

KENDALL TOWN BOARD

Tuesday, March 21, 2023, 7:00 p.m.

Kendall Town Hall – 1873 Kendall Road, Kendall, New York 14476

Supervisor Cammarata called the meeting to order at 7:08 p.m, and led the Pledge of Allegiance.

ROLL CALL

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

SUPERVISOR’S REMARKS

The SAM requirements have been met, which make grants and low interest loans possible.

The Annual Update Document has been submitted to the NYS Comptroller’s Office.

CORRESPONDENCE

USDA re. invasive insect survey

FEMA re. updating flood zone mapping

Outgoing letter to USDA Rural Development re. water infrastructure

Outgoing letter to Congresswoman Tenney re. sewer funding

The following minutes were accepted, as presented:

January 10, 2023

February 21, 2023

PUBLIC COMMENT

Rob Malin, Norway Heights – expressed frustration that the Town Board did not hear or listen to the comments against the proposed short term rental laws at the Public Hearing. Mr. Malin feels the comments went unheard, and the decision made to pass the laws was self-serving. He resents tax dollars going to develop and likely having to defend laws which were unnecessary and unwanted.

Dave Bentley, Norway Road – asked if why, when three other water districts involved doing income surveys, that is not being done now for Water District Eleven.

Supervisor Cammarata explained the processes involved, and the requirements of the USDA.

Councilwoman Szozda added that the USDA now discourages income surveys. The Board and some community members are now working on letters to our representatives and any door to door volunteers are welcome.

Clayton Christ – asked if there was any outreach to those not on the internet. He would like water. Will letters be sent?

Councilwoman Szozda said the town does have petitions from certain roads, and the best option right now is for interested citizens to encourage their neighbors to write to our representatives.

Truda Slocum stated that she has sent letters but has heard nothing back from any office. Supervisor Cammarata said he has heard from Assemblyman Hawley's office about her letter. It has been received and taken seriously. Councilwoman Szozda reiterated that the letters can be impactful.

David Bentley – Asked why the proposed sewer is being brought up Norway Road. Mr. Bentley and his Norway Road neighbors do not want to hook up to the system.

The Supervisor said final details are not clear.

Mr. Bentley thought the Town of Kendall was going to pay for Beechwood, Hamlin residents. The Supervisor corrected that.

Mr. Bentley has asked for the information about where all the funding for the sewer project is coming from.

The Supervisor said REDI funding of \$9,000,000 awarded for this purpose, possibly \$500,000 left over from other REDI project awards (if possible-being checked into). This is not highway money. REDI money is separate from any other silo of money. Other areas for funding are being pursued. Sewer is a Special District, and the remaining will be billed as long term debt to the benefit users of the district.

Mr. Christ asked why that "left-over" money cannot be put toward water expansion. The Supervisor explained that the funds are from completely separate buckets, and not from the same area of the State of New York. That would not be allowed, unfortunately.

Mr. Bentley asked how Troutburg will be handled as far as short term renting.

Supervisor Cammarata said they are under a Special Use permit, for the large home there.

Mr. Christ asked about the Town establishing its own sewage treatment plant, to keep the revenue in town.

Supervisor Cammarata said that option was studied, but was rejected as too expensive.

Greg Stuckless asked if the new owners of Trouburg cottages could rent the buildings there as short term rentals.

Supervisor Cammarata answered that the land itself belongs to Dr. Jack Howitt, and he does not allow the individuals owning the cottages there to rent them.

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS

Standing Committees

Public Safety/Emergency Services & Occupational Safety – Martin

Buildings & Grounds – Martin

Highway – Martin

No reports submitted

Community Relations - Flow
Culture & Recreation – Flow

Information Services – Flow

The town hall septic issue must be addressed. It is hoped that a JCAP grant may cover some of the cost.

A travel baseball fundraiser is planned.

Orleans County Chamber of Commerce has a home and garden show scheduled.

Youth Board recreation check has been received.

Lion's cleanup day is scheduled.

A family game night has been scheduled.

Summer camps are planned.

Human Resources and Ethics – Szozda

Employee Benefits – Szozda

The bookkeeper needed some information on retirement, which was provided.

Planning, Zoning & Agriculture – Jennings

Variations are to be heard next month.

Master Plan work is being started. Consultants may be necessary.

Variations were approved for a farm labor camp, and for an area variance for expanding a barn.

Finance, Taxes & Special Districts – Cammarata

No new information

Orleans County Legislature – John Fitzak

The O.C. Legislature is awaiting the state budget. Medicare is very flawed. The proposed housing policy is worrisome.

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

The annual training is completed.

Two new variations have been submitted.

The applications for the solar projects are being reviewed.

