

KENDALL TOWN BOARD
TOWN BOARD MEETING
Tuesday, May 15, 2018 7:00 p.m.
Kendall Town Hall – 1873 Kendall Road, Kendall, New York 14476

Supervisor Cammarata called the meeting to order at 7:05 p.m. and led the Pledge of Allegiance.

ROLL CALL

Councilwoman Flow	present
Councilman Martin	present
Councilman Newell	arrived at 7:10 p.m.
Councilwoman Szozda	present
Supervisor Cammarata	present

SUPERVISOR’S COMMENTS

Met with Ray Wager regarding results of the annual audit. Summary: no material weaknesses, no non-compliance, no findings; town is in good financial shape. Reports will be available for public inspection.

The board accepted the Town Board Meeting April 17, 2018 minutes as presented.

CORRESPONDENCE

Phil D’Agostino – request to lift open container law for the Firemen’s carnival
NYS Homes and Community Renewal – grant award from New York State Lake Ontario Flood Relief and Recovery
Heather Banker – resignation, effective May 1st.
Boaters Against Cancer – fireworks application for its June 30th fundraiser at Bald Eagle Marina

PUBLIC COMMENT

Al Lofthouse – questioned a voucher on Abstract 6 which was for an emergency roof repair on the highway building.

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS

Standing Committees

Public Safety/Emergency Services & Occupational Safety – Martin
Buildings & Grounds – Martin
Highway – Martin

Frontier heating has been contacted about placing “mini-splits” for air conditioning in the court room.

Community Relations – Flow

The Orleans County Youth Board acknowledged Jeremy Browe and Michela Hanlon of Kendall with distinguished youth awards for their volunteerism.

Culture & Recreation – Flow

Director Werth has been busy with team pictures and the seasons starting.

Information Services – Flow

A new router was installed for the building's computers (except the courts')
The next new computer will be in the Clerk's office.

Human Resources and Ethics – Szozda

Employee Benefits – Szozda

No report

Councilwoman Szozda said the Memorial Day Observance plans are finalized.

Councilman Martin said flags for veterans' graves have been delivered to the Boy Scouts.

Planning, Zoning & Agriculture – Newell

No report

Councilman Newell discussed the possibility of applying for a Municipal Energy Grant which combines multiple municipalities to seek better energy rates as a shared service. A quote is free, and after it is received the Board could vote whether or not to participate.

Finance, Taxes & Special Districts – Cammarata

No report

Orleans County Representative – DeRoller

No report

Boards

Planning Board – A. Kludt, Chair

A special use permit for a labor camp was approved.

Zoning Board – P. Bolton, Chair

Two variance applications have been received for consideration.

Department Heads

Assessor – G. Massey – no report

Code Enforcement – P. Hennekey – Many building permits are being issued; potential new builds have been discussed; the house on Center Road which was the site of the recent deaths has been cited and is uninhabitable; several of the properties in poor shape have sold and are being upgraded; fire inspections are progressing slowly.

Highway - W. Kruger – Brush pick-up is continuous and it will be appreciated if residents will finish their clean-up soon. Wood grinds are available at Woodchuck Alley. Some of the cameras in the cemeteries need replacing. The highway buildings need repair. An air compressor at the garage is being replaced. The holiday flags will be hung in the Hmalet area. The cemeteries are open and mowing has started. Potholes have been repaired. Co-ordination with lakefront contractors as part of the grant process for lakefront remediation has begun and will require many phone calls and much paperwork. The Highway Department is ready to start Water District Seven as soon as Hamlin is ready, but requests a target start date in order to manage equipment availability. A list of town-owned lakefront repairs is prepared. Responsibility for the Thompson Drive cul-de-sac is undetermined. Modern Recycling was uncooperative with the extra pick-up

responsibilities due to clean up day. Attorney Roberson was introduced and it was asked that he be included in an expected executive session.

