

**TOWN OF KENDALL**  
**PUBLIC HEARING - WATER DISTRICT 5 EXTENSION 1**  
Tuesday, December 17, 2013, 7:00 P.M.  
**TOWN BOARD MEETING**  
Tuesday, December 17, 2013, 7:30 P.M.

Supervisor Gaesser called the meeting to order at 7:27 p.m., and led the Pledge of Allegiance.

**ROLL CALL**

Councilman Joseph	present
Councilman Schuth	present
Councilwoman Szozda	present
Supervisor Gaesser	present

Also present, Attorney Sansone, Clerk Richardson, CEO Hennekey, Planning Board Chairman Paul Gray, Bonnie Gray, Planning Board Member Wenzel, Orleans County Legislator Ken Rush, Al and Bev Lofthouse, Charles and Kathy Scroger, Bob and Ellie Nelson, Mary Ellen and Stephen Seaman

**SUPERVISOR'S REMARKS**

Explanation of Extension No. 1 to Water District Five proposal - privately funded, one lot system; assessing the district has been time-consuming; petition and map, plan and report; potential build-out impact will benefit the other District Five users.

**OPEN PUBLIC HEARING – 7:34 p.m.**

No one chose to speak

**CLOSE PUBLIC HEARING – 7:36 p.m**

**OPEN MEETING – 7:36 p.m.**

**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

New copier in

Highway –Gaesser, Chair

Snow removal busy

Culture & Recreation

Participation is up

Planning, Zoning & Agriculture -Schuth, Chair

Community Relations –Schuth, Chair

Planning and Zoning Boards meeting regularly

Community Tree Lighting – well-attended

Christmas concerts at school this week

Human Resources and Ethics –Szozda, Chair

Employee Benefits –Szozda

Any employees facing changes have been notified by letter

Finance, Taxes & Special Districts –Gaesser, Chair

On-budget

Auditors coming to meet Friday to discuss 2013 close-out

Water District Six – BAND vs. Bond – saved more than \$15,000 in interest; bond counsel has cost \$3,800 total over a five year period, so has been well worth having.

Councilman Joseph has begun transitioning with Supervisor Gaesser to the incoming administration

Orleans County Representative – Ken Rush

Mr. Rush is retiring from his fourteen years as Legislator. He has enjoyed his time, and will miss his involvement, and thanked everyone for the support and opportunity to serve. Supervisor Gaesser thanked him on behalf of the town for his service.

The county budget is up nearly 5%, due to a new county-wide radio system installation, and welfare increases.

Boards

Planning Board – P. Gray, Chair

Mr. Stone's dog kennel issue is ongoing, and will continue into 2014. Difficult situation.

Cat kennel approved, with conditions

One-lot subdivision application in for new home, approval expected

Codification project does not require a public hearing or County input. All changes have been previously reviewed and approved.

Zoning Board – K. Banker, Chair – no report

Department Heads

Assessor – G. Massey – no report

Code Enforcement – CEO Hennekey

Building permit business is slowing down; year-end reports being worked on; a meeting with Mr. Wegman is scheduled before year-end

Highway - W. Kruger – no report

Historian – K. Corcoran – no report

Recreation – B. Flow –written report submitted

Town Clerk – A. Richardson – written report submitted

Town Justice - S. Cliff – written report submitted

Supervisor – D. Gaesser – written report submitted

PUBLIC COMMENT

Al Lofthouse – thanked this Town Board for holding down expenses during its administration, and for keeping composure during sometimes difficult occasions, and Supervisor Gaesser for his ability to perform accounting skills and services, and his foresight in retaining Attorney Sansone. Attorney Sansone has kept the town out of trouble, and it has been appreciated.

CORRESPONDENCE

Resignation letter from Tony Cammarata from Zoning Board of Appeals:

**Anthony Cammarata**  
16583 Banner Beach Road  
Kendall, New York 14476  
December 9, 2013

**Mrs. Richardson**  
Town Clerk  
Town of Kendall  
1873 Kendall Road  
Kendall, New York 14476

Dear Mrs. Richardson:

Please accept my letter of resignation from the Zoning Board of Appeals for the Town of Kendall, New York, effective December 31, 2013.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anthony Cammarata', with a stylized flourish at the end.

**Anthony Cammarata**

Resignation letter from Paul Gray from the Planning Board:\\

To: Dan Gaesser  
Town of Kendall Town Board

From: Paul Gray  
Chairman Town of Kendall Planning Board

Subject: Resignation from Planning Board

December 16, 2013

I write this letter to officially terminate as of December 31, 2013 my position as chairman and member of the Town of Kendall Planning Board and County Planning Board representative.

