

KENT TOWN BOARD MEETING JULY 2, 2019

A regular Town Board meeting was held at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, New York 10512.

Resolution #267 - Adjourn to Executive Session

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

Resolved: The town board adjourned to executive session at 5:30 p.m. to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation

Motion carried unanimously

Resolution #268 - Adjourn Executive Session

On a motion by Councilman Ruthven

Seconded by Councilwoman McGlasson

Resolved: The town board adjourned executive session at 7:05 p.m. no votes were taken.

Motion carried unanimously

Kent Police Department – Promotion

Supervisor Fleming introduces Kent Chief of Police Kevin Owens up to the podium to promote Sergeant Tara Flynn to Police Lieutenant. As her mother pins her badge on her, all Officers and public alike cheer in congratulations.

Resolution #269 - Open Public Hearing on

On a motion by Supervisor Fleming.

Seconded by Councilman Ruthven

Resolved: The Public Hearing on amendments to Chapter 77, entitled "Zoning" was opened.

Motion carried unanimously

There were no comments from the board or the public. Town Counsel Tagliafierro said the approval has been received from Putnam County.

Resolution #270 - Close Public Hearing – Local Law on Amendments to Chapter 77 "Zoning"

On a motion by Supervisor Fleming

Seconded by Councilman Ruthven

Resolved: The Public Hearing on the proposed Local Law regarding Zoning was closed.

Motion carried unanimously

Pledge of Allegiance

The workshop meeting was opened with the Salute to the Flag.

WORKSHOP MEETING

The Board discussed and reviewed all items on the workshop agenda. To see what transpired at the workshop meeting please see Videos on Demand on the Town's website.

www.townofkentny.gov.

Public Comment

THE TOWN BOARD MEETING WAS CALLED TO ORDER WITH ROLL CALL

Supervisor Maureen Fleming – present

Councilman Paul Denbaum – present

Councilwoman Jaime McGlasson – present

Councilman Bill Huestis – present

Councilman Chris Ruthven – present

RESOLUTION#271 - ADOPTING LOCAL LAW #4/2019

On the motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

WHEREAS, a local law to amend Kent Town Code Chapter 77, entitled "Zoning", which amendment will revise Chapter III to add provisions adding nursing homes, convalescent homes and alternative care facility as permitted uses the R-80 Zoning was introduced as

KENT TOWN BOARD MEETING JULY 2, 2019

Introductory Local Law #y4 of the year 2019 before the Town Board of the Town of Kent on May 21, 2019; and

WHEREAS, the public hearing was opened on June 18, 2019, and continued to July 2, 2019 and the public was invited to attend and be heard on the matter;

NOW THEREFORE, BE IT RESOLVED, that Introductory Local Law #4 of 2019 is hereby enacted by the Town Board of the Town of Kent as Local Law #4 of 2019 of the Town of Kent, and

BE IT FURTHER RESOLVED, that a true copy of the law is attached hereto and made a part hereof.

Upon Roll Call Vote

Councilman Denbaum – aye Councilwoman McGlasson – aye

Councilman Huestis – aye Councilman Ruthven- aye

Supervisor Fleming – aye

Motion carried unanimously

TOWN OF KENT
AMENDMENT TO
CHAPTER 77
OF THE KENT TOWN CODE

BE IT ENACTED by the Town Board of the Town of Kent, Putnam County, New York, as follows:

Section 1. Chapter 77, Article III regarding “R-80 Residential District” shall be amended to read as follows:

ARTICLE III, R-80 Residential District.

§ 77-7. Purpose and Permitted Uses.

District Purpose. This district is intended to conserve the more rural land areas within the Town by promoting a balance of open space and low-density, single family residential uses consistent with natural resource constraints, the conservation of open space areas, and other compatible land use opportunities. In an R-80 Residential District, no building or premises shall be used and no building shall hereafter be erected, altered or added to unless otherwise provided in this Chapter, except for one or more of the following uses:

A) Principal permitted uses. (*) indicates a use that is also subject to Planning Board Site Plan Approval pursuant to §77-60 of this Chapter.

