

**TOWN OF KENDALL**  
**TOWN BOARD MEETING**  
Thursday, February 12, 2009 7:30 P.M.

Supervisor Gillman called the meeting to order at 8:23 p.m., and led the Pledge of Allegiance.

***ROLL CALL***

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

Also present, Orleans County Legislator Gary Kent, Zoning Board Chair Pamela Rowles, CEO Larry Gurslin, Deputy CEO Hennekey, Planning Board Chair Paul Gray, Attorney Leone, Highway Superintendent Warren Kruger, Allen and Bev Lofthouse

Supervisor Gillman introduced Legislator Kent, who gave a brief account of the status of some county programs during the tough economic climate, and a summary of the legislators' luncheon.

Supervisor Gillman read Justice Ernenwein's letter regarding his decision to not seek re-election.

Councilman Gaesser moved to accept the minutes, as presented, seconded by Councilman Schuth; all ayes:

2009 Organizational Meeting – January 8  
Regular Board Meeting – January 8

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

**Standing Committees**

Public Safety/Emergency Services & Occupational Safety – Joseph, Chair – no report  
Highway – Gaesser, Chair – readying bid for new truck  
Buildings, & Grounds – Joseph, Chair – new windows are in  
Planning, Zoning & Agriculture - Schuth, Chair – Zoning Board vacancy is being addressed; there are four applicants  
Community Relations – Schuth, Chair – no report  
Human Resources and Ethics – Szozda, Chair – meeting will be held about employees' health insurance  
Finance, Taxes & Special Districts – Gillman, Chair – no report  
Information Services – Joseph, Chair – no report  
Employee Benefits – All – no report  
Culture & Recreation – Gaesser, Chair – recreation registration is underway; participation levels are near 2008 levels

## Boards

Planning Board – Gray, Chair – maintenance issues are being addressed; mapping is being worked on at the county level; codification system is being revisited

Zoning Board - Rowles, Chair – short meeting was held, group is looking forward to new member

## Department Heads

Assessor – G. Massey – no report

Code Enforcement – L. Gurslin – working closely with Planning Board to resolve Henshaw property issue; annual report has been filed with Albany; several properties' clean-up process discussed; Attorney Leone reviewed an application for re-zoning a Countyline property, and gave a brief explanation of what this process involves. Councilman Gaesser asked that this process begin quickly. Public Hearing and SEQR processes are necessary.

Highway - W. Kruger – break in plowing snow has freed time to work on equipment and begin Spring clean-up work; the State Highway Superintendent Association will be traveling to Albany to try to ensure CHiPs money is retained. Bids are forthcoming for the new truck.

Brush has been either burned or ground in the past. There is a business in Buffalo that uses wood chips to generate energy, which may grind and remove the brush free of charge. Some Highway Department employees will require training in chemical handling to apply herbicides and pesticides.

Historian – J. Knapp – annual report submitted

Recreation – B. Flow – annual report submitted

Town Clerk – A. Richardson – written report submitted

Town Justice - R. Ernenwein & C. Lape – no report

## ***PUBLIC PARTICIPATION***

Al Lofthouse asked how Judge Ernenwein's medical policy will be handled after his retirement. Councilwoman Szozda responded that she estimates that there will be a reduction of \$300 to \$400 per month cost to the Town.

- asked Superintendent Kruger what the expected cost of the new truck will be. Mr. Kruger answered approximately \$180,000.

- asked if there are plans to put any surplus equipment up for auction

- asked where the money will come from for the new truck

- asked for the current number of Highway Department workers, compared to past years

Superintendent Kruger spoke in response to these questions.

Councilman Gaesser also responded, explaining why a new truck is necessary, how it is to be paid for, and a plan for future rotation of trucks.

Paul Gray reminded the Board that a referral must be sought from the County Planning Board in regard to the re-zoning issue.

## **RESOLUTIONS**

Councilman Gaesser moved the following, seconded by Councilwoman Szozda:

**RESOLUTION 39-209– AUTHORIZATION OF THE HIGHWAY SUPERINTENDENT TO ADVERTISE FOR BIDS FOR A NEW HEAVY DUTY HIGHWAY TRUCK CAB and CHASSIS**

BE IT HEREBY RESOLVED to authorize the highway superintendent to advertise for bids and the Town Clerk to place a legal notice soliciting bids for a heavy duty highway truck cab and chassis for the Kendall Highway Department. The notice is to appear in the Hamlin Herald on February 22, 2009.

