

TOWN OF KENDALL
TOWN BOARD MEETING
Tuesday, October 19, 2010, 7:30 P.M.

Supervisor Gaesser called the meeting to order at 7:30, 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, Planning Chairman Gray, Highway Superintendent Kruger, Orleans County Legislator Rush, Al and Bev Lofthouse, Tony Camarratta

SUPERVISOR'S REMARKS

The budget presented is the preliminary budget, which can be revised, before and after the Public Hearing. The intention is to adopt the finalized budget on November 16, 2010.

Marina update – Judge Punch granted the Lyon's Bank's motion for summary judgment on foreclosure.

Councilman Joseph moved and Councilman Schuth seconded that the following minutes be accepted:

Town Board Meeting September 21, 2010

Special Meeting of Kendall Town Board October 5, 2010

All ayes.

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

Entry rugs are being replaced; hand rails outside the front entrance are being repainted; emergency lights and signs are up and a written policy for response should be put into place; a valve is being replaced on the furnace; the meeting room windows will be replaced; a new laptop has been ordered to replace the old Planning Board computer, which will now need disposal.

Highway –Gaesser, Chair

No report

Culture & Recreation –Pritchard, Chair

Recreation budget work is done; new appointee to Recreation Commission

Planning, Zoning & Agriculture –Schuth, Chair

Community Relations –Schuth, Chair

The planning board would like to have a pictometry program, which could be used for presentations. There will be a vacancy on the Zoning Board as of the first of January. This position will be advertised.

Homecoming and the Scarecrow fest were well attended and fun. The Bicentennial Committee has set some of the dates of events for 2012, and needs to set a budget for each event planned. The gazebo foundation is complete at the Community Park. Girlscouts have been coming in to

organize the medical loan closet. Boy scouts scout for food drive is scheduled for the second weekend in November.

Human Resources and Ethics –Szozda, Chair

Employee Benefits –Szozda

Awaiting information on medical benefit plans and costs from the broker

Finance, Taxes & Special Districts –Gaesser, Chair

The Hunt Library Trust is coming due, and can be reinvested to earn higher interest rates.

EFC is holding a program in Buffalo about funding opportunities to assist in water infrastructure.

Supervisor Gaesser will be attending.

Orleans County Representative – Ken Rush

Towns will receive their portions of sales tax this year. The State overpaid the sales tax to the County, so it will not be sending further payments.

The county has had to borrow \$1.6 million to keep the nursing home running. Promised state aid has not yet been received. The nursing home may be sold. Visiting nurse services have been decreased.

Budget work continues. There will be a tax rate increase.

Councilman Pritchard asked if the overpayment of sales tax will be set aside. Legislator Rush did not know.

Legislator Rush stated that the cost of community college to the county is now over \$1 million annually. Students pay one third, the county pays one third, and the federal government pays one third of the tuition costs of community colleges.

Boards

Planning Board – P. Gray, Chair - training of planning members is progressing well; the Akey application for variances has been approved, with stipulations listed; the moratorium work is ongoing

Zoning Board – K. Banker, Chair – no report

Department Heads

Assessor – G. Massey – has met with the Supervisor – 7 residents filed small claims cases against the town concerning the reassessment – 6 of those cases resulted in some reduction of the assessments. The assessors of Orleans County and the Director of Real Property Services will meet to review the process. The net effect is not significant, but this may set a negative precedent.

Code Enforcement – L. Gurslin – no report

Highway - W. Kruger – the highway department does much more than just mow the cemeteries. There is trimming, repair, and general maintenance. They will appreciate any volunteer help in Fall clean-up.

The town has provided the fill dirt for the gazebo project.

The work on Woodchuck Alley and Banner Beach Road is nearly done. The state inspections went well.

New road signs are to be placed by year end.

Drainage issues on Kenmor will be addressed.

Historian – J. Knapp – no report

Recreation – B. Flow – written report submitted

Town Clerk – A. Richardson – written report submitted

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

Supervisor – written report submitted

CORRESPONDENCE

Supervisor Gaesser read a letter from Pam Rowles, stating her intention to discontinue her service to the Zoning Board after the expiration her term.

PUBLIC COMMENT

none

RESOLUTIONS

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

RESOLUTION 86-1010 – BUDGET TRANSFER FOR JUSTICE TRAINING IN 2010

WHEREAS, the adopted budget for 2010 did not provide ample funds for Town Justice training in 2010,

Now, therefore, be it **RESOLVED**, that the Town Board of the Town of Kendall does hereby authorize the transfer of \$1,500 from account A1990.4 Special Items, Contingent Account to account A1110.40 Town Justice, Contractual.

