

TOWN BOARD MEETING OF SEPTEMBER 10, 2019

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

Pledge of Allegiance

At 7:00 p.m. the workshop meeting was opened with the Salute to the Flag.

PROMOTION – KENT POLICE DEPARTMENT

A sea of blue was present to witness the official swearing in of Kevin Owens to the position of the Chief of Police for the Kent Police Department. Kevin for the past year has been the acting Chief of Police. Supervisor Fleming said he is fair, kind, by the book and there for the residents, his department, the perfect Chief of Police. A standing ovation and a round of applause took place. Chief Owens thanked the lord, family, friends, fellow officers and the town board for their support.

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

Legislature Addonizio spoke about the program Hope not Handcuffs. She said it is a tri-county partnership which Chief Owens was immediately on board. The program brings law enforcement and community organizations together in an effort to find viable treatment options for individuals seeking help to reduce dependency with drugs and alcohol. A person struggling can go to a participating law enforcement agency and ask for help. A training for Angels just took place in Putnam County. Angels will be notified immediately and are ready to assist with paperwork and provide support until a treatment option is found. For additional information call 833-428-4673.

Susan Kotzur, resident asked about the three bids for tree service and the service for the violations but only one bid for the generator for the Highway. She asked if it will be rebid. Town Counsel explained that it was advertised and only one sealed bid was received by default that is the lowest bid.

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 #314 -AUTHORIZING TOWN CLERK TO PUBLISH NOTICE PUBLIC HEARING, UNSAFE STRUCTURE TM 33.35-1-46

On a motion by Councilman Denbaum
Seconded by Councilwoman McGlasson

WHEREAS, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation dated November 29, 2018 (the "Order to Remedy") directing the owner to remove an unsafe structure on the premises identified as 69 Clubhouse Drive, Kent, New York, Tax Map 33.34-1-46 (the "Property"), and the Owner has failed to comply; and

WHEREAS, in accordance with Town Code Chapter 29, the Building Inspector must serve the Owner with Notice that corrective measures must be begun within thirty days of service, and the Board must schedule a public hearing to consider removal of the unsafe structure by the Town.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes and directs the Town Building Inspector to serve the Notice as set forth hereinabove; and

BE IT FURTHER RESOLVED, that the Town Board will hold a public hearing at the Town Hall, in the Town of Kent, New York at 7:00 o'clock P.M. on October 1, 2019, to consider the removal of said unsafe structure 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

RESOLUTION #315 - ACCEPT BID FOR GENERATOR HIGHWAY DEPARTMENT

On a motion by Councilman Denbaum
Seconded by Councilwoman McGlasson

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WHEREAS, the Highway Department duly advertised for bids for a new generator for the highway garage located at 301 Smokey Hollow; and

WHEREAS, one bid was received in response to the advertisement and the bid was opened and publicly read at the Kent Town Center on September 6, 2019;

WHEREAS, DiBella Electric of Brewster, New York submitted the lowest bid in the amount of \$27,700.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby awards the bid for a new generator for the highway garage located at 301 Smokey Hollow to DiBella Electric for a cost not to exceed \$27,700; 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 #316 - ACCEPTTING QUOTE FOR TREE REMOVAL SMALLEY CORNERS CEMETERY

On a motion by Councilman Denbaum

Seconded by Councilman Ruthven

WHEREAS, Richard Othmer, Town of Kent Highway Superintendent, has advised that there is a need for the removal of numerous large downed trees at Smalley Corners Cemetery in the Town of Kent; and

WHEREAS, the Town of Kent awarded the bid for tree removal for the Highway Department to the lowest bidder, Barney Zipkin Tree Service Inc., in January of 2019, for service to run through December 31, 2019, and Mr. Othmer has obtained a quote from Barney Zipkin Tree Services Inc. to remove the trees in Smalley Corners Cemetery at an overall cost of \$13,711.04; and

WHEREAS, the Town Board wishes to accept the quote from Barney Zipkin Tree Services Inc. to remove the trees;

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent accepts the quote of Barney Zipkin Tree Services Inc. to remove the trees in Smalley Corners Cemetery for a cost not to exceed \$13,711.04.

Motion carried unanimously

RESOLUTION #317 -ACCEPTING RESIGNATION OF MEMBER AND CHAIRMAN OF THE LAKE CARMEL PARK DISTRICT ADVISORY BOARD

On a motion by Councilman Denbaum

Seconded by Councilman Ruthven

WHEREAS, the Town of Kent wishes to accept the resignation of Brett Harrison as a member and Chairman of the Lake Carmel Park District Advisory Board with regret

NOW, THEREFORE, BE IT RESOLVED, that the Town Board accepts the resignation of Brett Harrison as a member and Chairman of the Lake Carmel Park District Advisory Board with thanks for his service.

Motion carried unanimously

RESOLUTION #318 - APPOINTING CHAIRMAN TO LAKE CARMEL PARK DISTRICT ADVISORY BOARD

On a motion by Councilwoman McGlasson

Seconded by Councilman Ruthven

WHEREAS, the position of Chairman of the Lake Carmel Park District Advisory Board ("LCPDAB") is currently vacant; and

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WHEREAS, Dale Cusack wishes to fill the position of Chairman and the Town Board wishes to appoint Mr. Cusack to fill the vacant position of Chairman for the LCPDAB;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby appoints Dale Cusack to serve as Chairman of the LCPDAB, effective immediately, for a term expiring December 31, 2019.

Motion carried unanimously

RESOLUTION #319 - AUTHORIZING TOWN CLERK TO ADVERTISE FOR THE POSITIONS OF LAKE CARMEL PARK DISTRICT ADVISORY BOARD MEMBER

On a motion by Councilwoman McGlasson

Seconded by Councilman Ruthven

WHEREAS, the Town of Kent wishes to advertise for applications to fill vacancies on the Lake Carmel Park District Advisory Board ("LCPDAB"); and

WHEREAS, the Town Board of the Town of Kent wishes to authorize its Town Clerk, Yolanda D. Cappelli, to advertise for applications to fill the vacancies on the LCPDAB;

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 to the Lake Carmel Park District Advisory Board.

Motion carried unanimously

RESOLUTION #320 - TO ACCEPT NYS URBAN FORESTRY COUNCIL ARBOR DAY COMMUNITY GRANT

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

WHEREAS, by letter dated April 2, 2019, the NYS Urban Forestry Council notified the Town that it will receive \$1,000 through the NYS Urban Forestry Council Arbor Day Community Grant Program (the "Grant"); and

WHEREAS, the Town Board previously received 50% of the Grant in the amount of \$500; and

WHEREAS, the Town Board desires to accept the remainder of the Grant;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the remainder of the Grant in the amount of \$500.

Motion carried unanimously

RESOLUTION #321 -ACCEPTING QUOTE FOR TREE REMOVAL AND TRIMMING FOR THE LAKE CARMEL PARK DISTRICT

On a motion by Councilwoman McGlasson

Seconded by Councilman Ruthven

WHEREAS, there is a need for the removal and trimming of a number of trees in the Lake Carmel Park District; and

WHEREAS, in accordance with the Town's Procurement Policy, the Town requested quotes for tree removal and trimming services, and received 3 written quotes in response, copies of such quotes and attached hereto and incorporated hereby; and

WHEREAS, Johnson's Tree Service has submitted the lowest quote in the total amount of \$14,500; and

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WHEREAS, the Town Board of the Town of Kent wishes to accept the quote submitted by Johnson's Tree Services;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby approves the removal and trimming of trees by Johnson's Tree Services for a price not to exceed \$14,500.

Motion carried unanimously

RESOLUTION # 322 - ACCEPTING MEMBERS TO THE LAKE CARMEL FIRE DEPARTMENT

On a motion by Councilman Ruthven

Seconded by Councilwoman McGlasson

WHEREAS, the Lake Carmel Fire Department has recommended the acceptance of Ryan Smith and Donald Gannon as new members of the Lake Carmel Fire Department; and

WHEREAS, the Town Board of the Town of Kent wishes to accept the recommendation of the Lake Carmel Fire Department;

NOW, THEREFORE, BE IT RESOLVED, that Town Board of the Town of Kent hereby accepts and welcomes Ryan Smith and Donald Gannon as members of the Lake Carmel Fire Department.

Motion carried unanimously

RESOLUTION #323 - AUTHORIZING CORRECTION OF VIOLATION, ACCEPTANCE OF PROPOSAL, AND CHARGE TO PROPERTY OWNER TM # 33.32-1-22

On a motion by Councilman Ruthven

Seconded by Supervisor Fleming

WHEREAS, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation dated July 3, 2019 (the "Order to Remedy") directing the owner to remove grass and brush at the property identified as 44 Craft Road, Kent, New York, Tax Map No. 33.32-1-22 (the "Property"); and

WHEREAS, the Order to Remedy requires the owner to correct the violations or respond to the Code Enforcement Office within ten days and, to date, the owner of the Property has not responded;

WHEREAS, pursuant to Chapter 55A of the Town Code of the Town of Kent regarding "Property Maintenance", upon the failure of any owner to comply, the Building Inspector is authorized to correct a violation subject to the approval of the Town Board; and the Town Board wishes to authorize the Building Inspector to correct the violation; and

WHEREAS, consistent with the Town's Procurement Policy, the Town of Kent requested three written proposals from contractors to correct the violation on the Property and received two proposals in response, copies of said proposals are annexed hereto and incorporated by reference; and

WHEREAS, FI Adams, Inc. submitted the lowest proposal in the amount of \$800.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby accepts the proposal of FI Adams, Inc. for the correction of the violation at a cost not to exceed \$800; and

FURTHER RESOLVED, that the actual cost of the correction of the violation, plus the accrued legal rate of interest from the date of completion of the work, shall be charged to the property owner by the Town in accordance with Chapter 55A-12(B).

