

TOWN OF KENDALL
TOWN BOARD MEETING
Tuesday, December 21, 2010, 7:30 P.M.

Supervisor Gaesser called the meeting to order, and led the Pledge of Allegiance.

ROLL CALL

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

Also present, Attorney Sansone, Clerk Richardson, Planning Board Chairman Gray, Planning Board Member Joyce Henry, representative for New York State Assemblyman Hawley, Eileen Banker, and several members of the public.

SUPERVISOR'S REMARKS

Supervisor Gaesser welcomed those present, and acknowledged the achievements of the Scouts being recognized this evening, and thanked Eileen Banker for representing Assemblyman Hawley in also congratulating these young people.

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

RESOLUTION 103-1210 – SCOUT RECOGNITION

Whereas, Brianna Maslyn, Colby Ricker, and Cody Lester are students in the Kendall Central School District, and,

Whereas, these scouts are members of the Girls Scouts and Boy Scouts of America, and have been involved with projects in and around the Town of Kendall, and,

Whereas they have, through years of hard work and dedication, demonstrated leadership to their troops and community, culminating in the achievement of an award of the highest merit,

Now, therefore, be it RESOLVED that the Town Board of the Town of Kendall, Orleans County, New York does hereby recognize the efforts, dedication and leadership shown by Brianna Maslyn in her attainment of the rank of Gold and,

Further that Colby Ricker and Cody Lester are acknowledged for their attainment of the rank of Eagle Scout and,

Further, on behalf of all of the residents of the Town of Kendall, we commend and congratulate these individuals on their achievements and wish them well in all of their future endeavors.

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

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

Supervisor Gaesser declared the motion carried.

Each scout was called forward and recognized separately by the Town Board and was presented a framed certified copy of the resolution. On behalf of Assemblyman Hawley, Mrs. Banker presented each scout with a citation.

The meeting was recessed for a reception to greet and celebrate with Miss Maslyn, Mr. Ricker, and Mr. Lester.

Upon reconvening, Councilman Pritchard motioned to accept the following minutes, with a suggested change, which was agreed upon by Clerk Richardson. The motion was seconded by Councilman Schuth. All ayes; minutes accepted for Kendall Town Board Meeting and Public Hearings November 16, 2010, and for the Public Hearing held December 7, 2010.

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS

Standing Committees

Public Safety/Emergency Services & Occupational Safety –Joseph, Chair

Buildings, & Grounds –Joseph, Chair

Information Services –Joseph, Chair

No reports

Highway –Gaesser, Chair

The budget adjustments and transfers made at this meeting were discussed with the Highway Superintendent.

Culture & Recreation –Pritchard, Chair

The seniors' Christmas party was held and enjoyed.

Planning, Zoning & Agriculture –Schuth, Chair

Extension of the moratorium on agenda tonight, and the Planning Board is close to having the new regulations ready for Town Board review. The Zoning Board held a Public Hearing regarding a variance.

Community Relations –Schuth, Chair

Many holiday community activities have been held, and are on-going.

Human Resources and Ethics –Szozda, Chair

Employee Benefits –Szozda

Letters will be going out to retirees notifying them of their new health care insurance costs.

Finance, Taxes & Special Districts –Gaesser, Chair

A letter from NYS Home and Community Renewal was read., the contents of which included a certificate of completion of NYS CDGB (Water District 6) grant, and approval for its close-out.

The 2010 budget should be on target.

Orleans County Representative – Ken Rush

Not present

Boards

Planning Board – P. Gray, Chair – moratorium work continues, and is nearly complete. A joint work session will be held with the town and planning boards to review the new suggested regulations.

Zoning Board – K. Banker, Chair – Tonight's Zoning Board public hearing was regarding a lakefront issue. Supervisor Gaesser asked for CEO Gurrslin's input on the suggestion of a requirement that lakefront building permit applications include a stamped property survey map. A short discussion was held.

