

KENDALL TOWN BOARD – REGULAR MEETING – February 9, 2006 7:30 PM

Recessed to February 23, 2006, March 2, 2006

Public Hearing – Small Cities Grant – February 23, 2006

Kendall Town Hall, 1873 Kendall Road, Kendall, NY 14476

PUBLIC PRESENT:

Ken Lillidbridge, Jack Gillman, Al & Bev Lofthouse; Fred D’Andrea; Robert Nelson Sr.; Gert Hauck; Tim Christensen; Bill Hance, Donna Hance

CALL TO ORDER

Meeting was called to order by Supervisor Vick at 7:30 PM and the Pledge of Allegiance was led.

ROLL CALL

Christine DiNatale, Councilwoman	Present
Donald Pritchard, Councilman	Present
David Schuth, Councilman	Present
Charles Scroger, Councilman	Present
William Vick, Supervisor	Present
Douglas Heath, Attorney	Present

Department Heads Present: Kenneth DeRoller, Assessor; Warren Kruger, Highway Superintendent; Barbara Flow, Recreation Director; Kenneth Rush, Orleans County Legislator

SUPERVISORS REMARKS

Supervisor Vick recognized Ken Lillidbridge, Robert Nelson, Councilman Schuth for helping get Water District 6 rolling. LaBella Associates will be reviewing the proposed draft Lease agreement of MCWA. Will need to focus on wording regarding the dead end opportunity to do it without looping.

APPROVAL OF MINUTES

Kendall Town Board – January 12, 2006

Councilman Scroger moved that the Kendall Town Board meeting minutes of January 12, 2006 be corrected and approved as presented by the clerk, seconded by Councilman Schuth, and the vote resulted as follows:

Councilwoman DiNatale	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared that the motion to accept the minutes as presented is carried.

Hamlin/Kendall Joint Water Board – January 11, 2006

Councilman Pritchard moved that the Hamlin/Kendall Joint Water Board Organizational meeting minutes of January 11, 2006 be approved as presented by Hamlin Clerk Rickman, seconded by Councilwoman DiNatale, and the vote resulted as follows:

Councilwoman DiNatale	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared that the motion to accept the minutes as presented is carried.

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS

Public Safety Committee: C. Scroger, Chair

Reported on Town Hall Security – Estimate of \$1200.00 received to re-key Town Hall. Will revisit and present another estimate next month. Key ways are worn out.

Occupational Safety – D. Pritchard, Chair

Supervisor Vick reported that Custodian fell and broke leg going down basement stairway while returning wheelchair to Fire Department’s Loan Closet. Contacted firm for power lift – cost estimate between 16 and 18 thousand dollars. Lion’s Club is considering a building or a different set up here at Town Hall.

Highway – C. Scroger, Chair

Maintenance of School Roadway will be tabled for discussion for a later date. Angotti Property adjacent to Highway Garage – no update at this time. Owner interested in selling at this time. Will inquire of an asking price. May entertain financing through owner.

Buildings, Grounds, & Cemeteries – C. DiNatale, Chair

Cemetery Flag Lighting – Chris indicated that Lighting district is about 30 feet from pole. Interim Cleaner has been obtained. Received 2 estimates for generators - \$9,300.00 and \$11,500.00 – for 12 Kilowatts. Town Hall Flag Pole 6 to 7 degree lean.

Planning, Zoning, & Agriculture – D. Schuth, Chair

Out of District Water Records are being reviewed. One application still need an easement of which Attorney is working on receiving. Major Subdivision has not been discussed recently.

Community Relations & Recreation – C. DiNatale, Chair

Memorial Day Celebration will begin organization. Clerk Hanlon advised that a file is available in her office of past events. Roadway Banners – Lion’s Club contributed \$1,000 – looking at options at this time and getting prices.

Human Resources & Ethics – C. Scroger, Chair

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Personnel Records – updated 85% of new year changes – will forward to County.

Finance, Taxes & Special Districts – W. Vick, Chair

Water District #5 – Doug in contact with Stu Brown and needs to complete Final Form E for Rural Development. Need to go back to August of 2004 for any District expenses.

Information Services – D. Schuth, Chair

Network Process Rules and Procedures & Policies, Network Protection, Disaster Recovery – Have not met on this but will for April Business Meeting. Currently all Department Heads handle their own computer items.

