

## **TOWN BOARD MEETING/WORKSHOP JUNE 19, 2018**

A regular meeting was held at 7:00 p.m. at the Kent Town Hall, 25 Sybil's Crossing, Kent Lakes, New York 10512.

### **Public Hearing – Amendment to 39A Town Code – Wetlands Section**

Supervisor Fleming explained at the June 5<sup>th</sup> meeting the board commenced the Public Hearing on the Amendment of Wetlands Section 39 A, we continued the public hearing until this evening. She has not received any written comment or any other comments regarding this Amendment. She asked the board for further discussion. Councilman Huestis asked if the Zoning and Planning Boards were approached. She replied they were.

### **Resolution #239 - Close the Public Hearing Public Hearing – Amendment of Wetlands Section 39A of Town Code – Local Law # /2018**

On a motion by Supervisor Fleming  
Seconded by Councilwoman McGlasson  
Resolved: The Public Hearing was closed.  
Motion carried unanimously

### **Pledge of Allegiance**

Supervisor Fleming called the Workshop meeting to order with the Salute to the Flag.

### **Workshop**

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

### **Public Comment**

There was none.

### **Roll Call**

Supervisor Fleming –present	Councilman Denbaum – present
Councilwoman McGlasson – present	Councilman Huestis – present
Councilwoman Woolley – present	

### **Resolution #240 - Amendment of Wetlands Section 39A – Local Law #2**

On a motion by Councilman Denbaum  
Seconded by Councilwoman McGlasson

WHEREAS, a local law to amend Kent Town Code Chapter 39A, entitled “Freshwater, Wetlands”, which amendment will revise Chapter 39A to include water and lands identified on the State map as “Wetlands” under the Town Code was introduced as Introductory Local Law #2 of the year 2018 before the Town Board of the Town of Kent on May 22, 2018; and

WHEREAS, a public hearing was held on June 5, 2018 and continued to June 19, 2018 at which the public was invited to attend and be heard on the matter;

NOW THEREFORE, BE IT RESOLVED, that Introductory Local Law #2 of 2018 is hereby enacted by the Town Board of the Town of Kent as Local Law 2 of 2018 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.

## **TOWN OF KENT AMENDMENT TO CHAPTER 39A 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 39A entitled “Freshwater Wetlands, Section 4 entitled “Word Usage, Definitions”, is hereby amended to read as follows:

§ 39A-4(B). As used in this chapter, the following terms shall have the meanings indicated:

### **WETLANDS**

All lands and water in the Town of Kent which have a contiguous area of at least 40,000 square feet and which contain any or all of the following:

Section 2. This local law shall take effect immediately

### **Roll Call**

Supervisor Fleming – aye  
Councilman Denbaum – nay. He said his main concern, as he speaks to homeowners and contractors in

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this area, the most burdensome aspect of doing anything even as a homeowner is wetlands, anytime you buy a home, wetlands is screaming out on the survey. He has a lot of reservations including more wetlands in the town's ability to enforce the law. He asked some questions about how much expansion and how this would affect homeowners and wasn't given at least in his mind an adequate answer, that what he is doing here would not further inhibit our residents to do reasonable building and purchasing of residential homes, and voted no.

Councilwoman McGlasson – aye

Councilman Huestis – aye

Councilwoman Woolley – aye

Motion carried

### **Resolution #241 -Authorizing Copier/Printer Contract**

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

**WHEREAS**, the Town of Kent is in need of copier/printer services; and

**WHEREAS**, the Town of Kent has received two proposals for financing of copiers/printers, and the second lowest proposal is from Toshiba at a cost of \$724.71 per month; and

**WHEREAS**, the Town wishes to authorize the Town Supervisor to execute a contract for the financing of copier/printer services with Toshiba for an approximate cost of \$724.71 per month;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby accepts the proposal of Toshiba for the financing of copier/printer services and authorizes the Town Supervisor to execute any and all documents necessary to give effect to this resolution.

### **Roll Call**

Councilman Denbaum – nay. They are not the lowest; we currently do not use them. He has not heard complaints from any town official to switch. This is no offense to Toshiba; they put on a PowerPoint, corporate thing that did not impress him. The man from Konica said he is the guy and will do whatever you need and will keep the lowest price. He thinks you do business with who you do business with unless there is a problem, that is how he would approach things and voted no, especially when it is the lowest price.

Councilwoman McGlasson – aye

Councilman Huestis – aye based upon the recommendation of the Finance Director.