The ad will contain the following:

NOTICE TO BIDDERS

“CAB AND CHASSIS BID”  
TOWN OF KENDALL

PLEASE TAKE NOTICE, that the Town Board of the Town of Kendall, Orleans County, New York will

receive sealed bids for the purchase of a new heavy duty motor truck cab and chassis for use by the

Town of Kendall Highway Department, upon the bid specifications prepared and on file with the Town

Clerk of the Town of Kendall, until 11:00 a.m. the 9<sup>th</sup> day of March .2009, at which time all sealed bids

received shall be publicly opened and read aloud, and recorded. All sealed bids shall be addressed to the

Town Clerk, Town of Kendall, 1873 Kendall Road, Kendall, New York 14476, or be delivered in person to

the Town Clerk during normal business hours, and shall bear the label “Cab and Chassis Bid”. All bids

received must contain a Non-Collusive Bid Certificate as required by the General Municipal Law and shall

remain good and open and may not be withdrawn for a period of 45 days after the date of opening thereof.

The Town Board of the Town of Kendall reserves the right to reject any and all bids and to waive any informalities. A copy of the bid specifications and instructions to bidders is on file and available for inspection in the Office of the Town Clerk at the aforementioned address.

Supervisor Gillman called for a vote, resulting in al ayes; motion carried.

Councilman Gaesser moved the following, seconded by Councilman Schuth:

**RESOLUTION 40-209 TRANSFERRING FUNDS TO PAY FOR THE BALANCE OF EOS ACCOUNTING SOFTWARE**

It is hereby resolved to authorize the bookkeeper to make the following budget transfers:

- Transfer \$4,125.00 From Special Items, Contingent Account - A 1990.4  
To Town Supervisor, Equipment- A 1220.2

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

Councilman Schuth moved the following, seconded by Councilman Gaesser:

**RESOLUTION 41-209 MODIFYING THE WATER DISTRICT 6 BUDGET (591pw114-07) TO TRANSFER THE BALANCE OF SMALL CITIES GRANT FUNDS ALLOCATED FOR ADMINISTRATION TO CONSTRUCTION COST IN THE AMOUNT OF \$9221.34, PER THE RECOMMENDATION OF THE GRANT ADMINISTRATOR OFFICE OF STU BROWN ASSOCIATES**

Councilman Gaesser moved that the following claims be paid, as listed, seconded by Councilman Schuth; all ayes, motion carried:

***PAYMENT OF CLAIMS***

General Fund	Abstract 002	\$ 25,297.05	Vouchers 34-40,42-45,48-50,52-62,64-74, 77,109-114
Highway Fund	Abstract 002	\$ 18,195.15	Vouchers 40,44,78-86,88-99,115
Library	Abstract 002	\$ 900.00	Voucher 67
Street Lighting 1	Abstract 002	\$ 979.45	Vouchers 35,51
Street Lighting 2	Abstract 00 2	\$ 568.51	Vouchers 35,51
Street Lighting 3	Abstract 002	\$ 322.11	Vouchers 35,51
Water District 6	Abstract 002	<u>\$ 17,354.25</u>	Vouchers 46,47,100-108
		\$ 63,616.52	

***NEW BUSINESS***

Councilman Schuth reminded the Board that there will be a presentation on codification on February 26<sup>th</sup>.

Supervisor Gillman asked Attorney Leone to discuss a resolution drafted by the Kendall Central School regarding the potential dedication of roadway and waterline to the Town of Kendall. Attorney Leone did so.

Councilman Gaesser noted that this resolution is generic, not specific, as to description of property, and expressed several other concerns as well.

Attorney Leone responded that any Town resolution in response would include legal descriptions of property, and more details as necessary.

Superintendent Kruger and Chairman Gray reported that extensive work is necessary before this property can be offered for dedication.

Further discussion followed; no decisions made.

Councilman Schuth moved to recess this meeting until February 26<sup>th</sup>, 2009 at 7:30 p.m.

All in favor; meeting recessed at 9:07 p.m.

Respectfully submitted,

Amy K Richardson  
Kendall Town Clerk