

KENDALL TOWN BOARD

Tuesday, May 17, 2016, 7:00 p.m.

Kendall Town Hall ó 1873 Kendall Road, Kendall, New York 14476

Supervisor Cammarata called the meeting to order at 7:02 p.m., and led the Pledge of Allegiance.

ROLL CALL

Councilwoman Flow	present
Councilman Martin	present
Councilman Newell	absent
Councilwoman Szozda	present
Supervisor Cammarata	present

SUPERVISOR’S REMARKS

- Audit report available
- Refunding paperwork is complete; closing will occur on May 18th

CORRESPONDENCE

- COVA ó soliciting our switch to their ambulance service

Councilwoman Szozda made a motion to accept the following minutes, seconded by Councilwoman Flow; all ayes:

Town Board Meeting March 15, 2016

PUBLIC COMMENT

Mr. Karl Driesel ó asked about the Board’s response to his water situation.
Supervisor Cammarata deferred answering until later in the meeting.

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS

Standing Committees

Public Safety/Emergency Services & Occupational Safety ó Martin
Buildings & Grounds ó Martin
Highway ó Martin

Recommendation is to NOT switch to COVA as the ambulance service of choice for Kendall, and this is a KFD decision

Community Relations ó Flow
Culture & Recreation ó Flow
Information Services ó Flow

Memorial Day Observance is finalized
Appreciation expressed for Historian Koch’s display
Homegrown Days plans progressing

September 10 ó Orleans County Heritage Festival will include cemetery tours
Newsletter information due by mid-June

Human Resources and Ethics ó Szozda

Employee Benefits ó Szozda

Consortium decision is nearing finalization ó employee input will be solicited

Planning, Zoning & Agriculture ó Newell ó no report

Finance, Taxes & Special Districts ó Cammarata ó no report

Orleans County Representative ó DeRoller ó not present

Boards

Planning Board ó A. Kludt, Chair ó no report

Zoning Board ó P. Bolton, Chair ó no report

Department Heads

Assessor ó G. Massey ó no report

Code Enforcement ó P. Hennekey ó no report

Highway - W. Kruger

Thank you to the clean-up volunteers

Got rid of tires

Woodchuck Alley brush pile is cleaned up and mulch is available to the public

Brush pick up extended due to weather

NYMIR tour went well

Fire extinguishers have been tested

Some of the cemetery cameras need replacing

CHiPS paperwork has been started

Pot holes, mowing, levelling road shoulders, and paving are in process

Superintendent Kruger asked the Board to set the priority for the sidewalk project, due to time constraints and carnival and Homegrown Days interferences. After discussion, it was decided to begin the project toward autumn.

Historian ó H. Koch ó no report

Recreation ó M. Werth ó no report

Town Clerk ó A. Richardson ó written report submitted

Town Justices ó D. Drennan, D. Gaudioso ó written reports submitted

Supervisor ó A. Cammarata ó written report submitted

Discussion: Attorney Meier explained that the IRS and SEC rules and regulations often change, and the resolutions tonight are necessary to comply with current regulations.

RESOLUTIONS

Councilman Martin made the following motion, seconded by Councilwoman Szozda:

RESOLUTION 54 -0516 ADOPTING POST-ISSUANCE TAX COMPLIANCE PROCEDURES

WHEREAS, the Internal Revenue Service has issued regulations requiring issuers of tax-exempt obligations to certify on various forms that they actively monitor compliance with federal tax rules following the issuance of such obligations; and

WHEREAS, the Town is an occasional issuer of tax-exempt obligations and thus is subject to the aforementioned compliance requirements which are critical for the preservation of the preferential tax status of those obligations; and

WHEREAS, it is therefore in the best interest of the Town to adopt formal written procedures to ensure such compliance and to designate an official responsible for ensuring that such procedures are followed; and

WHEREAS, the Town previously adopted interim post-issuance tax compliance procedures (the "Original Procedures"); and

WHEREAS, it was intended that the Original Procedures would be periodically updated and supplemented; and

WHEREAS, Hodgson Russ LLP, as bond counsel to the Town, has prepared and has recommended that the Town adopt updated and more comprehensive post-issuance tax compliance procedures;

NOW THEREFORE, BE IT RESOLVED, that the Town hereby adopts the updated and more comprehensive post-issuance tax compliance procedures that are attached hereto as "Schedule A" and resolves to be governed thereby; and be it further

RESOLVED, that such Schedule A will be placed in its entirety in the official records, files and minutes of the Town and adhered to going forward; and be it further

RESOLVED, that this resolution shall take effect immediately upon its adoption.

