

## TOWN OF KENT TOWN BOARD MEETING MAY 21, 2019

A regular Town Board meeting was held at the Kent Town Hall, 25 Sybil's Crossing, Town of Kent, New York 10512 on May 21, 2019.

### **RESOLUTION#- ADJOURN TO EXECUTIVE SESSION**

On the motion by Supervisor Fleming

Seconded by Councilman Ruthven

Councilman Denbaum informed the board he would be late.

**Resolved:** Town board adjourned to executive session at 6:30 p.m. to discuss pending litigation and collective bargaining issues

Motion carried unanimously

Supervisor Fleming left executive session at 7:03 p.m.

### **RESOLUTION# - CLOSE EXECUTIVE SESSION**

On the motion by Councilwoman McGlasson

Seconded by Councilman Huestis

**Resolved:** Town board closed executive session at 7:08 p.m. and no action was taken.

Motion carried unanimously

### **RESOLUTION# -OPEN PUBLIC HEARING**

On the motion by Councilman Huestis

Seconded by Councilwoman Ruthven

**Resolved:** Public hearing for proposed local law for maintenance of ancient roads was opened at 7:15 p.m.

Motion carried

Supervisor Fleming recused herself.

Highway Superintendent Othmer informed the board he noticed that the specific road list was not part of the law which caused confusion and many questions. Also, Councilman Denbaum brought to his attention the wording in Section 1. Item D. *Private contractors have been unable or unwilling to maintain these roads*, needs to be worded more appropriately. He asked this not be approved this evening, renoticed and done properly. He explained the three subdivisions were built to be private roads,

### **RESOLUTION# - ADJOURN PUBLIC HEARING**

On the motion by Councilman Huestis

Seconded by Councilman Denbaum

**Resolved:** Public hearing for proposed local law for maintenance of ancient roads be adjourned until next town board meeting on May 21, 2019

Motion carried.

### **Pledge of Allegiance**

The Workshop Meeting was called to order with the Salute to the Flag.

### **Workshop Meeting**

The board reviewed all the 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](http://www.townofkentny.gov).

### **Roll Call:**

Supervisor Fleming-present

Councilwoman McGlasson-present

Councilman Denbaum-present

Councilman Ruthven- present

Councilman Huestis-present

### **Also Present**

Town Clerk Yolanda Cappelli, Town Counsel Nancy Tagliafiero and Jaime Spillane

### **RESOLUTION # - TABLE ADOPTING LOCAL LAW #3/2019**

On the motion by Councilman Denbaum

Seconded by Councilman Ruthven

Resolved: The adoption of Local Law entitled Ancient Subdivisions was tabled.

Motion carried unanimously

**RESOLUTION # - Approve E-Waste Agreement**

On the motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

**WHEREAS**, in accordance with the Town's procurement policy, the Town of Kent requested quotes for disposal of e-waste in order to participate in an electronic waste recycling program and related waste services; and

**WHEREAS**, the Town received three (3) quotes for such service, copies of which are annexed hereto and hereby made a part hereof; and

**WHEREAS**, SAMR submitted the lowest quote at \$1,875 per switch which is approximately \$.16 per pound of disposed e-waste; and

**WHEREAS**, the Town Board desires to accept the quote of SAMR for e-waste disposal;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board accepts the quote of SAMR to provide e-waste consistent with the annexed quote; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Kent hereby authorizes and directs the Town Supervisor to execute any and all documents, in a form satisfactory to the Town Attorney, if requested, and to take any and all other necessary or appropriate actions to give effect to this resolution.

Motion carried unanimously

**RESOLUTION # - Table Setting Fee for E-Waste Recycling & Advertise for Skylight Replacement**

On the motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

Resolved: Setting fees for E-Waste Recycling and Advertise for Skylight replacement was tabled.

Motion carried unanimously

**RESOLUTION # - Accept Erosion Control Surety Bond & Landscaping Plan Bond TM#10.20-1-71 Baillargeon , Kenview Drive**

On the motion by Councilwoman McGlasson

Seconded by Councilman Ruthven

**WHEREAS**, the Planning Board, by Resolution dated May 15, 2019 has recommended that the Town Board accept: (i) an Erosion Control Bond in the amount of \$12,798; and (ii) a Landscaping Plan Bond in the amount of \$2,700 from the owner of the property located at Kentview Drive, Kent, New York, identified as Tax Map No. 10.20-1-71; 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: (i) an Erosion Control Bond in the amount of \$12,798, and (ii) a Landscaping Plan Bond in the amount of \$2,700.

Motion carried unanimously

**RESOLUTION # - INTRODUCING LOCAL LAW # /2019 & PROVIDING FOR PUBLIC NOTICE & HEARING**

On the motion by Councilwoman McGlasson

Seconded by

**BE IT RESOLVED** that an amendment to Kent Town Code Chapter 77, Article III regarding permitted uses in the R-80 Zoning District is hereby introduced by Councilwoman McGlasson

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, as Introductory Local Law #\_ of the year 2019 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 Amendment, 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 Amendment at the Town Hall, in the Town of Kent, New York at 7:00 o'clock P.M. on June 18, 2019, 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

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 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.

Dated: May \_\_\_\_, 2019

**RESOLUTION # - Authorizing Contract with ESI Group**

On the motion by

Seconded by

**WHEREAS**, the Town of Kent previously entered into a contract with ESI Group to provide an Employee Assistance Program and required DOT Substance Abuse Evaluations; and

**WHEREAS**, the Town Board wishes to renew its agreement through May 31, 2020 at the annual cost of \$3,675 for employee assistance and a cost of \$850 per DOT Substance Abuse Evaluation; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby authorizes and approves the renewal agreement with ESI; and

**BE IT FURTHER RESOLVED**, that the Town Supervisor is hereby authorized and directed to execute any and all agreements and other documents necessary to give effect to this Resolution, consistent with the terms hereof, all in form satisfactory to the Supervisor and the Town Attorney.

Motion carried unanimously

**RESOLUTION # - Approve Vouchers & Claims**

On the motion by Councilman Huestis

Seconded by

Resolved: All Vouchers # - # and claims submitted by:

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In the amount of \$    may be paid.

Motion carried unanimously

**RESOLUTION # - ADJOURNMENT**

On a motion by

Seconded by

Resolved: The Town Board meeting of May 21, 2019 adjourned at p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli

Town Clerk