

**TOWN OF KENDALL  
TOWN BOARD MEETING**  
Thursday, March 13, 2008 7:30 P.M.

***PUBLIC PRESENT***

Joette Knapp, K. Lillibridge, Harry Butler, Stephen Seaman, Sandra Shaw, Gary Smith, Gary Williams, Paul Gray, Gert Hauck, Mary Mann, Don Mann, Barb Flow

Supervisor Gillman called the meeting to order at 7:35 pm., and led the Pledge of Allegiance.

***ROLL CALL***

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

Michael Schaffron, Engineer for the Town, explained each of the milestones for Water District 6.

Mr. Schaffron spoke to the Board about proposed Water District 7 (Kendall Road). This project's viability is in question.

Sandy Shaw, from the Community Free Library spoke to the Board about an upcoming Student Art Show and Contest. Councilman Schuth volunteered as a judge for the contest. Councilman Joseph donated \$20 toward the prizes awarded.

***ACCEPTANCE OF MINUTES***

Councilman Gaesser made motion to accept the following, seconded by Councilman Schuth: Regular Town Board Meeting – January 17, 2008

A vote resulted in all ayes for acceptance.

Councilman Joseph made motion to accept the following, seconded by Councilwoman Szozda: Recessed Town Board Meeting – January 24, 2008

A vote resulted in all ayes for acceptance.

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

Standing Committees

Public Safety/Emergency Services & Occupational Safety – B. Joseph, Chair –  
no report

Highway – D. Gaesser, Chair – no report

Buildings, & Grounds – B. Joseph, Chair – no report

Planning, Zoning & Agriculture - D. Schuth, Chair – no report

Community Relations – D. Schuth, Chair – Scouts had a successful food drive  
 Human Resources and Ethics – L. Szozda, Chair – Attorney Leone has reviewed the Harassment Policy  
 Finance, Taxes & Special Districts – J. Gillman, Chair – no report  
 Information Services – B. Joseph, Chair – no report  
 Employee Benefits – L. Szozda, Chair – medical benefits policy is being reviewed and compared with other towns’ policies; trying to start an advisory committee  
 Culture & Recreation –D. Gaesser, Chair – met with Recreation Director Barb Flow to begin formulating criteria for use of the Opportunity Fund  
 Orleans County Representative – K. Rush – not present

**Boards**

Planning Board – Paul Gray, Chair – wind energy document being expanded for submission; reviewed applicants’ resumes and submitted a letter of recommendation for Code Enforcement Officer, and Deputy Code Enforcement Officer  
 Zoning Board - K. Banker – no report

**Department Heads**

Assessor – S. Seaman – written report submitted  
 Code Enforcement – L. Gursslin – written report submitted; much interest in lakefront district  
 Highway - W. Kruger – written report submitted; winter busy; preparing for water installation on Petersmith Road  
 Historian - J. Knapp – updating inventory in the vault  
 Recreation – B. Flow – written report submitted; 2007 annual report has been submitted  
 Town Clerk – A. Richardson – no report  
 Town Justice - R. Ernenwein & C. Lape – no report

**PUBLIC PARTICIPATION**

Gary Williams, Petersmith Road – asked if Water District 6 would be running along the East side of Petersmith Road. Superintendent Kruger answered affirmatively.

***PAYMENT OF CLAIMS***

Councilwoman Szozda moved that the claims be paid, as presented, seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes.

General Fund	Abstract 003	\$ 28,410.91	Vouchers 790-792,795-825, 827,833,850,855-859
Highway Fund	Abstract 003	\$ 23,141.18	Vouchers 818,820, 828-832, 834-849,851-854
Kendall Fire District	Abstract 003	\$ 137,012.00	Voucher 793
Morton Fire District	Abstract 003	\$ 58,468.00	Voucher 794

Street Lighting #1	Abstract 003	\$	452.08	Voucher 811
Street Lighting #2	Abstract 003	\$	263.63	Voucher 811
Street Lighting-Gen.	Abstract 003	\$	147.96	Voucher 811
Water District #6	Abstract 003	\$	<u>10,184.75</u>	Vouchers 817, 826
			\$ 258,080.51	

**RESOLUTIONS**

Councilman Gaesser moved the following:

**RESOLUTION 59-308 AMENDING ABSTRACT 001 of 2008**

BE IT HEREBY RESOLVED to amend Abstract 001 of 2008, dated 01/10/2008, to reflect 2007 expenses paid in 2008:

**GENERAL FUND**

Vouchers 649, 651,653, 656, 657, 658,659,661,667,669,and 694, totaling \$ 1665.02  
and

**HIGHWAY FUND**

Vouchers 661,683,684, and 686, totaling \$ 753.18

Motion was seconded by Councilman Schuth.

