

**KENDALL TOWN BOARD
RECONVENED TOWN BOARD MEETING
Thursday, October 25, 2007 7:30 P.M.**

Kendall Town Hall – 1873 Kendall Road, Kendall, New York 14476

PUBLIC PRESENT: Ed Smith, Allen Lofthouse, Bev Lofthouse, Bob Nelson, Gay Smith, Margaret Szozda, Jack Gillman, Lisa Stenshorn, Scott Hardenbrook, Nate Gustke, John Fleming, Ethan Richardson, Trevor Slusarenco, Laura Slusarenco, Ricky Martinez, Jr., Daniel Martinez, Theresa Martinez, Ricky Martinez, Sr., Jane Hart, Robert Hart, Blaine Young, Mark Driesel, Ryan Mitchell, Amanda Vallese, Chris Salyer, Kyle Salyer, Matt Hofer

CALL TO RECONVENE

Supervisor Vick called the meeting to order at 7:30 pm, and led the Pledge of Allegiance.

ROLL CALL

Councilman Gaesser	present
Councilman Pritchard	present
Councilman Schuth	present
Councilman Scroger	present
Supervisor Vick	present

SUPERVISOR'S REMARKS

- Budget Meetings are nearly complete.
- Small Cities Grant Administration Meeting October 26, 2007 at 10:00 am. in Batavia. Supervisor Vick will be attending, and invited the Councilmen to join him.

APPROVAL OF MINUTES

Councilman Scroger made motion to approve the minutes of September 13, 2007 – Regular Town Board Meeting and September 27, 2007 – Recessed Town Board Meeting, as corrected, seconded by Councilman Gaesser. All ayes, minutes approved.

PUBLIC PARTICIPATION

Supervisor Vick introduced Bob Hart, Chairman of the Bicentennial Committee.

Mr. Hart reported that there have been two meetings of the Bicentennial Committee. He highlighted that a garden club has been started in Kendall, which has grown to nearly 25 members. This is a step toward building community spirit and influencing residents to improve the appearance of the community. Laura Partyka has offered to donate hanging baskets and flowers to spruce up downtown. The barn block quilt tour project is attracting people to Kendall. A quilt donated by the Pieceful Shores Quilting Guild has raised a substantial amount of money for the Bicentennial Fund. The committee is planning to arrange interviews with some of the Town's long-time residents. Mr. Hart feels he has not received positive response from the Town Board, and would like to see a community clean-up. Councilman Schuth pointed out that the Boy Scouts do have annual clean-ups; the specific areas chosen with input from the Highway Department. Mr. Hart responded that he never knew that, and assumes that others may also not know, and that it should be publicized better. Councilman Pritchard stated that it is announced through Lions' Club, and communicated through scout troops. Mr. Hart suggested that it be put onto the Town Hall's outside message board. The school may be involved in preparations and projects for the Bicentennial; perhaps making the local history component of the Bicentennial part of the school curriculum. The older homes in Kendall may be included in a home tour. The Bicentennial Committee is encouraging anyone with interest in joining them to contact Mr. Hart or Mr. Gillman. Mr. Hart wants response from the Town Board, and perhaps direction. Supervisor Vick responded that an alternate for Councilman Schuth will be set in place, so that a council member can attend the committee meetings. The money budgeted for clean-up is used to collect tires and other large refuse. The Highway Department is under budgetary constraints, and must put essentials first. The possibility of vandalism with the placing of flower barrels or baskets, and the possible expenses due to that vandalism has to be a consideration. Mr. Hart wants the Town Board to be involved, and so will personally attend Town Board Meetings to update them. Supervisor Vick thanked Mr. Hart.

Supervisor Vick called for any other public participation:

Lisa Stenshorn, Kendall Road, - asked what the term "succession planning" on the meeting agendas means.
Supervisor Vick answered that it refers to a concerted effort to afford a back-up plan for key areas and offices.

There was no further public participation.

RESOLUTIONS

Councilman Gaesser moved the following resolution be adopted:

Resolution 115-1007 Appointing Connie Plews Deputy Town Clerk

It is hereby resolved to appoint Constance Plews, 15821 Knapp Shores, Kent, New York, Deputy Town Clerk, effective October 18, 2007.

The motion was seconded by Councilman Scroger.

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

Councilman Gaesser	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared the motion carried.

Councilman Scroger moved the following resolution be adopted:

Resolution 116-1007 Authorizing Code Enforcement Officer to Enforce Disposal of Debris and Removal of Unsafe Structures for Certain Properties

Pursuant to Sections 3 & 4 of Local Law #1 of 1982, the Code Enforcement Officer is hereby authorized and instructed to order and serve notice on the owners of the following properties, which have been destroyed by fire or abandoned or otherwise found to be in non-compliance or are deemed dangerous to the public welfare, to separate and dispose of debris and bury and cover foundations and basements to secure the sites as ordered:

819 Monroe-Orleans Countyline Road (Gary Sigler)

Further that such notice shall be served prior to October 30, 2007 and will include provision (15 days notice) for hearings in opposition to the order before the Town Board on November 15, 2007 at the Kendall Town Hall at 7:30 PM., and...

Further that the intent is for compliance with such order to occur on or before December 15, 2007 if the hearing is attended or 30 days after notice of default served no later than December 18, 2007 if the owner does not appear at the hearing, and...

Further that the intent, if there is non compliance, is that the Town of Kendall will demolish and remove the offending structures and debris on or after January 21, 2008 or on or after 60 days after notice of default with all charges incurred to be assessed against the land and levied and collected as provided for under Town Law, and further...

