

TOWN BOARD MEETING JANUARY 17, 2023

A regular Town Board Meeting was held on Tuesday, January 17, 2023 at 6:45 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.

Resolution #50 - Adjourn to Executive Session

On a motion by Supervisor McGlasson

Seconded by Councilwoman Campbell

Resolved: At 6:45 p.m. the Town Board adjourned to Executive Session 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 #51 - Adjourn Executive Session

On a motion by Supervisor McGlasson

Seconded by Councilwoman Campbell

Resolved: Executive Session adjourned at 7:02 p.m.

Motion carried unanimously

At 7:00 p.m. Supervisor McGlasson called the meeting to order with the Pledge of Allegiance.

Roll Call

Supervisor McGlasson- present

Councilman Tompuri- present

Councilwoman Campbell- present

Councilman Ruthven- present

Councilman Boyd - not present

Also present: Town Clerk Cappelli, Town Counsel Tagliafiero, Highway Superintendent Othmer, Police Chief Owens, Recycling Chair Kotzur and several members of the public.

Resolution #52 - Introducing Local Law # ____/2023 entitled "Taxation"

On a motion by Councilman Tompuri

Seconded by Councilman Ruthven

Be It Resolved that an amendment to Kent Town Code Chapter 67, entitled "Taxation", is hereby introduced by Councilman Tompuri, as Introductory Local Law#____ of the year 2023 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 February 7, 2023; 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 there to.

Motion carried unanimously

Resolution #53 - Accept Resignation of Member of Kent Recycling Commission

On a motion by Councilman Tompuri

Seconded by Councilman Ruthven

WHEREAS, the Town of Kent wishes to accept the resignation of Howard Carpenter as Co-Chair of the Kent Recycling Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board accepts the resignation of Howard Carpenter as Co-Chair of the Kent Recycling Commission, with thanks for his service.

Motion carried unanimously

Resolution #54 - Authorization for Intermunicipal Agreement with Certain Putnam County Municipalities to Effectuate a Mutual Aid & Rapid Response Plan for the Police Departments of Participating Municipalities

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On a motion by Councilman Ruthven
Seconded by Councilman Tompuri

WHEREAS, the Putnam County Sheriff's Office has created a Mutual Aid and Rapid Response Plan (hereinafter the "Plan") to formalize operational procedures for law enforcement assistance to participating agencies; and

WHEREAS, the Plan provides that each member law enforcement agency agrees to make available its police personnel and equipment to the others upon the occurrence of a condition which is beyond the scope of its police resources; and

WHEREAS, the Town of Kent desires to enter into this agreement with Putnam County and its neighboring municipalities in and outside of Putnam County; and

WHEREAS, entry into such inter-municipal agreement is permitted under Article 5-G of the General Municipal Law; and

WHEREAS, due to prevailing world, national, and local security situations, the ever-increasing flow of intelligence, and actual threats directed against once benign sites and facilities, the parties desire that the Plan be flexible and subject to review and revision as necessary in a timely manner; and

WHEREAS, the Plan is governed by, and liabilities and costs are apportioned pursuant to, the provision of New York State General Municipal Law Section 209-m, which provides, inter alia, that absent agreement to the contrary, the municipality receiving police aid shall reimburse the municipality providing such aid for any money paid by it for police salaries and other expenses incurred by it including damage to, or loss of, equipment and supplies; and

WHEREAS, the Plan is to be revised as necessary and revisions to the Plan will be approved and implemented by the Putnam County Chief Law Enforcement Officers, namely, the Putnam County Sheriff and the Police Chiefs of the Town of Carmel, Town of Kent, the Village of Brewster and the Village of Cold Spring, and such revisions may include, but are not limited to, updates in protocols and additions of new municipalities and their police departments located within or outside of the physical boundaries of Putnam County to participate in the Plan;

NOW THEREFORE BE IT RESOLVED, that the Town of Kent be and hereby is authorized to enter into an inter-municipal agreement ("IMA") with the County of Putnam and certain municipal corporations as defined in Article 5-G of the New York State General Municipal law, located both within and outside of the County of Putnam (collectively the "Participating Municipalities"), in order to effectuate a Mutual Aid and Rapid Response Plan for the police departments of the Participating Municipalities (the "Plan") to carry out the purpose described in Section 209-m of the New York State General Municipal Law for a term of five years commencing in January 2023;

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute the proposed IMA in a form approved by the Town Supervisor and the Town Attorney, and any and all other documents as may be necessary to give full effect to this Resolution.

