

TOWN OF KENDALL
RECESSED TOWN BOARD MEETING

Tuesday, June 23, 2010, 5:30 P.M.

Supervisor Gaesser called the meeting to order at 5:38 p.m., and led the Pledge of Allegiance.

ROLL CALL

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

OTHERS PRESENT: Jim Freemesser, Adair Korn, Al and Bev Lofthouse

SUPERVISOR'S REMARKS

The purpose of this meeting is to consider the application for a fireworks display from Jim Freemesser.

Thank you to CEO Gurrslin for his work in helping this effort.

DEPARTMENT HEAD REPORT – Code Enforcement Officer Gurrslin

CEO Gurrslin reported that since the application was received one month ago, he has met with Mr. Freemesser five times, called him at least six times, conducted site reviews, and made calls to the Orleans County Sheriff, and the Coast Guard to help Mr. Freemesser. All documentation is available for review.

Supervisor Gaesser asked CEO Gurrslin if he was in agreement with all the requested stipulations.

CEO Gurrslin stated he would support the Town Board stipulations. Parking is in order, port-a-johns are sufficient, site map is in order, boat locations have been taken into account, and a security barrier for adjoining properties will be supplied and erected by Mr. Freemesser.

Councilman Pritchard asked who is authorized to act as security officers, and if the security personnel will be identified by clothing. Councilman Joseph said certification is necessary, and Mr. Freemesser stated that they will be in security T-shirts.

PUBLIC COMMENT

none

RESOLUTION 75-0610 - EAGLE CREEK MARINA FIREWORKS DISPLAY PERMIT

WHEREAS, Jim Freemesser has submitted an application for a permit for public display of fireworks to the Kendall Town Clerk , and

WHEREAS said application has been reviewed by the Code Enforcement Officer and it is the recommendation of the Town of Kendall Code Enforcement Officer to the Town Board for approval of a conditional permit, subject to the following:

- 1) The Kendall Town Clerk and Kendall Town Board have received a copy of an e-mail from the Coast Guard with their approval, but it specifies the wrong date for the event. This permit will be conditional based on receipt of corrected approval with the correct date of the event.
- 2) The Kendall Town Clerk and Kendall Town Board have received a letter stating that three security officers will provide security for the event. This letter also specifies an incorrect date for the event. This permit will be conditional based on receipt of a corrected letter with the correct date of the event and a revised statement indicating that security personnel will remain on site until normal traffic flow resumes.
- 3) Mr. Freemesser agrees to tape off two adjacent properties as follows: LOT 26 Lakeland Beach Road, and 16764 Lakeland Beach Road, using security or barrier tape. This permit is conditionally approved based upon completion of this action. So, therefore...

Be it RESOLVED that the Kendall Town Board authorizes the Kendall Town Clerk to issue a Conditional Public Display of Fireworks Permit pursuant to applicable provisions of section 405.00 of the Penal Law of the State of New York and the New York State Fire Code Section 3308.1, to Jim Freemesser for a fireworks display to take place at Eagle Creek Marina commencing at 9:45 p.m. on Saturday, July 3, 2010, or a rainedate of Sunday, July 4, 2010, commencing at 9:45 p.m.

Supervisor Gaesser called for a roll call vote, with the following results:

Councilman Pritchard	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gaesser	aye

Supervisor Gaesser declared the motion carried.

NEW BUSINESS

Time Warner Cable – much of Orleans County has entered into new negotiations, led by the Town of Ridgeway; an attorney has been engaged by the several towns, the main focus being county-wide cable coverage; Kendall has not agreed to this arrangement and needs to discuss any possible benefit to the town. Kendall does currently have a franchise agreement, but if there could be benefits such as a higher percentage paid, or improvements to our infrastructure, we may consider this.

With there being no further business coming before this Board, a motion for adjournment was made by Councilman Pritchard, and seconded by Councilman Schuth; all ayes; meeting adjourned at 6:00 p.m.

Respectfully Submitted,

Amy K. Richardson
Kendall Town Clerk