

KENDALL TOWN BOARD
Tuesday, April 19, 2022, 7:00 p.m.
Kendall Town Hall – 1873 Kendall Road, Kendall, New York 14476

This meeting was attended by Deputy Town Clerk Kim Corcoran. The minutes were prepared from her notes. This meeting was not recorded.

Supervisor Cammarata called the meeting to order at 7:00 pm.m, and led the Pledge of Allegiance.

ROLL CALL

Councilwoman Flow	absent
Councilman Jennings	present
Councilman Martin	absent
Councilwoman Szozda	present
Supervisor Cammarata	present

SUPERVISOR'S REMARKS

REDI Wastewater project – Tonight we will form the first sewer district in our town. It will also be the first sewer district in a town in Orleans County. We had a well-attended public hearing on March 30th about this district. Thank you to all who attended and asked questions and made comments. The residents who attended were quite supportive of this project.

The Town of Hamlin will hold its hearing in early May. Once Hamlin forms its district, we can further proceed with funding requests and government approvals. I am very excited about our prospects regarding this project.

Thank you.

CORRESPONDENCE

- John Papponetti, Orleans County Commissioner of Public Works, sent a fully executed copy of the Control of Ice and Snow and Mowing contract, and a copy of the resolution of the Orleans County Legislature, adopting this contract.

PUBLIC COMMENT

Truda Slocum – asked about millions of dollars being given out by NYS for water improvements, and inquired how much Orleans County received.

Supervisor Cammarata said it was his understanding that the funds were to be used to improve existing infrastructure, not new water districts. A new water district will be pursued when grants/funding are obtained. The town is waiting for the census bureau numbers for median income level. The next district will most likely be made up of small clusters on several streets.

Bob McGregor – wanted an explanation of the Ice and Snow and Mowing agreement. Supervisor Cammarata answered that it is a shared services agreement amongst Orleans County and its townships.

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS

Standing Committees

Public Safety/Emergency Services & Occupational Safety – Martin
Buildings & Grounds – Martin
Highway – Martin
No report

Community Relations - Flow
Culture & Recreation – Flow
Information Services – Flow
Chairman Newell’s computer is being readied.

Human Resources and Ethics – Szozda
Employee Benefits – Szozda
No report

Planning, Zoning & Agriculture – Jennings
The Planning Board did not have a quorum at its last meeting. A public hearing will be scheduled regarding Heberle’s farm.
The Zoning Board approved two variances.
A cost saving plan for town electricity is being researched.

Finance, Taxes & Special Districts – Cammarata

Boards

Planning Board – B. Newell, Chair – no report
Zoning Board – P. Bolton, Chair – no report

Department Heads

Assessor – L. Hewitt – no report
Code Enforcement – P. Hennekey – no report
Highway - W. Kruger – no report
Historian – L. Jayne – no report
Recreation – M. Werth – no report
Town Clerk – A. Richardson – written report submitted
Town Justice – D. Kluth – written report submitted
Supervisor – A. Cammarata – written report submitted

Szozda made the following motion, which was seconded by Jennings:

RESOLUTION 60-0422 CORRECTION TO ABSTRACT 3, WATER DISTRICT EIGHT, VOUCHER 153 ON PAYMENT OF CLAIMS

BE IT RESOLVED, to delete from Abstract 3, Water District Eihght, Voucher 153 for \$4,338.11, resulting in Total Dollars in Water District Eight being reduced from \$17,047.07 to \$12,708.96, Reducing Total Payment of Claims on Abstract 3 from \$129,075.08 to \$124,736.97.

Supervisor Cammartata called for a vote, which resulted in all ayes.

Jennings made the following motion, which was seconded by Szozda:

RESOLUTION 61-0422 BUDGET AMENDMENT

Be It Resolved, to increase Revenue Account DA3502.00, DASNY Repayment \$100,000.00 and increase Highway Expense Account, DA5110.40, Maintenance of Streets, \$100,000.00.

Supervisor Cammartata called for a vote, which resulted in all ayes.

Szozda made the following motion, which was seconded by Jennings:

RESOLUTION 62-0422 MAY MEETING DATE CHANGE

Be It Resolved, to change the Kendall Town Board Meeting, scheduled for May 17 at the Kendall Town Hall at 7 pm to May 19 at the Kendall Town Hall, at 7 pm, to accommodate the Kendall School Districts request to hold its elections at the Kendall Town Hall.

Supervisor Cammartata called for a vote, which resulted in all ayes.

