

TOWN BOARD MEETING JUNE 1, 2021

A regular Town Board Meeting was held on Tuesday, June 1, 2021 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.

Pledge of Allegiance

Supervisor Fleming called the meeting to order with the Salute to the Flag at 7:05 p.m.

Roll Call

Supervisor Fleming – present
Councilman Denbaum – present
Councilwoman McGlasson – present
Councilman Huestis – present
Councilman Ruthven – present

Also present: Town Clerk Cappelli, Town Counsel Tagliafierro, Chief Owens, Lieutenant Flynn, Retired Sergeant Detective Locascio, several Kent Police Officers, Recycling Co-Chair Kotzur, Chair and Co-Chair Wrecher and Ulich of the Lake Carmel Park District Advisory Board, and several members of the public.

Kent Police Department Swearing In & Acknowledgement of Retirement

Supervisor Fleming said this evening is an important night for the Town of Kent and its Police Department. The first being the swearing in of Officer Rodriguez. Chief Owens introduced Luis who is a transfer from the Parks Police. He was joined by his family and took his Oath of Office. There was a round of applause.

Supervisor Fleming said Detective Sergeant Locascio has served the Town faithfully for 32 years, he will be missed and wished well for his future endeavors. There was a round of applause

RESOLUTION #205 - TO ACCEPT BID FOR CONSTRUCTION OF RETAINING WALL AT RYAN MEMORIAL PARK

INTRODUCED BY: Councilwoman McGlasson

SECOND BY: Councilman Ruthven

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

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

WHEREAS, Fred Adams of Carmel, New York submitted the lowest bid in the overall amount of \$111,000; and

WHEREAS, John Watson of Insite Engineering reviewed the bids submitted and, by letter dated March 31, 2021, recommends that the Town accept the bid of Fred Adams.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby awards the bid for construction of a retaining wall at Ryan Memorial Park to Fred Adams for an overall cost not to exceed \$111,000; 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 # 206 - ACCEPTING NEW MEMBERS TO THE LAKE CARMEL FIRE DEPARTMENT

INTRODUCED BY: Councilman Ruthven

SECONDED BY: Councilman McGlasson

WHEREAS, the Lake Carmel Fire Department has recommended the acceptance of Elaina Nacinovich, Jeffrey Lawrence and Heather Sorenson 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;

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NOW, THEREFORE, BE IT RESOLVED, that Town Board of the Town of Kent hereby accepts and welcomes Elaina Nacinovich, Jeffrey Lawrence and Heather Sorenson as members of the Lake Carmel Fire Department.

Motion carried unanimously

Lake Carmel Park District Advisory Board Proposed Town Code Changes

The Board reviewed and discussed the proposed changes page by page with Chairman Walter Wrecher. The changes will be worked into a final document for review as a local law for the next meeting.

RESOLUTION #207 - AWARDING QUOTE FOR MOWING OF TOWN CEMETERIES

INTRODUCED BY: Councilwoman McGlasson

SECOND BY: Supervisor Fleming

WHEREAS, the Town of Kent duly advertised for bids for the mowing of the Town of Kent cemeteries and received two bids in response; and

WHEREAS, All Seasons Property Maintenance LLC of Carmel, New York has submitted the lowest bid in the amount of \$6,000 for providing this service for three (3) years;

NOW THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby accepts the quote of All Seasons Property Maintenance LLC for the mowing of the Town of Kent cemeteries in the overall amount of \$6,000 to be paid in five installments of \$1,200 for a term of three (3) years.

Motion carried unanimously

RESOLUTION #208 - INTRODUCING LOCAL LAW -2021 AND PROVIDING FOR PUBLIC NOTICE AND HEARING MARIJUANA REGULATION & TAXATION ACT

INTRODUCED BY: Councilman Denbaum

SECONDED BY: Councilman Ruthven

BE IT RESOLVED that a local law entitled "Opting Out of Adult Use Cannabis Retail Dispensaries and On-Site Consumption Sites" is hereby introduced by Councilman Ruthven, as Introductory Local Law #__ of the year 2021 before the Town Board of the Town of Kent in the County of Putnam and State of New York, and

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Local Law, which is attached hereto, be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED, that the Town Board will hold a public hearing on said proposed Local Law at the Town Hall, in the Town of Kent, New York at 7:00 o'clock P.M. on June 15, 2021, and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published a public notice in the official newspaper of the Town of Kent of said public hearing at least five (5) days prior thereto.

Motion carried unanimously

TOWN OF KENT
COUNTY OF PUTNAM

LOCAL LAW NO. ____ of 2021

OPTING OUT OF ADULT USE CANNABIS RETAIL
DISPENSARIES AND ON-SITE CONSUMPTION SITES

BE IT ENACTED by the Town Board of the Town of Kent, Putnam County, New York, as follows:
Section 1. Legislative Intent

It is the intent of this local law to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Town of Kent that would otherwise be allowed under Cannabis Law Article 4.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law § 131 which expressly authorizes the town board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail

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dispensary licenses and/or on-site consumption licenses within the jurisdiction of the town and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule Law § 24.

Section 3. Local Opt-Out

The Town Board of the Town of Kent hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the town's jurisdiction.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Permissive Referendum/Referendum on Petition

This local law is subject to a referendum on petition in accordance with Cannabis Law § 131 and the procedure outlined in Municipal Home Rule Law § 24.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION #209 - APPROVAL OF VOUCHERS AND CLAIMS

On a motion by Councilman Huestis

Seconded by Councilwoman McGlasson

Resolved: All Vouchers and claims submitted by:

- | | | |
|------------------------|-------------|----------------------|
| 1. City Carting | \$7,484.77 | Lake Carmel Garbage |
| | \$6,691.71 | |
| | \$6,930.32 | |
| 2. Hogan & Rossi | \$5,416.63 | Legal Services |
| 3. PKF O'Connor Davies | \$27,525.00 | Audit |
| 4. Laura Roberts | \$2,052.00 | Prosecutor June 2020 |
| | \$2,178.00 | Pleas: March 2021 |
| 5. Royal Carting | \$4,745.70 | Recycling Garbage |
| may be paid. | | |

Motion carried unanimously

Announcements

Fireworks are scheduled for 6/26/21 a rain date of 7/10/2021. Backyard Olympics are scheduled 10:00 am to noon at Ryan Memorial Park, registration is required.

The Lake Carmel Fishing Derby will take place on 6/26/2021. The Lake Carmel Summer Festival will take place August 14, 2021.

Public Comments

Eileen Civitillo asked about the status of mining, she mentioned the applicant of the proposed project on Route 52 is coming before the Planning Board. Councilman Ruthven explained they have received quotes from our experts and have applied for a grant for 50% funding. He said the award date is June 10th. He said either way they will go forward with their services. He said we cannot stop anyone from going in front of the Planning Board the moratorium will prevent anything going forward at this point. Walter Wrecher commented that he never was more proud to be a Kent resident, he said he saw the biggest crowd at the Memorial Day Ceremony.

Resolution #210 - Adjourn to Executive Session

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: The Town Board adjourned to Executive Session to discuss personnel at 8:40 p.m.

Motion carried unanimously

Resolution #211 - Adjourn Executive Session

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On a motion by Supervisor Fleming
Seconded by Councilman Ruthven
Resolved: The Town Board meeting adjourned at 9:38 p.m.
Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli
Town Clerk