

**TOWN OF KENDALL**  
**TOWN BOARD MEETING**  
Tuesday, November 15, 2011

Supervisor Gaesser called the meeting to order at 7:33 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, Planning Chair Gray, Hwy. Sup. Kruger, Dep. CEO Hennekey, Al and Bev Lofthouse, Joyce Henry, Mary Ellen Seaman, Ty and Melanie Whitehair, Dan Pixley, Gil Schultz, Jim Ferris, Bruce Newell

**SUPERVISOR'S REMARKS**

Supervisor Gaesser thanked the Board Members and Department Heads for their assistance with the 2012 budget process, the medical benefits agreement, and the town engineering arrangement. The meeting will be recessed until November 21<sup>st</sup>, in order to accept the updates to the Town of Kendall Zoning Ordinance. This updated document will include those regulations added or modified since 1996. Changes are not being made to the ordinance.

There have been informal meetings with The Wegmans Group about the possibility of the Salvation Army Camp being developed. They are under contract to purchase this property. These meetings have been held to explain the necessary procedures of the town. The group has shared its conceptual plan for the property. A letter has been received by the Board from some residents of Norway Heights, encompassing many issues, some of which can be addressed by the Board, and the Board is grateful for the input and questions raised. The group has received a blank application form from the town, but has not submitted any paperwork for any development of this site. If they do, the first steps are as follows:

1. An application will be submitted to Code Enforcement
2. Code Enforcement will gather information, and may refer them to the Planning Board
3. The Planning Board will conduct site plan reviews at public meetings. All issues would be considered during this period as the Planning Board takes the health, safety and welfare of all the residents in Kendall into consideration.

The several further steps include referral to the County Planning Board, Public Hearings, and eventually consideration by the Town Board. There is a possibility the project will not move forward. If an eventual new owner decides the project will be pursued, an application will be submitted.

Supervisor Gaesser commented that he is pleased with the outcome of the election, which leaves the current Board in place. This is a statement by the voters of support for the work accomplished by this Board.

Councilman Pritchard moved for the acceptance of the following minutes, seconded by Councilman Joseph; all ayes:  
Regular Town Board Meeting October 18, 2011  
Budget Hearing November 1, 2011

## 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

Bids from Doyle, AVG, and Simplex for alarm systems at the Highway Building are pending.  
Significant savings have been realized from the energy upgrades to the Highway Building.  
Remodeling of the Justice' offices are nearly complete.

Highway –Gaesser, Chair

Sidewalk work was more extensive than planned, but has been well done and looks great.

Culture & Recreation –Pritchard, Chair – no report

Planning, Zoning & Agriculture -Schuth, Chair

Community Relations –Schuth, Chair

Zoning Board held public hearings and met this month.  
Planning Board has done extensive work on the zoning regulations.  
Bicentennial Committee will meet December 14<sup>th</sup>.  
Community Chorus December 2<sup>nd</sup>  
Lions' Christmas Tree Lighting ceremony and caroling followed by a reception provided by the Town Board on November 30<sup>th</sup>  
Thank you for food donations to Scouts for Kendall Food Cupboard

Human Resources and Ethics –Szozda, Chair

Employee Benefits –Szozda

The medical plan is in place, and letters will be going out soon to employees regarding their cost. The retiree amount has decreased. It has been determined that the rider for vision would not be cost effective. Employees should not have to re-enroll, and the Benefit Resource administration is in place.

Finance, Taxes & Special Districts –Gaesser, Chair

The library \$100,000 CD is renewing at 1.1%, as budgeted.  
The budget has a 0.07 % increase, well below the 2% cap, and has been submitted to the State Comptroller's Office.

Orleans County Representative – Ken Rush - Mr. Rush asked to be excused, as he is attending another meeting.

### Boards

Planning Board – P. Gray, Chair

At the recent meeting, the Wegmans Group's potential plans were discussed. The process of compliance has been explained to these developers. No application has been submitted to the town.  
The Zoning Regulations have been updated to reflect past additions and changes. This has been an ongoing project, and is still being finalized.

