

KENDALL TOWN BOARD

Tuesday, December 19, 2023 7:00 p.m.

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

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

ROLL CALL

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

SUPERVISOR’S REMARKS

As 2023 winds down, it is customary to have many year-end resolutions and we have just that tonight. We will get to them later on going forward in our meeting but now I would like to congratulate Zachary Barrett for his Eagle Scout achievement. I know that this award will be a valuable accreditation to all his future accomplishments and I am confident there will be many. Congratulations.

I would also like to thank both Margaret Lynn Szozda and Warren Kruger for their many years of service to the town. I know that because of their commitment and perseverance they have helped enhance our residents’ lives. Thank you, Lynn and Warren.

The PUBLIC HEARING was opened at 7:02 p.m.

PUBLIC HEARING FOR LOCAL LAW 1 OF 2024 – A Local Law to Amend Tax Exemption Limits for Persons Over 65 Years of Age in the Town of Kendall

No one wished to speak either for or against this law being passed.

The PUBLIC HEARING was closed at 7:05 p.m.

The PUBLIC HEARING was opened at 7:06 p.m.

PUBLIC HEARING FOR LOCAL LAW 2 OF 2024 – A Local Law Providing for Partial Exemption from Taxation on Improvements to Real Property Occupied by a Physically Disabled Resident

No one wished to speak either for or against this law being passed.

The PUBLIC HEARING was closed at 7:08 p.m.

SPECIAL RECOGNITION OF EAGLE SCOUT

RESOLUTIONS

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

RESOLUTION 116-1223 EAGLE SCOUT RECOGNITION

WHEREAS, Zachary Nicholas Barrett was a student in the Kendall Central School District, Town of Kendall, Orleans County, New York and

WHEREAS, this young man is a member of the Boy Scouts of America, and has been involved with Troop 94 located in the Town of Kendall, and

WHEREAS, he has, through years of hard work and dedication, demonstrated leadership to his troop and community, culminating in the achievement of Eagle Scout rank, an award of the highest merit, now

THEREFORE, be it resolved that the Town Board of the Town of Kendall, Orleans County, New York does hereby recognize the efforts, dedication and leadership shown by Zachary Nicholas Barrett in his attainment of the rank of Eagle Scout and,

FURTHER, on behalf of all of the residents of the Town of Kendall, we commend and congratulate this young man on his attainment of the rank of Eagle Scout and,

FURTHER, we wish him well in all of his endeavors.

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

SPECIAL RECOGNITION OF COUNCILWOMAN SZOZDA’S SERVICE:

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

RESOLUTION 117-1223 RECOGNIZING COUNCILWOMAN SZOZDA’S SERVICE

WHEREAS, **M. Lynn Szozda** has served the residents of the Town of Kendall as Councilwoman for many years, and has performed that service to them with a high level of professional and courteous interaction, as well as the many behind the scenes duties of working with the Town’s employees and the other elected officials, in a conscientious and diligent manner, so

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kendall, does hereby recognize the service of Lynn to the Town of Kendall and

FURTHER, on behalf of all of the residents of the Town of Kendall, does thank her for that service, and does wish her well in all of her future endeavors.

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

Councilwoman Szozda said it has been a pleasure to serve our people.

SPECIAL RECOGNITION OF SUPERINTENDENT KRUGER’S SERVICE:

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

RESOLUTION 118-1223 RECOGNIZING HIGHWAY SUPERINTENDENT KRUGER’S SERVICE

WHEREAS, **Warren Kruger** has served the residents of the Town of Kendall as Highway Superintendent for a great many years, and has performed that multi-faceted service to them with a high level of professionalism and tireless diligence, so

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kendall, does hereby recognize the service of Warren to the Town of Kendall and

FURTHER, on behalf of all of the residents of the Town of Kendall, does thank him for that service, and does wish him well in all of his future endeavors.

