

**KENDALL TOWN BOARD  
RECESSED MEETING**

Tuesday, February 7, 2017 7:00 p.m.  
Kendall Town Hall – 1873 Kendall Road, Kendall, New York 14476

Supervisor Cammarata called the meeting to order at 7:00 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

**SUPERVISOR’S REMARKS**

The purpose of this meeting is to accelerate the processes for Water Districts 7 and 9.

The minutes of the Regular KTB meeting November 15, 2016 were accepted unanimously after one spelling correction.

**RESOLUTIONS**

Flow made the following motion, seconded by Szozda:

**RESOLUTION 46-0217 INTENT TO DECLARE LEAD AGENCY STATUS FOR TOWN OF KENDALL PROPOSED WATER DISTRICT NO. 9.** (Clerk’s note: SEQR)

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 Water District No. 9. The proposed action involves the installation of approximately 2,400 linear feet of waterline along portions of Kendall Creek Road (County Road 43) on the north side of the 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

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 each of them a copy of the completed Part 1 of the full Environmental Assessment Form for review during the 30-day comment period.

Discussion: Supervisor Cammarata said, “This is the SEQR form, Part One. We will sign it, and Amy will seal it, and send it to LaBella. This is the Part One of the assessment to start the process. After the meeting we will sign two things.”

Councilwoman Flow asked why Creek Road is referred to as Kendall Creek Road. Supervisor Cammarata answered that the Attorney suggested it be left as is.

Councilwoman Szozda said although she understands this resolution, she is concerned that the Board has not received a petition from affected residents yet, asking for this water district to be established. Supervisor Cammarata said “the petition is being processed right now, and once we get the petition, we will have to have it signed, and if it is all signed and ready to go, we will accept it at our February meeting.” The order of declaring SEQR lead before a petition is received is okay, according to a matrix from LaBella. Councilwoman Flow asked if all the affected potential users must sign, including a seasonal one. Supervisor Cammarata said that one will not be necessary.

Supervisor Cammarata called for a vote, resulting in all ayes; motion carried.

Martin made the following motion, seconded by Newell:

**RESOLUTION 47-0217 ALTERNATE FOR COUNTY PLANNING**

The Kendall Town Board hereby recommends the appointment of Jeff Conte as an alternate to the Orleans County Planning Board for a two year term ending December 31, 2019.

Supervisor Cammarata called for a vote, resulting in all ayes; motion carried.

Newell made the following motion, seconded by Flow:

**RESOLUTION 48-0217 BUDGET TRANSFER**

Whereas, in the preparation of the 2017 Budget, a line for the Deputy Supervisor salary was inadvertently omitted, be it RESOLVED to add a general appropriation line under the SUPERVISOR section, being account A1220.13, Deputy PS, and

Be it further resolved to transfer \$300.00 from account A1440.4 ENGINEER to account A1220.13, Supervisor Deputy Personal Services, to fund that account.

The Town Clerk will affix a certified copy of this resolution to the filed original in her office and notify those in the County to whom it was forwarded of this modification.

Supervisor Cammarata called for a vote, resulting in all ayes; motion carried.

Flow made the following motion, seconded by Szozda:

## **RESOLUTION 49-0217 CORRECTION TO PAYMENT OF CLAIMS 2017 Abstract 1**

Be it resolved to correct Voucher 11, Abstract One of 2017:

General Account A9040.8 Employee Benefits, Workers' Comp from \$17,500 to \$17,300. This decreases the General Fund's total to \$29,301.05, and

Fire Protection Kendall District Appropriations Account SF19040.8 Self Ins. / Workers' Comp from \$33,481 to \$34,782.

These corrections increase Total Payment for Abstract 1 for 2017 from \$114,641.94 to \$115,755.94.

**Discussion:** Clerk Richardson said the math cannot be right. Supervisor Cammarata pointed to different areas on the audited and approved voucher, and where the errors are. This motion died on the floor due to error. No vote.

