

KENDALL TOWN BOARD
PUBLIC HEARINGS
RECESSED MEETING

Tuesday, June 6, 2023, 7:00 p.m.

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

Supervisor Cammarata called the meeting to order at 7:07 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 school has agreed to set up an in-person school tax collection site at the Kendall Town Hall, which will be much easier and more secure for the taxpayers. This was suggested by the town clerk, and the process has been a cooperative one.

Supervisor Cammarata opened the public hearing at 7:13 p.m.

A Local Law to Adopt a Brush and Weeds Law of the Town of Kendall

Councilwoman Flow asked CEO Hennekey to speak about why this law is necessary. He said that the maintenance issue is already addressed in NYS law, but in 2020 the regulations changed to leave the enforcement and administration up to each municipality. This law will enable costs associated with clean-up and enforcement of issues when a listed owner is not able to be found or is not responsive.

Councilman Jennings added that in extreme cases of property neglect, the issue can be one of public health and safety.

Dan Strong felt that Paul Hennekey had covered the issue well and restated that the proposed law added to the State's law and gave the town the ability to cover the expenses of stepping in to maintain abandoned properties.

Heather Stone agreed with what was said, lives next to a vacant property that went unmown that she ended up mowing. She asked why the proposed law stated "owners" rather than "vacant owners" since the problem was with abandoned properties and not properties where the owner could be contacted.

Supervisor Cammarata clarified that the issue could be any owner not maintaining their property.

Tyler Strassner asked what properties are being targeted.

Supervisor Cammarata said that no specific property was being cited and that while the Town is not targeting properties whose grass is slightly higher than the State Code's standard, if a property is not being maintained then it may be cited.

David Bentley asked what provision was made for property owners who choose to have meadow areas on their property.

Supervisor Cammarata answered that it was a Code Enforcement issue and Code Enforcement would be making the judgement call.

Lisa Stenshorn spoke in favor of this law, and mentioned specific properties which need attention. The upkeep of properties does affect the surrounding areas.

Nick Russo asked if there would be some accommodation and judgment in the enforcement of this, to take individual situations into account.

Heather Stone expressed concern that this could be "weaponized" by disgruntled neighbors, or future unethical code officers.

Supervisor Cammarata closed the public hearing at 7:30 p.m.

Supervisor Cammarata opened the public hearing at 7:30 p.m.

A Local Law to Amend the Zoning Map of the Town of Kendall to Rezone Tax Parcels 33.4-1-19.1 and 33.4-1-17.1 from Hamlet to General Business

Councilwoman Flow spoke in favor of the law, stating that it will enable Partykas to establish a self-storage business, and will encompass the neighboring pallet business, which is an appropriate zoning.

Lisa Stenshorn asked if there should be more properties included in this re-zoning.

Supervisor Cammarata said the rest of that area will remain Hamlet.

Deputy CEO Strong provided the County Planning Board's recommendation for approval.

David Bentley is in favor of the law being passed.

Supervisor Cammarata closed the public hearing at 7:35 p.m.

RESOLUTIONS

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

RESOLUTION 64-0623 ADOPTING LOCAL LAW 5 OF 2023

WHEREAS, the Town Board of the Town of Kendall having duly called and held a Public Hearing on the 6th day of June, 2023 on the enactment of Local Law No. 5 of 2023 of the Town of Kendall, entitled A Local Law to Adopt a Brush and Weeds Law of the Town of Kendall, and

WHEREAS, at such hearing, all those for and against said local law were heard,

NOW, THEREFORE, BE IT RESOLVED that Local Law 5 of 2023 of the Town of Kendall is hereby enacted as presented, and shall be effective upon its filing with the New York State Department of State.

Cammarata called for a roll call vote, with the following results:

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

Cammarata declared the motion carried.

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

RESOLUTION 65-0623 ADOPTING LOCAL LAW 6 OF 2023

WHEREAS, the Town Board of the Town of Kendall having duly called and held a Public Hearing on the 6th day of June, 2023 on the enactment of Local Law No. 6 of 2023 of the Town of Kendall, entitled A Local Law to Amend the Zoning Map of the Town of Kendall to Rezone Tax Parcels 33.4-1-19.1 and 33.4-1-17.1 from Hamlet to General Business, and

WHEREAS, at such hearing, all those for and against said local law were heard,

NOW, THEREFORE, BE IT RESOLVED that Local Law 6 of 2023 of the Town of Kendall is hereby enacted as presented, and shall be effective upon its filing with the New York State Department of State.

Cammarata called for a roll call vote, with the following results:

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

Cammarata declared the motion carried.

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

RESOLUTION 66-0623 TO AMEND THE CODE OF THE TOWN OF KENDALL, NY

Whereas, Local Law 6 entitled A Local Law to Amend the Zoning Map of the Town of Kendall to Rezone Tax Parcels 33.4-1-19.1 and 33.4-1-17.1 from Hamlet to General Business was passed, which accomplished rezoning of two parcels, so now

Be it Resolved, to incorporate these changes into the Code of the Town of Kendall, NY (also known as Town of Kendall Zoning Ordinance) for enforcement.

Cammarata called for a vote, which was interrupted by Planning Chair Newell saying that the original motion mentioned including an update to the Master Plan, also. Supervisor Cammarata said it was removed.

Cammarata again asked for a vote on the resolution on the floor, and the results were all ayes. Motion carried.

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

RESOLUTION 67-0623 PREPARATION OF FUNDING APPLICATIONS FOR LOW PRESSURE WASTEWATER COLLECTION SYSTEM

BE IT RESOLVED the Kendall Town Board authorizes Supervisor Cammarata to sign an engagement letter with LaBella Associates for two grant funding applications, at a cost not to exceed \$2,500.00.

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

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

**RESOLUTION 68-0623 CATALYST GRANT THROUGH NORTHERN BORDERS
REGIONAL PLANNING COMMISSION**

BE IT RESOLVED if the Town of Kendall is awarded a Catalyst Grant through the Northern Borders Regional Planning Commission for a Low Pressure Sewer Wastewater Collection System along the Lake Ontario Shoreline. The Town Board intends to contract with the Genesee Finger Lakes Regional Planning Commission for grant administration services not to exceed two percent.

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

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

RESOLUTION 69-0623 WATER DISTRICT SIX WATER RATE INCREASE

WHEREAS the Town of Murray supplies and delivers the water for the Town of Kendall's Water District Six through an intermunicipal agreement, and

WHEREAS, the Town of Murray has notified the Town Board of the Town of Kendall of significant increases in the rates it pays to Monroe County Water Authority for its water supply, and

WHEREAS, it now becomes necessary to pass these increases on to the Town of Kendall, and so to each benefit user of Water District Six, so

NOW BE IT RESOLVED, that the new water rate for Water District Six customers, effective July 1, 2023, will be \$4.50 per 1,000 gallons of water. The \$15.00 quarterly service fee will remain unchanged.

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

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

RESOLUTION 70-0623 DECOMMISSIONING AGREEMENT WITH DG ORLEANS, LLC

BE IT RESOLVED, that the Kendall Town Board authorizes Supervisor Cammarata to sign a Solar Energy System Decommissioning Agreement with DG Orleans, LLC, for a solar project situated at 1770 Center Road, Tax Parcel 32.-1-29.1.

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

With no further business being brought forward, Jennings made a motion to adjourn, which was seconded by Flow. All in agreement and meeting was adjourned at 7:43 p.m.

Respectfully Submitted,

Amy K. Richardson