Highway - W. Kruger – no report

Historian – L. Richardson – no report

Recreation – M. Werth Town Clerk

A. Richardson – written report submitted

Town Justice – D. Kluth – written report submitted
Supervisor – A. Cammarata – written report submitted

RESOLUTIONS

Councilwoman Flow made the following motion, which was seconded by Councilman Jennings:

RESOLUTION 49-0323 REQUESTING INCREASE IN SALES TAX REVENUE FROM THE COUNTY LEGISLATURE

WHEREAS, pursuant to the Orleans County Treasurer records, in 1996 the Orleans County Legislature distributed 14 %, (\$1,366,671.00) of the total sales tax revenue collected (9,499,138.31) to the towns and villages in Orleans County, and

WHEREAS, said dollar amounts have remained the same for town and village revenues from sales tax revenue collected, and

WHEREAS, there has been no revenue increase to the towns and villages since then even though the sales tax revenue collected by the county has increased more than 40 %:

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Kendall, does hereby request consideration from the Orleans County Legislature to share 14% of the total sales tax revenue collected with the towns and villages each year here and after, to be utilized in the best way to benefit said communities according to its governing bodies.

Supervisor Cammarata called for vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION 50-0323 STEVE CATONE RESIGNATION

WHEREAS, Steve Catone's term on the Kendall Planning Board expired on December 31, 2022, and Mr. Catone chose not to be reappointed,

THEREFORE, the Kendall Town Board accepts with regrets his decision and also extends to him its gratitude for his service and its best wishes for his future endeavors.

Supervisor Cammarata called for vote, which resulted in all ayes, and declared the motion carried.

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

RESOLUTION 51-0323 PARTYKA FARMS PETITION FOR RE-ZONING

WHEREAS, the Town of Kendall Supervisor and the Kendall Town Board has received an application from Partyka Farms for rezoning of its address on the corner of County Line Road & Roosevelt Highway, with a Tax Map Identification of 33.4-1-17.1, and

WHEREAS the current zoning classification is Hamlet District and Partyka Farms is seeking rezoning to classification of General Business District, with the intent to use this property for a self-storage business, so

NOW BE IT RESOLVED, the Kendall Town Board will accept this application and move forward with the process.

Supervisor Cammarata called for vote, which resulted in all ayes, and declared the motion carried.

Councilwoman Flow made the following motion, which was seconded by Councilman Jennings:

RESOLUTION 52-0323 TO INTRODUCE PROPOSED LOCAL LAW No. 5 OF 2023 AND TO SCHEDULE A PUBLIC HEARING

WHEREAS, the Town Board of the Town of Kendall, New York desires to consider adopting legislation to Amend the Town Zoning Ordinance to establish regulations relative to brush, weeds, which law shall be known as Town of Kendall Local Law No. 5 of 2023, now, therefore,

BE IT RESOLVED that proposed Local Law No. 5 of 2023 entitled “A Local Law to Adopt a Brush and Weeds Law of the Town of Kendall”, which proposed Local Law is now in its final form as appears by a copy thereof hereto attached, is hereby introduced for adoption; and be it further

RESOLVED that said proposed Local Law be laid upon the desks of the members of this Town Board on this date and a copy thereof be kept on file in the office of the Town Clerk until April 18, 2023, and that a public hearing be held before this Town Board on the 18th day of April, 2023, at 7:00 p.m. at the Kendall Town Hall, 1873 Kendall Road, Kendall, New York, on the advisability of enacting said proposed Local Law; and be it further

RESOLVED, that the Town Clerk shall cause notice of said public hearing to be published once in The Hamlin Herald at least five (5) days prior to the date of said public hearing, which notice

shall contain the time and place of said hearing, the title and purpose thereof, as well as a statement that a copy of said proposed Local Law is on file in the Town Clerk's Office.

Supervisor Cammarata called for vote, which resulted in all ayes, and declared the motion carried.

Councilman Jennings made a motion to accept the payment of claims as presented. Motion seconded by Councilwoman Flow

PAYMENT OF CLAIMS

General Fund	Abstract 3	\$ 16,264.14	Vouchers 120-148,189-196
Highway Fund	Abstract 3	\$ 21,809.13	Vouchers 121,146,149-187
Light District One	Abstract 3	\$ 373.94	Voucher 138
Light District Two	Abstract 3	\$ 236.69	Voucher 138
Light District Three	Abstract 3	\$ 119.53	Voucher 138
Water District Six	Abstract 3	\$ 55.90	Vouchers 147,188
Sewer District One	Abstract 3	<u>\$ 11,734.33</u>	Voucher 133
TOTAL:		\$ 50,593.66	

PENDING ISSUES – all discussed

- Morton Union Cemetery
- Solar Projects
- Thompson Drive Community Park Initiatives
- Brush, Weeds & Trash Law
- Sewer Project
- Joule - CCA

NEW BUSINESS

- Memorial Day observance – preparations are started

The meeting was adjourned at 7:56 p.m.

Respectfully Submitted,

Amy K. Richardson,
Kendall Town Clerk

