

TOWN OF KENDALL
TOWN BOARD MEETING
Tuesday, December 20, 2011, 7:30 P.M.

Supervisor Gaesser called the meeting to order at 7:36, and led the Pledge of Allegiance.

ROLL CALL

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

Others present: Attorney Sansone, Planning Board Members Gray, Henry and Newell, Highway Superintendent Kruger, Code Enforcement Officer Gurslin, Deputy Code Enforcement Officer Hennekey, Al and Bev Lofthouse, Ty and Melanie Whitehair, Mary Ellen Seaman, Gert Hauck, Robert Berger (Hamlin), Rich Miller, Jerry Clement, Keith and Barbara Germano, George and Nancy Steger, Sandy McAllister, Dan Wegman, John Wegman, Sean Harnett, Keith Halligan, several others.

SUPERVISOR'S REMARKS

This has been the busiest month in several years. The foreclosure proceedings on the Eagle Creek Marina are complete. The mortgage company was the only bidder, and is now the owner. All liens, including the town's lien against the property were set aside, by law. Supervisor Gaesser contacted the New York State Office of Community Renewal, the agency which administers the \$562,000 Economic Development Grant. The report to them is still due in January, and that agency will contact the town as to how it will proceed.

There have been break-ins to the coin-operated water dispenser at the Highway Department. Orleans County Chief Deputy Sheriff Drennan has informed Highway Superintendent Kruger and Supervisor Gaesser that the crimes have been solved and charges are pending. The town has received restitution and reimbursement for the dead bolt lock which was damaged.

The potential development of Troutburg has led to the discovery of the serious oversight of a local law passed in 1990, which makes the town the lead agency for the coastal erosion hazard area. Tonight, administrators will be named to comply with this regulation.

A website, neighborsoftrousburg.com, has been launched, with many inaccuracies and much misinformation. Supervisor Gaesser invited the publisher or web master of this site to meet and discuss the topics and gain accurate information.

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

Window replacement is complete.

Some Town Hall lighting will be replaced.

Please clean out e-mail accounts.

The Town Hall server is no longer functional, and is no longer necessary.

A computer recycling program will be held in the Spring to properly dispose of computer components.

A trailer for the Bicentennial video is now on the town website.

Highway –Gaesser, Chair – department is on budget

Culture & Recreation –Pritchard, Chair – no report

Planning, Zoning & Agriculture –Schuth, Chair

Community Relations –Schuth, Chair

Community Chorus concert was wonderful and successful as a fundraiser for the Kendall Food

Cupboard and the Bicentennial Committee.

The tree lighting ceremony and subsequent reception hosted by the Town Board was well-attended.

Human Resources and Ethics –Szozda, Chair

Employee Benefits –Szozda

All letters have been sent about new medical insurance rates.

There is one pending issue between MVP and Benefits Resource.

Finance, Taxes & Special Districts –Gaesser, Chair

The town is running under budget, and will exceed projected revenues, mainly due to mortgage tax. The Hunt Library Trust Fund certificate of deposit (CD) renewed November 12th, for five years at 1.73%, which will help the library budgets.

Orleans County Representative – Ken Rush – not present.

Boards

Planning Board – P. Gray, Chair

The Planning Board is reviewing the zoning codes in anticipation of an application from the Wegman Group regarding Troutburg, but has not received an application or site plan as of yet.

The workload in the coming year on the boards will be very heavy and detailed due to the potential development of Troutburg, and the potential change of use of Eagle Creek Marina. Two meetings per month are likely.

Zoning Board – K. Banker, Chair – no report

Department Heads

Assessor – G. Massey – no report

Code Enforcement – L. Gursslin

Crosby's would like to install an above ground kerosene tank. This is being researched.

The new owners of the Marina have met with Code Enforcement, and are cleaning up the property.

Mr. Gursslin will be out of town until mid-April

Highway - W. Kruger

Good weather has enabled work to be done in areas other than snow removal.

New security cameras have been installed at the Highway Building.

The State has sent the funds which were expected.

The radio system county-wide is outdated and less than functional. Replacement plan is being discussed.

The Orleans County Highway Superintendents' Association was able through fundraising to donate to Hospice.

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

CORRESPONDENCE

9 copies of one form letter from 8 Norway Heights residents and one Banner Beach resident.

Letter from Melanie Whitehair re. DEC visit to the Salvation Army Camp and coastal erosion concerns.

PUBLIC COMMENT

Supervisor Gaesser extended the invitation to public comment. Any concerns which cannot be addressed will be researched.

Al Lofthouse had questions on four vouchers, which were answered by the Board.

Mr. Lofthouse observed that it is sad that so few came during the budget hearings to have input on where tax dollars are spent, while there are so many tonight.

Keith Germano asked if zoning changes would be needed if the Salvation Army sale goes through.

Supervisor Gaesser said possibly. The parcels are now two different zones – waterfront residential and waterfront development. This has been discussed, but is not known at this point. The town would be lead on this, but it would be referred to the county for their approval. The process has not begun.

