

TOWN BOARD MEETING SEPTEMBER 20, 2018

A regular meeting was held on Thursday September 20, 2018 at the Kent Town Hall, 25 Sybil's Crossing, Town of Kent, New York, 10512.

Resolution #331 - Adjourn to Executive Session

On a motion by Supervisor Fleming

Seconded by Councilwoman Woolley

Resolved: The town board adjourned to executive session at 6:08 p.m. to discuss the medical, financial, credit or employment history of a particular person or corporation and current litigation.

Motion carried unanimously

Resolution # 332 - Adjourn Executive Session

On a motion by Councilwoman McGlasson

Seconded by Councilwoman Woolley

Resolved: Executive session adjourned at 7:10 p.m. no action was taken.

Motion carried unanimously

Pledge of Allegiance- At 7:15 p.m. Supervisor Fleming called the Workshop Meeting to order with the Salute to the Flag.

The board proceeded to review and discuss all the items on the workshop agenda.

Public Comment

John Curzio, Carmel Board of Education Trustee, stated the comments he is about to make are his and his alone. He said on Tuesday, October 2, 2018 voters within the district will go to the polls to decide the fate of a \$25.4 million bond referendum. He encouraged the community to vote no. His reasons being, this December the voters overwhelmingly by 2-1 margin defeated an \$85.6 million bond referendum that would of added to the tax burden. The district is proposing a scaled down version of \$25.4 million, the proposal removes prime industrial property from Kent's tax rolls adversely affecting Kent residents by making up the difference with an additional tax increase above the cost of the bond. These increases come on top of the yearly tax levy increase that the Carmel School Board has imposed on the taxpayers for at least 30 years. The school board has disregarded the concerns of the Kent Town Board regarding how the property component of the project would negatively impact Kent. They refused to meet with the Kent Town Board until after the defeat of the proposal. The bond does contain several consensus components unfortunately it is bundled into one proposition in an attempt to insure the passage of the unpopular parts. He urged the voters not to be intimidated by this tactic. He said the information the voters received is deceptive and referred to the Carmel News which states the total cost of the project is \$25,488,957 and the total NYS Building aid is \$20,901,955 the flyer fails to mention that the interest on the bond that taxpayers will have to pay totals \$10,780,102 which brings the total cost to \$36,269,059. The second condensed postcard mailer sent demonstrates the interest in the smallest possible print that can be easily overlooked; he said this was no mistake. He encouraged voters to vote no on October 2nd. Kent voters can vote at the Kent Elementary School from 6:00 am to 9:00 p.m. he thanked the board for the opportunity to speak.

Councilman Huestis graduated from Carmel High School having lived in this town most of his life. He has always supported educational activities in our district. He has driven the entire town and has seen over 105 distressed homes, foreclosures continue. The town tries to stay under the tax cap each year doing more with less. They have been working on developing Kent's commercial tax base. He takes exception to the negative comments made about the town and the board. Clancy Relocation is coming on that strip as well as other potential plans, indoor water park and hotels. Ludingtonville Road to the Kent Schools will be very busy creating a safety factor too. We need to develop that area and keep it on the tax base. He is disappointed in the referendum, he is sure the roofs need replacing, although the new bus garage may be needed it should be placed somewhere else. He tried to encourage the district to take advantage of Putnam County's Shared Services Initiative. They are purchasing some land for a truck wash, can also be a bus wash, working out a viable solution for the school district. He said the property in question has been developed and is prime property, it can be developed quickly. He expressed concerns about the referendum, he sees more retirees stretched financially, and the school district population has declined over 20%. The shared services model can be beneficial to everybody. He has received many calls, he respects what the District is trying to do but there has to be another way, we need to be cost and safety conscious.

Supervisor Fleming asked if there was any discussion putting forth the proposals as separate issues, the roof being separate from the bus garage. Mr. Curzio replied there was but it did not have the majority

TOWN BOARD MEETING SEPTEMBER 20, 2018

of the board. He proposed putting the consensus items in one proposition and the bus depot in another. At an open meeting one trustee said if we do that this component would never pass alone. Supervisor Fleming said this board is not in opposition to the school district or its board. She met with the trustees voicing their concerns having only two commercial strips along Route 52 and Route 311 unlike other towns this project impacts Kent harder than other areas, it takes a prime property off the tax rolls. She has never voted against a school budget, but had this referendum been partitioned.

