

KENDALL TOWN BOARD
Kendall Town Hall ó 1873 Kendall Road, Kendall, New York
October 20, 2015

Supervisor Cammarata called the meeting to order at 7:04 p.m., and led the Pledge of Allegiance.

ROLL CALL

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

Also present, Attorney Meier, Clerk Richardson, Legislators DePhillips and DeRoller, Hwy. Supt. Kruger, Planning Chair Kludt, 5 high school students

SUPERVISOR'S REMARKS

Preliminary Budget is prepared, and Public Hearing scheduled.
Some wells on Kendall, Creek and Norway Roads will be tested by the Orleans County Health Department.
West Kendall Road income surveys have been completed and accepted by the USDA for application.
Re-funding of Water Districts 1-5 is in progress, so that if it becomes advantageous, all will be in order.

CORRESPONDENCE

Letter of interest from Elisa Robinson for Kendall Recreation Committee

Cc@d Letter from Dawn Krauss of LaBella Associates to Bill Reemsten re. acceptability of income survey submission

NOTICE FORM from the Empire State Liquor Licensing, LLC re. KFD On-premises liquor license. This is a 30-DAY ADVANCED NOTICE TO THE LOCAL MUNICIPALITY form

Councilwoman Szozda made a motion to accept the minutes, as presented, seconded by Councilwoman Flow; ayes ó Cammarata, Flow, Szozda, Martin, abstention ó Newell:

Town Board Meeting August 18, 2015
Work session September 1, 2015, at which a resolution was passed
Town Board Meeting September 22, 2015
Special Meeting October 1, 2015

PUBLIC COMMENT

Al Lofthouse, Center Road ó asked about the Hamlin-Kendall Water District dissolution. Supervisor Cammarata said a joint meeting of both the Hamlin Town Board and the Kendall Town Board has to be scheduled, to pass a joint resolution to transfer money to a special account, so that that money can be divided. Up to this point, the discussions have been private with Hamlin Town Supervisor Peters.

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS

Standing Committees

Public Safety/Emergency Services & Occupational Safety ó Martin
Buildings, & Grounds ó Martin
Highway ó Martin
No report.

Community Relations - Flow
Culture & Recreation ó Flow
Information Services ó Flow
Hunting course dates have changed
Webpage has been being updated
The justices have requested that court attendees have access to the library computer on court nights to access forms. Supervisor Cammarata stated that limited access would have to be strictly controlled, if offered at all.
Scarecrow Festival was very successful.

Human Resources and Ethics ó Szozda
Employee Benefits ó Szozda
Medical insurance choice has been made. Some affected employees attended a meeting to give their input.

Planning, Zoning & Agriculture ó Newell
Zoning Board has approved an area variance.

Finance, Taxes & Special Districts ó Cammarata
No further report.

Orleans County Representative ó DeRoller

- Working with Assemblyman Hawley's office regarding gasoline price disparity, and the Parkway maintenance and/or continuance
- Plan 214 concerning lake level manipulation; five surrounding counties are opposed
- Economic Development Agency ó received awards for website, have three potential business parks shovel-ready, and marketing is being accelerated; the Village of Holley and the Erie Canal corridor will be targeted next for infrastructure and development plans
- LWRP grant has passed the first stage with the New York State Department of State and money has been requested from each town in 2016 to cover some of the application costs

- Workforce development programs are being addressed by GCC

Boards

Planning Board ó A. Kludt, Chair

Next agenda includes Meizenzahl purchase, a subdivision application for Faulks on Petersmith Road, and Code Enforcement desire to review all subdivision applications. Electronics collection is available at the Murray Town Hall

Zoning Board ó P. Bolton, Chair

No report

Department Heads

Assessor ó G. Massey ó no report

Code Enforcement ó P. Hennekey ó no report

Highway - W. Kruger

Prep for winter is in full swing

CHiPS paperwork is imperative

Countyline Road culvert is in dangerous shape. Orleans County has not made a decision as to how to rectify this

Snow and Ice Meeting ó still awaiting last winter's reimbursements from NYS

Tonight's Highway resolutions should contain "whereas" statements so that the public can follow the process

The Scarecrow Festival went well, and most of the cleanup is completed

Historian ó H. Koch ó no report

Recreation ó M. Werth ó written report submitted

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

RESOLUTIONS

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

RESOLUTION 103-1015 Extension of the Snow and Ice Contract with NYS-DOT

Be it RESOLVED that the Town Board of the Town of Kendall authorizes Supervisor Cammarata 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 2017/2018 contract year, subject to attorney approval as to form, content and legal compliance.

Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion passed.

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

RESOLUTION 104-1015 APPOINTMENT TO KENDALL RECREATION COMMITTEE

Be it hereby RESOLVED, to appoint Elisa Robinson, 2425 Norway Road, to the Kendall Recreation Committee, commencing November 1, 2015, with such term ending December 31, 2018.

Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion passed.

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

RESOLUTION 105-1015 INTENT TO DECLARE LEAD AGENCY STATUS FOR SEQR FOR THE PROPOSED KENDALL ROAD-CREEK ROAD WATER DISTRICT

RESOLVED, THAT IN ACCORDANCE WITH THE New York State Environmental Quality Review (SEQR) regulations, the Town Board of the Town of Kendall hereby announces its intent to serve as Lead Agency to conduct an environmental review of the construction of public water supply improvements to serve the proposed Kendall Road-Creek Road Water District. The proposed action involves the installation of approximately 14,785 linear feet of waterline along portions of Kendall and Creek Roads in the Town of Kendall. The project will provide public water to properties that are currently dependent upon individual groundwater supplies that historically have produced very low yields of poor quality water.

FURTHER RESOLVED, the Town Board has determined that, as portions of the project are located within an Orleans County Agricultural District, the proposed action is a Type 1 action, as defined under SEQR; and, be it

FURTHER RESOLVED, the Town Board has commissioned LaBella Associates DPC to prepare Part 1 of the Environmental Assessment Form regarding the project.

FURTHER RESOLVED, the Town Board will notify the Involved Agencies of its intention to act as Lead Agency for this project and will provide them with a copy of the completed Part 1 of the full Environmental Assessment Form for review during the 30-day comment period.

Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion passed.

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

RESOLUTION 106-1015 INTENT TO DECLARE LEAD AGENCY STATUS FOR SEQR FOR THE PROPOSED NORWAY ROAD WATER DISTRICT

RESOLVED, THAT IN ACCORDANCE WITH THE New York State Environmental Quality Review (SEQR) regulations, the Town Board of the Town of Kendall hereby announces its intent to serve as Lead Agency to conduct an environmental review of the construction of public water supply

improvements to serve the proposed Norway Road Water District. The proposed action involves the installation of approximately 8,450 linear feet along Norway Road between Roosevelt Highway and Creek Road in the Town of Kendall. The project will provide public water to properties that are currently dependent upon individual groundwater supplies that historically have produced very low yields of poor quality water.

FURTHER RESOLVED, the Town Board has determined that, as portions of the project are located within an Orleans County Agricultural District, the proposed action is a Type 1 action, as defined under SEQR; and, be it

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Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion passed.

Councilman Newell made the following motion, seconded by Councilman Martin:

RESOLUTION 107-1015 BUDGET ADJUSTMENT

Be it hereby resolved to make the following budget adjustment:

Increase Water District Six Revenue Account SW6-0599, Appropriated Fund Balance, by \$1,793.00, for a total of \$2,293.00, and

Increase Water District Six Appropriations Account SW6-08310.40, Contractual Exp Kendall by \$1,793.00, for a total of \$2,514.00, in order to pay Water District 6 Bond Counsel.

Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion passed.

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

RESOLUTION 108-1015 BUDGET TRANSFERS FOR MOWING AND GROUNDS CARE

Be it hereby resolved to make the following budget transfers:

Transfer \$1,375.16 from Account A1620.40 Buildings Contractual to Account A9901.0, Interfund Transfer, and

Transfer \$10,730.00 from Account A8810.40, Cemeteries Contractual- Mowing to Account A9901.0, Interfund Transfer, and

Transfer \$679.28 from Account A7310.40, Youth Program Contractual Fees, to Account A9901.0, Interfund Transfer, and

Transfer \$928.10 from Account A1620.20, Buildings Equipment to Account A9901.0 Interfund Transfer, resulting in

Total dollars transferred being \$13,712.54 to Account A9901.0, Interfund Transfer Funds.

Be it also resolved to then transfer \$13,712.54 from Account A9901.0, Interfund Transfer, to Account DA5031, Highway Interfund Transfer.

Be it further resolved, to subsequently transfer \$13,000.00 from Account DA5031, Highway Interfund Transfer to Account DA5140.10 Brush and Weeds Personal Services, and

Transfer \$712.54 from Account DA5031, Highway Interfund Transfer to Account DA5140.4 Brush and Weeds Contractual.

Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion passed.

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

RESOLUTION 109-1015 RESCINDING RESOLUTION 98-0915.

Be it hereby resolved to rescind RESOLUTION 98-0915 SET DATE FOR BUDGET HEARING.

Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion passed.

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

RESOLUTION 110 -1015 CANCEL SCHEDULED WORK SESSION

Be it hereby resolved to cancel the scheduled work session of the Kendall Town Board on November 3, 2015, as it is Election Day.

Be it further resolved to direct the Kendall Town Clerk to place a notice in the official newspaper to inform the public of this cancellation.

Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion passed.