Employee Benefits – W. Vick, Chair

Looking into change medical insurance carrier to Preferred Care for existing Town employees and Preferred Care Gold for retired or current employees with appropriate age. This will be a \$12,000 year savings, \$10,000 for the insured.

Eagle Creek Marina – D. Pritchard, Chair

Third Draw – requested monies through small cuts. Resolution to be presented tonight for Draw #4. Names have been sent to NYS GOSC office to request draws. Have met with Planning Board regarding regulatory compliance. Planning Board made resolution to make changes. Had a meeting with Architect, LOSP Committee, DEC and Health Department regarding the Sanitary system. Issues have been resolve regarding this. DEC advised Freemesser of the additional permits that are required for Waste Treatment and Water Run Off. Currently looking at written comments from the surrounding property owners and ask patience while CEO Hardenbrook looks into these issues, along with Councilman Pritchard. Will formulize in writing a response to them. Stu Brown's Office is reviewing every bill that is being requested for payment.

Planning Board – T. Cole, Chair

Adult Entertainment – Approval from county given however recommend that language be changed in one sentence. Town Attorney to review once changes have been given to him. Attorney will then provide for Local Law process. Community Group approached Tom regarding the community park. Met with Paul Hollenbeck from the School and Warren regarding the new school road for its turnover to the Town. Serious considerations are required for it to be turned over. Agreed with establishing a Maintenance Agreement at this time. Final meeting will need to be scheduled to go over this for School Board and Town Board adoptions. Tom spoke with Kevin Noon regarding subdivision and Noon to wait until road issue is resolved. Currently have an application for Special use for a Motor Vehicle Repair shop on Bridge Road which is scheduled for a public hearing on February 27th. Supervisor Vick encourages the Town Board to attend this meeting.

Zoning Board – C. Patt, Chair

In the month of March will review town and bring back zoning issues for CEO Hardenbrook. Will meet third Tuesday in March.

Department Heads

Assessor – K. DeRoller

STAR applications Processed – 704 applications on file with a value of \$21.1 Million. Aged Exemptions – 48 total applications with income verification. Approximately 80% complete as of 2/9/2006. Ag Assessment Applications 95% complete as of 2/9/2006. New 2006 Agricultural Assessment Values per acre have been receive and posted. Looking at New 2006 RPS system release The release includes corrections, modifications and enhancements which address 283 open issues. Met with Mary Moscicki, RM on the roll-out process on February 9th. GIS Web Viewer (\$96,000 project over 2 years) Major issue in user friendliness. Next major Step Roll edits.

Highway – W. Kruger

Diesel Fuel Tank permit expires end of year and will be renewed for 5 years. Renewal costs \$150.00. One recommendation made to place a tub underneath because it's location is near drain. Bob cat is getting repaired. Request that the board provides RG Bell letter of appreciation for his volunteer work on electrical system. Kruger requested to have time set aside to discuss town drainage and long term plans. Major issues to consider include possible sewer system someday; impact on property values; and master plan. Master plan now may be impacted with the School upgrades. Would like to put these details on paper and presented to the Town Board.

Woodchuck Alley site is currently area for stump and brush piles. People are using it now for garbage dumping. Need resolution to try to control this. Current \$50.00 fine signage posted has not seemed to keep people out. Supervisor Vick suggested that cable and lock may possibly resolve it. State Budget discussion and CHIPS funding.

Code Enforcement – S. Hardenbrook

Unable to make meeting. Councilman Scroger indicated he was meeting with Scott and his newly appointed Deputies.

Recreation – B. Flow

January very busy month with recreation registrations. 415 have registered to participate in summer recreation programs. 241 children registered for soccer, 76 swimmers. Basketball is being held on weekends at Kendall High School. Baseball registration to occur too. New program with older youth involving Holley and Hamlin for baseball.

Town Clerk – N. Hanlon

Request to purchase new computer. Very little memory left on current computer. This is main operating computer for the Town Clerk's Office. Concern because it is 5 years old and has completely stopped operations several times. Replacement was budgeted in this years budget. Quote was provided in budget request.

Annual Report submitted for Town Board approval. Significant points included – collected \$56.75 in FOIL requests last year. Collected over \$120,000.00 in water revenue and the majority of revenue collected goes to other agencies, not the Town.

