's on Demand.

Present: Supervisor Fleming, Councilman Denbaum, Councilwoman McGlasson, Councilman Huestis, Councilman Ruthven and Counsel Tagliagierro

### **Resolution#309 Open Executive Session**

On the motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: Town Board entered into executive session at 6:06 p.m.

Motion carried unanimously

### **Resolution#310 Adjourn Executive Session**

On the motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: Executive session was adjourned at 7:08 p.m.

Motion carried unanimously

Supervisor Fleming opened the meeting with the Pledge of Allegiance

### **Kent Police Department: Presentation of Scams**

Sgt. Det. Locascio made a presentation on scams. To view the entire presentation view the Video's on Demand.

### **Resolution#311 Hire Soccer Clinic Assistants Recreation Department**

On the motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

Resolved: WHEREAS, the Town of Kent is seeking to fill three seasonal positions as Assistants in the Soccer Clinic; and

WHEREAS, the Director of Recreation has recommended hiring Shane RiveraRuane, Tyler Maguire and Joseph DiPierro to fill the positions; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring of Shane RiveraRuane, Tyler Maguire and Joseph DiPierro as assistants to the Soccer Clinic for the Recreation Department at a rate of \$20 per clinic session worked; 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

**Paving at Edward Ryan Memorial Park** – Discussed but not voted upon.

**Bids for Lake Carmel Park District Community Center Fence** – This item was discussed and tabled.

### **Resolution#312 Accept Quote for Tree Removals for the Lake Carmel Park District**

On the motion by Councilman Ruthven

Seconded by Councilman Denbaum

Resolved: WHEREAS, there is a need for the removal of two damaged trees in the Lake Carmel Park District; and

WHEREAS, in accordance with the Town's Procurement Policy, the Town requested quotes for the removal of the trees, and received 5 written quotes in response, copies of such quotes and attached hereto and incorporated hereby; and

WHEREAS, Jimmy Trees Inc. has submitted the lowest quote in the total amount of \$600; and

WHEREAS, the Town Board of the Town of Kent wishes to accept the quote submitted by Jimmy Trees Inc.;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby approves the removal of the damaged trees in the Lake Carmel Park District by Jimmy Trees Inc. for a price not to exceed \$600.

Motion carried unanimously

### **Resolution#313 Appoint Member to Lake Carmel Park District Advisory Board**

On the motion by Councilwoman McGlasson

Seconded by Councilman Ruthven

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Resolved: WHEREAS, the Town of Kent Lake Carmel Park District Advisory Board (the "LCPDAB") currently has a vacancy, and Joseph Fleischman has submitted a letter of interest to fill said vacancy; and

WHEREAS, the Town Board of the Town of Kent wishes to appoint and Joseph Fleischman to fill the vacancy on the LCPDAB;

NOW, THEREFORE, BE IT RESOLVED, that and Joseph Fleischman be immediately appointed to fill the unexpired term of Rachel Paradise, which term ends December 31, 2023.

Motion carried unanimously

### **Resolution#314 Authorize Partial Release of Erosion Control Bond**

On the motion by Councilman Ruthven

Seconded by Councilwoman McGlasson

Resolved: WHEREAS, the owner of a parcel of land at Daffodil Lane, Kent, New York, identified as Tax Map No. 11.12-1-21 (the "Lot") posted a bond for erosion control with the Town of Kent and has submitted a request to the Planning Board that a portion of the remaining funds of the erosion control bond be released to the Owner; and

WHEREAS, the Planning Board, at their meeting held on September 10, 2020, adopted Resolution #8 recommending the release of \$12,401 of the original Erosion Control Bond and the remaining \$5,000 of the bond will continue to be held by the Town; and 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 partial release of the erosion control bond in the amount of \$12,401 with the retention by the Town of a \$5,000 bond.

Motion carried unanimously

### **Resolution#315 Accept Erosion Control Surety Bond and Escrow for Inspection Fee**

On the motion by Councilman Denbaum

Seconded by Councilman Ruthven

Resolved: WHEREAS, the Planning Board, by Resolution #9 of the Year 2020, dated September 25, 2020, has recommended that the Town Board accept: (i) an Erosion Control Bond in the amount of \$6,124; and (ii) an escrow for the Final Inspection Fee in the amount of \$1,500 from the owner of the property located at 475 Pudding Street, identified as Tax Map No. 31.-1-32; 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 bond and escrow for inspection fees.

Motion carried unanimously

**Bids for Cleaning Service-** This item was held over.

### **Resolution#316 Authorize the Town Clerk to Advertise Request for Proposals for On Call Plumbing, Electrician, Landscape, Masonry, Lawn Maintenance and Handyman/ Repair Services**

On the motion by Councilwoman McGlasson

Seconded by Councilman Ruthven

Resolved: WHEREAS, that the Town Board wishes to advertise that it is seeking Proposals for on call plumbing, electrician, landscape, masonry, lawn maintenance and handyman/repair services; 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 Requests for Proposals for on call plumbing, electrician, landscape, masonry, lawn maintenance and handyman/repair services.