Supervisor Cammarata called for a roll call vote, with the following results:

Councilwoman Flow	aye
Councilman Martin	aye
Councilwoman Szozda	aye
Supervisor Cammarata	aye

Supervisor Cammarata declared the motion carried.

Councilwoman Szozda made the following motion, seconded by Councilwoman Flow:

RESOLUTION 55-0516 ADOPTING SEC-DRIVEN CONTINUING DISCLOSURE COMPLIANCE PROCEDURES

WHEREAS, Securities Exchange Commission (SEC) Rule 15c2-12 (the Rule) generally prohibits underwriters from purchasing or selling municipal securities unless the issuer of such securities has entered into a continuing disclosure obligation; and

WHEREAS, the Town is an occasional issuer of municipal securities and thus has entered into continuing disclosure obligations (or will do so) from time to time; and

WHEREAS, Hodgson Russ LLP, as bond counsel to the Town, has prepared and has recommended that the Town adopt certain SEC-driven continuing disclosure compliance procedures; and

WHEREAS, the Town Board deems it to be in the best interest of the Town to adopt formal written procedures to help ensure continuing disclosure compliance, and to designate an official responsible for ensuring that such procedures are followed;

NOW THEREFORE, BE IT RESOLVED, that the Town hereby adopts the continuing disclosure compliance procedures that are attached hereto as Schedule A and resolves to be governed thereby; and be it further

RESOLVED, that such Schedule A will be placed in its entirety in the official records, files and minutes of the Town and adhered to going forward; and be it further

RESOLVED, that this resolution shall take effect immediately upon its adoption.

Supervisor Cammarata called for a roll call vote, with the following results:

Councilwoman Flow	aye
Councilman Martin	aye
Councilwoman Szozda	aye
Supervisor Cammarata	aye

Supervisor Cammarata declared the motion carried.

Councilwoman Flow made the following motion, seconded by Councilwoman Szozda:

RESOLUTION 56-0516 AUTHORIZING EXECUTION OF PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO EXPANSION OF WATER DISTRIBUTION SYSTEM, LABELLA ASSOCIATES, P.C., PROPOSAL NO. P160671, DATED AS OF MARCH 1, 2016 (“EFFECTIVE DATE”) BETWEEN TOWN OF KENDALL (“OWNER”) AND LABELLA

ASSOCIATES, P.C. (“ENGINEER”) FOR ENGINEERING SERVICES FOR PROJECT IDENTIFIED AS TOWN OF KENDALL KENDALL ROAD WATER DISTRICT (“PROJECT”)

WHEREAS, the Town has need of engineering services for the project identified as Kendall Road Water District, now therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign LaBella Associates, P.C. Proposal No. P160671 for engineering services as described in the Scope of Work set forth therein and dated as of March 1, 2016 for the project identified as Kendall Road Water District at a cost of Two Thousand (\$2,000.00) Dollars.

Supervisor Cammarata called for a roll call vote, with the following results:

Councilwoman Flow	aye
Councilman Martin	aye
Councilwoman Szozda	aye
Supervisor Cammarata	aye

Supervisor Cammarata declared the motion carried.

Councilman Martin made the following motion, seconded by Councilwoman Szozda:

RESOLUTION 57-0516 SCHEDULING SPECIAL MEETING TO ACCEPT MAP, PLAN AND REPORT AND TO SCHEDULE PUBLIC HEARING FOR THE KENDALL ROAD WATER DISTRICT PROJECT

WHEREAS, the Town is desirous of proceeding with the formation of the Kendall Road Water District, and

WHEREAS, the Town wishes to schedule a special meeting to accept the Map, Plan and Report and to adopt an Order Calling Public Hearing for the Kendall Road Water District Project, now therefore, be it

RESOLVED, that the Town Board hold a special meeting on May 26, 2016 at the Kendall Town Hall at 7:15 p.m. to accept the Map, Plan and Report of LaBella Associates, P.C., to adopt an Order calling Public Hearing and to act upon such other matters as are related to the formation of Kendall Road Water District.

DISCUSSION: Councilpersons Flow and Martin could not attend at this time. It was decided to change the time of the special meeting to Friday, May 27th, at 4:15 p.m. This alteration of the resolution was moved by Supervisor Cammarata and seconded by Councilwoman Szozda. Supervisor Cammarata called for a vote. Councilwoman Szozda abstained, Flow, Martin and Cammarata voted ðayeö.

Councilwoman Flow made the following motion, seconded by Councilman Martin:

RESOLUTION 58-0516 AUTHORIZING EXECUTION OF PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO EXPANSION OF WATER DISTRIBUTION SYSTEM, LABELLA ASSOCIATES, P.C., PROPOSAL NO. P160671 DATED AS OF MARCH 1, 2016 (“EFFECTIVE DATE”) BETWEEN TOWN OF KENDALL (“OWNER”) AND LABELLA ASSOCIATES, P.C. (“ENGINEER”) FOR ENGINEERING SERVICES FOR PROJECT IDENTIFIED AS TOWN OF KENDALL NORWAY ROAD WATER DISTRICT (“PROJECT”)

WHEREAS, the Town has need of engineering services for the project identified as Norway Road Water District, now therefore, be it

RESOLVED, that the Supervisor is hereby authorized to sign LaBella Associates, P.C. Proposal No. P160671 for engineering services as described in the Scope of Work set forth therein and dated as of March 1, 2016 for the project identified as Norway Road Water District at a cost of Two Thousand (\$2,000.00) Dollars.

Supervisor Cammarata called for a vote, resulting in all ayes. Motion carried.

Councilwoman Szozda made the following motion, seconded by Councilwoman Flow:

RESOLUTION 59-0516 SCHEDULING SPECIAL MEETING TO ACCEPT MAP, PLAN AND REPORT AND TO SCHEDULE PUBLIC HEARING FOR THE NORWAY ROAD WATER DISTRICT PROJECT

WHEREAS, the Town is desirous of proceeding with the formation of the Norway Road Water District, and

WHEREAS, the Town wishes to schedule a special meeting to accept the Map, Plan and Report and to adopt an Order Calling Public Hearing for the Norway Road Water District Project, now therefore, be it

RESOLVED, that the Town Board hold a special meeting on Friday, May 27, 2016 at the Kendall Town Hall at 4:00 p.m. to accept the Map, Plan and Report of LaBella Associates, P.C., to adopt an Order calling Public Hearing and to act upon such other matters as are related to the formation of Norway Road Water District.

Supervisor Cammarata called for a vote, resulting in all ayes. Motion carried.

Councilwoman Flow made the following motion, seconded by Councilman Martin:

RESOLUTION 60-0516 TO FILL VACANCY ON ZONING BOARD OF APPEALS – DAN MATTLE

Whereas there exists a vacancy on the Zoning Board of Appeals, and the recommendation of the Zoning Board Chairman has been solicited and considered by the Town Board,

Be it resolved to appoint Dan Mattle, 1216 Norway Road, to the Zoning Board of Appeals for the Town of Kendall, term commencing immediately, and ending December 31, 2020.

Supervisor Cammarata called for a vote, resulting in all ayes. Motion carried.

Councilman Martin made a motion to pay the claims, as presented in Abstract 5, seconded by Councilwoman Flow:

PAYMENT OF CLAIMS

General Fund	Abstract 5	\$ 19,430.77	Vouchers 277-313,315-317
Highway Fund	Abstract 5	\$ 23,629.01	Vouchers 283,315,318-353
Light District One	Abstract 5	\$ 449.93	Voucher 305
Light District Two	Abstract 5	\$ 263.62	Voucher 305
Light District Three	Abstract 5	\$ 142.68	Voucher 305
Water District Six	Abstract 5	\$ <u>1,226.92</u>	Vouchers 306,314,316
		\$ 45,142.93	

OLD BUSINESS

Hamlin/Kendall Water District disbursement of funds ó Supervisor has this on hold, pending some reviews

LWRP Update ó no update

Defibrillator ó availability and training ó new purchase pending

Kendall's Finest ó on track, final details in process, pictures will be solicited at Memorial Day Observance by Supervisor

Property Maintenance Law ó no update

Diesel/MCWA issue ó Attorney Meier connected with the attorney from MCWA; MCWA was very positive and cooperative regarding the Town's desire to have the leases for easements recorded in the Town's name, and this would be consistent with the regulations of MCWA. The easements would not provide for surface rights, but only for water expansion or provision needs.

NEW BUSINESS

Waste water grants ó LaBella will make proposals to investigate this.

USDA grant program ó investigated by Councilwomen Szozda and Flow ó available to residents meeting certain criteria. This information will be posted.

With no further business being brought before the Board, Councilwoman Szozda motioned for adjournment, seconded by Councilman Martin. Meeting adjourned at 8:19 p.m.

Respectfully Submitted,

Amy K. Richardson, Kendall Town Clerk