Collected 1441 bills to date = \$1,677,993.00. Supervisor has been paid in full for Town and Special District Taxes. Request made to attend annual conference in Saratoga Springs April 23 – April 26th. Was budgeted under contractual expenses in Town Clerk Budget.

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Special election at the Kendall Town Hall on February 28, 2006 from 6AM until 9PM. 139th Assembly district election.

Orleans County Legislator – K. Rush

Nursing home on Track. Problem with County Dog Pound. Need to look into Jail. County has 4 years to do something either renovate or build new one. Problems with ventilation, insulation and roof leaking. Currenntly house women prisoners from Genesee County which gives the county \$200K to \$300K income. Will not be here for March meeting, will be in Florida

CORRESPONDENCE

- ❖ Town of Kendall Justice Court – 2005 Court Report
- ❖ Hospice of Orleans - Acknowledgement of Memorial for Robert Heath
- ❖ Town of Kendall Town Clerk – 2005 Annual Report
- ❖ Town of Kendall Planning Board – December 13, 2005 Meeting Minutes

PUBLIC PARTICIPATION

Fred D'Andrea – Roosevelt Highway

Asked if the Board looked into government surplus when it comes to purchasing generator. Supervisor Vick will look into this suggestion.

PAYMENT OF CLAIMS

General Fund	Abstract 2	\$ 24,376.27	Vouchers 11-35
Cancelled Voucher #26 – Duplicate Payment			
Highway Fund	Abstract 2	\$ 23,477.26	Vouchers 2-34
Agency Fund	Abstract 2	\$ 190,815.77	Voucher 1
Economic Development Fund	Abstract 2	\$ 24,448.26	Voucher 10-11

Councilwoman DiNatale moved that the Payment of Claims be approved for payment, seconded by Councilman Pritchard, and the vote resulted as follows:

Councilwoman DiNatale	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared that the motion to pay bills is carried.

RESOLUTIONS: (49-206 through 60-206)

RESOLUTION #49-206 – CREATE GENERAL GOVERNMENT ACCOUNT #A1220.13

Councilman Scroger moved that the following resolution be adopted:

It is hereby resolved to create the General Government Account # A1220.13 to provide for the personal services of the Confidential Bookkeeper.

It is further resolved to fund this account by reducing the appropriations for Account # A1320.4 Independent Auditor and Accountant by \$ 5,000.00 and transferring this amount to Account #A1220.13.

Discussion: Not an addition – transferring funds from budget line for accountant and providing for Bookkeeper budget line.

Such motion was seconded by Councilman Pritchard, and the vote resulted as follows:

Councilwoman DiNatale	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #50-206 – REDUCE #A7310.1 BY \$750.00 AND TRANSFER TO #A1620.4

Councilwoman DiNatale moved that the following resolution be adopted:

It is hereby resolved to reduce the Personal Services Account #A7310.1 appropriations by the amount of \$750.00 and transfer this amount to increase the appropriations for Town Hall Contractual Expenses Account # A1620.4 by \$750.00; this funding being required to fund additional contract cleaning expense for the Town Hall.

Such motion was seconded by Councilman Pritchard, and the vote resulted as follows:

Councilwoman DiNatale	Aye
Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #51-206 – EAGLE CREEK MARINA DRAW #4

Councilman Pritchard moved that the following resolution be adopted:

Such motion was seconded by Councilwoman DiNatale, and the vote resulted as follows:

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Be it resolved to release \$15,803.04 of Small Cities grant funds for the economic development program, Small Cities grant #591ED522-05 for Eagle Creek Marina, draw #4.

Such motion was seconded by Councilman Scroger, and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #52-206 – 2005 ANNUAL REPORT OF THE KENDALL TOWN CLERK

Councilman Schuth moved that the following resolution be adopted:

Be it resolved to accept the 2005 Annual Report of the Kendall Town Clerk as submitted by Clerk Hanlon.

Such motion was seconded by Councilwoman DiNatale, and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #53-206 – 2005 ANNUAL REPORT OF THE KENDALL JUSTICE COURT

Councilman Scroger moved that the following resolution be adopted:

A Resolution to accept the 2005 Court Report of cases handled and monies collected by Justices Ray Ernenwein and Craig Lape as submitted by Court Clerk Cole.