Discussion: Councilman Gaesser said he and Supervisor Gillman met with the bookkeeper to change these to accounts payable accounts, so that 2007 can be closed out.

Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Gaesser moved the following :

**RESOLUTION 60-308 APPROVING YEAR-END 2007 BUDGET LINE TRANSFERS**

BE IT RESOLVED that budget line transfers set forth here be made in order to provide for 2007 line item appropriations being raised to reflect actual expenditures required. It is understood that there is no increase in total appropriations or use of fund balances. These transfers are necessary to reconcile accounts for year end 2007 fund accounting close-out.

<u>FROM</u>		<u>TO</u>	
A1110.4 Town Justice – Contr.	\$172.50	A1110.41 Town Justice – Court Clerk Contr.	\$ 163.00
		A1220.12 Bkcp –PS	\$ 9.50
A1355.12 Assessment – PS Ex Help	\$1,033.13	A1410.1 Clerk – PS	\$ 11.96
		A1410.11 Clerk – Dept. Town Clerk – PS	\$ 947.64

		A1410.4 Clerk – Contr.	\$ 73.53
A1620.41 Contractual – Sec.	\$ 1,650.00	A1320.4 In. Aud & Acctg.	\$ 1,650.00
A1620.42 Contractual – IT	\$ 13.18	A1670.4 Central Print & Mail Cont.	\$ 13.18
A7620.4 Adult Rec. –Contr.	\$ .12	A7620.1 Adult Rec. – PS	\$ .12
A8010.4 Zoning – Contr.	\$ 28.50	AA8010.11 Zoning – Extra Help	\$ 28.50
A8020.4 Planning – Contr.	\$ 3,042.11	A9030.8 Emp. Bene. – SS	\$ 1,026.04
		A9060.8 Emp. Bene. – Hosp&Med	\$ 2,016.07
A8030.4 Research – Contr.	\$ 3,554.65	A9060.8 Emp. Bene – Hosp&Med	\$ 3,231.06
		A9030.81 Emp. Bene. – Me	\$ 323.59
DA5112.1 Improve Cap. – PS	\$ 37.20	DA5110.1 Main of Strs. – PS	\$ 37.20
DA5140.1 Brush & Weeds – PS	\$ 404.65	DA5130.1 Machinery – PS	\$ 48.10
		DA5142.1 Snow Removal – PS	\$ 356.55
DA9010.8 Emp Bene – Retirement	\$ 1,113.33	DA9030.8 Emp. Bene – SS	\$ 1,113.33
DA9060.8 Workers Comp.	\$ 258.24	DA9031.8 Emp. Bene – Medicare	\$ 258.24

Motion was seconded by Councilman Schuth. Supervisor Gillman thanked Councilman Gaesser and the Town Bookkeeper for their efforts in getting this completed. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Schuth moved the following :

**RESOLUTION 61-308 APPOINTING LABELLA ASSOCIATES AS ENGINEERS FOR THE YEAR 2008**

WHEREAS LaBella, Associates P.C. has presented a rate schedule for calendar year 2008 and this schedule has been reviewed and accepted by the Kendall Town Board, and...

Whereas LaBella and Associates has provided excellent engineering services for several years and is currently managing Water District 6,

THEREFORE IT IS HEREBY RESOLVED to appoint LaBella Associates, P.C. of Rochester, NY, as the Town of Kendall's engineer for the year 2008.

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilwoman Szozda moved the following :

**RESOLUTION 62-308 WATER DISTRICT 6 – AUTHORIZATION OF THE TOWN CLERK TO ADVERTISE FOR BIDS**

BE IT HEREBY RESSOLVED to authorize the Town Clerk to place legal notices as prepared by LaBella Associates, soliciting bids for a concrete vault, water main and water service materials, and the installation of a casing under State Route 18 for the construction of Water District 6. The notices are to appear in publications on or about March 23<sup>rd</sup>, 2008.

IT IS FURTHER RESOLVED that all bids are to be placed in sealed envelopes, addressed to the Kendall Town Clerk, P.O. Box 474, 1873 Kendall Road, Kendall, New York 14476 or delivered in person to the Town Clerk during normal office hours. Each envelope shall be marked on its exterior as to the respective item being bid. All bids must be received on or before 11 o'clock a.m. on the 3<sup>rd</sup> day of April, 2008, at which time such bids shall be opened, read and recorded in the office of the Town Clerk.