Councilman Huestis pointed out that Carmel, Patterson and E. Fishkill have vacant homes. It is an economic issue. He suggested looking into the Shared Service Agreement, come back with the roofs and items needed we do need to protect our assets while controlling expenses.

Councilman Denbaum received the ad mentioning the Board of Education sharpening their pencils. He said the fact of the matter is the board embarked on a campaign of personal destructions against Mr. Curzio, that is what they spent their time doing. They didn't sharpen their pencils to do work for the taxpayers, for the children, they spent time and tax payer resources to remove him from the board. He said the \$10 million dollar interest which is a very important fact of the mailer is in microscopic print, but the word Vote is large and repeated. The newsletter is paid for by school resources, it is specific and intentional attempt to manipulate the facts and to fund that manipulation on the taxpayers. The fact is they lost the referendum; they behaved like sore losers' and come back doing the same thing.

Town Board Meeting was called to order at 8:15 p.m. with Roll Call

Supervisor Maureen Fleming – present	Councilman Paul Denbaum – present
Councilwoman Jaime McGlasson – present	Councilman Bill Huestis – present
Councilwoman Woolley – present	

Also Present: Town Clerk Yolanda Cappelli, Town Counsel Tagliafiero, Chief Owens, Building Inspector Walters and several members of the public.

Resolution # 333 - Authorizing Accepting Donation for the Lake Carmel Tree Planting Initiative

On a motion by Councilman Denbaum
Seconded by Councilwoman Woolley

WHEREAS, by Resolution dated July 24, 2018, the Town Board authorized the establishment of a trust fund to hold donations received on behalf of the Lake Carmel Tree Planting Initiative; and

WHEREAS, the Town of Kent has received a donation from Al Lotrecchiano in honor of Jessie Huestis in the amount of \$50 and a donation from Louis Ludovici in honor of Jessie Huestis in the amount of \$100; and

WHEREAS, the Town wishes to accept the donations, with gratitude, to be held in the trust as set forth above.

NOW THEREFORE, BE IT RESOLVED, the Town Board of the Town of Kent hereby accepts the donation in honor of Jessie Huestis with thanks to Mr. Lotrecchiano and Mr. Ludovici for their generosity; 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 #334 - Appoint Members to the Lake Carmel Community Center Advisory Board

On a motion by Councilman Denbaum
Seconded by Councilwoman McGlasson

WHEREAS, there are currently vacancies on the Lake Carmel Community Center Advisory Board, and Eve Hillyer, Janice Capra, and Andrea Townsend have submitted applications to fill said vacancies; and

WHEREAS, the Town of Kent wishes to appoint Eve Hillyer, Janice Capra, and Andrea Townsend to fill said vacancies.

NOW, THEREFORE, BE IT RESOLVED, that Eve Hillyer, Janice Capra and Andrea Townsend be appointed to a term further determined by the Town Supervisor and Counsel.

TOWN BOARD MEETING SEPTEMBER 20, 2018

Poll vote as follows:

Councilman Denbaum – aye

Councilwoman McGlasson- aye

Councilman Huestis – he knows of the three individuals and knows they will be good volunteers but he would like to meet them. He knows the rules are being reviewed he would like them to say hello and voted – aye

Councilwoman Woolley – abstain

Supervisor Fleming – aye she is happy three people have stepped forward she wants to thank our volunteers and encouraged more people to volunteer.

Motion carried

Resolution #335 - Appointing Member to Lake Carmel Park District Advisory Board

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

WHEREAS, the Lake Carmel Park District Advisory Board currently has a vacancy, and Christine Williams has submitted an application seeking to fill said vacancy; and

WHEREAS, the Town Board of the of Kent wishes to appoint Christine Williams to fill the vacancy on the Lake Carmel Park District Advisory Board;

NOW, THEREFORE, BE IT RESOLVED, that Christine Williams be appointed to the Lake Carmel Park District Advisory Board for a term to be determined at the discretion of the Supervisor and Town Counsel.

