

**KENDALL TOWN BOARD  
Public Hearing  
Meeting**

Tuesday, July 18, 2017 7:00 p.m.

Kendall Town Hall – 1873 Kendall Road, Kendall, New York 14476

Supervisor Cammarata called the meeting to order at 7:05 p.m., and led the Pledge of Allegiance.

**ROLL CALL**

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

PUBLIC HEARING TO CONSIDER LOCAL LAW 2 OF 2017 WAS OPENED AT 7:06 p.m.:

**A LOCAL LAW AMENDING ZONING REGULATIONS WITHIN THE  
WATERFRONT DEVELOPMENT DISTRICT**

Purpose : To include Charter Boat Services as a permitted use.

**SUPERVISOR/TOWN BOARD REMARKS REGARDING THE PROPOSED LAW**

Supervisor Cammarata read the proposed law.

**PUBLIC INPUT**

Kenneth DeRoller, Kendall Road – stated he was Chairman of the Kendall Planning Board at the time the original code pertaining to the zoning regulations of the Waterfront Development District were crafted, and is in favor of this change.

With no other public comments being offered, Supervisor Cammarata stated that this amendment has the unanimous support of the Planning Board, and has been sent to the Orleans County Planning Board for its review, and to solicit its recommendation. It is expected that this Law will be adopted at the August Kendall Town Board meeting.

**SUPERVISOR CAMMARATA CLOSED THE PUBLIC HEARING AT 7:10 P.M.**

Supervisor Cammarata opened the regular meeting at 7:10 p.m.

### **SUPERVISOR'S REMARKS**

- Attended a meeting at Lakeside Park, at which Senator Ortt passed out an informational packet. Copies will be made available to the public.
- PathStone is the non-profit organization through which Orleans County property owners can apply for aid.

### **CORRESPONDENCE**

Letter to FEMA from Gov. Cuomo's Office re: federal assistance for the lakefront landowners – hope is that the Trump administration will declare a federal assistance program

Letter from NYS DOT re: Lake Ontario State Parkway construction schedule – as far west as RT. 237 Kendall exit is scheduled for the 2018 season

Informational packet from Senator Ortt's office – Lake Ontario Flooding and Funding General Code – estimate for updates through June 2017

Clerk Richardson requested a decision on whether to accept General Code's estimate for updating the code with the legislation passed by this Board since 2014. If accepted, she will sign the proposal and return it to General Code. Any new legislation should be passed to General Code as it is ratified.

Szozda made a motion to accept the following minutes, as presented; seconded by Flow:

Town Board Meeting June 20, 2017

### **PUBLIC COMMENT**

Al Lofthouse, Center Road – asked what vouchers 496 and 497 were for.

Cammarata answered that both were for expenses resulting from the lake level issues, for forklift service and for pallets.

### **REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS**

#### **Standing Committees**

Public Safety/Emergency Services & Occupational Safety – Martin

Buildings & Grounds – Martin

Highway – Martin

The salt barn needs repair due the wind storm last March. A sole-source company will be doing the repairs and the cost will be covered by insurance.

Community Relations – Flow  
Culture & Recreation – Flow  
Information Services – Flow

Kendall Homegrown Days are August 19th and 20th.  
The webpage has several new updates.  
Recreation programs are going well.

Human Resources and Ethics – Szozda  
Employee Benefits – Szozda  
Nothing to report

Planning, Zoning & Agriculture – Newell  
No report

Finance, Taxes & Special Districts – Cammarata  
A payment from Carlton is expected for its portion of the Assessor's Agreement

Orleans County Representative – DeRoller  
Money will be put into the former Holley High School to bring it to use as an apartment building.  
Hazardous Waste drop-off will be held in August. Participants must pre-register.  
The property which housed the former DIAZ plant in Holley, as well as several surrounding homes, will be receiving EPA funding and expertise to de toxify it and begin its remediation process.  
Eight miles of the Lake Ontario State Parkway will be repaired this year. A change in car count method is necessary to fairly compare usage to compete for funds.

## **Boards**

Planning Board – A. Kludt, Chair – no report  
Zoning Board – P. Bolton, Chair – no report

## **Department Heads**

Assessor – G. Massey – no report  
Code Enforcement – P. Hennekey  
Department is busy with building permits.  
A new build is being planned on West Kendall Road.  
Dollar General has submitted plans and an application to build. There has not been a Closing on the property yet.  
There was no Planning Board meeting this month.  
The Zoning Board of Appeals has a Public Hearing scheduled for this month.

Highway - W. Kruger

The lakefront emergency management has slowed down, and the department can now refocus some of its time to “normal” operations.

Mowing is tough to keep up with due to rain.

\$55,000 in State funding may be available to help reimburse costs incurred during the lake level emergency.