Motion was seconded by Councilman Schuth.

Discussion: Councilman Joseph questioned whether nine days is sufficient. Highway Superintendent Kruger answered that five days is the legal requirement. Councilman Joseph asked again if nine days is enough. Superintendent Kruger explained why yes, nine days is sufficient.

Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Gaesser moved the following :

**RESOLUTION 63-308 SLUSARENKO – YOUTH RECREATION COMMISSION**

BE IT HEREBY RESOLVED that Laura Slusarenko be appointed to a 3-year term on the Youth Recreation Commission, such term expiring on December 31, 2010.

Motion was seconded by Councilman Schuth. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilwoman Szozda moved the following :

**RESOLUTION 64-308 ADOPTION OF TOWN NEWSLETTER**

Whereas, the public should be aware of activities and events pertaining to the Town of Kendall, and

Whereas, a newsletter is one way of communicating community information, and

Whereas, The Town Board, Town Departments, Standing Committees and Community Organizations are invited to submit information to a Town Newsletter,

Be it hereby RESOLVED, the Board of Kendall approves a Town Newsletter to be distributed quarterly as a flyer in the town's newspaper, the Hamlin Herald, and be copied by the UPS Store, 6558 4<sup>th</sup> Section Rd. Brockport, NY 14420.

The yearly cost of the Town Newsletter is not to exceed \$500.00.

Motion was seconded by Councilman Joseph. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilwoman Szozda moved the following:

**RESOLUTION 65-307 ADOPTING A HARRASSMENT POLICY FOR THE TOWN OF KENDALL EMPLOYEES**

Whereas, all town employees are entitled to an environment that is free of harassment and intimidation, sexual or otherwise.

It is hereby RESOLVED, The Board of Kendall adopts the following policy on harassment:

**Town of Kendall Harassment policy**

**Purpose: The purpose of this policy is to maintain a healthy work environment and to provide procedures for reporting, investigating and resolving complaints of harassment, sexual or otherwise.**

**The Town of Kendall affirms its commitment to non-discrimination and recognizes its responsibility to provide for all town employees an environment that is free of harassment and intimidation, sexual or otherwise. Therefore, the Town Board prohibits and condemns all forms of harassment by town personnel including employees, officials, whether elected or appointed, and non-employees such as contractors and vendors.**

**A. Prohibited Activity:**

1. No Town personnel shall either explicitly or implicitly ridicule, mock, deride, or belittle any person.
2. No Town personnel shall make offensive or derogatory remarks based on race, color, sex, religion, or national origin, either directly or indirectly, to another person. Such harassment is a prohibited conduct under New York State and Federal Employment Law and is considered misconduct, and subject to disciplinary action by the Town.
3. Generally, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. when:
  - a) Submission of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment.

- b) Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or
- c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

The Town Board acknowledges that in determining whether sexual harassment has occurred the totality of the circumstances should be evaluated. The Town Board recognizes that sexual harassment can originate from various sources, including a person of either sex against a person of the opposite or same sex, and from co-workers as well as supervisors.

**Complaint Procedures:**

In order for the Town Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any employee who believes he/she has been subject to sexual harassment in the work environment take the following actions:

1. Employees encountering harassment shall tell the person committing the alleged harassment that his or her actions are unwelcome and offensive. The employee shall document all incidents of harassment in order to provide the fullest basis for investigation.
2. Any employee who believes that he or she has been harassed shall immediately report such alleged harassment to his or her supervisor. Where this is not practical, the employee may file a complaint with the Town Human Resource Chairperson or Town Supervisor of the Town. Such complaints are recommended to be in writing, although verbal complaints of alleged sexual harassment will also be promptly investigated, in accordance with the terms of this policy.

Upon receiving a complaint the supervisor shall meet with the employee and document the incidents complained of, the person performing or participating in the harassment, and the date or dates on which it occurred. This information shall be expeditiously delivered to the Human Resources Chairperson, or, when this is not practical, to the Town Supervisor. Upon receipt of an informal/formal complaint, the Human Resource Chairperson will conduct a thorough investigation of the charges.

The Human Resource Chairperson shall immediately notify the Town Supervisor and the local prosecutor's office if the complaint contains evidence of criminal activity, such as battery, rape or attempted rape.

The person conducting the investigation shall inform the parties involved of the outcome of the investigation.

Based upon the results of the investigation, if it is determined that an employee has engaged in harassment, immediate corrective action will be taken, as warranted, up to and including termination of the offender's employment in accordance with legal guidelines and this policy. Third parties (such as volunteers, contractors or vendors) who are found to have violated this policy and/or accompanying regulations will be subject to appropriate sanctions as warranted, in compliance with the law.

The Town Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of sexual harassment.

Complainants or employees accused of harassment may file a grievance/appeal in accordance with Town procedures when they disagree with the investigation or disposition of a harassment claim.

A copy of this policy and its accompanying regulations will be available upon request at the Town Clerk's office.

Motion was seconded by Councilman Joseph. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried. (this document was corrected after passage at the meeting by Clerk Richardson for grammar, punctuation, etc.)

Councilman Joseph moved the following:

**RESOLUTION 66-308 AMENDING RESOLUTION 69-407 CREATION OF CEMETERY ADVISORY COMMITTEE**

RESOLVED, to increase the number of members on the Kendall Cemetery Advisory Board from three to six electors.

Motion was seconded by Councilwoman Szozda. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Joseph moved the following :

**RESOLUTION 67-308 APPOINTING MEMBERS OF CEMETERY ADVISORY BOARD**

Whereas the Cemetery Advisory Board has been created by Town Board Resolution 69-407 and...

Whereas Walter Steffen Jr., Charles Patt, Roger Herman, Don Goodwin and Nadine Hanlon, all residents of the Town of Kendall, have demonstrated their interest and expressed their willingness to serve as members of this Advisory Board...

Now, therefore, Walter Steffen Jr., Charles Patt, Roger Herman, Don Goodwin and Nadine Hanlon are hereby appointed as the members of the Town of Kendall Cemetery Advisory Board commencing as of April 13, 2008 with terms of service to be two years, appointments or reappointments to be made biannually at the January Town Board Organizational Meeting.

Further it is stipulated, that because this first term of appointment begins mid year, that this first term shall carryover throughout the years 2008, 2009 and 2010 and terminate on the date of the January 2011 Town Board Organizational Meeting for reappointment or appointment at that date.

Motion was seconded by Councilwoman Szozda. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Schuth asked why there is an inconsistency in the two previous resolutions, as to title of this cemetery board – Advisory Committee vs. Board. Councilman Joseph defended the



wording. Supervisor Gillman said this is an advisory board. Councilman Joseph prefers to keep the wording as is.

Councilman Joseph moved the following:

**RESOLUTION 68-308 APPOINTING A CHAIRPERSON OF CEMETERY ADVISORY BOARD**

BE IT RESOLVED THAT Charles Patt be appointed as Chairman of the Town of Kendall Cemetery Advisory Board for the year 2008.

Motion was seconded by Councilman Schuth. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Schuth moved the following:

**RESOLUTION 69-308 APPOINTING LARRY GURSSLIN CODE ENFORCEMENT OFFICER FOR THE TOWN OF KENDALL FOR THE YEAR 2008, PERSUANT TO THE AGREEMENT MADE WITH MR. GURSSLIN AS INTERIM CODE ENFORCEMENT OFFICER**

Motion was seconded by Councilman Gaesser. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilwoman Szozda moved the following :

**RESOLUTION 70-308 APPOINTING CHRISTINE DINATALE TO THE TOWN OF KENDALL BOARD OF ASSESSMENT REVIEW**

BE IT RESOLVED THAT Christine DiNatale of 1332 Norway Road be appointed to fill the vacancy on the Town of Kendall Board of Assessment Review with such term ending September 30, 2008.

Motion was seconded by Councilman Joseph. Supervisor Gillman called for a vote, which resulted in all ayes. Motion carried.

Councilman Joseph moved the following :

**RESOLUTION 71-308 APPOINTING JOYCE HENRY TO THE TOWN OF KENDALL PLANNING BOARD**

BE IT RESOLVED THAT Joyce Henry of Bald Eagle Drive, be appointed to fulfill the vacancy on the Town of Kendall Planning Board; such term ending December 31, 2010.

Motion was seconded by Councilwoman Szozda.