It is well known that both I and my wife Bonnie are retired and have taken steps not only to be snow birds but to extensively travel and see the U.S. and hopefully Alaska in our RV. Our travels will take us away from Kendall for months at a time, making it impossible to actively participate on a sitting board.

According to my records I was appointed to the Planning Board on July 17, 1986 twenty-seven years ago and have served as chairman for the last six years. I hope I have served the community well over the last 27 years and I am especially proud of the most recent accomplishments in updating our Zoning ordinances and seeing the Cottages at Troutburg become a reality.

Over the last few years the Planning and Town Board has worked together on several significant and sometime controversial issues and opportunities that have faced the town. You as supervisor and your board members have worked closer to this planning board than any other administration that I can remember. I thank the board for the confidence given to me and the planning board and wish everyone the best as some of us transition while existing and new members make Kendall the best it can be.

Paul Gray  
Chairman  
Town of Kendall Planning Board



RECEIVED

DEC 16 2013

KENDALL TOWN CLERK

## **RESOLUTIONS**

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

### **RESOLUTION 81-1213 ACCEPTING TONY CAMMARATA'S RESIGNATION**

Be it hereby resolved that the Town Board does accept the resignation of Anthony Cammarata as a member of the Town of Kendall Zoning Board of Appeals, effective December 31, 2013.

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

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

### **RESOLUTION 82-1213 ACCEPTING PAUL GRAY'S RESIGNATION**

Be it hereby resolved that the Town Board does, with much regret and best wishes, accept the resignation of Paul Gray as both member and chairman of the Town of Kendall Planning Board, and as the town's County Planning Board Representative, effective December 31, 2013.

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 83-1213 IN-KIND RENTAL AGREEMENT WITH THE ORLEANS COUNTY OFFICE OF THE AGING FOR 2014**

Be it RESOLVED that the Town Board of the Town of Kendall authorizes Supervisor Gaesser to negotiate and execute an in-kind agreement with the Orleans County Office of the Aging for use of building space in the Kendall Town Hall for the Orleans County Office of the Aging's Elderly Nutrition Program, subject to attorney approval as to form, content and legal compliance.

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 84-1213 WATER DISTRICT SIX BUDGET ADJUSTMENTS**

Be it hereby resolved to make the following budget adjustments:

Increase Revenue Account SW6-2140 Metered Water Sales by one thousand five hundred dollars, from \$6,200 to \$7,700, and

Increase Appropriations Account SW6-8310.41 Contractual Administration by two hundred fifty dollars, from \$820 to \$1070, and

Increase Appropriations Account SW6-8310.43 Contractual Water Town of Murray by one thousand two hundred fifty dollars, from \$4,600 to \$5,850.00.

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

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

**RESOLUTION 85-1213 GENERAL BUDGET ADJUSTMENTS**

Be it hereby resolved to make the following budget adjustments:

Increase Revenue Account A2192 Cemetery Services by four hundred fifty dollars, from \$1400 to \$1850, and

Increase Appropriations Account A8810.41 Beechwood Cemetery Contractual by four hundred fifty dollars, from \$1400 to \$1850, and also

Increase Revenue Account A2001 Recreation Fees by one thousand eight hundred eighty dollars, from \$12,800 to \$14,680, and

Increase Appropriations Account A7310.40 Youth Program Contractual from Fees by one thousand eight hundred eighty dollars, from \$12,800 to \$14,680.

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

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

**RESOLUTION 86-1213 HIGHWAY BUDGET ADJUSTMENTS**

Be it hereby resolved to make the following budget adjustments:

Increase DA2302 Snow Removal Service, Other Government, one hundred thousand dollars from \$15,212 to \$115,212, and

Increase DA5110.40 Maintenance of Streets, Contractual by \$3,000, from \$107,525 to \$110,525, and

Increase DA5130.40 Machinery Contractual, by \$7,000, from \$50,500 to \$57,500, and

Increase DA5142.10 Snow Removal Personal Service, by \$30,000 from \$76,100 to \$106,100, and

Increase DA 5142.40 Snow Removal Contractual, by \$58,000 from \$66,400 to 124,400, and

Increase DA9030.80 Employee Benefits Social Security by \$1500 from \$11,250 to \$12,750, and

Increase DA9031.80 Employee Benefits, Medicare, by \$500, from \$2,631 to \$3,131.

