

TOWN OF KENDALL
TOWN BOARD MEETING
Thursday, September 11, 2008 7:30 P.M.

Supervisor Gillman called the meeting to order at 7:31 pm., and led the Pledge of Allegiance; then asked for a moment of silence to remember September 11, 2001.

Clerk Richardson called roll:

Councilman Gaesser	present
Councilman Joseph	present
Councilman Schuth	present
Councilwoman Szozda	present
Supervisor Gillman	present

OTHERS PRESENT: Town Engineer Michael Schaffron, Code Enforcement Officer Gurslin, Deputy Code Enforcement Officer Hennekey, Highway Superintendent Kruger, Sandra Shaw, Blaine Young, Gert Hauck, Wendy Balka, Harry and Dot Butler, Al and Bev Lofthouse

Supervisor Gillman introduced Sandra Shaw from the Community Free Library.

Ms. Shaw gave a short presentation on the subject of the expansion plans for the library. The expansion will not result in an increase in taxes.

Supervisor Gillman introduced Engineer for the Town, Michael Schaffron, from LaBella Associates.

Mr. Schaffron spoke to the Board about the telemetry system bidding process – why it wasn't done, why it is now necessary – and gave his recommendation that it now be put through a formal bidding process.

Councilman Gaesser asked if there will be any cost to the Town.

Mr. Schaffron responded that the only additional cost will be the expense of the bidding advertisements.

Councilman Gaesser asked how long the bidding process will take.

Mr. Schaffron responded the ad will have to run two weeks; the bid opening will be on October 21st.

Councilman Gaesser asked Superintendent Kruger if he is in concurrence with this suggestion, and if this has been agreed to by Murray Highway Superintendent Morgan.

Superintendent Kruger answered as long as it is done, it will not hold up the project.

Councilman Gaesser asked if it is the opinion of the engineer, that to ensure qualification for a draw request, this bidding process is necessary. The engineer responded

affirmatively, and said he would draw up the advertisements necessary and forward them to Clerk Richardson for submission.

Supervisor Gillman moved the following:

RESOLUTION 129-908 RESOLUTION ALLOWING LABELLA ASSOCIATES TO RUN ADVERTISEMENT BIDS FOR THE TELEMETRY SYSTEM FOR WATER DISTRICT 6.

The motion was seconded by Councilwoman Szozda.

Councilman Schuth asked for dates, and a short discussion was held.

Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS

Standing Committees

- Public Safety/Emergency Services & Occupational Safety – B. Joseph, Chair – written report submitted
- Highway – D. Gaesser, Chair – water district 6 work is winding down
- Buildings, & Grounds – B. Joseph, Chair – written report submitted
- Planning, Zoning & Agriculture - D. Schuth, Chair – building permits picking up
- Community Relations – D. Schuth, Chair – upcoming scarecrow contest, Farmers’ Market on September 20th
- Human Resources and Ethics – L. Szozda, Chair – no report
- Finance, Taxes & Special Districts – J. Gillman, Chair – no report
- Information Services – B. Joseph, Chair – several computer problems recently, written report submitted
- Employee Benefits – L. Szozda, Chair – medical policy is being looked at, and may be changed
- Culture & Recreation –D. Gaesser, Chair – hunter safety class was successful, upcoming bow hunting class is filled; recreation budget is progressing
- Orleans County Representative – K. Rush – not present

Boards

- Planning Board – Paul Gray, Chair – no report
- Zoning Board - K. Banker, Chair – no report

Department Heads

- Assessor – G. Massey – no report
- Code Enforcement – L. Gurrslin – the Eagle Creek Marina had a water main break due to a construction accident. It has been repaired. The interior of the Marina is progressing. 2009 budget sheet will be turned in on time. apologized to and thanked Marianne Wilson, Deputy Clerk, for causing her stress in placing a legal notice.

Highway - W. Kruger – water district 6 nearly complete,
Historian - J. Knapp – no report
Recreation – B. Flow – written report submitted
Town Clerk – A. Richardson – written report submitted
Town Justice - R. Ernenwein & C. Lape – no report

PUBLIC PARTICIPATION

Wendy Balka, Lakeland Beach Road – asked if a Certificate of Occupancy had been issued for the Marina.

CEO Gursplin stated that there has been no formal request for a C of O. First floor compliance may be sought.

Mrs. Balka asked if that is possible, since the zoning laws require that the entire project must be completed before that would be allowed.

CEO Gursplin responded that it CAN be done, similarly to a temporary C of O.

Mrs. Balka asked where the Marina is as to its Special Use Permit conditions, particularly the issue of visual barriers, which were mandated by the Planning Board when the original permit was issued.

CEO Gursplin responded that those issues have not been officially addressed.

Mrs. Balka addressed some of the conditions set forth in a document from December of 2004. CEO Gursplin asked if he could have a copy of the document.

Mrs. Balka then questioned the process of issuing fireworks display permits. She asked who verifies that all safety requirements are met.

Supervisor Gillman responded that the Board authorizes the issuance of the permit. Insurance proof is required, and Supervisor Gillman believed that Mr. Freemesser was licensed to set off fireworks.

Mrs. Balka stated that the license presented enables storage and transport of fireworks, not the display.

Supervisor Gillman said he will look into that, and assured Mrs. Balka that it will be done correctly in the future.

Mrs. Balka also had issue with site review for the fireworks, and stated that there are additional rules to be followed if fireworks are displayed over navigable waterways, according to NFPA regulations. The U.S. Coast Guard should give their approval.

Supervisor Gillman asked Mrs. Balka for a written list of her questions, and promised to provide her a written response.