Department Heads

- Assessor – G. Massey – no report
- Code Enforcement – L. Gursslin – no report
- Highway - W. Kruger – no report
- Historian – J. Knapp – no report
- Recreation – B. Flow – written report submitted
- Town Clerk – A. Richardson – written report submitted
- Town Justice - C. Lape & V. Maxon – written reports submitted
- Supervisor – written report submitted

PUBLIC COMMENT

Joyce Henry spoke in praise of the community co-operation during the fire at the Brightly farm, particularly the help provided by the Highway Department.

RESOLUTIONS

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

RESOLUTION 104-1210 – MUNICIPAL SNOW AND ICE EXTENSION FOR CONTRACT D003768

Be it RESOLVED that the Town Board of the Town of Kendall authorizes Supervisor Gaesser to execute an agreement with the New York State Department of Transportation to extend the Municipal Snow and Ice Contract between the Town of Kendall and the New York State Department of Transportation for the 2012/2013 contract year, subject to attorney approval as to form, content and legal compliance.

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

Supervisor Gaesser made the following motion, seconded by Councilman Pritchard:

RESOLUTION 105-1210 – HIGHWAY BUDGET ADJUSTMENTS

Be it RESOLVED, to make the following budget adjustments to the Town of Kendall Highway Fund:

Increase revenue account DA2302 Snow Removal Service Other Government from \$15,212.00 to \$66,612.00.

Increase account	From	To
DA5110.4 Maintenance of Streets, Contractual	\$101,175.00	\$102,343.13
DA5130.4 Machinery, Contractual	\$49,456.00	\$52,456.00
DA5140.1 Brush & Weeds, Personal Service	\$15,295.00	\$16,316.03
DA5140.4 Brush & Weeds Contractual	\$2,600.00	\$2,700.00
DA5142.1 Snow Removal, Personal Service	\$73,000.00	\$85,710.00
DA5142.4 Snow Removal, Contractual	\$61,400.00	\$93,513.00
DA9030.8 Employee Benefits, Social Security	\$10,895.00	\$11,895.00

DA9031.8	Employee Benefits, Medicare	\$2,548.00	\$2,798.00
DA9050.8	NYS Unemployment Insurance	<u>\$1,112.02</u>	<u>\$1,129.54</u>
		\$317,481.02	\$368,860.70

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

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

RESOLUTION 106-1210- IN-KIND RENTAL AGREEMENT WITH THE ORLEANS COUNTY OFFICE OF THE AGING FOR 2011

Be it RESOLVED that the Town Board of the Town of Kendall authorizes Supervisor Gaesser to execute an in-kind agreement with the Orleans County Office of the Aging for use of building space in the Kendall Town Hall for the Orleans County Office of the Aging's Elderly Nutrition Program, subject to attorney approval as to form, content and legal compliance.

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

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

RESOLUTION 107-1210- BUDGET TRANSFERS FOR CLERK'S OFFICE

Be it RESOLVED, to transfer the sum of \$600.00 from account A1355.12 Assessor Personal Service Extra Help to account A1410.11 Deputy Town Clerk Personal Service.

Be it further RESOLVED, to transfer the sum of \$160.00 from account A4020.40 Registrar of Vital Statistics, Contractual to account A1410.40 Town Clerk, Contractual.

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

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

RESOLUTION 108-1210- LOCAL LAW 2 OF 2010, EXTENDING THE MORATORIUM ON ACCESSORY STRUCTURES IN HAMLET, WATERFRONT RESIDENTIAL AND WATERFRONT RESIDENTIAL ZONES

Whereas, Local Law No.1 of the Year 2009 entitled "The Town of Kendall Moratorium on accessory structures in excess of 900 square feet in the Hamlet, Waterfront Residential and Waterfront Development Zones Law", expires in January 2011 and,

Whereas, the Planning Board continues to work toward making its recommendations to the Town Board, and,

Whereas, the Town Board conducted a public hearing to consider adoption of proposed local Law No.2 of the Year 2010 on the 7th day of December, 2010 at 7:00 p.m. in the Kendall Town Hall, 1873 Kendall Road, Kendall, New York 14476, at which time all persons wishing to be heard in favor or in opposition thereto were heard; and,

Whereas, this proposed Local Law was reviewed by the attorney for the Town, John Sansone, and the Orleans County Planning Board, and their comments were considered,

Now, therefore, be it RESOLVED, that Local Law No. 2 of the Year 2010 of the Town of Kendall, Orleans County, New York, being a local law entitled "Extension of the Town of Kendall Moratorium on Accessory Structures in Hamlet, Waterfront Residential and Waterfront Development Zones Law", be adopted.