Historian – vacant

Recreation – M. Werth – no report

Town Clerk – A. Richardson – written report submitted

Town Justices – D. Drennan, D. Gaudioso – written reports submitted

Supervisor – A. Cammarata – written report submitted

RESOLUTIONS

Councilwoman Szozda made the following motion, seconded by Councilwoman Flow:

RESOLUTION 60-0518 TO RETAIN TOWN OF HAMLIN FOR CONSTRUCTION OF KENDALL WATER DISTRICT NO. 7

Whereas the Town of Kendall and the Town of Hamlin have agreed to complete “Owner Construction” for Kendall Water District No. 7, and

Whereas, the Town of Hamlin has submitted unit prices for the construction of said District, and

Whereas, the Town of Hamlin has submitted all forms required by Rural Development, and

Whereas, the Town of Kendall is to provide all materials for installation, and

Whereas, the Town Engineer, LaBella Associates DPC, has reviewed the unit prices submitted and recommends award of the contract to the Town of Hamlin, so

Now and therefore the Town Board of the Town of Kendall resolves to award the contract to the Town of Hamlin in the amount of two hundred twenty-six thousand two hundred forty-five dollars and no cents (\$226,245.00).

Supervisor Cammarata called for a vote resulting in all Ayes; motion carried.

Councilwoman Flow made the following motion, seconded by Councilman Newell:

RESOLUTION 61-0518 TOWN OF KENDALL WATER DISTRICT 10 NEGATIVE DECLARATION FOR SEQR

WHEREAS,

- 1) In accordance with the New York State Environmental Quality Review regulations (SEQR), the Town Board of the Town of Kendall announced its intent to serve as Lead Agency on March

20, 2018, to conduct an environmental review of public water supply improvements within Water District No. 10 service area. The project will ensure a safe and reliable potable water supply and fire protection for area residents and businesses.

- 2) The Town Board has determined that the proposed action is a Type I action as defined under SEQR, as portions of the project are located in an Orleans County Agricultural District.
- 3) The Town Board, in its capacity of Lead Agency, has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above.
- 4) On March 28, 2018, the Town Board notified the Involved and Interested Agencies of its intention to act as Lead Agency for this project and circulated Part 1 of the full Environmental Assessment Form. None of the Involved Agencies objected to the Kendall Town Board serving as Lead Agency for this project. The Town will obtain all necessary permits and approvals from Involved Agencies and will comply with agency requirements.
- 5) The Town Board has considered the Environmental Record prepared for this action, including any comments received from the Involved Agencies, and the proposed Negative Declaration.

NOW THEREFORE BE IT RESOLVED,

The Town Board of the Town of Kendall declares that it will serve as Lead Agency for the water system improvements proposed in Water District No. 10; and,

The Town Board declares that, based on the Environmental Record which has been prepared, the project will not result in any large and important impacts, and therefore, will not have a significant adverse impact on the environment. A Negative Declaration under SEQR is therefore issued for this project, and the Town Supervisor is hereby authorized and directed to prepare and issue, on behalf of the Town, the Negative Declaration in the Part 3 of the Environmental Assessment Form.

Supervisor Cammarata called for a vote resulting in all Ayes; motion carried.

Councilman Newell made the following motion, seconded by Councilman Martin:

RESOLUTION 62 - 0518 ACCEPTING HISTORIAN HEATHER BANKER'S RESIGNATION

Be it hereby resolved that the Town Board does, with regret and much appreciation for her dedication and service, accept the resignation of Heather Banker as Town Historian, effective May 1, 2018.

Be it further RESOLVED, in order to fill this vacancy, to direct the Town Clerk to place an ad in the official newspaper seeking Town of Kendall residents interested in serving as Kendall Town Historian. Qualified individuals should direct their letters of interest and resumes to the Town Clerk, by hand, or by mail at P.O. Box 474, Kendall, New York 14476. The Supervisor for the Town of Kendall reserves the right to accept or reject any or all candidates.

Discussion: This is a Supervisor's appointment.

Heather did an outstanding job, and will be missed.

Supervisor Cammarata called for a vote resulting in all Ayes; motion carried.

Councilman Martin made the following motion, seconded by Councilwoman Szozda:

RESOLUTION 63-0518 RESIDENCY REQUIREMENTS FOR ASSESSOR AND CLERK TO THE ASSESSOR POSITIONS

Whereas the Town of Kendall currently requires its Sole Assessor and any Clerk to the Assessor to reside in the Town of Kendall, and

Whereas the training requirements to serve as assessor or clerk to the assessor are extensive and there are few qualified candidates to serve as assessor or clerk to the assessor locally,

Be it hereby resolved that portions of any standing resolutions pertaining to the residency requirement for the position of Sole Assessor or Clerk to the Assessor in the Town of Kendall are rescinded and are hereby null and void.