Zoning Board – K. Banker, Chair – no report

## Department Heads

Assessor – G. Massey – no report

Code Enforcement – L. Gurslin – Carr Rd. clean-up is underway

Highway - W. Kruger –

The good weather has enabled more culvert work to get done, mowing is completed, and the equipment and salt barn are being readied for winter. The sidewalk work is done for this year and has turned out well. The school had an underground fuel leak, and the DEC was involved, but seems to have things rectified. The State has changed the forms to file for getting paid for ChIPs. The Snow and Ice payment should arrive within the next two weeks.

Historian – J. Knapp – no report

Recreation – B. Flow – written report submitted

Town Clerk – A. Richardson – written report submitted

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

Supervisor – written report submitted

## PUBLIC COMMENT

Ty Whitehair, Norway Heights – heavy equipment has been moving brush and weeds and trees from acres of land on the South side of the Salvation Army property.

Neither the Board nor Code Enforcement was aware of this. Supervisor Gaesser said it would be investigated first thing in the morning, and thanked Mr. Whitehair for the information.

Bruce Newell, Norway Heights, complained about offensive graffiti on a New York State Parkway bridge. Councilman Pritchard will report this to the parkway authority.

Dan Pixley, Norway Heights, asked for a rough timeframe of how long the process of going through the Planning Board steps might take if the Wegmans Group did decide to move forward. Supervisor Gaesser responded that until the process begins that is difficult to determine, but six months to a year would seem a reasonable guess.

Mr. Whitehair said he thought there might be an Eagle's nest which could be imperiled on the Salvation Army Camp property, and that he has contacted the DEC.

Al Lofthouse, Center Road, commended the Board for the budget, and for not passing cap override legislation.

## RESOLUTIONS

Councilman Joseph moved the following resolution, seconded by Councilman Pritchard:

### **RESOLUTION 76-1111      BUDGET ADJUSTMENT FOR SIDEWALK CONTRACTUAL**

Be it RESOLVED, to make the following budget adjustments:

Increase account DA5031 Interfund Transfer from \$10,000.00 to \$11,850.00.

Increase account DA5410.40 Sidewalks Contractual from \$10,000.00 to \$11,850.00.

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

Councilman Pritchard moved the following resolution, seconded by Councilman Joseph:

**RESOLUTION 77-1111            AMENDING RESOLUTION 74-1011, BY CORRECTING THE  
ACCOUNT NUMBER FOR BUILDINGS CONTRACTUAL  
ACCOUNT, FROM A1610.40 TO A1620.40**

Whereas Resolution 74-1011 specified an incorrect account number for the Buildings, Contractual Account,

Now, therefore be it RESOLVED, to change the text of Resolution 74-1011 to read A1620.40 instead of A1610.40 in all places it appears in that resolution.

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

Councilwoman Szozda moved the following resolution, seconded by Councilman Pritchard:

**RESOLUTION 78-1111            SETTING MEDICAL BENEFITS BENCHMARK PLANS AND  
COSTS TO BE EFFECTIVE DECEMBER 1, 2011.**

BE IT RESOLVED, to adopt the following changes effective December 1, 2011 to the Town of Kendall Medical Policy:

Change:

**Section 1 – Definitions**

**Benchmark Medical Plan** - is the medical plan(s) and subsequent cost of the medical plan the Town Board selects to offer to eligible elected officials and employees as set forth in this policy. The Benchmark Plan is MVP's HDHP EPO Preferred-NEHD07S Plan.

Family Plan \$680.89 per month

Two Person Plan \$506.18 per month

Single Plan \$253.09 per month

Any employee wishing to select the MVP's EPO Preferred-E0052S Plan may do so at his own expense. Payments are to be made by payroll deduction.

To Now Read:

**Section 1 – Definitions**

**Benchmark Medical Plan** - is the medical plan(s) and subsequent cost of the medical plan the Town Board selects to offer to eligible elected officials and employees as set forth in this policy. The Benchmark Plan is MVP's HDHP EPO Preferred-NEHD18S Plan.

Family Plan \$731.37 per month

Two Person Plan \$543.71 per month

Single Plan \$271.86 per month

Any employee wishing to select the MVP's EPO Preferred-E0052S Plan may do so at his or her own expense. Payments are to be made by payroll deduction.