Allen Lofthouse asked about the medical insurance paid to Kendall Central School for a Kendall town employee having different headings on different vouchers, and wondered if they were for the same employee. He also asked where the reimbursement to the Town shows.

Councilman Gaesser responded that the net amount shows in the monthly balance only.

Mr. Lofthouse feels this amount is very high, and questioned why.

Supervisor Gillman promised a written response.

Councilwoman Szozda gave an overview of the Town’s medical benefits, and the payroll deduction system for any amount over the allowed cap.

Councilman Schuth made motion to pay the claims, which include the Water District 6 abstract, seconded by Councilman Gaesser. Councilman Gaesser pointed out that the Water District 6 page was added late, and wants to ensure that it go through the proper auditing channels. Supervisor Gillman asked for a vote, resulting in all ayes. Motion carried.

PAYMENT OF CLAIMS

General Fund	Abstract.009	\$ 10,407.52	Vouchers 1259-1264,1266-1274,1276-1278,1280-1287,1299
Highway Fund	Abstract 009	\$ 2,792.02	Vouchers 1261,1263,1288-1297
Street Lighting #1	Abstract 009	\$ 388.64	Voucher 1266
Street Lighting #2	Abstract 009	\$ 228.67	Voucher 1266
Street Lighting–Gen.	Abstract 009	\$ 125.71	Voucher 1266
Water District #1	Abstract 009	\$ 4,502.00	Voucher 1298
Water District #2	Abstract 009	\$ 1,290.45	Voucher 1298
Water District #3	Abstract 009	\$ 1,653.45	Voucher 1298
Water District #4	Abstract 009	\$ 3,183.45	Voucher 1298
Water District #5	Abstract 009	\$ 1,070.46	Voucher 1298
Water District #6	Abstract 009	\$ 49,834.64	Voucher 1265,1279,1300-1310
		\$ 75,477.01	

RESOLUTIONS

Councilman Joseph made the following motion:

RESOLUTION 126-908 NATIONAL GRID REMOVAL OF MORTON FIREMAN’S FIELD LAMP

RESOLVED: National Grid is hereby authorized and directed to do the following work in the Town of Kendall, St. Light Account No. 24738-79106:

Remove: One 70 watt high pressure sodium lamp & luminaire from Pole 3 Storage Road at the Firemen’s Field.

Estimated Annual Cost: (\$95.00)

The motion was seconded by Councilwoman Szozda. Supervisor Gillman called for a vote; all ayes. Motion carried.

Councilman Joseph made the following motion:

RESOLUTION 127-908 TO REVISE RESOLUTION #63-306 – VOUCHER SCHEDULE AND AUDIT POLICY

Whereas the Voucher and Schedule Audit Policy has been created by Town Board Resolution 63-306 and...

Whereas after review of this Policy by the Town Board, the following changes are recommended to expedite the review process and enhance the accountability

BE IT RESOLVED THAT THE FOLLOWING CHANGES BE MADE

ITEM 1 BE CHANGED TO READ AS FOLLOWS

Change to: All vouchers for payment must be submitted to the Kendall Town Clerk by 12:00 pm on the Thursday preceeding the week of our regularly scheduled Town Board meetings. Should a holiday fall on this Thursday, vouchers will be due 12:00 pm the Tuesday preceding the week of our regularly scheduled Town Board Meeting.

Presently States: All vouchers for payment must be submitted to the Kendall Town Clerk by 4PM on the Friday preceding the week of our regularly scheduled Town Board meetings. Should a holiday fall on this Friday or Monday, after this Friday, vouchers will be due the Thursday preceding the week of our regularly scheduled Town Board Meeting.

ITEM 4 BE CHANGED TO READ AS FOLLOWS

Change to: Two Council members will be responsible for auditing based on a rotational schedule to be posted in January.

Presently States: The assigned Council members will be responsible for auditing based on a rotational schedule.

- A) - Jan, May, September,
- B) – February, June, October
- C) – March, July, November
- D) – April, August, December

The motion was seconded by Councilman Gaesser, who suggested that all department heads be notified as soon as possible. Supervisor Gillman called for a vote; all ayes. Motion carried.

Councilman Schuth made the following motion:

RESOLUTION 128-908 BUILDING FEE SCHEDULE REVISION

Resolved, that the Kendall Town Board adopts a revised Building Fee Schedule as proposed by the Code Enforcement Officer. The schedule (attached) is based on defining more specific structures and fair costs when compared to other neighboring towns. Furthermore, these structures and coordinating fees add clarification and understanding to support the efficiency and operation of the Code Enforcement office.

The motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote; all ayes. Motion carried.

OLD BUSINESS

Intermunicipal Agreement between Murray and Kendall for Water District 6 – this agreement has still not been executed, pending the town of Murray passing its resolution to do so.

Code Enforcement Court Order – CEO Gursslin has begun the process of addressing some of the clean-up issues.

Cemetery Trust

Marina Project

Court Security

Banner Beach Road Dedication

NEW BUSINESS

Councilman Joseph asked Kendall Fire Department's Blain Young if the fire department was notified of the marina fireworks. Mr. Young answered that they were notified, and present as a safety precaution. Supervisor Gillman said he had attended the fireworks, and felt that safety was properly addressed.

Issues of various properties in need of clean-up, and the difficulties, legally, financially, and physically, were discussed.

Councilman Gaesser asked about the school road dedication.

Supervisor Gillman said the item was pulled from the agenda, pending legal guidance.

With there being no further business, Councilman Gaesser motioned for recess until September 25, 2008 at 7:30 p.m. seconded by Councilman Schuth. All ayes, meeting recessed at 9:12 pm.

Respectfully Submitted,

Amy K. Richardson
Kendall Town Clerk