Discussion: Councilman Schuth asked if there is an urgency to fill the vacancies addressed in resolutions 71 and 72. Supervisor Gillman said he felt there was. The vacancies had not been filled in a timely manner, and he wanted to correct that. Councilman Joseph recapped the process used to solicit interested parties, and stated that the agreement was for the Town Board to give the applicants' paperwork to the Planning and Zoning Boards, and let those boards decide who to choose. However, because of the service Joyce Henry has given to the Morton Fire District, Mr. Joseph is now asking the Zoning and Planning Boards to accept Mrs. Henry and Mrs. Smith and to provide training and mentorship to them. Councilman Joseph expressed his upset at receiving a letter from Zoning Board Chairman Banker which expressed Chairman Banker's desire to choose a more qualified candidate who resides outside the Town of Kendall. Councilman Joseph said that candidates who have expressed an interest in these positions only if denied a position as Deputy Code Enforcement Officer will not be considered, as such interest was required, in writing, by January 25th. Councilman Joseph went on to say that if Kendall appoints people to positions, Kendall has to provide their training. Councilman Joseph stated that he wants to see these people given a chance. Planning Board Chairman Paul Gray asked to address the Board. Councilman Joseph said that he has a letter from Chairman Banker of the Zoning Board that Councilman Joseph feels indicates that not every applicant is treated equally. Chairman Gray stated that it not the position of the Planning Board to fill the vacancy with someone from outside the Town. Chairman Gray pointed out that there were five applicants from the Town of Kendall, for various positions. Councilman Joseph apologized to Chairman Gray if it seems that he is trying to force something. Councilman Gaesser asked if the Town Board members recall the agreement not to make appointments to the Planning and Zoning Boards until the Town Board received the recommendations of those boards. Councilman Joseph stated he did recall that, but that would be held to only if there was more than one applicant. Councilman Schuth recalled that it was the Town Board's decision to consider Deputy Code Enforcement applicants for these positions, due to their experience, which would be essential to Planning and Zoning Boards. Councilman Joseph did not have that understanding. Councilwoman Szozda stated that she received only one applicant for each of the vacancies on the Planning and Zoning Boards. Planning Board Chairman Gray said he did interview the applicant for the Planning Board, but was under the impression he could also consider those applicants who applied for the other positions. Councilman Schuth affirmed his concern that the repercussions of forcing the appointments without the input and recommendations of the Boards involved may be grim. Supervisor Gillman interrupted to state that although he understands the concerns of Mistrs Gray, Gaesser, and Schuth, he wanted the Board vacancies filled now. After some further discussion, at Councilman Gaesser's request, Supervisor Gillman called for a roll call vote, with the following results:

Councilman Gaesser	No
Councilman Joseph	Yes
Councilman Schuth	No
Councilwoman Szozda	Yes

Supervisor Gillman                      Yes  
Supervisor Gillman declared the motion passed.

Councilman Joseph moved the following:

**RESOLUTION 72-308 APPOINTING GAY SMITH TO THE TOWN OF KENDALL ZONING BOARD**

BE IT RESOLVED THAT Gay Smith of Kendall Road, be appointed to a 5-year term on the Town of Kendall Zoning Board with such term ending December 31, 2012.

Motion was seconded by Councilwoman Szozda.

Councilman Gaesser stated that the Town Board has not considered the recommendation of the Chairman of the Zoning Board as was agreed. Councilwoman Szozda asked what could be done differently since there was only one applicant. Councilman Schuth held that the wording of the advertisement for these positions clearly states that any or all applicants may be rejected. Councilman Joseph called attention to Zoning Chairman Banker's letter of 3/11/08 addressed to the Board, and read the following quote from it : "Therefore, once a decision is made on the CEO, I would be happy to be part of the interviewing process for the remaining applicants, if they so desire to be considered for the ZBA vacancy also. At this time I do not have any personal interaction with any of the above applicants. It will be based solely upon qualifications presented on the resumes. One condition that is not required by law, but I feel is important as a resident myself, is that a person serving on the ZBA also be a resident of the Town of Kendall. While Mr. Fabry does not fit this condition, I would still be interested in interviewing him." Councilman Joseph expressed confusion as to how Mr. Banker knew these individuals would be interested in the Zoning Board position. A discussion regarding communication among the Board and with future applicants for Town positions was held.

At Councilman Gaesser's request, Supervisor Gillman called for a roll call vote, with the following results:

Councilman Gaesser	Yes
Councilman Joseph	Yes
Councilman Schuth	No
Councilwoman Szozda	Yes
Supervisor Gillman	Yes

Supervisor Gillman declared the motion passed.