Councilwoman Woolley – nay, she did not see anyone complain about Konica, there is not much difference and does not see why we cannot remain with Konica, no one complained.

Supervisor Fleming – aye, even though the number for the town hall copiers is a \$6.00 difference the benefit to the library which we fund to a great extent and the future benefit to our Police Department makes this when averaged out a less expensive proposition and we have also dealt with Toshiba in the past and had not had any issues with them and voted yes.

Motion carried

### **Resolution #242 - Authorize Town Clerk to Advertise Public Hearing on Cablevision Franchise**

#### **Agreement**

On a motion by Councilman Denbaum

Seconded by Councilwoman McGlasson

BE IT RESOLVED the Town Board of the Town of Kent will hold a public hearing on the renewal of the franchise with Cablevision of Wappinger Falls, Inc. (the "Renewal Agreement"); and

BE IT FURTHER RESOLVED, that copies of the Renewal Agreement will be available for review in the Town Clerk's Office; and

BE IT FURTHER RESOLVED, that the Town Board will hold a public hearing on said Renewal Agreement at the Town Hall, in the Town of Kent, New York at seven o'clock P.M. on July 10, 2018; and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published the attached 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 #243- Hire Lifeguards for Lake Carmel Park District**

On a motion by Councilman Denbaum

Seconded by Councilwoman Woolley

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WHEREAS, the Town of Kent is seeking to fill summer positions for lifeguards in the Lake Carmel Park District; and

WHEREAS, Christopher Vozella, Vincent Zappolo, Jenna Dzubak and Lilly O'Hara have submitted applications which reflect the proper qualifications to fill the lifeguard positions; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby authorizes the hiring of Christopher Vozella, at a rate of \$12.00 per hour, Vincent Zappolo, at a rate of \$10.50 per hour, Jenna Dzubak, at a rate of \$10.40 per hour, and Lilly O'Hara, at a rate of \$10.40 per hour, as lifeguards of the Lake Carmel Park District; 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 #243 - Accept Resignations of Members of the Lake Tibet Advisory Board**

On a motion by Councilwoman McGlasson

Seconded by Councilwoman Woolley

WHEREAS, the Town Board of the Town of Kent wishes to accept the resignations of Susan Gaita as member of the Lake Tibet Advisory Board.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the resignation of Susan Gaita as member of the Lake Tibet Advisory Board, and thanks Susan Gaita for their service.

Motion carried unanimously

### **Resolution #244 - Appoint Lake Tibet Park District Advisory Board members**

On a motion by Councilwoman McGlasson

Seconded by Councilman Denbaum

WHEREAS, the Lake Tibet Advisory Board currently has vacancies, and Liz Baird and Vivian Gufarotti have each submitted an application seeking to fill said vacancies; and

WHEREAS, the Town Board of the Town of Kent wishes to appoint Liz Baird and Vivian Gufarotti to fill the vacancies on the Lake Tibet Advisory Board their terms to be determined at the next mee

Motion carried unanimously

### **Resolution #245 - Accept Quotes for Inflatable Amusements/Tables & Chairs**

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

WHEREAS, the Town of Kent would like to have tables, tents, chairs and attractions at the 2018 Kent Community Day, which is to be held on September 8, 2018; and

WHEREAS, in accordance with the Town's Procurement Policy, the Town sought requests for quotes for tables, tents, chairs and inflatable amusements for Kent Community Day, and received written quotes in response to such request, copies of said proposals are attached hereto and incorporated herein; and

WHEREAS, Party Time Rentals Inc. of Poughquag, New York, has submitted the lowest quote for tables, tents and chairs, in the amount of \$1,518.20; and

WHEREAS, New England Bounce About of Brookfield, Connecticut, has submitted the lowest quote for the largest amount of inflatable amusements, in the amount of \$6,055.20, which is the lowest cost per attraction; and

WHEREAS, the Acting Director of Recreation and Parks has recommended the acceptance of the quote from Party Time Rentals Inc. for the tables, tents and chairs, and New England Bounce About for the inflatable amusements, and the Town Board of the Town of Kent wishes to accept the recommendation of the Director of Recreation and Parks;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the quote of Party Time Rentals Inc. to supply tables, tents and chairs, and accepts the quote of New England Bounce About to supply inflatable amusements on Kent Community Day for the prices set forth

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above; 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 #246 - Table Hire Special Prosecutor**

On a motion by Councilwoman McGlasson  
Seconded by Councilman Huestis

Resolved: The hiring of a Special Prosecutor was tabled.  
Motion carried unanimously