That it is the intent to employ the provisions of Section 9 of Local Law #1 of 1982 if it is determined, **at**

any point in time that the condition of these properties rises to the level of presenting a clear and imminent danger to the life, safety or health of any person or property.

The motion was seconded by Councilman Schuth.

Supervisor Vick interjected that this is the 8th property which has had to be addressed at this level. The process is slow and expensive, and priority must be given to those posing dangers to the public.

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

Councilman Gaesser	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared the motion carried.

Councilman Pritchard moved the following resolution be adopted:

Resolution 117-1007 2008 Budget Hearing Scheduled

Be it resolved that the 2008 Budget hearing is authorized to be held on November 8, 2007 at 7:30 pm at the Kendall Town Hall for the purpose of the Kendall Town Board to meet and review such budget, and allow any person to be heard in favor or against any item contained therein.

The motion was seconded by Councilman Gaesser.

Supervisor Vick called for a vote, with the following results:

Councilman Gaesser	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared the motion carried.

Councilman Schuth moved the following resolution be adopted:

Resolution 118-1007 Authorizing the Supervisor to Contract with LaBella Associates, P.C. to Provide Professional Engineering Services for Water District 6.

It is hereby resolved to authorize the Supervisor to contract with LaBella Associates, P.C. to provide:

- Phase 1. Review of Conceptual Design at \$3,000,
- Phase 2. Base Mapping at \$7,000, and
- Phase 3. Environmental Reviews including completion of SEQR at \$3500 for advancement of the Capital Project to construct the infrastructure for Water District 6, and...

Further, that this action is as previously committed to by Kendall Town Board Resolution 62-307.

The motion was seconded by Councilman Scroger.

Councilman Scroger asked Supervisor Vick to give a review of this funding. Supervisor Vick explained that the Board identified this district (the 40 residents of Petersmith Road) as the most obvious opportunity to achieve funding. Previously, there have been loans to fund these water districts; this is a \$400,000 outright grant. Serial Bonds will cover the remaining \$120,000. Kendall's Highway Department has the

skills necessary to install the lines. The first application for the grant was denied; the second has been approved.

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

Councilman Gaesser	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared the motion carried.

Councilman Gaesser moved the following resolution be adopted:

Resolution 119-1007 Authorizing the Supervisor to Contract with LaBella Associates, P.C. to Provide Services

It is hereby resolved to authorize the Supervisor to contract with LaBella Associates, P.C. to provide services for a conceptual, letter report, specifications, and cost estimate for justice court system improvements, an elevator to the basement, and additional space for Recreation Director, Historian, senior citizens, and records retention facilities, and ...

Further, that this report and estimate are required to facilitate the identification of grant funding available and the application of grant funding to provide for these improvements, and...

That the minimum cost of these services will be \$750.00 with a not to exceed of \$1000.00.

The motion was seconded by Councilman Pritchard.

Councilman Gaesser pointed out that this is just a preliminary step to determine feasibility of these projects, and to prepare information to present to a grantsman. There is funding available for State-mandated court facility improvements, and that makes this an opportune time to achieve other building improvements as well.

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

Councilman Gaesser	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared the motion carried.

Councilman Scroger moved the following resolution be adopted:

CS Resolution 120-1007 Declaring October 28, 2007 Alyce and Gerald Reamer Day

WHEREAS, Gerald and Alyce Reamer were born in Orleans County, in the State of New York, more than eighty years ago; and

WHEREAS, The Reamers were united in the Holy State of Matrimony on July 31, 1948; and

WHEREAS, They have made their home in the Town of Kendall for nearly 60 years; and

WHEREAS, They have actively and continuously served their community through their untiring efforts for our Local Government, the Kendall School Board, the Kendall Fire Department and

Ladies Auxiliary, the Kendall United Methodist Church, Lions International and the Kendall High School Athletics;

NOW, THEREFORE BE IT RESOLVED; that Sunday, October 28, 2007, shall now and forever be known in the Town of Kendall, New York as Gerald and Alyce Reamer Day and that we will recognize that date by attending an Open House to be held in their honor in Kendall Fire Hall on the afternoon of that day.

The motion was seconded by Councilman Schuth.

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

Councilman Gaesser	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared the motion carried. Supervisor Vick instructed Clerk Richardson to prepare a framed, certified copy of this resolution, to present to Mr. and Mrs. Reamer.

Councilman Pritchard moved the following resolution be adopted:

Resolution 121-1007 Resolution Authorizing the Supervisor to execute CDBG Small Cities Grant Agreement – Water District #6

It is hereby resolved to authorize the Supervisor to sign and enter into the agreement to receive the New York State Community Block Grant/Small Cities Grant for financing of the project known as Construction of Water District #6 Water Distribution System. And Further...

That this includes schedules A and B of the Agreement and all conditions, items 1 through 23, of the entire agreement, and further that the effective date of the agreement to begin incurring costs is October 1, 2007, with completion and all funds expended by October 31, 2009.

The motion was seconded by Councilman Gaesser.

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

Councilman Gaesser	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared the motion carried.

ADJOURNMENT

With there being no further business, a motion for adjournment was made by Councilman Schuth, and seconded by Councilman Gaesser. All Ayes; meeting adjourned at 8:17.

Scheduled Meetings:

Public Hearing on 2008 Preliminary Budget: November 8, 2007 at 7:30 pm

Regular Town Board Meeting: November 8, 2007 immediately following Public Hearing

Code Enforcement Hearing: November 15, 2007 7:30