Motion carried unanimously

Resolution #336 - Accepting Proposal for Repairs to Library Exterior

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

WHEREAS, the steps on the exterior and the walkway of the Kent Library are in need of repair; and

WHEREAS, the Town requested quotes to repair the steps and the walkway and received a response from one contractor; and

WHEREAS, Terry Boalt has submitted the sole and therefore lowest proposal for the repairs in the total amount of \$14,500; and

WHEREAS, the Town Board of the Town of Kent wishes to accept the proposal submitted by Terry Boalt;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the proposal of Terry Boalt to repair the exterior steps and the walkway at the Library for the price set forth on the proposal annexed hereto; 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 #337 - Authorizing Temporary Sales Event Kent Historical Society

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

WHEREAS, pursuant to Chapter 58 of the Code of the Town of Kent, no temporary sales event may be conducted in the Town of Kent without first applying for a permit from the Town Board; and

WHEREAS, Kent Historical Society has submitted an application to conduct a temporary sales event in the form of a tag sale at its location at 1374 Route 52, Carmel, New York on October 6, 2018 and proposes a rain date of October 7, 2018; and

TOWN BOARD MEETING SEPTEMBER 20, 2018

WHEREAS, Kent Historical Society has also requested that the fee for this permit be waived; and

WHEREAS, the Town Board has reviewed the Application and supporting documentation and finds the Application to comply with the requirements of the Town Code of the Town of Kent in all respects; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the issuance of an operating permit to Kent Historical Society to conduct a tag sale at its location at 1374 Route 52 on October 6, 2018 with a rain date of October 7, 2018, and that the fee not be waived.

Motion carried unanimously

Resolution #338 - Authorizing Temporary Sales Event Lakeview Community Church

On a motion by Councilwoman McGlasson

Seconded by Councilwoman Woolley

WHEREAS, pursuant to Chapter 58 of the Code of the Town of Kent, no temporary sales event may be conducted in the Town of Kent without first applying for a permit from the Town Board; and

WHEREAS, Lakeview Community Church has submitted an application to conduct a temporary sales event in the form of a Christmas Tree Sale at its location at 387 Route 52, Carmel, New York from November 23, 2018 until and including December 24, 2018; and

WHEREAS, Lakeview Community Church has requested that the fee for this permit be waived; and

WHEREAS, the Town Board has reviewed the Application and supporting documentation and finds the Application complies with the requirements of the Town Code of the Town of Kent in all respects; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the issuance of an operating permit to Lakeview Community Church to conduct a Christmas Tree Sale at its location at 387 Route 52 from November 23, 2018 until and including December 24, 2018, and that the fee not be waived.

Motion carried unanimously

Resolution #339 - Authorization to Offer Vehicles for Sale at Auction

On a motion by Councilwoman McGlasson

Seconded by Councilwoman Woolley

WHEREAS, the Town of Kent Municipal Repair Service Manager has advised that the following vehicles have reached the end of their service life or are of no further use to the Town:

Sanitation Truck #16	2002 Chevy Chase Truck	VIN 1GBJK34G32F220731
Town Hall Vehicle #118	2007 Chevy Impala	VIN 2G1WS55R179374036
Town Hall Vehicle #116	2007 Chevy Impala	VIN 2G1WS55R179372383

(collectively, the “Vehicles”); and

WHEREAS, the Municipal Repair Service Manager has recommended the Vehicles be offered for sale at auction; and

WHEREAS, the Town Board wishes to authorize the 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

TOWN BOARD MEETING SEPTEMBER 20, 2018

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 #340 - Authorizing Purchase of 2018 RAM 3500 Crew Cab

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

WHEREAS, the Town Board of the Town of Kent has received a request from the Town Municipal Repairs Service Manager and the Acting Director of Recreation and Parks to purchase a 2018 RAM 3500 Crew Cab for the Recreation Department (the "Vehicle"); and

WHEREAS, the Town Board has been provided with a proposal for a 2018 RAM 3500 Crew Cab pursuant to Onondaga County Contract #7974 for a purchase price of \$33,946. Onondaga is a county within the State of New York; and