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

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

RESOLUTION 87-1010 - LOCAL LAW 1 OF THE YEAR 2010, PROVIDING FOR THE LICENSING OF DOGS IN THE TOWN OF KENDALL, NEW YORK

Whereas, the administrative aspects of dog licensing are being moved from the state level to the local level of government as signed into existence by Governor Patterson on June 22, 2010, and,

Whereas, a local law is necessary to provide for the licensing and identification of dogs in the Town of Kendall by establishing local license types and new fee structures as a result of the State of New York's dissolved interest in dog licensing, except for administering the animal population control fees,

Now, therefore, be it **RESOLVED**, that the Kendall Town Board does introduce Local Law 1 of the year 2010 as attached for consideration by the Town Board and to allow for public input, and further, that the Town Clerk is authorized to place a Legal Notice for a Public Hearing to consider adoption of this law, to be held on November 16, 2010 at 7:00 p.m., and to make the text of this local law available at the Kendall Town Clerk's Office for public inspection, and posted on the town website for public inspection.

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

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

RESOLUTION 88-1010 – INTRODUCING LOCAL LAW 2 OF 2010, EXTENDING THE MORATORIUM ON DEVELOPMENT WITHIN HAMLET, WATERFRONT DEVELOPMENT AND WATERFRONT RESIDENTIAL ZONES

Be it RESOLVED, that the Kendall Town Board introduces Local Law 2 as attached for consideration by the Town Board and to allow for public input and Orleans County Planning Board comment, and ...

Be it further RESOLVED, that the Town Clerk is authorized to place a Legal Notice for a Public Hearing to consider adoption of this law, to be held on November 16, 2010 at 7:10 p.m., and to make the text of this local law available at the Kendall Town Clerk's Office for public inspection, and posted on the town website for public inspection.

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

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

RESOLUTION 89-1010 – AUTHORIZING AN ADVERTISEMENT FOR AN OPEN POSITION ON THE ZONING BOARD OF APPEALS

Whereas, a position of Zoning Board of Appeals Member will be vacant after December 31, 2010, and ...

Whereas, the Town Board of the Town of Kendall desires to notify citizens about this open position and to receive letters of interest, applications, and resume's from interested citizens, and ...

Whereas, the Town Board of the Town of Kendall will be accepting resumes and applications for this position, with such deadline of receipt to the Kendall Town Clerk by December 1, 2010.

Now, therefore be it RESOLVED to instruct the Town Clerk to place an ad in the Hamlin Herald in two consecutive weeks, and post to the town website, for the advertisement of public notice for this position.

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 90-1010 – TO APPOINT MICELLE WERTH TO THE RECREATION COMMISSION.

Whereas, there is currently a vacancy on the Kendall Recreation commission,

Be it resolved to appoint Michelle Werth of 2099 West Kendall Road, Kendall, NY to The Town of Kendall Recreation Commission, such term expiring on 12/31/2014.

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

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

RESOLUTION 91-1010 – JUSTICE COURT GRANT APPLICATION

Be it resolved to authorize the Kendall Justice Department to apply for a Justice Court Assistance Program Grant for \$30,000.

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

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

RESOLUTION 92-1010 – ACCEPTANCE OF PRELIMINARY BUDGET

Be it resolved to accept the 2011 Town of Kendall PRELIMINARY BUDGET, as presented, and to make copies available in the Town Clerk’s office, and posted to the town website, for public inspection.

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

Motion to pay the claims as listed on Abstract 10 of 2010 was made by Councilman Schuth, and seconded by Councilwoman Szozda. All ayes.

PAYMENT OF CLAIMS

General Fund	Abstract 10	\$17,518.60	Vouchers 697-721,723-729
Highway Fund	Abstract 10	\$90,262.85	Vouchers 698,731-762
Street Lighting 1	Abstract 10	\$422.94	Voucher 703
Street Lighting 2	Abstract 10	\$247.64	Voucher 703
Street Lighting 3	Abstract 10	\$137.65	Voucher 703
Water District 6	Abstract 10	<u>\$1,486.26</u>	Vouchers 704,722,727
		\$110,075.94	

OLD BUSINESS

Joint Hamlin-Kendall Water District – status of “held” money is unknown; when Hamlin Supervisor is available, a meeting will be set.

Potential Water District Petitions – Councilman Joseph is trying to inform people of the process involved as inquiries are made

Cable Franchise Agreement – have not gone forward with a resolution in support of this, because it may not have any benefit to Kendall; is currently being looked into; the school will be contacted

NEW BUSINESS

Councilman Joseph asked all computer users to clean up their inboxes.

Superintendent Kruger spoke about the erosion of Mill Road to the point of becoming dangerous. This will need to be addressed

With no further business coming before this board, a motion to adjourn was made by Councilman Pritchard, and seconded by Councilman Schuth. The meeting was adjourned at 8:51 p.m. by Supervisor Gaesser.

Respectfully Submitted,

Amy Richardson, Kendall Town Clerk