Jennings made the following motion, which was seconded by Szozda:

RESOLUTION 63-0422 CONTRACT FOR SHARED SERVICES WITH ORLEANS COUNTY DEPARTMENT OF PUBLIC WORKS AND THE TOWN OF KENDALL

Be It Resolved that the Kendall Town Board Authorizes, Supervisor Cammarata to sign a five year contract for Highway Shared Services, beginning May 1, 2022 and terminating on April 30, 2027. After further review by the Attorney for the Town for format and content.

Supervisor Cammartata called for a vote, which resulted in all ayes.

Szozda made the following motion after it was summarized by Attorney Meier, and it was seconded by Jennings:

RESOLUTION 64-0422 RESOLUTION OF THE TOWN OF KENDALL, NEW YORK, ADOPTED APRIL 19, 2022, ESTABLISHING SEWER DISTRICT NO. 1 IN SAID TOWN, AND PROVIDING THAT SUCH RESOLUTION SHALL BE SUBJECT TO PERMISSIVE REFERENDUM.

NOW, THEREFORE, upon the evidence adduced at such Public Hearing, be it RESOLVED BY THE TOWN BOARD OF THE TOWN OF KENDALL, IN THE COUNTY OF ORLEANS, NEW YORK, AS FOLLOWS: Section 1. It is hereby determined that: (a) the Order Calling Public Hearing was published and posted as required by Law, and is otherwise sufficient; (b) all the property and property owners included within the proposed District hereinabove referred to in the recitals hereof are benefited thereby; (c) all the property and property owners benefited are included within the limits of the proposed District; and (d) it is in the public interest to establish the District. Section 2. The establishment of the District is hereby approved, as hereinafter described, and said District shall be designated and known as Sewer District No. 1, in the Town of Kendall, and shall be bounded and described as more particularly described in annexed Schedule "A". Section 3. The maximum amount proposed to be expended for said District improvements is \$16,324,812.00, which is planned to be financed by the issuance of \$16,324,812.00 serial bonds offset by any funds received from the federal, state, county, and/or local grants, including, but not limited to grant and/or loan funds from the Resiliency and Economic Development Initiative (REDI) and New York State Environmental Facilities Corporation (NYSEFC), said balance of costs to be provided by the levy and collection of special assessments from the several lots and parcels of land within such Benefited Area which the Town Board shall determine to be especially benefited by said Sewer District, so much upon and from each as shall be in just proportion to the amount of benefit which the Sewer District shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable. Section 4. The permission of the State Comptroller is not required with respect to the District because the estimated cost of the District to the Typical Property (as defined in the Town Law) is below the Average Estimated Cost to the Typical Properties for the establishment of similar types of districts, as computed by the State Comptroller, and a full application will not need to be submitted to the State Comptroller's Office for approval. Section 5. This resolution is subject to permissive referendum and the Town Clerk of the Town is hereby authorized and directed within ten (10) days after the adopted resolution, to cause to be published at least once in the "Hamlin Herald" a newspaper having a general circulation in the Town of Kendall, and hereby designated as the official newspaper of the Town for such publication, and posted on the sign board of the Town, a Notice which shall set forth an abstract of said foregoing resolution which shall be in substantially the following form: LEGAL NOTICE TOWN OF KENDALL, NEW YORK PLEASE TAKE NOTICE that on April 19, 2022, the Town Board of

the Town of Kendall, in the County of Orleans, New York, adopted a resolution entitled: “Resolution of the Town of Kendall, New York, Establishing Sewer District No. 1, in said Town, and providing that such resolution shall be subject to permissive referendum,” an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows: **FIRST: RECITING** that the Town Board of the Town of Kendall (“Town Board” and “Town”, respectively), New York, has heretofore duly caused the preparation of a general map, plan and report for the proposed Sewer District No. 1, in the Town (the “District”) consisting of the construction and installation of approximately 70,000 linear feet of force main, 10,000 linear feet of gravity sewer, 301 grinder pumps and service laterals, three pump stations, 24 air valves, 45 cleanouts, three odor control systems, and 24 manholes, including land or rights in land, stream and road crossings, furnishings, valves, fittings, connections, fill, services, appurtenances related site work and other ancillary work; which map, plan and report have been duly filed in the office of the Town Clerk of Town public inspection; that an Order was adopted on February 24, 2022, reciting a description of the boundaries of the proposed District in a manner sufficient to identify the lands included therein as in a deed of conveyance, the improvements proposed, the maximum amount proposed to be expended therefore, the proposed method of financing, the fact that a map, plan and report describing the same are on file in the Town Clerk’s Office for public inspection, and specifying the time and place of a Public Hearing to hear all persons interested in the subject thereof concerning the same; that copies of such Order have been duly published and posted, that all environmental laws and regulations will be complied with, and that such hearing has been duly held on March 30, 2022, at the time and place specified; **SECOND: RESOLVING AND DETERMINING** that (a) the Order Calling Hearing was published and posted as required by Law and is otherwise sufficient, (b) all the property and property owners within the proposed district are benefited thereby, (c) all the property and property owners benefited are included within the limits of the proposed District, and (d) that the establishment of the District is in the public interest. **THIRD: FURTHER RESOLVING AND DETERMINING** that the establishment of the District be approved, **DESIGNATING** such District as Sewer District No. 1 in the Town of Kendall, and **DESCRIBING** the District by metes and bounds; **FOURTH: FURTHER RESOLVING** that the maximum amount proposed to be expended for said District improvements is \$16,324,812.00, which is planned to be financed by the issuance of \$16,324,812.00 serial bonds to be offset by any funds received from federal, state, county, and/or local grants including, but not limited to, grant funds from Resiliency and Economic Development Initiative (REDI) in the amount of \$8,600,350.00, grant funds from New York State Environmental Facilities Corporation (NYSEFC) in the amount of \$3,089,785.00, and loan from the NYSEFC Clean Water State Revolving Fund (CWSRF) in the amount of \$4,634,677.00, said balance of costs to be provided by the levy and collection of special assessments from the several lots and parcels of land within such Benefited Area which the Town Board shall determine to be especially benefited by said Sewer District, so much upon and from each as shall be in just proportion to the amount of benefit which the Sewer District shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable; **FIFTH: FURTHER RESOLVING** that the permission of the State Comptroller is not required with respect to the District because the estimated cost of the District to the

Typical Property (as defined in the Town Law) is below the Average Estimated Cost to the Typical Properties for the establishment of similar types of districts, as computed by the State Comptroller, and a full application will not need to be submitted to the State Comptroller's Office for approval; and SIXTH: STATING that this resolution is subject to permissive referendum.

Supervisor Cammartta called for a vote, which resulted in all ayes.

Jennings made the following motion, which was seconded by Szozda:

RESOLUTION 65 0422 POSTPONEMENT OF THE 2022 REASSESSMENT PROJECT UNTIL 2023

Be It Resolved, that the Kendall Town Board supports the decision of the Town Assessor that additional time is needed to responsibly inform property owners of assessment changes and potential impact to taxes. Given the recent rise in inflation across the area and adding extra stress to property owners, a delay of the 2022 Reassessment Project will restart in 2023.

Supervisor Cammartta called for a vote, which resulted in all ayes.

Szozda made the following motion, which was seconded by Jennings:

RESOLUTION 66 0422 CORRECTION TO MARCH 22 NUMERICAL RESOLUTIONS

Be It Resolved, to correct the following resolution numbers: 52 0322 to 57-0322, 53-0322 to 58-0322, and resolution 54-0322 to 59-0322.

Payment of Claims was approved:

PAYMENT OF CLAIMS

General Fund	Abstract 4	\$ 13,509.68	Vouchers 158-186
Highway Fund	Abstract 4	\$ 71,827.98	Vouchers 159,184, 187-218, 220-227
			235
Light District One	Abstract 4	\$358.27	Voucher 173
Light District Two	Abstract 4	\$ 226.65	Voucher 173
Light District Three	Abstract 4	\$ 106.28	Voucher 173
Sewer District One	Abstract 4	\$63.67	Voucher 234
Water District Six	Abstract 4	\$4,104.35	Vouchers 185,228-230
Water District Seven	Abstract 4	\$10,138.12	Voucher 231
Water District Eight	Abstract 4	\$ 3,869.50	Voucher 232

Water District Nine	Abstract 4	\$3,155.95	Voucher 229
Water District Ten	Abstract 4	<u>\$15,958.81</u>	Voucher 233
TOTAL:		\$123,319.26	

PENDING ISSUES

Morton Union Cemetery – awaiting call back
Clean Energy Community – proposed law will be forwarded
Short-term rental properties – will be discussed at next workshop
Solar Projects – may need engineering expertise

NEW BUSINESS

Memorial Day plans are progressing.

Notes do not include when meeting was adjourned.

Respectfully Submitted,
Amy Richardson, Kendall Town Clerk