WHEREAS, Section 103(16) of the General Municipal Law exempts from competitive bidding purchase contracts for apparatus, materials, equipment and supplies, through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district; and

WHEREAS, in accordance with the Town's Procurement Policy and the General Municipal Law, the Town Board wishes to authorize the Recreation Department to purchase the Vehicle consistent with the above referenced proposal;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes and approves the purchase of the Vehicle for a price not to exceed \$ 33,946 pursuant to Onondaga County Contract # 7974; and

BE IT 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 #341- Authorizing Purchase of 2019 Jeep Cherokee Building Department Vehicle

On a motion by Councilwoman McGlasson

Seconded by Councilwoman Woolley

WHEREAS, the Town Board of the Town of Kent has received a request from the Town Municipal Repairs Service Manager and Town Building Inspector to purchase a 2019 Jeep Cherokee for the Building Department (the "Vehicle"); and

WHEREAS, the Municipal Repairs Service Manager provided three proposals for vehicles, the lowest proposal submitted to the Town Board being for a 2019 Jeep Cherokee pursuant to Onondaga County Contract #8771 for a purchase price of \$22,933.03. Onondaga is a county within the State of New York; and

WHEREAS, Section 103(16) of the General Municipal Law exempts from competitive bidding purchase contracts for apparatus, materials, equipment and supplies, through the use of contracts let by the United States or any agency thereof, any state or any other political subdivision or district; and

WHEREAS, in accordance with the Town's Procurement Policy and the General Municipal Law, the Town Board wishes to authorize the Building Department to purchase the Vehicle consistent with the above referenced proposal;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes and approves the purchase of the Vehicle for a price not to exceed

TOWN BOARD MEETING SEPTEMBER 20, 2018

\$ 22,933.03 pursuant to Onondaga County Contract # 8771; and

BE IT 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 #342 - Authorizing Building Department to Obtain Quotes for Clean Up & Securing of 8 Tea Town Court

On a motion by Councilwoman Woolley

Seconded by Councilwoman McGlasson

WHEREAS, the Building Inspector of the Town of Kent has informed the Town Board of the removal of storage refuse material and the securing of the premises identified as 8 Teatown Court, Kent, New York, Tax Map. 33.65-1-36 (the "Property"); and

WHEREAS, the Code Enforcement Officer has requested authority to obtain quotes from contractors for the removal of the refuse and securing the Property; and

WHEREAS, the Town Board wishes to authorize the Code Enforcement Officer to obtain quotes for the removal of the refuse and securing the Property;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the Code Enforcement Officer to obtain quotes for the removal of the refuse and securing the Property; and

BE IT 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 #343 - Authorizing Building Department to Obtain Quotes for Demolition of Unsafe Structures & Set Public Hearing

On a motion by Councilwoman Woolley

Seconded by Councilwoman McGlasson

WHEREAS, the Code Enforcement Officer of the Town of Kent has informed the Town Board of unsafe structures on the premises identified as 278 Lakeshore Drive, Kent, New York, Tax Map 33.26-1-4 and 24-26 Whangtown Road, Kent, New York, Tax Map 11.20-1-36 (the "Property"); and

WHEREAS, the Code Enforcement Officer has requested authority to obtain quotes from contractors for the removal of the unsafe structures and to schedule public hearings on this matter; and

WHEREAS, the Town Board wishes to authorize the Code Enforcement Officer to obtain quotes for the removal of the unsafe structures on the Property;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the Code Enforcement Officer to obtain quotes for the removal of the unsafe structures on the Property; and

BE IT FURTHER RESOLVED, that the Town Board will hold a public hearing on said unsafe structures at the Town Hall, in the Town of Kent, New York at seven o'clock P.M. on October 2, 2018; and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published notice of the hearing in the official newspaper of the Town of Kent at least five (5) days prior thereto.

