

KENDALL TOWN BOARD
Kendall Town Hall – 1873 Kendall Road, Kendall, New York
May 20, 2014 7:00 p.m.

Supervisor Cammarata called the meeting to order at 7:01 p.m. and led the Pledge of Allegiance.

ROLL CALL

Councilman Joseph	present
Councilman Levett	present
Councilman Newell	present
Councilwoman Szozda	present
Supervisor Cammarata	present

Also present, Attorney Meier, Clerk Richardson, CEO Hennekey, Deputy CEO Strong, Hwy. Supt. Kruger, Planning Chairman Wenzel, O.C. Legislator DeRoller, Daniel Gaesser, Karl Driesel, two unidentified high school students

SUPERVISOR’S REMARKS

The Supervisor’s bookkeeper is looking into the assets of the Hamlin-Kendall Water District, and will provide a report of his findings.

CORRESPONDENCE

- Orleans County Dept. of Planning and Development – training opportunity
- Orleans County Emergency Management Office – road closure at Carr and Transit Roads

ACCEPTANCE OF MINUTES

Councilwoman Szozda motioned to accept the following minutes, as presented, seconded by Councilman Levett: (ayes – Joseph, Levett, Szozda, Cammarata, abstain – Newell)

Town Board Meeting April 15, 2014

KARL DREISEL – SUBMITTING REQUEST FOR RE-ZONING OF PROPERTY

Mr. Dreisel submitted his request for the re-zoning of property on the corner of Kendall Road and Crandall Avenue to Light Industrial, consisting of four parcels, to accommodate a planned custom millwork fabrication business.

Councilman Joseph said the Board may want to expand the area of re-zoning to include town property at the site of the highway building.

CEO Hennekey suggested that due to this being a Town Board action, Councilman Newell be the lead on this project. Councilman Newell agreed.

PUBLIC COMMENT

Dan Gaesser, Kendall Road, asked what budget line the money proposed to be expended in RESOLUTION 65-0514 would be drawn from, and in what manner it will be accounted for – general fund expense, or will it be set up as a liability for the Special District?

Councilman Joseph said that was uncertain. Based on survey results, the project may stall with no further action. It may be a Town Board or Engineering contractual expense in that case. If the project is

determined to be not viable, the general fund would absorb those costs. If it is considered viable, the costs would be charged back to the new district.

Mr. Gaesser expressed that taxpayers not residing in a potential new water district should not be responsible for expenses relating to establishing such district, and suggested that since the charge would likely need to be paid before a determination is made, an accounts payable to the potential new district, not hitting the budget, should be set up.

Councilman Joseph asked if he could contact Mr. Gaesser to help with this. Mr. Gaesser answered affirmatively.

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS

Standing Committees

Public Safety/Emergency Services & Occupational Safety –Joseph

Buildings, & Grounds – Joseph

Information Services – Joseph

The Building Use Policy must be more strictly adhered to. A recent use for a class resulted in the meeting room being left dirty with trash, debris on the carpet, and the furniture not put in order. This caused increased cost and time for cleaning. Each user request MUST be signed, a copy of the policy for use should be provided, and useage should be reported to the Town Board to increase awareness.

The USDA has mandated a statement be included on all letterhead from all departments. An official town letterhead is nearly complete.

Electronic Fund Transfers are being set up for several of the utility accounts. Voucher policy will need updating.

Stu Brown (grant writer) and Mike Schaffron (Engineers for the Town) have spent considerable time determining the areas of the town most likely to qualify for grant money for public water expansion, based on several factors. Kendall, Creek and Norway Roads have been chosen as the first to have an income survey conducted, the goal being to determine if the median income falls below the threshold making grant money promising. Information is available on the website. This step is to challenge the 2010 census results of Kendall's median listed income, which is the necessary first step to determine eligibility for grant and low interest loans.

Councilwoman Szozda suggested all the unserved roads be income surveyed at once.

Councilman Joseph said the engineers have determined this area to begin in order to have the best possibility to not be denied. If this information renders positive results, additional roads can be added to any potential water district.

A long discussion was held regarding the decision of the engineers and grant writers to start with the three roads chosen.

Highway – Levett

Community Relations – Levett

Memorial Day Observance May 30th

Culture & Recreation - Szozda

Human Resources and Ethics – Szozda

Employee Benefits – Szozda

A resolution is required for reporting all elected and appointed officer pay. The resolution will be ready for the June meeting.

Planning, Zoning & Agriculture – Newell

New Zoning Board member hired

Finance, Taxes & Special Districts – Cammarata
No report

Orleans County Representative – K. DeRoller
A survey of county bridges has been completed as part of the effort to raise priority in bridge repair and maintenance.

Boards

Planning Board – R. Wenzel, Chair
Re-zoning issue has been previewed

Zoning Board – P. Bolton, Chair
No report

Department Heads

Assessor – G. Massey – no report

Code Enforcement – P. Hennekey
Number of building permits is up
A question regarding a Wegman Group (Troutberg) issue
is still awaiting input from Attorney Meier
Property maintenance issues are being reported

Councilman Newell asked if coastal erosion issues had been remedied at Troutburg.
CEO Hennekey responded that an SWPPD report had been received. Remedy had not been completed.

Highway - W. Kruger

Carr Road closure – culvert work will start immediately
Culvert inspections have begun – an engineer’s advice is needed for the cement culvert at Kenmor and Norway Roads
Brush pickup is nearly complete, and grinder mulch is available to the public, and it may be possible to sell wood chips to the greenhouse operation on Rt. 98
Garden Club has provided decorations and garden boxes for the Hamlet area
Kendall Road pothole repair by the county is scheduled
Mowing has begun, cemeteries are open
There has been unauthorized dumping on Woodchuck Alley
Councilman Levett will help empty and roll the quarters from the water at the highway building
The highway building needs maintenance, some major, in the next several years. A method of funding should be set in place now to address that. An eventual new barn should be considered. Superintendent Kruger has a prioritized list of maintenance and improvement projects.

Historian – K. Corcoran - no report

Recreation – B. Flow –written report submitted

Town Clerk – A. Richardson – written report submitted

Town Justices – D. Drennan, S. Cliff – written reports submitted

RESOLUTIONS

Councilman Levett made the following motion, seconded by Councilman Joseph:

RESOLUTION 63-0514 AUTHORIZING EXECUTION OF AGREEMENT TO EXPEND HIGHWAY MONEYS

WHEREAS, the Kendall Town Board has discussed the improvements and repairs necessary to town roadways in 2014 with the Town of Kendall Highway Superintendent, and,

WHEREAS, pursuant to those discussions, the parties have agreed to set aside the amount of \$300,303 for general repairs and to undertake the specific improvements set forth in the agreement attached; and,

WHEREAS, this agreement was negotiated and 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, based upon the discussions of the Town Board and Highway Superintendent, 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 Agreement to spend Town Highway Funds.

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

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

RESOLUTION 64-0514 APPOINTING SHAD SPEER TO THE ZONING BOARD OF APPEALS

Whereas there is currently a vacancy in the Kendall Zoning Board of Appeals, and said position was advertised and applications were received, and

Whereas, the Zoning Board of Appeals interviewed and considered the applicants, and Zoning Board Chairman Patrick Bolton has presented a letter of recommendation for Shad Speer to the Town Board for this position and Mr. Speer has agreed to serve,

Now, therefore, be it RESOLVED to appoint Shad Speer, 16203 Carr Road, Kendall, NY to the position of member of the Zoning Board of Appeals with this term of office to begin immediately and to expire on December 31, 2017.

(Mr. Speer was not in attendance)

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

Councilman Joseph made the following motion, seconded by Councilman Levett:

RESOLUTION 65-0514 AUTHORIZING SUPERVISOR CAMMARATA TO ENTER INTO AN AGREEMENT WITH STUART I. BROWN ASSOCIATES, INC. TO CONDUCT AN INCOME SURVEY FOR WATER EXPANSION

Whereas there are approximately thirty seven miles of road in the Town of Kendall which do not have access to public water, and,

Whereas the town has undertaken a town-wide survey to identify neighborhoods with the highest interest for obtaining public water and the highest potential to qualify for grants and low interest loans for public water expansion, and

Whereas the Town has mapped the results of the survey, and based on that information, so then now

BE IT HEREBY RESOLVED that the Town Board of the Town of Kendall authorizes Supervisor Cammarata to enter into an agreement with Stuart I. Brown Associates, Inc. to conduct an income survey initially of the areas of Kendall Road, Creek Road, and Norway Road in the southeastern quadrant of the town - in order to determine eligibility for USDA Rural Development funding for a potential municipal water project, with the objective of adding to said project the roads which have petitioned the town for water (West Kendall, Lakeshore, Center Road and Carton Road), and also

RESOLVED, that the cost of performing the income survey is not to exceed twelve hundred dollars (\$1200.00), and the agreement is subject to attorney approval as to form, content and legal compliance.

Supervisor Cammarata asked for a roll call vote, with the following results:

Councilman Joseph	aye
Councilman Levett	aye
Councilman Newell	aye
Councilwoman Szozda	aye
Supervisor Cammarata	aye

Supervisor Cammarata declared the motion carried.

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

RESOLUTION 66-0514 SCHEDULING AND AUTHORIZING THE TOWN CLERK TO ADVERTISE AN INFORMATIONAL PRESENTATION ON THE STATUS OF THE 2013 TOWN WIDE WATER SURVEY AND MAPPING PROJECT

Whereas the Kendall Town Board desires to inform interested residents of the progress to date and current status of the project to expand municipal water to unserved area of the town, be it hereby

Resolved, to set an Informational Presentation for Tuesday, June 17, 2014 at 7:00 p.m. in the auditorium of the David J. Doyle Kendall Jr./Sr. High School, 16887 Roosevelt Highway, Kendall, New York, Orleans County, and also to direct the Town Clerk to place an ad in the official newspaper and on the town website to notify interested persons of such meeting.

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

(Clerk's note: This resolution stated this taking place at the Town Hall, which was incorrect. Correction made as to align with intent.)

Councilman Levett made the following motion, seconded by Councilman Joseph:

RESOLUTION 67-0514 CORRECTION TO ABSTRACT 4 AND TO THE ACCEPTED PAYMENT OF CLAIMS MOTION DUE TO DUPLICATE PAYMENT

Resolved, to make the following corrections to Highway Fund Abstract 4, due to a second voucher (234) being submitted for D&W Diesel, Inc. in the amount of \$149.99. The second payment was returned by the vendor. The original voucher (169) requesting payment for this invoice was paid on Abstract 3 on March 17, 2014:

Void Voucher 234 to D&W Diesel, Inc. in the amount of \$149.99; and

Correct Abstract 4 – Highway Fund total amount to \$16,390.88; and

Correct Abstract 4 Total payment of claims to \$ 41,228.33.

Also, resolved to assure the corrections be duly noted in the bookkeeping records to accurately reflect these changes.

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

Councilwoman Szozda made a motion to pay the claims, as listed on Abstract 5, as presented. Motion seconded by Councilman Newell; all ayes.

PAYMENT OF CLAIMS

General Fund	Abstract 5	\$ 19,796.58	Vouchers 252-273,275-285, 289,290,315,322,323
Highway Fund	Abstract 5	\$ 14,811.10	Vouchers 253,254,291-314,316-321
Light District One	Abstract 5	\$ 463.43	Voucher 256
Light District Two	Abstract 5	\$ 274.27	Voucher 256
Light District Three	Abstract 5	\$ 150.90	Voucher 256
Water District Three	Abstract 5	\$ 6,330.17	Voucher 288
Water District Four	Abstract 5	\$ 23,756.91	Voucher 287
Water District Six	Abstract 5	<u>\$ 1,429.05</u>	Vouchers 260,281,286
		\$ 67,012.41	

OLD BUSINESS

Water Expansion – discussed fully earlier

Codification

Planning member Henry continues review, with assistance from other members.
Attorney Meier said the acceptance of the document does have to be done by local law.

Eagle Creek Marina Update

The Town has been notified by Ashley Levine that HUD is requesting New York State to re-pay the defaulted grant money - \$562,000. A meeting will be held to discuss options and information as to whether or not the Town of Kendall taxpayers will be liable for that money. Supervisor Cammarata stated he calls that office monthly for updates.

NEW BUSINESS

Natural gas line expansion opportunities being explored.

Councilman Newell will take the lead on seeking natural gas availability to residents of Kendall. Ken Lillibridge has asked for assistance in trying to get natural gas extensions. Councilman Newell is in a fact-finding stage. Line size, line composition, and possible legal agreements are all possible hurdles. Clerk Richardson informed Councilman Newell that this is not a special district option.

With no further business being brought forward, Councilman Joseph motioned for adjournment, seconded by Councilwoman Szoza; all ayes. Supervisor Cammarata closed the meeting at 9:30 p.m.

Respectfully Submitted,

Amy Richardson, Kendall Town Clerk