Supervisor Cammarata called for a vote resulting in all Ayes; motion carried.

Councilwoman Szozda made the following motion, seconded by Councilwoman Flow:

RESOLUTION 64-0518 BALD EAGLE MARINA FIREWORKS DISPLAY PERMIT

Whereas the Boaters Against Cancer organization has submitted an application for a permit for public display of fireworks to be held at the Bald Eagle Marina to the Kendall Town Clerk and Town Board, Supervisor Cammarata called for a vote resulting in all Ayes; motion carried.

Be it resolved that the Kendall Town Board authorizes the Kendall Town Clerk to issue a Public Display of Fireworks Permit pursuant to 405.00(2) of the Penal Law of the State of New York, and contingent upon receiving all required insurance certificates to the Boaters Against Cancer for Saturday, June 30th at 10:00 p.m.

Discussion: CEO Hennekey has inspected the launch area and has no issues with the plans. He suggested the Board review the packet and include a stipulation regarding a land lease agreement being signed by the Marina. The representatives of Boaters Against Cancer discussed the events of the BAC weekend fundraiser and the fireworks plans.

Supervisor Cammarata called for a vote resulting in all Ayes; motion carried.

Councilwoman Flow made the following motion, seconded by Councilwoman Szozda:

RESOLUTION 65-0518 WAIVER OF OPEN CONTAINER LAW

Be it Resolved that The Town of Kendall Open Container Ordinance be waived during the Kendall Fireman's Carnival in 2018 as follows:

Thursday: July 5th from 6:00 pm to 12:00 midnight
Friday: July 6th from 5:00 pm to 2:00 am
Saturday: July 7th from 12 noon to 2:00 am

And further, that this waiver shall cover an area ¼ mile in each direction, North, South, East and West commencing at the intersection of Kenmor Road and Kendall Road and

Further, such waiver is in effect on the specific dates and times set forth herein and only in the geographical area described herein.

Supervisor Cammarata called for a vote resulting in all Ayes; motion carried.

Councilman Newell made a motion to pay the claims as presented. Motion seconded by Councilwoman Flow; all ayes.

PAYMENT OF CLAIMS

General Fund	Abstract 5	\$31,086.53	Vouchers 240-282,307,311,312
Highway Fund	Abstract 5	\$12,312.14	Vouchers 243,274,283-306,308-310
Light District One	Abstract 5	\$471.15	Voucher 268
Light District Two	Abstract 5	\$278.81	Voucher 268
Light District Three	Abstract 5	\$149.34	Voucher 268
Water District Six	Abstract 5	<u>\$75.29</u>	Vouchers 267,275,276
		\$44,373.26	

OLD BUSINESS

Morton Union Cemetery

Hilton Monuments have provided an estimate for repair work and Fred's Flags is preparing an estimate for installation of a flag pole.

Lake Ontario State Parkway Advisory Committee

No update

LWRP Amendment Committee

No update

Kendall's Finest

No update

Emergency Management Committee

Meeting is scheduled. Supervisor will attend.

Homegrown Days

Issue of finding a minister for worship service.

Kendall Medical Office Committee

No update

NEW BUSINESS

SAM grant information to repair roofs of town buildings should have approval by month's end.

EXECUTIVE SESSION

Councilwoman Szozda made a motion to move to executive session – “I move to have the Town Board and the Attorney for the Town to go into executive session for pending litigation.” Motion seconded by Councilwoman Flow. All ayes. No further specification. Council and Attorney Meier left the meeting together to convene elsewhere at 8:03 p.m. At 8:10 p.m., the Board invited Highway Superintendent Kruger and his attorney, Mr. Roberson into the executive session.

The following information was provided by Supervisor Cammarata, who acted as scribe during executive session:

Councilwoman Szozda made a motion to close the executive session, seconded by Councilwoman Flow at 10:13 p.m. No determinations recorded.

Regular meeting was reconvened at 10:13.

Councilman Martin made a motion to adjourn, seconded by Councilwoman Szozda. Meeting adjourned at 10:14 p.m.

Respectfully Submitted,

Amy Richardson
Kendall Town Clerk