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 87-1213 APPOINTING STEPHEN CLIFF AS TOWN JUSTICE**

Whereas Stephen Cliff, appointed in 2012 to fill a vacancy in a town justice position, has performed his duties in an excellent manner, and

Whereas, Justice Craig Lape resigned as Town Justice effective September 10, 2013, creating a vacancy in a town justice position and

Whereas that position has remained in vacancy,

Now, therefore, be it RESOLVED to appoint Stephen Cliff, 16521 Kenmor Road, Kendall, New York to the term of office of Town Justice, effective January 1, 2014, and ending December 31, 2014.

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

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

**RESOLUTION 88-1213-APPRECIATION FOR PAUL GRAY'S SERVICE**

Whereas Paul Gray has served as a member of the Town of Kendall Planning Board for twenty seven years during the period 1986-2013 and served as Chairman of the Planning Board for several of those years, and has served on the Orleans County Planning Board for many years,

The Town Board of the Town of Kendall does hereby acknowledge and thank Paul Gray for these many years of exceptional service to the taxpayers and community at large of the Town of Kendall and the County of Orleans for the fine work and care by which he approached and carried out his duties and further...

The Town Board of the Town of Kendall especially thanks and acknowledges Paul Gray for his diligence, leadership and high level of personal effort and devotion of his personal time, going well beyond the norm, and further...

Paul Gray, by his exemplary effort, has raised and set the bar for those to follow in providing for the future Planning Board efforts required by the Town of Kendall, and Orleans County.

The Town of Kendall Town Board does hereby commend Paul Gray for a job well done and extend our best wishes for his future endeavors.

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

Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gaesser	aye

Supervisor Gaesser declared the motion carried.

Chairman Gray went forward to receive a framed copy of this resolution, to applause. Mr. Gray thanked everyone, and said it has been his pleasure to serve the Town of Kendall, as local and county planning boards member for these 27 years, which have gone quickly. Much has been accomplished.

Councilman Schuth motioned to pay the bills, as listed, seconded by Councilman Joseph; all ayes:

### PAYMENT OF CLAIMS

General Fund	Abstract 12	\$15,660.19	Vouchers 817-826,828,830-836,838-844,847,848,875
Highway Fund	Abstract 12	\$49,249.55	Vouchers 818,825,849-874
Light District One	Abstract 12	\$476.33	Voucher 819
Light District Two	Abstract 12	\$280.12	Voucher 819
Light District Three	Abstract 12	\$155.48	Voucher 819
Water District Three	Abstract 12	\$13,523.75	Voucher 845
Water District Four	Abstract 12	\$44,310.00	Voucher 846
Water District Six	Abstract 12	\$24.89	Voucher 822
Library	Abstract 12	<u>\$749.94</u>	Vouchers 827,829
		<b>\$124,430.25</b>	

### OLD BUSINESS

Engineers are busy with the Water District 5 extension, but will get back to the general water project after the first of the year.

### SUPERVISOR'S CLOSING REMARKS

“Tonight has been the last regular meeting of this current Town Board. But, this is not just about me. This Board would not be able to conduct any of the town’s business without some incredible, dedicated department heads including Assessor Massey, Recreation Director Flow, Planning Chairman Gray, Zoning Chairman Banker, Code Enforcement Officer Hennekey, and Highway Superintendent Kruger. Lastly, and most importantly, our and your Town Clerk. She is as dedicated as any you will find, full of talent and grace. Amy, thank you for sometimes doing the impossible. You are the best. Before I get to my fellow board members, I must acknowledge and thank our attorney for the past four years, John Sansone. As Alan said, we have been through so many legal issues, and you have guided us flawlessly. Through you, I have become a much better supervisor. You have always looked out for and protected the town, and it has been very nice working with you. I must thank so many supporters and volunteers. I will keep them nameless, as they would wish, but when the phone rang, they were always there. You mean so much to me. But tonight is not just about me. Two of our board members are continuing on. I wish you well. David is wrapping up eight years of service on the Town Board. He has worked countless hours. Job well done. Thank you. Donn Pritchard, upon his leaving earlier this year, wrapped up five and a half years of service. He is one of the most intelligent, devoted, taskmasters of a councilman you will ever see. In my humble opinion, if he is not the number one, he has to be near the top of this town’s best councilmen ever. So, as you have heard, it is not all about me. This has been a rewarding, and at times a thankless, job, but that goes with the territory. It has truly been an honor to serve the last four years as your bookkeeper, budget officer and town supervisor. My hope is that, with everyone’s assistance, I leave our great town in better shape than we found it. Thank you.”

With no further business coming before the board, Councilman Schuth motioned for adjournment, seconded by Councilwoman Szozda; all ayes; meeting adjourned at 8:23 p.m.

### RECEPTION IN HONOR OF PAUL’S SERVICE TO THE TOWN