Motion carried unanimously

RESOLUTION #324 - ACCEPTING EROSION CONTROL SURETY BONDS, MITIGATION PLAN BOND, AND ESCROW FOR INSPECTION FEES

On a motion by Ruthven

Seconded by McGlasson

WHEREAS, the Planning Board, by Resolution #13 of the Year 2019, dated July 11, 2019, has recommended that the Town Board accept: (i) an Erosion Control Bond in the amount of \$1,580; (ii) a Mitigation Plan Bond in the amount of \$1,000, and (iii) an escrow for the Final

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Inspection Fee in the amount of \$1,000 from the owner of the property located at 12 Woodchuck Court, Kent, New York, identified as Tax Map No. 21.19-1-5; and

WHEREAS, the Planning Board, by Resolution # 9 of the Year 2019, dated August 8, 2019, has recommended that the Town Board accept: (i) an Erosion Control Bond in the amount of \$500; and (ii) an escrow for the Final Inspection Fee in the amount of \$1,000 from the owner of the property located at 100 Lakeshore Drive, Kent, New York, identified as Tax Map No. 33.58-1-9; and

WHEREAS, the Planning Board, by Resolution #10 of the Year 2019, dated June 13, 2019, has recommended that the Town Board accept: (i) an Erosion Control Bond in the amount of \$1,500; and (ii) an escrow for the Inspection Fees in the amount of \$1,000 from the owner of the property located at 461 Richardsville Road, Kent, New York, identified as Tax Map No. 30.12-1-1; 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 the above referenced bonds and escrow for inspection fees.

Motion carried unanimously

RESOLUTION #325 -AUTHORIZING RELEASE OF EROSION CONTROL BONDS

On a motion by Councilman Ruthven

Seconded by Councilwoman McGlasson

WHEREAS, Jamie Powers (the "Owner") owns a parcel of land at 67 Knapp Court, Kent, New York, identified as Tax Map No. 9.-1-44 (the "Lot"); and

WHEREAS, the Owner posted a bond for erosion control with the Town of Kent and has submitted a request to the Planning Board that the remaining funds of the erosion control bond in the amount of \$956 be released to the Owner; and

WHEREAS, the Planning Board, at their meeting held on August 8, 2019, approved Resolution #11 of Year 2019 recommending the release of the balance of the erosion control bond in the amount of \$956 and the Town Board of the Town of Kent wishes to follow the recommendation of the Planning Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the release of the erosion control bond in the amount of \$956.

Motion carried unanimously

Resolution #326 - Add to the Agenda

On a motion by Supervisor Fleming

Seconded by Councilman Ruthven

Resolved: Authorize the service manager to auction or scrap the 2003 Silverado was added to the agenda.

Motion carried unanimously

RESOLUTION #327 - AUCTION OR SCRAP LAKE CARMEL PARK DISTRICT TRUCK

On a motion by Supervisor Fleming

Seconded by Councilman Ruthven

Resolved: The service manager is authorized to auction or scrap the Lake Carmel Park District Vehicle a 2003 Chevrolet Silverado Vin #1GCJK33U93F240146.

Motion carried unanimously

RESOLUTION #328 - APPROVE VOUCHERS & CLAIMS

On a motion by Councilman Huestis

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Seconded by Supervisor Fleming

Resolved: All Vouchers #200151974 - #200152223 and Claims submitted by:

1. All Season Property Maintenance	\$4,400.00	Cemetery Mowing
2. Cemco Water	\$2,391.89	Water District #1
3. City Carting	\$6,308.23	Lake Carmel Garbage
4. Hogan & Rossi	\$5,416.63	Legal Services: September
	\$2,851.37	Out of Retainer: July
5. Meadowland of Carmel	\$3,682.12	Auto Parts
6. Medicare Reimbursements	\$25,503.00	Reimbursements
7. NYCOMCO	\$2,671.00	2 Way Radios: Police
8. NYSEG	\$2,202.03	Electric: Ryan's Field
	\$2,267.72	Electric: Police Station
9. Peckham Materials	\$10,587.15	Blacktop
10. Purchase Power	\$2,000.00	Postage

In the amount of \$169,763.03 may be paid.

Motion carried unanimously

RESOLUTION #329 -ADJOURN TO EXECUTIVE SESSION

On a motion by Councilman Huestis

Seconded by Supervisor Fleming

Resolved: The board adjourned to executive session to discuss personnel and litigation

Motion carried unanimously

Respectfully submitted

Yolanda D. Cappelli, Town Clerk

Resolution #330 - Town Hall Security

On a motion by Supervisor Fleming

Seconded by Councilman Ruthven

Resolved: The Board accepted the quote from Commercial Instrument & Alarm Sytems to update security at Town Hall.

RESOLUTION #331 – ADJOURNMENT

On a motion by Councilwoman McGlasson

Seconded by Councilman Ruthven, the executive session was adjourned at 9:44.

Respectfully submitted,

Nancy Tagliafierro