

TOWN OF KENDALL
TOWN BOARD MEETING
Thursday, September 10, 2009 7:30 P.M.

Supervisor Gillman called the meeting to order at 7:34 p.m., and led the Pledge of Allegiance.

ROLL CALL

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

Councilman Joseph apologized to Councilman Gaesser and the public for terminology used, and inappropriate comments made at the last meeting.

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS

Standing Committees

Public Safety/Emergency Services & Occupational Safety,
Buildings, & Grounds,

Information Services –Joseph, Chair:

phone labels have gone out; switch to Time Warner has saved over \$1,400;
court security measurers are in place and functioning; annual generator inspection
has been completed; court room changes and updates are planned; website
continues to improve and expand; proposed fireworks application is nearly
complete

Highway,

Culture & Recreation –Gaesser, Chair:

new plow is in, and new dump body is coming; a safety device will be installed
in the rest rooms as a precaution for the seniors' needs; recreation budget has been
submitted, which includes a proposed budget decrease by the Recreation Director,
based upon decreased participation

Planning, Zoning & Agriculture,

Community Relations –Schuth, Chair:

Public Hearing for a variance is scheduled for Sept.15;
Busy time for community activities

Human Resources and Ethics –Szozda, Chair – no report

Employee Benefits –All – no report

Finance, Taxes & Special Districts –Gillman, Chair

Water District Six “pamphlet of breakdown” has been passed out, or will be to
those missed.

Orleans County Representative –Gary Kent – overview of Gaines Bicentennial plans; Towns’
contract with the County to remove brush from roadsides – Mr. Kent believes equipment is being
misused in some instances and is damaging live trees, and is urging the Town of Kendall not to

do so. (Highway Superintendent Kruger responded that he feels that Mr. Kent's estimation is an exaggeration); budget talks are in progress - it will be a tough year

Boards

Planning Board – Gray, Chair – Board has approved one subdivision; Board is in receipt of an updated zoning map; update of zoning codes are underway; SEQR training was held at the county, and several members attended this; codification will begin in November

Zoning Board - Rowles, Chair – no report

Department Heads

Assessor – G. Massey – no report

Code Enforcement – L. Gursslin – no report

Highway - W. Kruger – plow truck is in; dump box and sander in soon; community park festivities and groundbreaking on Saturday; chip sealing, drainage issue projects, new state-required road signs are being installed, road striping being done, autumn roadside cutbacks are beginning; change-over to new radio equipment;

Historian – J. Knapp – no report

Recreation – B. Flow – written report submitted

Town Clerk – A. Richardson – financial report submitted

Town Justice - R. Ernenwein & C. Lape – financial report submitted to Supervisor

CORRESPONDENCE

Assembly Standing Committee on Aging – Notice of Public Hearing - NYC

NY Board of Underwriters – discontinuation of electrical inspection services

Board of Elections – budget information for 2010

PUBLIC PARTICIPATION

John Ulmen, Lakeshore Road – questioned the Democratic majority's recent decisions to acquire Banner Beach Road, and to complete a private resident's water line hookup. Mr. Ulmen asked if water could be run down Lakeshore Road. The residents there have poor quality and poor quantity of water. Mr. Ulmen expressed that priority for spending should be to first make water available to as many residents as possible.

Councilman Joseph responded that the decisions were based partly on safety issues. Mr. Joseph gave an explanation of the process required to establish water districts. Councilman Gaesser spoke about the new grants available for establishing new districts and installing water.

Donald Pritchard, Norway Road – said MCWA will not service non-ductile iron pipes without extra charge; the Town Board of Kendall generally applies for grant money annually, but last time the town was denied. Each neighborhood is evaluated for the grants based upon financial need and population density.

Rod Hughson, Carton Road – expressed concern that if the formula is based on density, his neighborhood, with only two Kendall homes, will have a slim chance of getting public water. Councilman Joseph responded, "not necessarily." The Town of Murray could extend service from their end, if expanded.

RESOLUTIONS

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

RESOLUTION 78-909 NYS SNOW AND ICE AGREEMENT FOR 2010/2011

BE IT RESOLVED That the Town Board of the Town of Kendall hereby authorizes the Supervisor to sign the agreement to extend the “Agreement to Extend Conventional Municipal Snow and Ice Agreement for the 2010/2011 contract year, with NYSDOT.