Councilman Newell made the following motion, seconded by Councilman Martin:

RESOLUTION 111-1015 RESOLUTION SCHEDULING THE 2016 BUDGET HEARING AND SPECIAL TOWN BOARD MEETING.

Be it resolved to hold the 2016 Budget Hearing on Thursday, November 5, 2015 at 7 p.m., at the Kendall Town Hall, 1873 Kendall Road, Kendall, New York, 14476, at which time the public is invited and encouraged to speak in favor of or in opposition to any item with in the 2016 Preliminary Budget prior to its finalization.

Be it further resolved to instruct the Kendall Town Clerk to place public notice of said HEARING in the official newspaper.

Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion passed.

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

RESOLUTION 112-1015 BUDGET ADJUSTMENTS FOR SNOW AND ICE OPERATIONS

Be it hereby resolved to increase Highway Revenue Account DA2302, Snow Removal, Other Government, from \$15,212.00 to 54,312.00, an increase of \$39,100.00

Be it also Resolved, to increase the following Highway Appropriations Accounts:

DA5130.4, Machinery Contractual, by \$5,000.00, from \$52,000.00 to \$57,000.00

DA5142.1, Snow Removal, Personal Services, by 30,000.00, FROM \$87,982.00 to \$117,982.00, and

DA5142.4, Snow Removal, Contractual, by \$4,100.00, from \$71,250.00 to \$75,350.00

Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion passed.

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

RESOLUTION 113-1015 CHiPS CAPITAL EXTREME WINTER RECOVERY

Be it hereby resolved to adjust budget highway revenue line DA3501, State Aid Consolidated Highway from \$66,309.00 to \$75,546.74, an increase of \$9,237.74, reflecting the one-time CHIPS Capital extreme winter recovery appropriation made by New York State under special legislation enacted this spring.

Be it further resolved to increase the appropriation in Account DA5112.2, Improvements Capital, Permanent Improvement from \$125,850.00 by \$9,237.74 for a total of. \$135,087.74.

Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion passed.

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

RESOLUTION 114-1015 INTRODUCING LOCAL LAW 1 of 2015, AND SETTING PUBLIC HEARING

WHEREAS the Town Board of the Town of Kendall has entered into a project for the codification of local laws, ordinances and certain resolutions of the Town of Kendall for the purposes of increasing the effectiveness of Town governmental administration, providing for greater public awareness of and access to Town legislation and protecting the health, safety, and welfare of Town inhabitants; and

WHEREAS the proposed codification has been published in loose-leaf form and the Town Board now desires to formally effect the adoption of said codification by enactment of a local law;

NOW, THEREFORE BE IT RESOLVED, that a public hearing be held by the Town Board with respect to enactment of the following local law, such public hearing to be held on the 17th of November, 2015 at 7:00 p.m., in the Town Hall, Town of Kendall, New York. The proposed local law is to be considered is as follows:

LOCAL LAW NO.1 of 2015 A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF KENDALL INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE TOWN OF KENDALL"

Copies of the text of the above-named local law shall be filed in the office of the Town Clerk.

AND BE IT FURTHER RESOLVED that the Town Clerk is hereby directed and authorized to cause public notice of said hearing to be given in accordance with the Municipal Home Rule Law, the Open Meetings Law and the State of New York.

Discussion: Councilman Newell asked if the information from a resolution originally submitted by the Attorney for the Town regarding engineering help and referring this to the County Planning Board would be necessary to incorporate into this resolution, or add an additional resolution. He would like to ensure that the process is not delayed. Attorney Meier said it could be addressed the night of the public hearing without delaying the overall process.

Supervisor Cammarata called for a vote, resulting in all ayes, and declared the motion passed.

Councilman Newell moved to accept the Payment of Claims and to pay associated vouchers, as presented, seconded by Councilwoman Flow; all ayes:

PAYMENT OF CLAIMS

General Fund	Abstract 10	\$ 16,847.81	Vouchers 697-707,709-723,725-729
Highway Fund	Abstract 10	\$ 110,397.85	Vouchers 701,725,730-768
Light District One	Abstract 10	\$ 390.51	Voucher 715
Light District Two	Abstract 10	\$ 233.18	Voucher 715
Light District Three	Abstract 10	\$ 122.26	Voucher 715
Water District Six	Abstract 10	<u>\$ 1,839.24</u>	Vouchers 708,716,726
		\$ 129,830.85	

OLD BUSINESS

- Public Water Expansion ó previously covered
- Kendallø Finest ó still being advertised
- Re-funding of Water Districts 1-5 debt ó previously covered
- Innovations Committee ó no report

With no further business coming before the Board, Councilman Newell made a motion to adjourn, seconded by Councilwoman Szozda; all in favor. Meeting adjourned at 8:07 p.m.

Respectfully Submitted,

Amy K. Richardson