(1) One-family dwellings, not to exceed one dwelling on a single lot.

(2) (*) Public parks, playgrounds and recreational areas; firehouses, police stations and other public buildings and uses.

(3) (*) Cemeteries for the interment of human remains; no crematorium.

(4) (*) Regularly organized elementary or high schools having a curriculum approved by the Board of Regents of the State of New York, and subject to the following:

(a) The minimum lot size shall be five acres.

(b) No building, parking or loading area, or part thereof, shall be located neither within 100 feet of any street line nor within 50 feet of any property line.

(5) (*) Places of religious worship, including part-time religious schools, provided that no building or part thereof and no parking or loading area shall be located within 75 feet of any street line nor within 50 feet of any property line; and parish houses, parsonages and rectories which shall comply with the requirements set forth herein for one-family dwellings.

(6) (*) Nursing home, convalescent home and alternative care house provided:

- a) **The minimum lot shall be five acres.**
- b) **No building or part thereof or any parking area shall be located within 100 feet of any street or lot line.**
- c) **The lot shall have frontage on a county or state road, and such county or state road frontage shall serve as the point of ingress and egress to the facility.**

(6)(7) (*) Nursery schools, family day-care home, or day-care centers subject to § 77-44.5 of this chapter.

(7) (8) (*) Public utility structures and rights-of-way, but excluding utility offices, garages, storage yards, and communication facilities.

(8) (9) Agricultural uses as defined in New York State Agriculture and Markets Law, provided that no building in which farm animals are kept and no storage of manure shall be located nearer than 100 feet to any street line or property line, and provided further that the keeping of horses and livestock shall be permitted only on lots having an area of two acres plus one acre for each such animal in excess of one. In addition, no greenhouse heating plant shall be located nearer than 50 feet to any street line or property line. One farm stand exclusively for the sale of agricultural products grown on the premises is permitted.

Section 2. This local law shall take effect immediately.

RESOLUTION FOR PROPOSITION TO INCREASE TOWN BUDGET APROPRIATION THE KENT LIBRARY was tabled.

RESOLUTION #272 - TO HIRE LAKE CARMEL PARK DISTRICT HEAD LIFEGUARD AND BEACH CAPTAIN

On the motion by Councilman Denbaum
Seconded by Councilwoman McGlasson

WHEREAS, by resolution dated June 4, 2019, the Town of Kent Town Board approved the hiring of William Salisbury as a Beach Captain at a rate of \$13 per hour and the hiring of Kaitlyn Smith as a Head Guard-Part Time at the rate of \$15 per hour for the Lake Carmel Park District ("LCPD"); and

WHEREAS, by email dated July 1, 2019, Andrea McKinley, Lifeguard Supervisor, has recommended that Kaitlyn Smith's position be changed to Beach Captain at the rate of \$13 per hour and William Salisbury's position be changed to Head Lifeguard for a rate of pay of \$15 per hour on Saturday and Sunday; and

WHEREAS, in addition, Ms. McKinley recommends that William Salisbury continue under the position of Beach Captain at a rate of pay of \$13 per hour for an additional 3 days during the work week.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the position and rate changes described above for the 2019 season effective as of July 6, 2019.

Motion carried unanimously

RESOLUTION #273 - ACCEPTING QUOTE FOR FENCING

On the motion by Councilman Denbaum

Seconded by Supervisor Fleming

WHEREAS, consistent with the Procurement Policy the Town of Kent sought quotes for the repair of fencing around the Lake Carmel Community Center; and

WHEREAS, quotes were requested from three companies and two companies submitted quotes in response, copies of which are attached hereto and incorporated by reference herein;

WHEREAS, Duke Fence submitted the lowest quote in the amount of \$10,180.00;

NOW THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby accepts the proposal of Duke Fence to replace the fencing, as further described in the quote, for an amount not to exceed \$10,180.00; 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 #274 - FOR AUTHORIZATION TO TRADE HIGHWAY EQUIPMENT