Councilman Schuth moved the following:

**RESOLUTION 73-308 PHIL D'AGOSTINO, ALTERNATE REPRESENTATIVE FOR TOWN OF KENDALL TO ORLEANS COUNTY PLANNING BOARD**

It is hereby resolved that Phil D'Agostino be appointed as the alternate representative for the Town of Kendall to the Orleans County Planning Board to a term of three years, beginning with the year 2008.

Motion was seconded by Councilman Gaesser.

Councilman Joseph asked where "documentation on this one was". Councilman Schuth asked what documentation he would like to see. Councilman Joseph stated he was only trying to make a point.

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

Councilman Schuth moved the following:

**RESOLUTION 74-308 KENDALL GARDEN CLUB TO PLACE FLOWER BARRELS**

Whereas the Kendall Garden club would like to introduce color and beauty to the Town of Kendall, and

Whereas the Kendall Garden Club and Partyka Farms have offered to donate, place and maintain barrels with flowers, with the intent of challenging town residents to likewise help beautify the Town of Kendall,

Therefore, the Kendall Town Board does hereby authorize, with thanks and anticipation, the placement of flower barrels along Kendall Road between Kenmor Road and the Town Hall along the east and west sides of the road.

The placement of barrels is to be completed before Memorial Day and the removal before Halloween.

Motion was seconded by Councilman Joseph.

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

Councilman Schuth moved the following:

**RESOLUTION 75-308 APPOINTING ARTHUR EUGENE MASSEY TO POSITION OF TOWN OF KENDALL CLERK TO THE ASSESSOR**

WHEREAS Mr. Steve Seaman was appointed Town of Kendall Assessor on October 1, 2007, accepting the position with the understanding that he was also charged with finding a successor, and

During such time Mr. Seaman has interviewed six candidates and presented a worthy candidate, and further,

Mr. Massey brings experiences such as years of home appraisals, inspections and ownership and he is willing to accept the position of Town of Kendall Clerk to the Assessor and the training/certification process,

And further, it is resolved that Mr. Massey must achieve approval of an Application for Qualifications Review (RP-3006) and complete the training and qualification requirements for Appointed Sole Assessors as defined in State Board Rules '188-2.

Therefore, it is resolved that, pending the above is satisfactorily completed, to appoint Arthur Eugene Massey to the position of Town of Kendall Clerk to the Assessor, with the term of office to begin April 1, 2008, with compensation to be at a rate of \$12.00 per hour.

Motion was seconded by Councilman Gaesser.

Councilman Schuth stated that an option of shared assessor services was studied, but it was determined that that setup would not meet the needs of Kendall residents, and retaining a sole assessor in the Town of Kendall will continue to provide the "home-style" service our residents are accustomed to. All board members agreed.

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

Councilman Joseph moved the following:

**RESOLUTION 76-308 ADDING BART JOSEPH AND M. LYNNE SZOZDA AND HARRY BUTLER AS AUTHORIZED SIGNATORIES FOR APPROVAL FOR GOSC MARINA PROJECT GRANT DRAWDOWNS**

Whereas the Small Cities Programs require the applicants to authorize officials to draw funds for eligible expense,

RESOLVED, that Councilman Bart Joseph and Councilwoman Lynne Szozda and Deputy Supervisor Harry Butler be authorized to sign drawdown requests for Small Cities Grant funds for the Eagle Creek Marina Project.

Motion was seconded by Councilwoman Szozda.

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

***OLD BUSINESS***

Code Enforcement – Court Order – no comment  
Cemetery Trust – no comment

Wind Energy – Supervisor Gillman is anxious to have regulations in place, to retain home rule power. Supervisor Gillman thanked Chairman Gray for his efforts to this end.

Marina Project – Supervisor Gillman, Mr. Freemesser, and CEO Gurrslin discussed the need of Eagle Creek Marina to obtain a building permit. Mr. Freemesser requested relief from having to pay for the new permit.

Councilwoman Szozda made the following motion:

**RESOLUTION 77**  
**-308 ECM BUILDING PERMIT FEE WAIVED**

Resolved, to waive the cost of the Building Permit for the Eagle Creek Marina Project.

Motion was seconded by Councilman Joseph.

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

Justice Court Audit – no comment

**NEW BUSINESS**

Councilman Schuth has contacted each applicant for the Deputy Code Enforcement position and set up times to interview each.

***RECESS***

With there being no further business coming before the Board, Councilman Gaesser made motion to recess this meeting until March 27, 2008 at 7:30 pm., seconded by Councilwoman Szozda; all in favor. Meeting recessed at 9:15 pm.

Respectfully Submitted,

Amy K. Richardson  
Kendall Town Clerk