

TOWN BOARD MEETING OF NOVEMBER 27, 2018

A regular meeting was held on Tuesday November 27, 2018 at the Kent Town Hall, 25 Sybil's Crossing, Town of Kent, New York, 10512.

Resolution #420 - Adjourn to Executive Session

On a motion by Supervisor Fleming

Seconded by Councilwoman Woolley

Resolved: The Town Board adjourned to Executive Session at 6:19 p.m. to discuss the medical, financial, credit or employment history of a particular person or corporation and current litigation.

Motion carried unanimously

Resolution #421 - Adjourn Executive Session

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

Resolved: Executive Session adjourned at 7:08 p.m. no action was taken.

Motion carried unanimously

Public Hearing – Kent Town Code for the Regulation & Licensing of Food Trucks

Supervisor Fleming read the legal notice pertaining to licensing of Food Trucks (see attached).

She said annexed to the agenda backup is the amended code with the changes underlined. This was discussed at a number of meetings starting with the Town of Southeast's Food Truck Law. It has been adapted to our needs and interest making it our own. She said at Community Day they were a success, people were disappointed there were only three food trucks, they are very popular. She asked for comments or questions, there were none.

Resolution #422 – Adjourn Public Hearing Kent Town Code for the Regulation & Licensing of Food Trucks

On a motion by Supervisor Fleming

Seconded by Councilman Denbaum

Resolved: The Public Hearing Kent Town Code for the Regulation & Licensing of Food Trucks was adjourned until the meeting of December 4, 2018.

Motion carried unanimously

Pledge of Allegiance Supervisor Fleming called the Workshop Meeting to order with the Salute to the Flag.

Workshop Meeting

The Board discussed and reviewed all items on the workshop agenda.

Public Comment

Bill Walters announced the Lake Carmel Fire Department on December 15, with the help of Santa will be distributing candy canes so keep an ear out for the sirens and send the children out. Councilman Denbaum stated last week he brought to the public's attention the work being done at Ryan's Park consisting of the removal of the fitness apparatus, the building of a retention pond and the excavation of a hill at the fitness trail by the East of Hudson Corp. He said this work was done without notification to the board. He said East of Hudson will be presenting to the board next week. He believes the project should come before the board, with the consent of the board. He has heard multiple complaints. He has also heard the project may be in our best interest, or that we do not want to halt it because of the cost. He said the park has been altered without our consent, done by a quasi regulatory group. His resolution to halt the project will be on hold until after our questions can be answered. Councilman Huestis said there are several additional projects planned. He would like to know about them and the impact to our community in the interest of improving water quality and stormwater quality to NYC. Supervisor Fleming advised Kevin Fitzpatrick of East of Hudson Corporation will be at the next meeting to discuss the Haviland Road Project and also the additional projects.

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

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Councilwoman Woolley – present

Also Present: Town Clerk Yolanda Cappelli, Highway Superintendent Rich Othmer, Police Chief Kevin Owens, Building Inspector Bill Walters and Co-Chairperson of Recycling Sue Kotzur, Town Attorney Nancy Tagliafierro, and two members of the Lake Carmel Fire Department.

RESOLUTION #423 -REGARDING APPROVAL OF REVISED SERVICE AWARDS PROGRAM LAKE CARMEL FIRE DEPARTMENT

INTRODUCED BY: Councilman Denbaum

SECOND BY: Councilwoman McGlasson

WHEREAS, the Town of Kent is in receipt of a proposed Resolution for the Service Awards Program for Lake Carmel Fire Department describing a revised Service Awards Program, a copy of which is annexed hereto and made a part hereof; and

WHEREAS, the Lake Carmel Fire Department has requested that the Town Board approve the revised service awards program as set forth in the proposed resolution;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby approves the revised Service Award Program for the Lake Carmel Fire Department as annexed; 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

RESOLUTION #424 -REGARDING REQUEST FOR EXTENSION OF TIME TO HOOK UP TO SEWER DISTRICT

INTRODUCED BY: Councilman Denbaum

SECOND BY: Supervisor Fleming

WHEREAS, in accordance with §61-13 of the Town Code, all properties within a sewer district are required to connect to such sewer district unless an extension of time is granted by the Town Board, as authorized by §61-14 of the Town Code; and

WHEREAS, the Town of Kent is in receipt of a request from Kimberly Pugliese, the owner of the property situated at 388-390 Route 52 within the Route 52 Sewer District, for an extension of time to hook up to the Route 52 Sewer District, and

WHEREAS, Pugliese previously requested and was granted an extension from March 2017 until March 2018, and received an additional six (6) month extension in March 2018, on the grounds that the cost of connection to the Route 52 Sewer District would be a hardship; and

WHEREAS, the Town Board of the Town of Kent has considered Mrs. Pugliese's current request;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby grants the request of Kimberly Pugliese to extend the time to connect 388-390 Route 52 to the Route 52 Sewer District for a period of 3 months.