Such motion was seconded by Councilman Pritchard, and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #54-206 – PURSUE THE CREATION OF WATER DISTRICT #6

Councilman Schuth moved that the following resolution be adopted:

Whereas the residents with addresses from 1724 Peter Smith Road to 2884 Peter Smith Road have requested the Kendall Town Board to pursue the creation of a Public Water Service for their locations and further, have completed and satisfied the requirements for a household income survey and...

Whereas the addresses and locations as outlined above constitutes Sections 1 of the Potential Water Distribution System Extension Drawing as prepared by LaBella Engineering Associates P.C. dated August 2005...

Whereas the above residents meet the income eligibility requirements for the Community Development Block Grant Program, 2006 Small Cities Program year and...

Whereas the above locations are readily served by existing sources of water supply and...

Whereas it is deemed that the non-grant share of the project cost to provide the municipal water distribution system to server these locations would be affordable...

Now be it hereby resolved that the locations and addresses as defined above constitutes the service area and limits of the 2006 Small Cities Project for extension of the Town of Kendall municipal water supply system and shall be known as Water District #6.

Discussion: Bill reviewed the proposed project. 100% return of the surveys required. On some serious time constraints and deadline for Small Cities Grant is April 3, 2006. \$400,000.00 is the maximum grant funding. No guarantee that we get the grant – 200 applications are received and approximately 50% are awarded.

Such motion was seconded by Councilman Schuth, Supervisor Vick instructed Town Clerk Hanlon to call the roll of the Town Board, which was done with the following results:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #55-206 – STUART I BROWN ASSOCIATES INC TO FILE GRANT APPLICATION (Proposed WD#6)

Councilman Scroger moved that the following resolution be adopted:

RESOLVED that the Town Board of Kendall hereby accepts the proposal of Stuart I. Brown Associates, Inc. of Fairport, New York dated March 2, 2006 and further authorizes Stuart I. Brown to prepare and attend to the filing of an application pursuant to the 2006 Small Cities Community Development Block Grant Program in connection with the proposed establishment of Town of Kendall Water District No. 6 at a cost not to exceed \$6,000.00, and be it

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FURTHER RESOLVED that any additional services to be provided by Stuart I. Brown

Associates to the Town of Kendall with respect to Kendall Water District No. 6, other than those set forth in the aforementioned proposal, shall be upon submission of a separate written proposal approved by the Kendall Town Board.

Such motion was seconded by Councilwoman DiNatale, Supervisor Vick instructed Town Clerk Hanlon to call the roll of the Town Board, which was done with the following results:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #56-206 – LABELLA ASSOCIATES TO PREPARE MAP, PLAN, REPORT (Proposed WD#6)

Councilman Schuth moved that the following resolution be adopted:

RESOLVED that the Town Board of the Town of Kendall hereby accepts the proposal of LaBella Associates of Rochester, New York dated March 2, 2006 and further authorizes LaBella Associates to prepare a Map, Plan and Report in connection with the proposed establishment of Town of Kendall Water District No. 6 at a cost not to exceed \$4,500.00 with said Map Plan and Report to be delivered no later than February 23, 2006, and be it

FURTHER RESOLVED that any additional services to be provided by LaBella Associates to the Town of Kendall with respect to Water District No. 6, other than those set forth in the aforementioned proposal, shall be upon submission of a separate written proposal approved by the Kendall Town Board.

Such motion was seconded by Councilman Pritchard, Supervisor Vick instructed Town Clerk Hanlon to call the roll of the Town Board, which was done with the following results:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #57-206 – HEATH, ATTORNEY TO PREPARE FORM PETITIONS FOR SIGNATURE (Proposed WD#6)

Councilman Pritchard moved that the following resolution be adopted:

RESOLVED that Douglas M. Heath, Esq., as Attorney for the Town of Kendall, is hereby directed to prepare the form petitions for signature by the residents within the proposed boundaries of Kendall Water District No. 6, for the establishment of said Water District No. 6 upon Petition and not upon motion of the Town Board, as otherwise prescribed by the Town Law of the State of New York.

Discussion: This district is being formed by petition, not by motion of Town Board. Need map, plan and report to prepare petitions.

Supervisor Vick asked the residents to help get petitions signed to help process along. Because it is by petition, there is no 30 day waiting period. Application will be stronger based on petitions and letters for need of water.

Such motion was seconded by Councilwoman DiNatale, Supervisor Vick instructed Town Clerk Hanlon to call the roll of the Town Board, which was done with the following results:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #58-206 – PUBLIC HEARING SCHEDULED – FEBRUARY 23, 2006 (Proposed WD#6)

Councilman Pritchard moved that the following resolution be adopted:

RESOLVED that the Town Board of the Town of Kendall will conduct a public hearing to discuss community development needs and priorities, to provide residents with information about the Small Cities Grant Program and to describe the town's plan to meet these priority needs, which public hearing shall be held on February 23, 2006 at 7:30 p.m. in the Kendall Town Hall, and be it

FURTHER RESOLVED that the Kendall Town Clerk shall notice of such hearing to be posted and published as required by law.

Discussion: 1st of 3 Public Hearings...1st for the purpose of Small Cities Grant projects; 2nd to apply for Water project through Small Cities Grant; 3rd is the Formation of Water District #6.

Such motion was seconded by Councilwoman DiNatale, Supervisor Vick instructed Town Clerk Hanlon to call the roll of the Town Board, which was done with the following results:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

RESOLUTION #59-206 – AUTHORIZATION FOR INDIVIDUALS TO SIGN DRAW REQUESTS (Eagle Creek Marina Project)

Councilman Pritchard moved that the following resolution be adopted:

WHEREAS the Small cities Program requires the applicant to authorize officials of the grantee to draw grant funds for eligible project expenses, the Town Board hereby authorizes Nadine Hanlon, Christine DiNatale, Charles Scroger and Donald Pritchard to sign drawdowns requesting Small Cities grant funds for the Eagle Creek Marina Project.

Such motion was seconded by Councilman Scroger, and the vote resulted as follows:

Councilwoman DiNatale	<i>Aye</i>
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Councilman Pritchard	Aye
Councilman Schuth	Aye
Councilman Scroger	Aye
Supervisor Vick	Aye

Supervisor Vick declared that the foregoing resolution was duly adopted.

RECESS MEETING TO FEBRUARY 23, 2006 AT 7:30 pm

With there being no further business Councilman Scroger moved for recess of meeting until February 23, 2006 at 7:30 PM, seconded by Councilwoman Schuth. Unanimously in favor for recess at 9:47 PM.

Scheduled Meetings:

- Hamlin/Kendall Joint Water Board Meeting: February 15, 2006 at 7:00 PM at the Kendall Town Hall
- Town Board Work Session: February 23, 2006 at 7:30 PM
- Regular Town Board Meeting: March 9, 2006 at 7:30 PM
- Town Board Work Session : March 23, 2006 at 7:30 PM

FEBRUARY 23, 2006 - KENDALL TOWN BOARD MEETING –7:30PM

RECONVENED FROM FEBRUARY 9, 2006

PUBLIC HEARING – SMALL CITIES GRANT APPLICATION

Kendall Town Hall, 1873 Kendall Road, Kendall, NY 14476

PUBLIC PRESENT:

James Kingston, Mary Reis, Nora Reis, Tom Buzard, Thomas Buzard Jr., Marlene Fleming, Judy Snyder, Darlene Snyder, Laura Fleming, Brett Norsworthy, Richard Neal, Adelaide MacFarland, Bill Furness, Gary Williams, Al & Bev Lofthouse, Gert Hauck, Eric Maxon, Kathy Wright, David Gaudio, Linda Kennedy, Bill Furness Jr, Melissa Furness, carol Riviere, Jacquelyn Mosher, Eileen Della Costa, Tim & Cindy, Christensen, John & Judy Hammond, Kenneth & Carol Lillibridge, William Staub, Ken DeRoller

RETURN TO ORDER

Meeting was re-opened by Supervisor Vick at 7:37 PM and the Pledge of Allegiance was led.

ROLL CALL

Christine DiNatale, Councilwoman	Present
Donald Pritchard, Councilman	Excused
David Schuth, Councilman	Excused
Charles Scroger, Councilman	Present
William Vick, Supervisor	Present
Douglas Heath, Attorney	Present

SUPERVISORS REMARKS

Explained the purpose of the public hearing.