Melanie Whitehair – thanked Supervisor Gaesser for the acknowledgement of the town’s oversight in naming a Coastal Erosion Administrator. She expressed her concern for environmental damage done by the clearing which has already taken place on the Salvation Army site, and asked about possible repair to the bluffs.

Supervisor Gaesser responded that it is unknown if remediation is necessary. The DEC has offered assistance and advice as to coastal erosion issues. The code enforcement office will be the administrator handling these determinations.

Mrs. Whitehair said that the DEC expressed sadness that the Salvation Army can be fined for damage done, but was cautioned by Supervisor Gaesser to be cautious against hearsay, especially when discussing state agencies. The Board has requested any documentation of site visits to this area, including the “eagles’ nest” investigation, but has not yet received any reports or documentation from the DEC. All information needs to be confirmed in writing before it is stated on the record at a public meeting.

Jerry Clement – Read a letter, which is attached to these minutes, outlining the concerns of the neighboring properties to Troutburg, and opinions and suggestions appearing on the neighborsoftrousburg.com website. Mr. Clement said some erroneous information has been corrected on this website, and asked that he be contacted if other corrections are needed.

Supervisor Gaesser corrected a misconception about the erection of model structures on the Troutburg site.

Mr. Germano – expressed that the people on Norway Heights are NOT against development of the Salvation Army property, but are wary of the proposed development, rather than residential housing.

RESOLUTIONS

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

RESOLUTION 84-1211

BUDGET TRANSFERS AND ADJUSTMENTS - GENERAL

Be it RESOLVED, to make the following budget transfers and adjustments:

Transfer \$850.00 from account A1990.40 Contingent Account to account A8810.41 Beechwood Cemetery Contractual (tree service in May).

Transfer \$500.00 from account A1355.12 Assessor Personal Service Extra Help to account A1410.11 Deputy Town Clerk Personal Service.

Transfer \$3,000.00 from account A1910.40 Unallocated Insurance to account A9060.80 Hospital and Medical Insurance.

Increase account A2001 Recreation Fees from \$13,000.00 to \$13,360.00.

Increase account A7310.40 Youth Program Contractual from Fees from \$13,000.00 to \$13,360.00.

Increase account SW6 2140 Metered Water Sales from \$6,000.00 to \$6,365.00.

Increase account SW6 8310.43 Contractual Water Town of Murray from \$4,400.00 to \$4,765.00.

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

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

RESOLUTION 85-1211 BUDGET ADJUSTMENTS- HIGHWAY

Be it RESOLVED, to make the following budget adjustments:

Increase account DA2102 Snow Removal Other Government from \$15,212.00 to \$65,715.00.

Increase account DA5142.1 Snow Removal Personal Service from \$75,260.00 to \$93,760.00.

Increase account DA5142.4 Snow Removal Contractual from \$64,900.00 to \$94,900.00.

Increase account DA9030.8 Social Security Tax from \$11,133.00 to \$12,633.00.

Increase account DA9031.8 Medicare Tax from \$2,604.00 to \$2,929.00.

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 86-1211 DESIGNATING COASTAL EROSION ADMINISTRATOR

WHEREAS, Local Law #1 of 1990 provides for the Town of Kendall to be lead agency for the coastal erosion hazard area, and that local law refers to an administrator,

Now therefore be it RESOLVED to designate the Town of Kendall Office of Code Enforcement as administrator for the coastal erosion hazard area.

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

Councilman Joseph made a motion to accept the Payment of Claims, as presented, seconded by Councilman Pritchard; all ayes:

PAYMENT OF CLAIMS

General Fund	Abstract 12	\$42,659.93	Vouchers 823-825,827-837,839-846, 848-858,860-865,899,900-902
Highway Fund	Abstract 12	\$68,809.71	Vouchers 823,824,837,866-898,903
Street Lighting 1	Abstract 12	\$480.72	Voucher 848
Street Lighting 2	Abstract 12	\$283.46	Voucher 848
Street Lighting 3	Abstract 12	\$159.23	Voucher 848
Water District 2	Abstract 12	\$4,375.00	Voucher 859
Water District 6	Abstract 12	\$63.32	Vouchers 826,847,861
Library	Abstract 12	<u>\$499.77</u>	Voucher 838

\$117,331.14

OLD BUSINESS

Attorney Review of Water Study and Questions – Attorney Sansone has reviewed this and will have a response to the Board by January.

Complaint about offensive graffiti on the Parkway – Councilman Pritchard reported this to the Department of Transportation and this has been remedied.

NEW BUSINESS

Reimbursement of engineering fees incurred by the Town for the Troutburg development should be addressed early in the process. An agreement will be drawn by Attorney Sansone, and forwarded to the Wegman Group’s attorney.

With no further business coming before the Board, Councilman Pritchard moved for adjournment, seconded by Councilman Schuth; all ayes; meeting adjourned at 8:34 p.m.

Respectfully Submitted,

Amy Richardson
Kendall Town Clerk