Motion carried unanimously

RESOLUTION #425 -AUTHORIZING HIRING OF TEMPORARY PART TIME CLERK FOR BUILDING DEPARTMENT

INTRODUCED BY: Councilwoman McGlasson

SECOND BY: Councilwoman Woolley

WHEREAS, the Town of Kent is seeking to fill a temporary position for a part-time Clerk for the Building Department for a maximum of three months; and

WHEREAS, James Babu has submitted a resume which reflects the proper qualifications to fill the temporary position of part-time Clerk for the Building Department.

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NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Kent hereby authorizes the hiring of James Babu for a maximum time period of three months as a part time Clerk for the Building Department at a rate of \$12 per hour; 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.

Roll Call:

Councilman Denbaum – aye. He wants it to be known as outlined by the Building Inspector it's a shame the process to get this together, that in 2011 both Putnam County and all the towns in Putnam County created this mess. We have no option but to hire the clerk and get the job done, he wishes the burden was not put on the towns without some funding, he wishes it wasn't put on the septic providers, it seems the best intentions gone wrong, here we are years after the program is in place not able to get a handle on the situation. He knows the person we are hiring who will be a good addition, but he has to say this could have been avoided if there was a better crafted law put into place almost a decade ago.

Councilwoman McGlasson – aye

Councilman Huestis – aye

Councilwoman Woolley – aye

Supervisor Fleming – aye

Motion carried unanimously

RESOLUTION #426 - APPOINT ACCOUNTANT FOR END-OF-YEAR TOWN AUDIT

INTRODUCED BY: Councilwoman McGlasson

SECOND BY: Supervisor Fleming

WHEREAS, professional services such as accounting services are exempt from the public bidding requirements of the General Municipal Law as well as the Town's Procurement Policy; and

WHEREAS, the Town Board seeks to hire a certified public accountant to perform an end-of-year audit and the Town Board is in receipt of a proposal from PFK O'Connor Davies to perform such services;

WHEREAS, the Town Board desires to contract with PFK O'Connor Davies to perform end-of-year audits for the years 2018 and 2019.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent finds it to be in the best interests of the Town to contract with PFK O'Connor Davies to perform end of year audits for the years 2018 and 2019 consistent with the annexed proposal; and

FURTHER RESOLVED, that the Supervisor is hereby authorized to enter into any documents necessary to give effect to this Resolution.

Motion carried unanimously

RESOLUTION #427 - APPOINT ACTUARY

INTRODUCED BY: Councilwoman McGlasson

SECOND BY: Councilwoman Woolley

WHEREAS, professional services such as actuary services are exempt from the public bidding requirements of the General Municipal Law as well as the Town's Procurement Policy; and

WHEREAS, the Town Board seeks to hire an actuary to provide the Town with a post-employment benefits valuation under Government Accounting Standards Board (GASB) No. 75; and the Town Board is in receipt of a proposal from Aquarius Capital to perform such services for the years 2018 and 2019, a copy of said proposal is attached hereto and hereby made a part hereof;

WHEREAS, the Town Board desires to contract with Aquarius Capital to perform such services consistent with the proposal.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent finds it to be in the best interests of the Town to contract with Aquarius Capital to perform the

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services consistent with the proposal; and

FURTHER RESOLVED, that the Supervisor is hereby authorized to enter into any documents necessary to give effect to this Resolution.
Motion carried unanimously

RESOLUTION #428 - AUTHORIZING TOWN CLERK TO ADVERTISE FOR BOARD OF ASSESSMENT REVIEW APPLICANTS

INTRODUCED BY: Councilwoman Woolley

SECOND BY: Councilman Denbaum

WHEREAS, the Town Board of the Town of Kent is seeking to fill a vacancy on the Board of Assessment Review; and

WHEREAS, the Town Board of the Town of Kent wishes to advertise for applicants for Board of Assessment Review member; 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 applicants to the Town of Kent Recreation Advisory Board.
Motion carried unanimously

RESOLUTION #429 - APPROVAL OF VOUCHERS AND CLAIMS

INTRODUCED BY: Councilman Huestis

SECOND BY: Councilwoman McGlasson

Resolved: All vouchers #200148510 - #200148676 and claims submitted by:

1. Business Automation Services	\$6,250.00	Tax Collector Software
	\$2,000.00	
	\$2,350.00	
2. Cemco Water	\$3,034.79	WD#2 Repair
3. City Carting	\$6,212.29	Lake Carmel Garbage
	\$5,576.27	
4. Custom Bandag, Inc.	\$7,824.84	Truck Parts
5. Global Montello Group Corp.	\$5,383.68	Fuel
6. Hogan & Rossi	\$5,416.63	November Legal Services
	\$5,416.63	October Legal Services
7. NYS Dept of Civil Service	\$214,876.67	Health Insurance November
8. Royal Carting	\$3,858.00	Recycling Garbage
9. Snap-On Industrial	\$17,731.72	Tire Changer/Wheel Balancer
10. State Comptroller	\$39,216.00	Justice Court Fines & Fees

In the amount of \$381,180.37 may be paid.
Motion carried unanimously

Public Comment - There was none

RESOLUTION #430 - ADJOURNMENT

INTRODUCED BY COUNCILMAN HUESTIS

SECONDED BY SUPERVISOR FLEMING

RESOLVED: The Town Board meeting of November 27, 2018 adjourned at 8:20 p.m.
Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli