

TOWN OF KENDALL
RECESSED TOWN BOARD MEETING
Tuesday, June 28, 2011, 6:30 P.M.

CALL TO RECONVENE

Supervisor Gaesser called the recessed meeting back to order at 6:30 p.m., and led the Pledge of Allegiance.

ROLL CALL

Councilman Pritchard- Excused
Councilman Joseph-present
Councilman Schuth-present
Councilwoman Szozda-present
Supervisor Gaesser-present

Also present, Deputy Code Enforcement Officer Hennekey, Jim Freemesser, Al and Bev Lofthouse

SUPERVISOR'S REMARKS

The Highway agreement has been signed by Superintendent Kruger and will be put into place tonight.
Main purpose of this meeting is to consider the application for fireworks from ECM.

Deputy Hennekey reviewed what is in order for the fireworks permit application.

RESOLUTIONS

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

RESOLUTION 59-0611 EAGLE CREEK MARINA FIREWORKS DISPLAY PERMIT

WHEREAS, Jim Freemesser has submitted an application for a permit for public display of fireworks to the Kendall Town Clerk, and

WHEREAS said application has been reviewed by the Code Enforcement Officer and it is the recommendation of the Town of Kendall Code Enforcement Officer to the Town Board for approval of a conditional permit, subject to the following:

- 1) Mr. Freemesser agrees to tape off two adjacent properties as follows: LOT 26 Lakeland Beach Road, and to the driveway of 16764 Lakeland Beach Road, using security or barrier tape.
- 2) Mr. Freemesser agrees to rectify the launch site so as to meet the legal requirement of being a minimum of 50 feet from any overhead obstruction. This permit is conditionally approved based upon completion of these actions. So, therefore...

Be it RESOLVED that the Kendall Town Board authorizes the Kendall Town Clerk to issue a Conditional Public Display of Fireworks Permit pursuant to applicable provisions of section 405.00 of the Penal Law of the State of New York and the New York State Fire Code Section 3308.1, to Jim Freemesser for a fireworks display to take place at Eagle Creek Marina commencing at 9:45 p.m. on Saturday, July 2, 2011, or a rain date of Sunday, July 3, 2011, commencing at 9:45 p.m..

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

Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gaesser	aye

Supervisor Gaesser declared the motion carried.

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

**RESOLUTION 60-0611 AUTHORIZING EXECUTION OF AGREEMENT TO EXPEND
HIGHWAY MONEYS**

WHEREAS, the Kendall Town Board has discussed the improvements and repairs necessary to town roadways in 2011 with the Town of Kendall Highway Superintendent, and,

WHEREAS, pursuant to those discussions, the parties have agreed to set aside the amount of \$290,735 for general repairs and to undertake the specific improvements set forth in the agreement attached; and,

WHEREAS, this agreement was negotiated and is to be executed in furtherance of the provisions of Section 284 of the New York State Highway Law; and,

WHEREAS, the Town Board has determined that it is in the best interest of the Town to authorize the execution of the attached agreement, and,

WHEREAS, based upon the discussions of the Town Board and Highway Superintendent, the execution of the agreement to spend town highway funds for repairs and improvements to Town of Kendall roads is hereby determined not to have a significant effect on the environment, so now,

Therefore, be it RESOLVED, that the Town Supervisor, Town Board members and Highway Superintendent be authorized to execute the attached Agreement to spend Town Highway Funds.

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

Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gaesser	aye

Supervisor Gaesser declared the motion carried.

NEW BUSINESS

Eagle Creek Marina Semi-annual Report – is due by July 15th.

Councilman Schuth motioned for adjournment, seconded by Councilman Joseph; all ayes; adjournment called by Supervisor Gaesser at 6:43 p.m.

Respectfully Submitted,

Amy Richardson
Kendall Town Clerk