On the motion by Councilwoman McGlasson

Seconded by Councilman Ruthven

WHEREAS, by letter dated June 28, 2019, Richard Othmer, the Town of Kent Highway Superintendent has recommended that the Town share services with the Town of North Salem by trading the below equipment, which is unneeded by the Town, in exchange for a 1989 US Navy Surplus All Terrain Forklift (the "Forklift"):

Highway #803	2017 Winston AP20723EC	VIN 1W9AP2322HH160213
Highway #801	2016 Carry On 5.5X10GWPR	VIN 4YMBU1015GV049829

(collectively, the "Trailers"); and

WHEREAS, according to Mr. Othmer, the Trailers are of no use to the Town since the Highway Department received a twenty ton trailer from Putnam County, free of charge; and

WHEREAS, the General Municipal Law and the Town of Kent Procurement Policy exempts from competitive bidding certain purchases of surplus and secondhand goods from another governmental entity;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent authorizes the Highway Superintendent to transfer the Trailers to the Town of North Salem in exchange for the Forklift.

Motion carried unanimously

RESOLUTION #275 - AUTHORIZATION TO OFFER VEHICLES FOR SALE AT AUCTION

On the motion by Councilwoman McGlasson

Seconded by Councilman Ruthven

WHEREAS, by letters dated June 28, 2019, the Town of Kent Highway Superintendent and Municipal Repair Service Manager have advised that the following vehicles have reached the end of their service life or are of no further use to the Town:

Highway #2	2004 Dodge Pick-Up R2500	VIN 3D7KU26D5
Highway #53	2006 Chevrolet-Silverado 3500	VIN 1GBJK34D3

(collectively, the "Vehicles"); and

WHEREAS, the Municipal Repair Service Manager has recommended the Vehicles be offered for sale at auction and the Highway Superintendent agrees with the recommendation; and

WHEREAS, the Town Board wishes to authorize Municipal Repairs to offer the Vehicles for sale to third parties at auction and if there are no purchasers, to scrap the Vehicles in exchange for their scrap metal value;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent authorizes Municipal Repairs to offer the Vehicles identified hereinabove for sale to third parties at auction; and

BE IT FURTHER RESOLVED, that if the auction results in no sale of the Vehicles, the Town of Kent Municipal Repairs is authorized to scrap the Vehicles in exchange for their scrap metal value.

Motion carried unanimously

RESOLUTION #276 - APPOINTING MEMBER TO CONSERVATION ADVISORY COMMITTEE

On the motion by Councilwoman McGlasson

Seconded by Councilman Ruthven

WHEREAS, the Town of Kent Conservation Advisory Committee currently has a vacancy, and Ed Illiano has submitted an application seeking to fill said vacancy; and

WHEREAS, the Town Board of the Town of Kent wishes to appoint Ed Illiano to fill the vacancy on the Conservation Advisory Committee;

NOW, THEREFORE, BE IT RESOLVED, that Ed Illiano be appointed for a term of 5 years, for a term to commence immediately and terminating on December 31, 2024.

RESOLUTION #277 - APPOINTMENT OF CHAIRMAN OF THE CONSERVATION ADVISORY COMMITTEE

On the motion by Councilman Ruthven

Seconded by Councilwoman McGlasson

WHEREAS, pursuant to Town of Kent Town Code Section 4-16, the Town Board is responsible for the appointment of the Chairman of the Kent Conservation Advisory Committee ("CAC"); and

WHEREAS, according to Anne Balant Campbell, Secretary of the CAC, at the June 19, 2019 meeting, the CAC unanimously recommended Bill Volckmann to serve as Chairman; and

WHEREAS, the Town Board wishes to follow the recommendation of the CAC and appoint Bill Volckmann to serve as Chairman;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby appoints Bill Volckmann to serve as Chairman of the Conservation Advisory Committee for a term expiring on December 31, 2019.

Motion carried unanimously

RESOLUTION #278 - ACCEPTING PROPOSAL FOR CONSTRUCTION OF 50" COUNTERS AT TOWN OFFICES

On the motion by Councilman Ruthven

Seconded by Supervisor Fleming

WHEREAS, as a measure to enhance the safety of Town employees, the Town Board of the Town of Kent wishes to raise the counters in Town Hall to a height of 50"; and

WHEREAS, the Town Supervisor requested three quotes for the construction of 50" counters in the Town Hall and received two quotes in response; and

WHEREAS, Jim Liebler Inc. has submitted the lowest quote in the total amount of \$3,440; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the proposal of Jim Liebler Inc. to construct 50" counters at the Town Hall for a total cost not to exceed \$3,440.

Motion carried unanimously

Resolution #279 - Add Weed Harvester Rental To Agenda

On the motion by Councilman Ruthven

Seconded by Councilman Huestis

Resolved: Weed Harvester rental was added to the agenda.
Motion carried unanimously

RESOLUTION #280 - AUTHORIZING USE OF LAKE CARMEL PARK DISTRICT WEED HARVESTER

On the motion by Councilman Ruthven
Seconded by Councilwoman McGlasson

WHEREAS, Park District No. 1 (“LCPD”) owns a certain weed harvester that is not currently in current use; and

WHEREAS, by email dated June 6, 2019, John Christensen, of Kentwood Lake Property Owners Association Inc., has requested the use of the LCPD weed harvester for the cleanup of Kentwood Lake; and

WHEREAS, the Town Board of the Town of Kent wishes to authorize the rental of the LCPD weed harvester by the Kentwood Lake Property Owners Association Inc. for a fee and under certain conditions;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the rental of the Park District No. 1 weed harvester by the Kentwood Lake Property Owners Association Inc. for cleanup of Kentwood Lake on the terms and conditions agreeable to the parties, in a written agreement containing terms satisfactory to the Town Supervisor and Town Attorney.

Motion carried unanimously

Resolution #281 - Approval of Vouchers and Claims

On the motion by Councilman Huestis
Seconded by Supervisor Fleming

Resolved: All vouchers #200151243 - #200151424 and claims submitted by:

1. Terry Boalt	\$2,440.00	Library Stairs: 2 nd payment
2. City Carting	\$6,040.27	Lake Carmel Garbage
3. Global Montello Group	\$4,189.50	Fuel
4. Hogan & Rossi	\$5,416.63	Legal Services: July
5. Intercounty Paving	\$230,198.08	Paving
	\$249,876.27	
6. Peckham Materials	\$9,898.63	Blacktop
	\$44,301.27	
7. Purchase Power	\$2,000.00	Postage
8. Royal Carting	\$4,776.50	Recycling Garbage
9. Traffic Lane Closures	\$27,670.00	Message Boards
10. Transaxle	\$3,300.57	Truck Parts

In the amount of \$669,655.91 may be paid.
Motion carried unanimously

Public Comment

Kathy Doherty asked if Intercounty is being hired to do the paving. The board replied yes. She questioned even though they have all the equipment. Councilman Huestis said they did some. Deputy Town Clerk clarified it was for the paving of Mooney Hill.

Mike Mahoney states he did not hear the vote on B submittal of the proposition on library funding to the Board of Elections. Supervisor Fleming said right Councilman Denbaum and Councilman Ruthven had both wanted further information so we will table it to the July 16, 2019. Mr. Mahoney did not hear a vote tabling it and asks if you do such a thing. Mr. Denbaum said sometimes we do, but I will make that motion to table item B. and Mr. Ruthven second it.

Resolution #282 - Table Submittal of Library Proposition

On a motion by Councilman Denbaum
Seconded by Councilman Ruthven

Resolved: The submittal of the library proposition to the Board of Elections was tabled.
Motion carried unanimously

Resolution#283 - Adjourn to Executive Session

On the motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: The town board adjourned to executive session at 8:45 p.m.

Motion carried unanimously

Resolution #284 - Adjourn Executive Session/Meeting

On a motion by Councilwoman McGlasson

Seconded by Councilman Huestis

Resolved: The executive session/town board meeting adjourned at 9:45 p.m.

Motion carried unanimously

Respectfully submitted,

Lauren Louderback
Deputy Town Clerk