

TOWN OF KENDALL
TOWN BOARD MEETING
Tuesday, February 19, 2013, 7:30 P.M.

Supervisor Gaesser called the meeting to order at 7:34 p.m., and led the Pledge of Allegiance.

ROLL CALL

Councilman Pritchard	present
Councilman Joseph	excused
Councilman Schuth	present
Councilwoman Szozda	present
Supervisor Gaesser	present

Also present, Highway Sup. Kruger, Planning Chair Gray, CEO Hennekey, Clerk Richardson, and approximately 40 members of the public.

SUPERVISOR'S REMARKS

Because of the high public attendance at this meeting, the agenda will change. The reports of the committees will be postponed until next month; the reports of Boards and Department Heads and resolutions will be done after public comment. Water under Old Business will be addressed first. Supervisor Gaesser was made aware just before this meeting that an anonymous flyer was distributed regarding water on Center Road. Although this flyer is misleading, and inaccurate, there is great deal of work being done on identifying which areas of the Town would most benefit and most likely qualify for grants and low interest loans for water line construction.

ACCEPTANCE OF MINUTES

Councilman Pritchard made motion to accept the minutes of the January 15, 2013 meeting, seconded by Councilman Schuth; all ayes.

CORRESPONDENCE

West Kendall Road water petition – received 2/19 – 18 signatures

Paul Gray's recommendation for the Planning Board vacancies

Letter from Daniel Schuth regarding consent to become an out-of-district user with the Town of Gaines

OLD BUSINESS

Water Expansion- Course of Action Plan

Supervisor Gaesser gave a review of recent activities toward water expansion. Communication with the Supervisor of the Town of Gaines indicates that two or three Kendall residences on Transit Road will have access to water with Gaines' new line, as out-of-district users. An inter-municipal agreement proposal needs to be presented by Gaines.

The Town Engineer, Mike Schaffron, contacted Supervisor Gaesser and he and the grant writer, Stu Brown Associates, have sent e-mails to the Board. The segmented areas of the town not currently serviced by public water need specific data collected, to make determinations of qualifying areas for

water expansion. An initial survey to all those not on public water, town-wide, and at town expense, is proposed, to determine the areas where interest is shared and strong enough to pursue. A list of names of those residents not on water has been generated for this mailing. The neighborhood volunteers would then only have to collect the surveys from those who fail to return them. The data collected can then be forwarded to the engineer and grant writer, to enable them to advise the Board.

The Board reviewed the proposed survey, and suggested modifications.

The average income information provided by the Census Bureau is now available. The Board felt this number may be inaccurate and inflated, due to the sampling method used. A confidential income survey by area considered may be necessary at a later date, and would be done through the grant writer's office, to help determine qualification.

Highway Superintendent Kruger suggested determining how to argue the census results for median income, as it can affect other types of funding, also. There are grants available for water expansion, but it is becoming more difficult to obtain them, particularly for rural areas.

PUBLIC PARTICIPATION

Ken Root, Center Road – questioned the \$600 to \$1000 annual cost of municipal water to each resident, in comparison to current water users.

Supervisor Gaesser explained that comparing to other water districts is unrealistic. The older districts have paid significant portions of their debt, and the districts were formed and installed when prices were lower, grants were more readily obtained, and thresholds of cost allowances were lower. The projected costs of debt repayment for construction and consumption included in the survey have been calculated using current figures.

Tim Quintern, Norway Road – questioned the proposed fee for inspection by MCWA in the engineering projections.

Councilman Pritchard said that MCWA stated at a meeting that MCWA would not charge a fee for inspection.

Supervisor Gaesser said he will check into this.

Ken DeRoller, Kendall Road – asked if Eagle Creek Marina's foreclosure was adversely affecting the ability to receive grant funding and low interest loans.

Supervisor Gaesser said according to the last communication with the Office of Community Renewal, the information was forwarded to the Federal level for a determination. The default of ECM does not affect the credit score with Rural Development, only with OCR, which is under new leadership.

Bob Wilson, Center Road - asked what density is required to qualify for water expansion in an area., and wondered if it is measured in number of people or in number of houses. Center Road has several farm labor camps.

Supervisor Gaesser said he is uncertain how labor camps are counted, because they do not have a separate tax id. They fall under the farmer id. Mr. DeRoller, a former assessor, said he does not believe they count as a unit, and do not help in the qualification.

Mr. Wilson asked if rental property counts as a unit.

Supervisor Gaesser answered affirmatively, if it has a separate tax id.

Ken DeRoller – said the census data is unreliable due to changed sampling methods. Another method of average income determination should be utilized by the grant writer.

Councilman Pritchard restated that would be done, if necessary, through a second survey, coordinated by the engineer and grant writer.

Tim Quintern – Asked how Ag districts affect the data.

Supervisor Gaesser said if vacant property is in an agriculture exempt area, the property owners could not hook in to the water line, and would not be responsible for the debt service. There are multiple unique situations such as this, which make the process more complicated.

Ken DeRoller – asked if the surveys would be sent to all residents without public water or just those which have petitions filed, and what timeframe should be expected.

Councilman Pritchard said the survey will cover all areas, and a spreadsheet will be created to track specific neighborhoods. The petitions received will be helpful in this process. The surveys will be mailed within two weeks, and the time to collate data will depend on how quickly the surveys are returned.

R. Woodang, Center Road – said he has been in Kendall 8 years, and this issue has always been discussed. He asked how realistic this project is, and expressed urgency to address it. He asked what priority this issue has and what timetable has been established. He expressed that he thought everyone without water wants public water.

Supervisor Gaesser said the Board is elected to serve the entire town, and that is why the survey will include all those not on a water line. When the last survey was conducted, and it was in a high density area, only half of those returning surveys were interested in water. There can not be a timetable established, as much depends on residents' responses, and on outside experts' input. Also, as far as priority this issue has compared to all the other work which needs to be accomplished, the reality is that there are always multiple priorities, many of which are ongoing, many of which the Board has no control over, and the priority at any given time changes from day to day. Over the past year, for instance, in addition to the daily urgency of administration and financial management and governing, there have been multiple audits, cemetery vandalism, a major development project, etc. The Board has been working on this, and continues to work. The town-wide survey will yield important information with which to plan the next steps.

Joan Weed, Center Road – asked how long a petition is valid, and if the Center Road petition needs updating.

Supervisor Gaesser said the petitions will be checked against current information.

Robert Perkins – made a suggestion that the surveys include an e-mail address for response.

The Board thanked him for the suggestion, and agreed.

A recess was called to allow those wishing to leave to do so. Upon reconvening, the agenda was revisited.

Boards

Planning Board – P. Gray, Chair

A public hearing on a labor camp on Center Road was held.

Chairman Gray has submitted his recommendation for filling the vacancies on the Planning Board.

Zoning Board – K. Banker, Chair – no report

Department Heads

Assessor – G. Massey – no report

Code Enforcement – CEO Hennekey – no report
Highway - W. Kruger

284 Agreement has been submitted
Winter clean-up has been normal

The loader is 18 years old, is becoming costly for upkeep, and may soon need to make a decision whether it is cost effective to keep. It is functional for now. Tires do need to be replaced for safety.

Regarding Transit Road water:
Superintendent Kruger said t

he Town of Carlton may be able to offer water to some Kendall residents on Transit Road South.

Historian – K. Corcoran – no report
Recreation – B. Flow – annual report submitted
Town Clerk – A. Richardson – written report submitted
Town Justice - C. Lape & S. Cliff – written reports submitted
Supervisor – D. Gaesser – written report submitted

Supervisor Gaesser and Superintendent Kruger discussed water lines run in town right-of-ways as part of out of district user agreements.

RESOLUTIONS

Councilman Schuth made the following motion, seconded by Councilman Pritchard:

RESOLUTION 36-0213 Resolution Accepting Specialized Research and Education Toward Training Hours for Planning Board Members in 2012

WHEREAS, some members of the Town of Kendall Planning Board were unable to complete four hours of required training in 2012; and,

WHEREAS, a project, The Cottages at Troutburg, (hereinafter “the project”), has taken significant periods of time and effort by all members of the Town of Kendall Planning Board; and,

WHEREAS, that project has had several unique issues that had to be handled by the planning board, such as additional research, education, and training; and,

WHEREAS, the Chairman of the Town of Kendall Planning Board has sent a letter delineating the special circumstances dealt with by the planning board members as related to the project, in addition to his recommendation that those unique instances constitute each members’ training for 2012,

NOW, THEREFORE, BE IT RESOLVED, that, based upon the unique circumstances that existed, and also, the recommendation of Chairman Gray, the Kendall Town Board has determine that the time put in by the planning board members constitutes each member’s required training hours for 2012.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

Councilman Pritchard made the following motion, seconded by Councilman Schuth:

RESOLUTION 37-0213 Appointing Raymond G. Wenzel and Andrew M. Kludt to the Planning Board

Whereas, vacancies exist on the Planning Board, and,

Whereas, the vacancies were advertised in the official newspaper, and

Whereas, candidates were interviewed to fill the vacant positions,

Now, therefore, BE IT RESOLVED that the Kendall Town Board appoints Raymond G. Wenzel to complete the term expiring December 31, 2013, and appoints Andrew M. Kludt to a five-year term that expires December 31, 2017.

Supervisor Gaesser called for a vote, which resulted in all ayes, and declared the motion carried.

Councilwoman Szozda made a motion to accept the claims for payment, as presented, seconded by Councilman Pritchard; all ayes.

PAYMENT OF CLAIMS

General Fund	Abstract 2	\$63,415.17	Vouchers 40-69,71-90,92-95
Highway Fund	Abstract 2	\$39,320.04	Vouchers 40,42,51,96-129
Water District Six	Abstract 2	\$1,241.07	Vouchers 70,91,94
Light District One	Abstract 2	\$573.73	Voucher 69
Light District Two	Abstract 2	\$335.46	Voucher 69
Light District Three	Abstract 2	\$190.78	Voucher 69
Fire District	Abstract 2	<u>\$234,208.00</u>	Vouchers 38,39
		\$339,284.25	

Re-zoning RA (residential agriculture) districts with water service to RR (rural residential)

Councilman Schuth will have a resolution prepared regarding this for the March meeting.

Councilmen Schuth and Pritchard are working on an out of district procedure.

Supervisor Gaesser will circulate a final draft of the water letter and survey and work will be continuing through the weekend to prepare the mailing.

There being no other further business being brought before the Board, Councilman Pritchard motioned for adjournment, seconded by Councilman Schuth; all ayes. Supervisor Gaesser adjourned the meeting at 9:12 p.m.

Respectfully Submitted,

Amy K. Richardson, Kendall Town Clerk