Motion carried unanimously

Resolution #55 -Setting Foreclosure of Mortgages & Vacant Property Registration Fee Schedule

On a motion by Councilman Ruthven
Seconded by Councilman Tompuri

WHEREAS, due to changes in New York State Law, the Town Board wishes to amend the fee schedule for Foreclosure of Mortgages and Vacant Property Registration; and

WHEREAS, the Semi Annual Fee for Foreclosure of Mortgages and Vacant Property Registration is amended to \$75 for Foreclosures and for Vacant Properties; and

WHEREAS, consistent with this change, the Town Board wishes to amend the Town's

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agreement with Property Registration Champions, LLC (“PRC”) to provide that the fee charged by PRC for its services in connection with the registrations is \$75 per registration as provided for in Amendment No. 1 to the Agreement (the “Amendment”), a copy of which annexed hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes and approves the proposed Semi Annual Registration Fee for Foreclosure of Mortgages and Vacant Property Registration as set forth above; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute the proposed Agreement in the form annexed hereto, or in substantially the same form as annexed hereto subject to approval of the Town Supervisor and the Town Attorney, and any and all other documents as may be necessary to give full effect to this Resolution.

Motion carried unanimously

Resolution #56 - Appointing Chairman, Vice Chairman and Member to the Planning Board

On a motion by Councilman Tompuri

Seconded by Councilman Ruthven

WHEREAS, by resolution, the Planning Board has recommended that the Town Board appoint Hugo German as Chairman to the Planning Board; and

WHEREAS, by resolution, the Planning Board has recommended that the Town Board appoint Simon Carey as Vice Chairman; and

WHEREAS, by resolution, the Planning Board has recommended that the Town Board appoint Thomas Faraone as a member of the Planning Board to fill the unexpired term of Stephen Wilhem; and

WHEREAS, the Town Board wishes to follow the recommendations of the Planning Board.

NOW, THEREFORE, BE IT RESOLVED, that Hugo German is appointed as the Chairman of the Planning Board; and

BE IT FURTHER RESOLVED, that Simon Carey is appointed as the Vice Chairman of the Planning Board; and

BE IT FURTHER RESOLVED, that Thomas Faraone is appointed as member of the Planning Board to fill the unexpired term of Stephen Wilhem expiring on December 31, 2023.
Motion carried unanimously

Resolution #57 - Authorizing AED Purchase Recreation & Parks Department

On a motion by Councilwoman Campbell

Seconded by Councilman Ruthven

WHEREAS, there is a need for an Automated External Defibrillator (“AED”) for the Town of Kent Recreation and Parks Department; and

WHEREAS, the Town of Kent has been provided with quotes for seven different AED packages from the American Red Cross; and

WHEREAS, the Town Board wishes to authorize the Recreation and Parks Department to purchase two (2) Powerheart G5 systems at a cost of \$1,649.00 each;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the Recreation and Parks Department to purchase two (2) Powerheart G5 AED system at the overall total cost of \$3,298.

Motion carried unanimously

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Resolution #58-Authoring Town Clerk to Advertise for PT Recreation Assistant for Recreation & Parks Department

On a motion by Councilman Ruthven
Seconded by Councilman Tompuri

WHEREAS, the Town of Kent is seeking to fill the part time position of Recreation Assistant for the Recreation and Parks Department; and

WHEREAS, the Town of Kent wishes to advertise for applications to fill said position; 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 applications for the part-time position of Recreation Assistant for the Recreation and Parks Department.
Motion carried unanimously

Resolution #59 - Appointment of Highway Department Construction Equipment Operators

On a motion by Councilman Ruthven
Seconded by Councilman Tompuri

WHEREAS, by letter dated January 11, 2023, the Highway Superintendent, Richard T. Othmer, Jr. has recommended the promotion of Peter Erickson, a current employee of the Highway Department, to the open position of Construction Equipment Operator; and

WHEREAS, by the aforementioned letter, Mr. Othmer has recommended the promotion of Robert Donohue, a current employee of the Highway Department, to the position of Construction Equipment Operator, effective February 3, 2023; and

WHEREAS, the Town Board wishes to approve and authorize the Highway Superintendent's recommendation;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby appoints Peter Erickson as Construction Equipment Operator, effective immediately, and appoints Robert Donohue as Construction Equipment Operator, effective February 3, 2023.
Motion carried unanimously

Resolution #60 - Add to the Agenda

On a motion by Councilman Ruthven
Seconded by Councilman Tompuri
Resolved: Advertise for a Motor Equipment Operator for Kent Highway was added to the agenda.
Motion carried unanimously

Resolution #61 - Advertise for MEO for Kent Highway

On a motion by Councilman Ruthven
Seconded by Councilman Tompuri
Resolved: The Town Clerk is authorized to advertise for a Motor Equipment Operator for the Kent Highway Department.
Motion carried unanimously

Resolution #62- Introduce Local Law # ____/2023 Extending A Temporary Land Use Moratorium Prohibiting Mining

On a motion by Councilwoman Campbell
Seconded by Councilman Tompuri

BE IT RESOLVED a local law Extending A Temporary Land Use Moratorium Prohibiting Mining within the Town of Kent is hereby introduced by Councilwoman Campbell, as Introductory Local Law # ____ of the year 2023 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

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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 February 7, 2023, 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 ten (10) days prior thereto.
Motion carried unanimously