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

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

RESOLUTION 79-909 SCHEDULING PUBLIC HEARINGS FOR ZONING CHANGES

Whereas the Kendall Town Board has received from DMD Machine a request for property zoning changes of 5.1 acres of property identified as Parcel #32.2-1-28 from Residential/Hamlet (RH) District and Residential/Agricultural (RA) District to Light Industrial (IL) District and now therefore, to allow for public input,

The Town Clerk is authorized to place a Legal Notice of a Public Hearing for public input to the Kendall Town Board for adoption of this proposed change in zoning. The Public Hearing is set for October 8, 2009 at 7:30 p.m. at the Kendall Town Hall, 1873 Kendall Road, Kendall, New York. The Town Clerk is to make the text of this proposed zoning change available at the Town Clerk’s office for public inspection.

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

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

RESOLUTION 80-909 TRANSFERRING FUNDS

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

Transfer \$3,000.00 From Special Items, Contingent Account - A 1990.4 to Law, Contractual A 1420.4

Discussion: Councilman Schuth asked Attorney Leone if this would be enough to finish the year’s legal expenses. Attorney Leone responded that would depend on the Board’s decisions. Councilman Joseph stated that any more spent will be carefully considered. Councilman Gaesser added that this amount is to cover projected municipal representation only; no special projects outside the cap. The Board is suspending “outside the cap” work.

Supervisor Gillman called for a vote, which resulted in all ayes; motion carried.
Councilman Joseph made the following motion, seconded by Councilwoman Szozda:

RESOLUTION 81-909 TO AMEND THE 2009 BUDGET

It is hereby resolved to authorize the bookkeeper to make the following budget transfers:
Increase A 9901.9 Transfers to Other Funds seven thousand seven hundred dollars (\$7,700.00)
Increase DA 5031 Interfund Transfer seven thousand seven hundred dollars (\$7,700.00)
Increase DA 9060.8 Hospital & Medical Insurance seven thousand seven hundred dollars (\$7,700.00)

Discussion: Councilman Schuth said it appeared that the fund for highway medical insurance payments was over budget before the pre-pay went out. Councilman Joseph confirmed this was the case. Payment was made to avoid late penalties or lapse in coverage. A breakdown of the calculation was given. Councilman Schuth expressed frustration at the lack of up to the minute information provided by the accounting system.

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

Councilman Schuth moved the Payment of Claims be approved, as listed, seconded by Councilwoman Szozda; all ayes.

PAYMENT OF CLAIMS

General Fund	Abstract 09	\$ 16,115.40	Vouchers 606, 608-610, 612-615, 616-631,633-636,643,645
Highway Fund	Abstract 09	\$ 30,425.14	Vouchers 612,637-642,644,646-658
Street Lighting 1	Abstract 09	\$ 344.99	Voucher 614
Street Lighting 2	Abstract 09	\$ 204.90	Voucher 614
Street Lighting 3	Abstract 09	\$ 110.52	Voucher 614
Water District 5	Abstract 09	\$ 25,621.87	Voucher 611
Water District 6	Abstract 09	<u>\$ 9,509.75</u>	Vouchers 607,615,659-661
		\$ 82,332.57	

A discussion about the payments owed to LaBella took place. Mr. Schaffron needs to do a final inspection on the telemetry system. A lengthy discussion about BAN information for Water District Six occurred. Councilman Gaesser stressed he wants any outstanding bills owed related to Water District Six paid so that it can be closed out. Highway Superintendent Kruger spoke about some of the outstanding balances.

OLD BUSINESS

Cemetery Trust Funds – will not be addressed until 2010 (remove from list)

Hamlin-Kendall Water District unresolved issues – Councilman Joseph has been in contact with Mr. Roach regarding equipment disposition.

per diem reimbursement rates policy review – will be reviewed at next workshop

NEW BUSINESS

Budget–Workshop dates

Attorney Leone and Clerk Richardson reminded Supervisor Gillman that the tentative budget must be submitted to Town Clerk Richardson by September 30th. The Clerk needs to present it to the Board by Oct. 5th. budget calendar was reviewed, and dates set, keeping notification requirements in mind:

Oct. 1st – tentative budget presented to Board

Oct. 22nd – budget workshop

Nov. 5th – Public Budget Hearing

Nov. 12th – adoption of budget

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

RESOLUTION 82-909 SETTING BUDGET MEETINGS AND HEARINGS

Resolved, to schedule a special town board meeting on October 1st 2009 at 7:30 p.m. to receive the tentative budget, and a public budget hearing on November 5th, 2009 at 7:30 p.m., both being at the Kendall Town Hall, 1873 Kendall Road, Kendall, NY. The town clerk is directed to cause notifications of these meetings to be published in the official town newspaper.

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

With there being no further business coming before the Board, Supervisor Gillman motioned for adjournment, seconded by Councilwoman Szozda; all ayes. Meeting adjourned at 9:08 p.m.

Respectfully Submitted,

Amy K. Richardson
Kendall Town Clerk