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

Supervisor Gaesser moved the following resolution, seconded by Councilwoman Szozda:

**RESOLUTION 79-1111 RENEWAL OF HEALTH REIMBURSEMENT ARRANGMENT (HRA) FOR THE TOWN OF KENDALL EMPLOYEES**

WHEREAS, the Kendall Town Board established a Health Reimbursement Arrangement (HRA) for Town of Kendall employees and wishes to continue this arrangement; be it...

RESOLVED, that the Town Board of the Town of Kendall hereby authorizes the Town Supervisor to renew the agreement with Benefit Resource, Inc. 245 Kenneth Drive, Rochester, NY 14623-4277, to execute all documents, with legal review, that may be necessary, at no additional cost to the town, with monthly administration fees remaining the same at \$50.00 per month.

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

Councilman Schuth moved the following resolution, seconded by Councilman Pritchard:

**RESOLUTION 80-1111 APPOINTING LABELLA ASSOCIATES AS ENGINEER FOR THE YEARS 2011 AND 2012**

WHEREAS LaBella, Associates P.C. has presented a rate schedule and this schedule has been reviewed and accepted by the Kendall Town Board, and,

Whereas LaBella and Associates has provided excellent engineering services for several years and managed Water District 6,

Now therefore be it RESOLVED to appoint LaBella Associates, P.C. of Rochester, NY, as the Engineer for the Town of Kendall for the remainder of 2011 and the year 2012.

Further, the Kendall Town Board authorizes Supervisor Gaesser to enter into agreement, subject to legal review, with LaBella Associates, P.C.

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

Supervisor Gaesser moved the following resolution, seconded by Councilman Pritchard:

**RESOLUTION 81-1111 ADOPTING THE 2012 TOWN OF KENDALL BUDGET**

Be it RESOLVED, that the 2012 Preliminary Town of Kendall Budget, with no changes, be adopted as the 2012 Town of Kendall Budget, as presented.

Discussion:

Councilwoman Szozda does not agree that the Budget Officer should be paid.

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.

Councilman Pritchard moved the following resolution, seconded by Councilman Schuth:

**RESOLUTION 82-1111 SCHEDULING A SPECIAL YEAR-END TOWN BOARD MEETING**

Be it RESOLVED, that a special year-end Town Board meeting will be held at 3:30 PM on December 30, 2011. The purpose of the meeting is to pay year-end bills. The Town Clerk is instructed to advertise this meeting in the official newspaper.

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

Councilwoman Szozda moved to accept the Payment of Claims, as presented, seconded by Councilman Pritchard; all ayes:

**PAYMENT OF CLAIMS**

General Fund	Abstract 11	\$10,988.40	Vouchers 745-776,779-782,821,822
Highway Fund	Abstract 11	\$24,610.88	Vouchers 746,753,783-820
Street Lighting 1	Abstract 11	\$436.67	Voucher 771
Street Lighting 2	Abstract 11	\$257.26	Voucher 771
Street Lighting 3	Abstract 11	\$139.13	Voucher 771
Water District 3	Abstract 11	\$13,821.25	Voucher 778
Water District 4	Abstract 11	<u>\$44,138.75</u>	Voucher 777
		\$94,392.34	

**OLD BUSINESS**

Windows should be done as soon as possible, budget allowing.

Councilwoman Szozda asked for a timeline of review of the water assessment list of questions. Attorney Sansone said he has reviewed the MCWA water contract in anticipation of the questions and Councilman Joseph said he has condensed the list of questions and will forward it to the Attorney immediately. Attorney Sansone he will then answer the questions he can, from a legal standpoint, within two weeks, once he has all related documents. Supervisor Gaesser reiterated that only legal questions will be addressed by the attorney.

Councilman Pritchard motioned for recess until November 21<sup>st</sup> (Monday), at 6:00 p.m., seconded by Councilman Schuth; all ayes. Recessed 8:48 p.m.

Respectfully Submitted,

Amy Richardson  
Kendall Town Clerk