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

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

Supervisor Gaesser declared the motion carried.

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

RESOLUTION 109-1210- AMENDING RESOLUTION 101-1110- THE TOWN OF KENDALL MEDICAL BENEFITS POLICY

BE IT RESOLVED, to adopt the following changes effective December 1, 2010 to the Town of Kendall Medical Policy:

Change:

Section 1 – Definitions

Benchmark Medical Plan - is the medical plan(s) and subsequent cost of the medical plan the Town Board selects to offer to eligible elected officials and employees as set forth in this policy.

The Benchmark Plan is MVP's HDHP EPO Preferred-NEHD07S Plan.

Family Plan	\$675.87 per month
Two Person Plan	\$502.32 per month
Single Plan	\$251.16 per month

Any employee wishing to upgrade their plan to the MVP's EPO Preferred-E0052S Plan may do so at his own expense. Payments are to be made by payroll deduction.

To Now Read:

Section 1 – Definitions

Benchmark Medical Plan - is the medical plan(s) and subsequent cost of the medical plan the Town Board selects to offer to eligible elected officials and employees as set forth in this policy.

The Benchmark Plan is MVP's HDHP EPO Preferred-NEHD07S Plan.

Family Plan	\$680.89 per month
Two Person Plan	\$506.18 per month
Single Plan	\$253.09 per month

Any employee wishing to select the MVP's EPO Preferred-E0052S Plan may do so at his own expense. Payments are to be made by payroll deduction.

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

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

RESOLUTION 110-1210- ADOPTION OF THE TOWN OF KENDALL WEB SITE PRIVACY POLICY

Whereas, each public entity that has a publicly accessible site on the Internet associated with it shall develop a policy regarding its practices relating to personal information and shall post notice of those practices on its publicly accessible site on the Internet., and,

Whereas, a proposed Town of Kendall Web Site Privacy Policy was drafted and reviewed by the members of the Kendall Town Board, and,

Whereas, this proposed policy was reviewed by the attorney for the Town, John Sansone, and his change recommendations were incorporated into the policy,

Now, therefore, be it RESOLVED, that the Kendall Town Board does adopt the Town of Kendall Web Site Privacy Policy.

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

Councilman Pritchard made a motion to pay the claims as listed on Abstract 12, seconded by Councilwoman Szozda; all ayes; motion carried.

PAYMENT OF CLAIMS

General Fund	Abstract 12	\$33,293.62	Vouchers 834-837,840-842,844-850,852-855, 857-859,861-873
Highway Fund	Abstract 12	\$64,720.63	Vouchers 841,874-912
Street Lighting 1	Abstract 12	\$463.76	Voucher 840
Street Lighting 2	Abstract 12	\$269.83	Voucher 840
Street Lighting 3	Abstract 12	\$151.93	Voucher 840
Water District 2	Abstract 12	\$4550.00	Voucher 843
Water District 3	Abstract 12	\$12948.75	Voucher 838
Water District 4	Abstract 12	\$43521.25	Vouchers 839
Water District 6	Abstract 12	\$46.07	Vouchers 844,860
Library	Abstract 12	<u>\$450.00</u>	Voucher 851
		\$160,415.84	

OLD BUSINESS

Marina – Mr. Freemesser needs to give an update to be included in a report to the Office of Community Renewal, which is due January 10th.

Water District Six – close-out pending

Supervisor Gaesser said he will be out of town during the January meeting, and Deputy Supervisor Pritchard will preside.

Motion to recess this meeting until December 30, 2010 at 7:30 p.m. was made by Councilman Pritchard, and seconded by Councilman Schuth. All voted aye, and Supervisor Gaesser called recess at 8:54 pm.

Respectfully Submitted,