Motion carried unanimously

TOWN BOARD MEETING SEPTEMBER 20, 2018

Resolution #344 - Authorizing Correction of Violations, Acceptance of Proposal & Charge to Property Owners

On a motion by Councilwoman Woolley
Seconded by Councilwoman McGlasson

WHEREAS, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation (the “Order to Remedy Removal of Brush”) directing the owners to remove rubbish, excess weed, grass and brush growth from the following properties:

26 Putnam Drive Tax Map 22.74-1-24
25 Hampton Drive Tax Map 22.58-1-7; and

WHEREAS, the Code Enforcement Officer of the Town of Kent issued an Order to Remedy a Violation (the “Order to Remedy the Dangerous Tree”) directing the owners to remove a dangerous tree from the exterior of the following property in the Town of Kent:

Wakefield Road Tax Map 33.27-2-30; and

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

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 violations; and

WHEREAS, consistent with the Town’s Procurement Policy, the Town of Kent requested three written proposals from contractors to correct the violations on the Properties and received proposals in response, copies of which are annexed hereto and incorporated by reference; and

WHEREAS, the Town Board wishes to accept the lowest proposals submitted on the properties as further outlined below:

26 Putnam Drive	\$ 80	JB Affordable Lawn Care Inc.
25 Hampton Drive	\$ 120	JB Affordable Lawn Care Inc.
Wakefield Road	\$2,200	Larry Reynold’s Tree Service;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the proposals of JB Affordable Lawn Care Inc. and Larry Reynold’s Tree Service, as described above for a total cost not to exceed \$2,400; and

BE IT 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 owners by the Town in accordance with Chapter 55A-12(B).

Motion carried unanimously

Resolution #345 – Add Item to the Agenda

On a motion by Supervisor Fleming
Seconded by Councilwoman McGlasson
Resolved: Hiring a temporary part-time employee was added to the agenda.
Motion carried unanimously

Resolution #346 – Hiring a Temporary Part-time Employee

On a motion by Supervisor Fleming
Seconded by Councilman Denbaum
Resolved: The Town Clerk is authorized to advertise for the position of a temporary part-time clerk to perform data entry for the Building Department not to exceed 20 hours per week at the rate of \$12.00 per hour.
Motion carried unanimously

Resolution #347 - Approval of Vouchers & Claims

TOWN BOARD MEETING SEPTEMBER 20, 2018

On a motion by Councilman Huestis

Seconded by Councilwoman McGlasson

Resolved: All vouchers #200147670 - #200147885 and claims submitted by:

1. Al's Logging	\$166,000.00	Removal of Trees LCPD
2. Barney Zipkin Tree Service	\$5,152.00	Tree Trimming
3. Cemco Water	\$3,146.50	WD#2 Repairs
	\$4,173.95	
4. Chemung Supply	\$4,928.00	Guiderails
5. Chris Automotive Center	\$3,530.49	Repair to Highway Truck
6. City Carting	\$6,572.33	Lake Carmel Garbage
	\$6,441.49	
	\$5,995.50	
7. Genserve	\$6,525.00	GenTrackers for WD#1
8. Global Montello Group	\$4,451.58	Fuel
9. Hogan & Rossi	\$5,416.63	September Legal Services
10. Insite Engineering	\$2,011.00	Lake Carmel Dam
11. Lumar Plumbing & Heating	\$5,250.00	Battery Cellular System for WD#1
12. NYCOMCO	\$2,671.00	2 Way Radio Police Dept
13. NYSEG	\$2,175.25	Electric: Ryan's Field
	\$2,155.87	Electric: Police Station
14. Peckham Materials	\$34,229.65	Blacktop
	\$25,567.70	
	\$20,159.37	
15. Spain Agency	\$65,789.62	Quarterly Installment Insurance
16. Stan's Auto Body	\$4,851.93	Repair to Highway Truck
17. State Comptroller	\$30,896.00	Justice Court: Fines & Fees
18. Windstream	\$3,932.41	Telephone Service

In the amount of \$502,849.81 may be paid.

Motion carried unanimously

Correspondence & Public Comment

There were no comments

Resolution # 347 - Adjournment

On a motion by Councilman Huestis

Seconded by Councilwoman McGlasson

Resolved: The Town Board meeting of September 20, 2018 adjourned at 8:40 p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli