

**TOWN OF KENDALL**  
**TOWN BOARD MEETING**  
Tuesday, August 21, 2012, 7:30 P.M.

Supervisor Gaesser opened the meeting at 7:31 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

Also present, Attorney Sansone, Clerk Richardson, Highway Superintendent Kruger, Code Enforcement Officer Hennekey, Planning Board Chairman Gray, Al and Bev Lofthouse, Wayne Martin, Aleteamarie Martin, Brandi Patten

**SUPERVISOR'S REMARKS**

The Homegrown Days events, culmination of the Kendall Bicentennial Celebration, were wonderful. The 5K race, the parade, the displays and afternoon food and festivities, the street dance and music, the fireworks and the community church service were all well-attended, and much enjoyed. There were no security issues and clean-up was minimal. Thanks go to the fire department for the use of its facilities and assistance, and to the highway department for its many hours of preparation for and clean-up after the events. The Bicentennial Committee deserves an enormous amount of credit.

Troutburg Project – the Town Board reviewed the 22 requirements necessary for determining completeness of the application. Four areas were found to need more information or further information. This additional information was provided, and the application was deemed complete. On August 14<sup>th</sup>, it was referred to The Planning Board.

**ACCEPTANCE OF MINUTES**

Councilman Pritchard motioned to accept the following minutes, as presented, seconded by Councilman Schuth:

- July 10, 2012 Public Hearing
- July 17, 2012 Town Board Meeting
- August 7, 2012 Town Board Worksession
- August 13, 2012 Town Board Worksession

All eyes; minutes accepted.

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

**Standing Committees**

- Public Safety/Emergency Services & Occupational Safety –Joseph, Chair
- Buildings, & Grounds –Joseph, Chair
- Information Services –Joseph, Chair

- The grant work was completed, and submitted, and the reimbursement has been received.

- Some gutters were damaged during a recent storm.

- Trees on the north side of the building were trimmed by the Highway Department.

- The building was used for Homegrown Days.

- A waiver to allow pictures of children on the website was requested.

Highway –Gaesser, Chair – extra work has been on-going, due to the celebrations.

Culture & Recreation –Pritchard, Chair – no report

Planning, Zoning & Agriculture -Schuth, Chair –

Planning Board received application for WPDD, and two subdivision applications.

Community Relations –Schuth, Chair –

The weekend events were flawless and demonstrated co-operation between so many.  
The scarecrow festival will be October 6<sup>th</sup>.

Human Resources and Ethics –Szozda, Chair

Employee Benefits –Szozda

A letter has been received from MVP, estimating the rate increases for 2013.

Finance, Taxes & Special Districts –Gaesser, Chair

The BAN for Water District 6 has been renewed at 3.27% with First Niagara.

Orleans County Representative – Ken Rush (excused)

## Boards

Planning Board – P. Gray, Chair

Road widths within the Troutburg project may be a major issue. Many issues are being raised during the review process, and a list of additional requested information from the Wegman Group will be made.

Zoning Board – K. Banker, Chair – no report

## Department Heads

Assessor – G. Massey – the assessor will be having surgery and will be out for a short time.

Code Enforcement – P. Hennekey –

Troutburg issues are being reviewed and researched, including road widths, size of dwellings and number of occupants.

New Deputy Code Enforcement Officer Strong has already been a great asset.

Three new home building applications have been received.

Highway - W. Kruger –

The Bicentennial events were a lot of fun.

Roadwork continues.

Sidewalk work is scheduled for September.

Beechwood Cemetery sustained some lawn vandalism. The Sheriff Department was called.

The Snow and Ice contract needs to be executed.

Historian – J. Knapp – no report

Recreation – B. Flow – no report

Town Clerk – A. Richardson – no report

Town Justice - C. Lape & V. Maxon – written reports submitted

Supervisor – D. Gaesser – written report submitted

CORRESPONDENCE

Resignation letter from Town Historian, Joette Knapp. See attachment.

PUBLIC COMMENT

Al Lofthouse questioned four vouchers on the Abstract.

RESOLUTIONS

Councilman Schuth made the following motion, seconded by Councilman Pritchard:

**RESOLUTION 84-0812      Resolution Declaring The Town Board of the Town of Kendall’s Intent To Act as the Lead Agency Pursuant to the New York State Environmental Quality Review Act (“SEQRA”)**

WHEREAS, The Wegman Group has submitted an application to the Town of Kendall (the “Town”) to develop a three season cottage resort located on approximately 125 acres of land in the Town (the “Project” or “The Cottages at Troutburg”); and

WHEREAS, the Town Board of the Town of Kendall (the “Town Board”) must comply with SEQRA and its implementing regulations at 6 N.Y.C.R.R. Part 617 in the review of the Project; and

WHEREAS, the Town Board is an involved agency pursuant to SEQRA; and

WHEREAS, the Project is a “Type I” action under SEQRA, requiring a coordinated review; and

WHEREAS, the Town Board intends to serve as the Lead Agency for the coordinated SEQRA review of the Project; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Kendall that:

1. The Project is hereby determined to be a Type I action under SEQRA.
2. The Town Board hereby declares its intent to act as Lead Agency, pursuant to SEQRA, for the purpose of conducting the environmental review of the Project.
3. The Town Board hereby directs the Town’s special counsel to send the attached Notice of Intent to Act as Lead Agency to the following involved/interested agencies: (a) New York State Department of Environmental Conservation; (b) New York State Department of Health; (c) New York State Department of Transportation; (d) New York State Department of State, Office of Coastal Resource Management; (e) U.S. Army Corps of Engineers; (f) Orleans County Planning Department; (g) Orleans County Economic Development Agency; and (h)Town of Kendall Planning Board.
4. This Resolution shall be effective immediately.

Discussion: The plan approval process and rezoning SEQR processes will be simultaneous.

Supervisor Gaesser asked 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.

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

**RESOLUTION 85-0812      Water District 5 Budget Adjustment**

Be it RESOLVED to make following budget adjustments:

Increase SW5-9710.73 Serial Bond Interest from \$19,378.00 to \$19,388.00.

Increase SW5-0599 Appropriated Fund Balance from \$500.00 to \$510.00.

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

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

**RESOLUTION 86-0812      AUTHORIZING      PRE-PAYMENT      FOR      BICENTENNIAL  
CELEBRATION EXPENSES**

Be it RESOLVED to authorize the Town Supervisor to pre-pay the musical groups which performed as part of the Town of Kendall’s Bicentennial Celebration, in the following amounts:

- Country Class - \$450.00
- Streetwise - \$350.00
- Jive Street Five - \$250.00

Be it further RESOLVED to authorize the Town Supervisor to pre-pay Nadine Hanlon \$281.12 reimbursement for participation ribbons for the participants in the Bicentennial Parade.

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

Supervisor Gaesser made the following motion, seconded by Councilman Joseph:

**RESOLUTION 87-0812 EXTENSION OF CONVENTIONAL SNOW AND ICE AGREEMENT**

Be it hereby resolved to authorize Supervisor Gaesser to approve and execute the agreement to extend the Conventional Municipal Snow and Ice Agreement with the State of New York, subject to attorney approval.

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

Councilman Pritchard made a motion to pay the claims, a seconded by Councilman Schuth; all ayes.

**PAYMENT OF CLAIMS**

General Fund	Abstract 8	\$16,733.18	Vouchers 521-560,562-573,575,576,606-608
Highway Fund	Abstract 8	\$87,523.54	Vouchers 533,577-605,607
Light District One	Abstract 8	\$379.44	Voucher 523
Light District Two	Abstract 8	\$226.87	Voucher 523
Light District Three	Abstract 8	\$122.57	Voucher 523
Water District Five	Abstract 8	\$24,693.74	Voucher 574
Water District 6	Abstract 8	<u>\$55.92</u>	Vouchers 527,561
		\$129,735.26	

OLD BUSINESS

Water – Course of Action Plan (CAP)

Councilwoman Szozda called La Bella Associates to request information on the first steps to obtaining grant funding, and how to go about gathering data to determine the most viable areas to extend water. Need to identify and rank need and interest, and gather miles covered, density and other information.

Codification – all set, and waiting for draft for final review.

NEW BUSINESS

Home Grown Days as annual event – there has been a great deal of interest expressed in having parts of Homegrown Days become annual events, particularly the Family Movie Night, the Street Dance, and the Community Church Service at the gazebo. With community involvement, this would be affordable, and doable.

With no further business becoming before the Board, Councilman Pritchard motioned for adjournment, seconded by Councilman Joseph; all ayes; meeting adjourned at 8:23 p.m.

Respectfully Submitted,

Amy Richardson  
Kendall Town Clerk