PUBLIC HEARING

Began at 7:39 PM. No public spoke. Public Hearing was closed at 7:40 PM.

UNFINISHED BUSINESS:

Joseph Hunt Library Fund – the funds can be distributed as needs; the fund will follow the schedule that was established at the January 2006 organizational meeting

Cannon Flags – it has been decided that the flags will be lit dusk til dawn, in the event that they aren't lit, the flags will be raised and lowered as needed. There will be a plaque designed and ordered to commemorate the cannon. It has been suggested that at the Greenwood Cemetery, a streetlight be installed on the electric pole and oriented towards the flagpole. The Memorial Day exercise is being organized to include a cannon being shot off and a 21-gun salute.

Generator – William Vick has been in contact with Senator Maziarz to ask for available funding.

NEW BUSINESS:

Banners – the town has reviewed a \$1000.00 check from the Kendall Lions Club to be used to purchase banners. Chris stated that the banners would run north on Kendall Road from Roosevelt Hwy to just around the Lutheran church. There are 8 poles that will have banners on them. Skip stated that the Mason's are celebrating a 225th anniversary. As a member, Skip will be receiving a new flag that will be donated to the town hall. The flag will be for inside use only, as it will have decorative piping around the perimeter. Skip would like to see it replace the current flag that is on display in the large conference room.

PUBLIC PARTICIPTION

None

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RECESS MEETING TO March 2, 2006 AT 7:30PM

With there being no further business, Councilman Scroger moved for recess of meeting until March 2, 2006 at 7:30 PM, seconded by Councilwoman DiNatale. Unanimously in favor for recess at 7:50 PM.

Respectfully Submitted in Absence of Town Clerk, Lisa Stenshorn

**MARCH 2, 2006 - KENDALL TOWN BOARD MEETING –7:30PM
RECONVENED FROM FEBRUARY 9, 2006 AND FEBRUARY 23, 2006
Kendall Town Hall, 1873 Kendall Road, Kendall, NY 14476**

PUBLIC PRESENT:

Allen and Bev Lofthouse, Adelaide. MacFarland, Tim Christenson

RETURN TO ORDER

Meeting was re-opened by Supervisor Vick at 7:37 PM and the Pledge of Allegiance was led.

ROLL CALL

Christine DiNatale, Councilwoman	Present
Donald Pritchard, Councilman	Present
David Schuth, Councilman	Present
Charles Scroger, Councilman	Present
William Vick, Supervisor	Present
Douglas Heath, Attorney	Present

RESOLUTION #60-206 – PUBLIC HEARING SCHEDULED – ESTABLISHMENT OF WD#6

Councilman Pritchard moved that the following resolution be adopted:

RESOLVED that the Town Board of the Town of Kendall does hereby adopt the annexed Order, dated March 2, 2006, pertaining to the establishment of Kendall Water District No. 6 based upon a Map, Plan and Report last dated February 23, 2006, and setting the date and time of the public hearing to be conducted by the Town Board pursuant to 191 of the Town Law regarding establishment of said Water District.

**ORDER OF THE TOWN BOARD OF THE TOWN OF KENDALL
SCHEDULING PUBLIC HEARING ON THE PROPOSED ESTABLISHMENT
OF TOWN OF KENDALL WATER DISTRICT NO. 6**

In accordance with the provisions of 191 of the Town Law, a petition was filed with the Kendall Town Board on February 27, 2006 for the establishment of a water district in the territory hereinafter described, which is located wholly within the Town of Kendall, Orleans County, New York:

Beginning at a point in the southerly boundary of the Town of Kendall at its Intersection with a line 500 feet westerly from and parallel with the centerline of Peter Smith Road, thence northerly along said line 500 feet westerly from and parallel with the centerline of Peter Smith Road to a point in the northerly boundary of lands of a parcel of land designated as tax parcel 031.00-1-1.1 extended westerly, thence easterly along said northerly boundary extension a distance of 1000 feet more or less to a point in the said northerly boundary of tax parcel 031.00-1-1.1, said point being on a line 500 feet easterly from and parallel with the centerline of Peter Smith Road, thence southerly along said line 500 feet easterly from and parallel with the centerline of Peter Smith Road to a point 500 feet northerly from the centerline of Roosevelt Highway, thence easterly on a line 500 feet northerly from and parallel with the centerline of Roosevelt Highway a distance off 200 feet more or less to a point; thence southerly along a line 700 feet easterly from and parallel with the centerline of Peter Smith Road a distance of 1000 feet more or less to a point 500 feet southerly from the centerline of Roosevelt Highway, thence westerly on a line 500 feet southerly from and parallel with the centerline of Roosevelt Highway a distance off 200 feet more or less to a point 500 feet easterly from the centerline of Peter Smith Road, thence southerly along a line 500 feet easterly from and parallel with the centerline of Peter Smith Road to a point in the southerly boundary of the Town of Kendall, thence westerly along the said southerly boundary of the Town of Kendall a distance of 1000 feet more or less to the point of beginning, all as shown Ware District No. 6 on a plan by La Bella Associates, PC titled "Proposed Water District N. 6" dated February 17, 2006.

A Map, Plan and Report prepared by LaBella Associates, P.C., an engineer duly licensed in the State of New York, is on file in the Office of the Kendall Town Clerk for inspection by interested persons during regular business hours. The Map, Plan, and Report sets forth the boundaries of the proposed district, a general plan of the water distribution system, a report of the proposed method of operation, and the location of all water mains, laterals, distribution pipes, valves and appurtenances. The project consists of approximately 12,140 feet of 8 inch PVC water main; installation of individual water services from the water main to the edge of the

KENDALL TOWN BOARD – REGULAR MEETING – February 9, 2006 7:30 PM

Recessed to February 23, 2006, March 2, 2006

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highway right-of-way; installation of gates valves; installation of fire hydrants at intervals of approximately 500 feet; connection to existing municipal water source; creek crossings; highway crossings; and driveway and lawn restoration.

The maximum amount proposed to be expended for the improvements is \$520,000.00, with \$400,000 of such amounts to be paid from grant funds being sought by the Town through the 2006 Small Cities Grant Program, and the balance to be financed through the issuance of bond anticipation notes or serial bonds for a term not to exceed 30 years. It is proposed that this water district be established on a benefit basis rather than on an ad valorem basis, with the cost of construction of the district to be assessed by the Town Board in proportion as nearly as may be determined to the benefit which each lot or parcel will derive therefrom.

The cost of the water district to the typical property in the district is expected to be \$533.00 in the first year following formation of the district in which both principal and interest on any indebtedness and operation and maintenance costs will be paid. This amount has been calculated in the following manner:

Debt Service (\$120,000 loan @ 6% interest over 30 year term):	\$188.00
Water Purchase Cost (75,920.00 gal./household/year @ \$3.75/1000gal*):	<u>345.00</u>
Total Cost to Typical Property:	\$533.00

*(NOTE: The Water Purchase Cost includes an operation and maintenance charge of \$15.00 per quarter)

The above figure does not include hook-up fees from the curb stop to the residence, which are estimated to be approximately \$1,000 for the typical property. The actual hook-up fee may vary depending on the size of the water service installed and the distance that the individual water service must be run from the highway right-of-way to the house.

A detailed explanation of the manner of calculating the estimated hook-up fees and the cost of the water district to the typical property in the district is available for inspection by interested persons at the office of the Kendall Town Clerk during regular business hours.

The Kendall Town Board will hold a public hearing on March 16, 2006 at 7:30 p.m. at the Kendall Town Hall at 1873 Kendall Road, Kendall, New York to consider the Map, Plan and Report and to consider the establishment of proposed Town of Kendall Water District No. 6. All persons interested in this matter and desiring to be heard will be heard at this hearing.

Such motion was seconded by Councilman Scroger, Supervisor Vick instructed Town Clerk Hanlon to call the roll of the Town Board, which was done with the following results:

Councilwoman DiNatale	<i>Aye</i>
Councilman Pritchard	<i>Aye</i>
Councilman Schuth	<i>Aye</i>
Councilman Scroger	<i>Aye</i>
Supervisor Vick	<i>Aye</i>

Supervisor Vick declared that the foregoing resolution was duly adopted.

ADJOURNMENT

With there being no further business Councilwoman DiNatale moved for adjournment, seconded by Councilwoman Pritchard. Unanimously in favor for adjournment at 7:43 PM.

Respectfully Submitted

Nadine P. Hanlon, RMC
Kendall Town Clerk