### **Resolution #247 - Authorizing Correction of Violations – Accept Proposal & Charge Property Owners**

On a motion by Councilwoman Woolley  
Seconded by Supervisor Fleming

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

37 Cottage Road	Tax Map No. 33.50-1-21
11 Hawthorne Road	Tax Map No. 33.58-1-34; and
11 Princeton Road	Tax Map No. 22.73-1-63

(the “Properties”); 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 from one contractor, JB Affordable Lawn Care, Inc., copies of which are annexed hereto and incorporated by reference; and

**WHEREAS**, the Town Board wishes to accept the proposals submitted by JB Affordable Lawn Care, Inc. in the amount of \$255;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby accepts the proposals of JB Affordable Lawn Care, Inc. for the correction of the violations for an amount not to exceed \$255; 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 owner by the Town in accordance with Chapter 55A-12(B).  
Motion carried unanimously

### **Resolution #248 - Authorizing Contract with ESI Group**

On a motion by Councilwoman Woolley  
Seconded by Supervisor Fleming

**WHEREAS**, the Town of Kent has 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, 2019 at a annual cost of \$3,500 and a cost per DOT Substance Abuse Evaluation of \$850; and

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**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Kent hereby authorizes and approves the renewal agreement; 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 #249 - Add to the Agenda**

On a motion by Councilwoman Woolley

Seconded by Councilman Huestis

Resolved: Setting Standard Work Day for Elected Officials was added to the agenda

Motion carried unanimously

### **Resolution #250- Setting Standard Work Day Elected Officials**

On the motion by Councilwoman Woolley

Seconded by Supervisor Fleming

**WHEREAS**, the Town of Kent wishes to establish a standard work day for its elected officials;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Kent hereby establishes the standard work days for its elected officials as set forth on the attached schedule and will report days worked to the New York State and Local Employee's Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body.

Motion carried unanimously

### **Resolution #251 - Approval of Vouchers and Claims**

On a motion by Councilman Huestis

Seconded by Councilwoman McGlasson

Resolved: All vouchers #200146625 - #200146757 and claims submitted by:

1. City Carting	\$5,331.37	Lake Carmel Garbage
	\$9,372.40	
2. Daly Builders, Inc.	\$8,400.00	Deposit Concrete Bin Extension
3. Duke Landscape & Fence	\$10,150.00	Playground Fence
4. Dwight Getting Heating & Air.	\$4,692.62	Pump Repair: Police Dept.
5. Extreme Designs Sign Co.	\$7,235.21	Baseball/Softball Uniforms
6. George H. Hartshorn, Jr. & Sons, Inc	\$14,000.00	State of Emergency Work
7. Great America Financial	\$3,120.73	Voice Recorder Lease Payment
8. Hogan & Rossi	\$5,416.63	Legal Services: June 2018
9. John P. Nilsen	\$10,000.00	Deposit for Demo: 5 Harriman Rd.
10. NYCOMCO	\$2,671.00	2 Way Radios: Police
11. NYS Dept of Civil Service	\$209,006.47	Health Insurance
12. Spain Agency	\$65,789.64	Installment Payment
13. Town of Kent Municipal Repairs	\$10,951.73	Chargebacks: Highway April
	\$31,317.29	Chargebacks: Highway March
14. Windstream	\$3,934.42	Telephone Service

In the amount of \$403,476.89 may be paid

Motion carried unanimously

### **Correspondence**

**Public Comment-** There was none.

### **Resolution #252 - Adjourn to Executive Session**

On a motion by Councilwoman McGlasson

Seconded by Councilwoman Woolley

Resolved: The board adjourned to executive session at 8:00 p.m. to discuss the hiring of an employee.

Motion carried unanimously

### **Resolution #253 - Authorizing Town to Hire Clerk for Sanitation Department**

On a motion by Councilwoman Woolley

Seconded by Councilwoman McGlasson

**WHEREAS**, the Town of Kent is seeking to fill the position of Full Time Clerk for the Sanitation Department; and

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**WHEREAS**, Kathryn Hunt has submitted a resume which reflects the proper qualifications to fill the position of Sanitation Department; and

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Kent hereby authorizes the hiring of Kathryn Hunt as Full Time Sanitation Department Clerk at an annual salary of \$30,500 upon passing a background check,

**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 #254 - Adjournment**

On a motion by Supervisor Fleming

Seconded by Councilman Denbaum

Resolved: The Town Board meeting of June 19, 2018 adjourned at 8:45 p.m.

Motion carried unanimously

Respectfully submitted,

Yolanda D. Cappelli

Town Clerk