Motion carried unanimously

### **Resolution#317 Add Authorize Justice Court to Apply for Court Assistant Program Grant, Approve Settlement of Tax Certiorari Preceding and Promote Employee to CEO in the Lake Carmel Sanitation to Agenda**

On the motion by Supervisor Fleming

Seconded by Councilman Denbaum

Resolved: Authorize Justice Court to apply for Court Assistant Program Grant, approve settlement of tax certiorari preceding and promote employee to CEO in the Lake Carmel Sanitation be added to the agenda.

Motion carried unanimously

### **Resolution#318 Authorize the Justice Court to Apply for Justice Court Assistance Program Grant**

On the motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

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Resolved: WHEREAS, the Justice Court is currently eligible to apply for a Justice Court Assistance Program (“JCAP”) grant for construction funds, personal protective equipment and security related equipment for the Justice Court;

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the Town of Kent Justice Court to apply for a JPAC grant for the 2020/2021 cycle in an amount not to exceed \$30,000; 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#319 Approve Settlement of Tax Certiorari Proceeding in the Matter of the Application of Bonnie J. Weck and Douglas M. Weck, as Trustees of the Bonnie J. Weck Living Trust v. The Town of Kent**

On the motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: WHEREAS, the Town of Kent is currently a party respondent in a certain tax certiorari proceeding entitled BONNIE J. WECK AND DOUGLAS M. WECK, AS TRUSTEES OF THE BONNIE J. WECK LIVING TRUST V. TOWN OF KENT, ET AL, currently pending in the Supreme Court, State of New York, County of Putnam bearing index numbers 2019/501252 and 2020/500797 (the “Proceeding”), and

WHEREAS, Petitioners in this proceeding are contesting the total assessed valuation of premises shown on the Kent Tax Map as Section 12., Block 1, Lot 48 as listed on the 2019 and 2020 Assessment Roll; and

WHEREAS, a proposed settlement of the Proceeding has been negotiated by and among the Assessor of the Town of Kent, the Kent Town Attorney and Counsel to Petitioner, and the Town Assessor has recommend acceptance and approval of the proposed settlement, the terms of which are set forth in a proposed Consent Judgment, a full and complete copy of which is annexed hereto and hereby made a part hereof;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby approves and ratifies the settlement of the Proceeding as recommended by the Town Assessor as set forth on the proposed Consent Judgment; and

BE IT FURTHER RESOLVED, that Jamie Spillane, Esq. of the Firm of Hogan & Rossi, the Kent Town Attorney, or any other member of said Firm, is hereby authorized and directed to sign, on behalf of the Town of Kent, said Consent Judgment in the form annexed hereto or, if hereinafter modified or amended, in such form as may be deemed satisfactory to the Town Attorney.

Motion carried unanimously

**Resolution#320 Appoint Jeffrey Robinson as CEO in the Lake Carmel Department of Sanitation**

On the motion by Supervisor Fleming

Seconded by Councilwoman McGlasson

Resolved: Jeffrey Robinson be appointed CEO in the Lake Carmel Department of Sanitation effective immediately.

Motion carried unanimously

**Resolution#321 Approval of Vouchers and Claims**

On the motion by Councilman Huestis

Seconded by Councilman Ruthven

Resolved: Voucher #200156475-200156681 in the amount of \$379,355.06 and the following claims be approved for payment.

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Al’s Logging, Inc.	\$2,150.00	Tree Service: Lake Carmel
Allstate V3.0, Inc.	\$6,120.00	Breaker; Ryan’s Field
Cemco	\$6,363.65	Repair/Monthly: Water District #2
	\$2,391.15	Pump/Monthly; Water District #1
City Carting	\$7,287.40	Lake Carmel Garbage
	\$5,217.48	
	\$11,795.42	
	\$7,559.54	
Hogan & Rossi	\$5,416.63	Legal Services: October
Home Depot	\$3,427.20	Leaf Bags
Limnology Info & Freshwater	\$2,760.00	Lake Carmel Treatment
Magna5	\$3,819.28	Telephone Service
Millennium Strategies	\$2,500.00	Grant Services: September
Mirabito Energy	\$3,956.00	Boiler; Police Dept.

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NYS Dept of Civil Service	\$204,975.28	Health Insurance: October
Office for Senior Resources	\$2,500.00	2020 Outreach Worker Services
Purchase Power	\$2,000.00	Postage
Robert Green Auto & Truck	\$11,818.00	Truck Part
Royal Carting	\$5,606.14	Recycling Garbage
Rugged Depot	\$2,737.87	Laptop; Police
Motion carried unanimously		

**Resolution#322 Adjourn Town Board Meeting**

On the motion by Councilman Huestis  
Seconded by Councilwoman McGlasson  
Resolved: Town Board meeting of October 6, 2020 be adjourned at 9:10 p.m.  
Motion carried unanimously

Respectfully Submitted:

Lauren Louderback  
Deputy Town Clerk