The recently conducted lighting audit resulted in some possibilities to be pursued.

The Countyline Road repairs remain in suspension, as various jurisdictions are involved.

An engineer is involved in planning a project on RT. 237 South.

The annual KFD auction was successful.

Historian – H. Banker – no report

Recreation – M. Werth - no report

Town Clerk – A. Richardson – written report submitted

Town Justices – D. Drennan, D. Gaudioso – written reports submitted

Supervisor – A. Cammarata – written report submitted

## **RESOLUTIONS**

Flow made the following motion, seconded by Szozda:

### **RESOLUTION 73-0717 RESOLUTION TO INTRODUCE PROPOSED LOCAL LAW No. 3 OF 2017 AND TO SCHEDULE A PUBLIC HEARING**

**WHEREAS**, the Town Board of the Town of Kendall, New York desires to adopt regulations pertaining to the installation of solar energy generation facilities, known as Town of Kendall Local Law No. 3 of 2017

#### **NOW, THEREFORE, BE IT**

**RESOLVED** that proposed Local Law No. 3 of 2017 entitled “A Local Law Adopting Solar Energy Regulations,” which proposed Local Law is now in its final form as appears by a copy thereof hereto attached, is hereby introduced for adoption; and be it further

**RESOLVED** that said proposed Local Law be laid upon the desks of the members of this Town Board on this date and a copy thereof be kept on file in the office of the Town Clerk until August 15, 2017, and that a public hearing be held before this Town Board on the 15<sup>th</sup> day of August, 2017, at 7:00 p.m. at the Kendall Town Hall, 1873 Kendall Road, Kendall, New York, on the advisability of enacting said proposed Local Law; and be it further

**RESOLVED** that the Attorney for the Town is hereby directed to refer the proposed law to the County Planning Board pursuant to General Municipal Law 239(m); and be it further

**RESOLVED** that the Town Clerk shall cause notice of said public hearing to be published once in The Hamlin Herald at least five (5) days prior to the date of said public hearing, which notice shall contain the time and place of said hearing, the title and purpose thereof, as well as a statement that a copy of said proposed Local Law is on file in the Town Clerk's Office.

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

Szozda made the following motion, seconded by Flow:

**RESOLUTION 74-0717 AUTHORIZING EXECUTION OF AGREEMENT TO EXPEND HIGHWAY MONEYS**

WHEREAS, the Kendall Town Board and the Highway Superintendent have agreed to set aside the amount of \$110,025 for general repairs and \$152,995 for permanent improvements, and to undertake the specific improvements set forth in the agreement attached; and,

WHEREAS, this agreement 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, 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, unedited Agreement to spend Town Highway Funds.

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

Flow made the following motion, seconded by Szozda:

**RESOLUTION 75-0717 BUDGET TRANSFER**

Be it hereby resolved to transfer \$50.00 from account A1410.4 Town Clerk, Contractual Expenses to account A4020.4 Registrar of Vital Statistics, Contractual Expenses.

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

Szozda made a motion to accept the claims as presented; seconded by Flow; all ayes:

**PAYMENT OF CLAIMS**

General Fund	Abstract 7	\$ 18,456.23	Vouchers 424-431,434-462,465,466,468-470,499
Highway Fund	Abstract 7	\$ 25,541.16	Vouchers 428,429,471-498,500-506
Light District One	Abstract 7	\$ 395.96	Voucher 451
Light District Two	Abstract 7	\$ 236.31	Voucher 451
Light District Three	Abstract 7	\$ 124.23	Voucher 451
Water District One	Abstract 7	\$ 4,502.32	Vouchers 432,433,463
Water District Two	Abstract 7	\$ 11,357.82	Voucher 432,433,463
Water District Three	Abstract 7	\$ 14,990.50	Voucher 432,433,463
Water District Four	Abstract 7	\$ 47,445.28	Voucher 432,433,463
Water District Five	Abstract 7	\$ 22,854.95	Voucher 432,433,463
Water District Six	Abstract 7	<u>\$ 1,792.36</u>	Vouchers 450,464,466
		\$ 147,697.12	

**OLD BUSINESS**

Defibrillators – availability and training – will be installed this week, dates and times not set yet for training, there will be a \$10 charge per participant

Kendall’s Finest – list is updated

Industrial Solar Energy Law – addressed tonight

Clean Energy Community Grant – Newell and Cammarata will finish and submit Monday

Morton Union Cemetery Dedication to Town – meeting has been scheduled with Mr. and Mrs. Strassenburg for August 3<sup>rd</sup>, location and attendees to be decided.

With no further proper business being brought forward, Councilwoman Flow motioned for adjournment, seconded by Councilwoman Szozda. Meeting adjourned at 7:50 p.m.

Respectfully Submitted,

Amy K. Richardson