Councilwoman Szozda made a motion to correct Voucher 11, Abstract One of 2017, by changing:

General Account A9040.8 Employee Benefits, Workers' Comp from \$17,500 to \$17,313. This decreases the General Fund's total to \$28,288.05, and

Fire Protection Kendall District Appropriations Account SF19040.8 Self Ins. / Workers' Comp from \$33,481 to \$34,782. No one seconded. Motion died.

Supervisor Cammarata said the Abstract itself also needs correction, to the Fire District Fund on Abstract One, to increase the Fund total to \$34,782.

Clerk Richardson suggested these corrections be made by two separate resolutions; one to address the Voucher; one to address the Abstract, and that at least two Board members initial these changes to leave a logical audit trail. Supervisor Cammarata said to include both in one resolution and include "These corrections increase Total Payment for Abstract 1 for 2017 from \$114,641.94 to \$115,755.94." After further discussion and calculation, Supervisor Cammarata said, "In synopsis, General Account A9040.8 is \$17,313, a decrease, and Fire Protection Kendall District Appropriations Account SF19040.8 Self Ins. / Workers' Comp is \$ 34,782, on Abstract One. These corrections increase total payment Abstract One 2017, from \$ \$114,641.94 to \$115,755.94, for an increase of \$1,114.00." This was seconded as a motion by Councilman Newell. Supervisor Cammarata asked for two volunteers from the Board to re-audit this voucher with the Town Clerk. Councilwomen Flow and Szozda volunteered. Supervisor Cammarata called for a vote, resulting in all ayes.

## **OLD BUSINESS**

Defibrillators – availability and training

One quote has been obtained, and two more have been solicited.

Kendall's Finest

A non-standard size picture will be returned

## Solar Moratorium

Please review the newest version of the Solar Codes provided by Chairman Kludt. Some towns put a ten year grace period of assessment non-effect for residential solar installations. Councilman Newell will ask Assessor Massey what effect, if any solar installations have on assessments currently.

CEO Hennekey asked if the Board has considered whether it wants to enact an “opt-out” law regarding commercial solar installation being tax exempt by the State and Federal governments. Many communities are drafting these. The Board will consider its position.

Supervisor Cammarata said the moratorium may have to be extended. Clerk Richardson said that is done by Local Law, and the original moratorium expires in April. Councilwoman Szozda suggested a timeline so that this can be expedited. After discussion, it was determined that the moratorium will need extension in order to have time to place the solar code into effect. Supervisor Cammarata said he thought the moratorium could be extended by resolution and will notify Attorney Meier to ask.

Councilman Newell will attend a meeting to learn about being designated as a GREEN COMMUNITY, which can allow for certain grant eligibility.

CEO Hennekey reported that engineers from Dollar General attended the last Planning Board meeting to present plans to build a store near the corner of Rte. 18 and Kendall Road. Signage, parking, traffic and sidewalks were discussed, among other issues. CEO Hennekey has spoken with Supervisor Cammarata and reminded the Board that public input and involvement will be vital, and suggested it be solicited in ways other than just the mandated public hearings. Councilman Martin agreed and stressed that the Board needs to take into consideration the will of residents, and not make assumptions as to public sentiment or rush to conclusion. Supervisor Cammarata said the sidewalk installation should be a priority to avoid pedestrian accidents. Discussion including lowering speed limits, traffic flow, and a four-way stop was held. Councilman Martin will contact Genesee Transportation.

## Marina

Nothing new to report. The owner refused a Code Enforcement walk-through. Work is on hold.

Surveillance cameras to be placed around and in Town Hall, including in meeting room

Nothing to report

With no additional business coming before the Board, motion for adjournment was made by Flow, seconded by Newell; all ayes. Adjournment called at 7:50 p.m.

A Town Board workshop including topics of Justice Grant money, NYMIR and NYS DOL inspections, lighting the flag pole, the tribute to Mr. Paduchak of flag lowering, and disposal of the old voting machines continued until 8:30 p.m.

Respectfully Submitted,

Amy K. Richardson