Resolution #63 - Add to the Agenda

On a motion by Supervisor McGlasson
Seconded by Councilman Ruthven
Resolved: An item for Water District #2 was added to the agenda.
Motion carried unanimously

Resolution #64 - Map Services for Water District No. 2

On a motion by Supervisor McGlasson
Seconded by Councilman Ruthven
Resolved: Cemco is authorized to provide services to map out Water District No.2 for an amount not to exceed \$5,750.00
Motion carried unanimously

Resolution #65 - Authorizes Payment of Vouchers and Claims

On a motion by Councilman Ruthven
Seconded by Councilman Tompuri
Resolved: All Vouchers #200166200 - #200166370 and Claims submitted by:

2022 VOUCHERS

1.	Barton & Loguidice DPC	\$8,266.81	Lake Louise Drive Culvert
2.	Beacon Recycling	\$2,331.30	Lake Carmel Recycling
3.	Cardmember Services	\$7,773.58	Credit Card: December
4.	Cemco Water	\$3,560.08	Water District #1: December
5.	City Carting	\$7,756.11	Lake Carmel Garbage
6.	Global Montello Group	\$7,493.94	Diesel
		\$5,141.83	Gas
		\$6,513.44	
7.	Insite Engineering	\$3,337.88	Huestis Park
		\$7,000.00	Lake Carmel Dam
8.	Kevin Irwin	\$4,230.00	Prosecutor: October-December
9.	Robert Green Auto & Truck	\$4,293.92	Truck Parts
10.	Royal Carting	\$5,200.07	Recycling Garbage
11.	Town of Kent Municipal Repairs	\$2,145.36	Chargebacks: Police
		\$31,281.18	Chargebacks: Highway

2023 VOUCHERS

1.	Hogan, Rossi & Liguori	\$5,416.63	Legal Services: January
2.	Kent Public Library	\$566,686.00	2023 Budget
3.	Krysaliss	\$5,175.00	Website Service
4.	Magna5 MS	\$4,677.25	Network Services: January
5.	Metal Building Restoration	\$297,500.00	Requisition #11
6.	NYCOMCO	\$2,972.00	Police 2 Way Radios: January
7.	NYS Dept. of Civil Service	\$255,942.45	Health Insurance: January
8.	Purchase Power	\$3,000.00	Postage

In the amount of \$111,295.85 for 2022 and \$1,167,497.22 for 2023 may be paid.
Motion carried unanimously

Announcements

- Saturday, February 25, 2023, 9:00 a.m. at the Carmel High School the Carmel Rotary is having a Community Basketball Challenge. Visit the carmelrotary.org or call 845-225-2122 for more info.
- Friday, February 24, 2023 A Hatriks Hockey Game Town of Kent Community Night will be held at the Danbury Arena for \$10.00.
- Sunday, January 22, 2023 at 2:00 p.m. Arts on the Lake will host film, talk and discussion with Sculptor Mike Keropian and Film maker Jeff Hodges on Chief Daniel Nimham Statue.
- The Kent Library has on February 4th a discussion on Israel Putnam.
- On February 4, 2023 the Kent Library is having a field trip to the Pied Piper Theatre on White Pond Road on Lent and Mardi Gras.

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- A discussion has taken place with our Engineer, Superintendent Othmer and the County on the Dam and the Bridge in Lake Carmel to come up with a solution. Also another round for the High Hazard Dam Funding has been applied for.
- The Town is also applying for an Archives Grant from the State Department of Cultural Education Dept for scanning records.

Public Comment

Mr. Arthur Molden, husband to Kathy Rady understood consideration was being given on old invoices for Krysaliss for website support services. He read the letter (attached).

Kathy Doherty said Kathy was her friend for 42 years. She said she was the Supervisor in 2013. She thanked the Town Board for investigating the claim. She said former Supervisor Maureen Fleming did an abuse of power. She tried to change the contract without the town board's knowledge. Former Councilwoman Osborne fought with her to pay the invoices. She thanked the board, and wished that Kathy was alive to see it, she expressed her appreciation.

Sue Kotzur, Town of Kent resident questioned the comment made by Superintendent Othmer concerning the Nimham Bridge. She read somewhere they are not to be handled by the town, that it would require other agencies to care for them. She asked the board to look into it as Nimham Rd bridges are very sensitive to wildlife. Councilwoman Campbell clarified the point applying for funding is so that we can bring in as needed an engineering firm and whatever contractors are needed to perform the work. She said whatever permitting is required is done as well.

Resolution #66 - Adjourn to Executive Session

On a motion by Supervisor McGlasson

Seconded by Councilman Ruthven

Resolved: At 7:55 p.m. the Town Board adjourned to Executive Session to discuss 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 #67 - Adjourn Executive Session

On a motion by Councilman Ruthven

Seconded by Councilman Tompuri

Resolved: The meeting of January 17, 2023 adjourned at 8:30 p.m.

Motion carried unanimously

Cordially submitted,

Yolanda D. Cappelli
Town Clerk