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

Superintendent Kruger remembered many of the boards, co-workers and residents he has interacted with, and hopes he has served all with his position.

RECESS for a short reception for the honorees was called at 7:11 p.m.

The regular meeting was called to order at 7:29 p.m.

CORRESPONDENCE

Resignation of David Bentley from Zoning Board of Appeals
Gifts of wreath and cookie box from LaBella, Associates
Gift of cookie tray from Albion Agencies

PUBLIC COMMENT

Dave Bentley, Councilman-elect, asked Councilwoman Szozda for the status of STR applications. Councilwoman Szozda provided an update.

Truda Slocum, Lakeshore Road – mentioned she read in the Batavia news that other nearby towns have received large amounts of state money toward water districts, and wondered how they get this. Supervisor Cammarata said that much of what is read is about water treatment plants, The processes – any of them – are complicated and long. Our process is progressing. It is frustrating, but new water districts will happen.

Dave Bentley asked for any sewer project updates. Supervisor Cammarata said all information is on the website. Positive news is expected on funding soon.

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS

Standing Committees

Public Safety/Emergency Services & Occupational Safety – Martin

Buildings & Grounds – Martin

Highway – Martin

There has been some weather related damage in Beechwood Cemetery.

It will be cleaned up as weather permits. The age of the trees is resulting in large dead limbs. Many need trimming or removal.

New lights are necessary at all cemeteries for the flag stands.

The flag frame for the Town Hall is being pursued.

The brush pile on Woodchuck Alley is being improperly used. This must be addressed.

Community Relations - Flow

Culture & Recreation – Flow

Information Services – Flow

Christmas lighting of the gazebo was well attended. Thanks to Kim Corcoran and Eric Maxon for setting up the after party.

The fourth grade Christmas concert for the seniors group is scheduled for next week.

The website needs some updates in functionality. Eden will meet with CandHPC.

Broadband lapses are being addressed. Finally, some progress may happen.

Human Resources and Ethics – Szozda

Employee Benefits – Szozda

All loose ends for medical benefits information, NYS retirement records and answers, the STR owners' information, and Memorial Day observance notes are all in the Council/Supervisor office. A thumb drive has been left as well.

Planning, Zoning & Agriculture – Jennings

The Planning Board has been discussing Maxon's application for a Special Use permit.

A flag lot issue from a proposed subdivision is being worked on by both planning and zoning boards.

Finance, Taxes & Special Districts – Cammarata

New York Class will be joined to enable us to invest some of the Town's money in a higher interest bearing account.

Orleans County Legislature – John Fitzak – not present

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 - nothing to report

Highway - W. Kruger – no report

Historian – L. Richardson – 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

RESOLUTIONS

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

RESOLUTION 119-1223 ADOPTING LOCAL LAW 1 OF 2024

WHEREAS, the Town Board of the Town of Kendall, having duly called and held a Public Hearing on the 19th day of December, 2023 on the enactment of Local Law 1 of 2024 of the Town of Kendall, entitled A Local Law to Amend Tax Exemption Limits for Persons Over 65 Years of Age in 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 1 of 2024 of the Town of Kendall is hereby enacted as originally presented, and shall be effective upon its filing with the New York State Department of State.

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

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

RESOLUTION 120-1223 ADOPTING LOCAL LAW 2 OF 2024

WHEREAS, the Town Board of the Town of Kendall, having duly called and held a Public Hearing on the 19th day of December, 2023 on the enactment of Local Law 2 of 2024 of the Town of Kendall, entitled A Local Law Providing for Partial Exemption from Taxation on Improvements to Real Property Occupied by a Physically Disabled Resident, and

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

NOW, THEREFORE, be it Resolved, that Local Law 2 of 2024 of the Town of Kendall is hereby enacted as originally presented, and shall be effective upon its filing with the New York State Department of State.

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

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

RESOLUTION 121-1223 DONATION OF CURTIS PARK FROM THE MORTON FIRE COMPANY TO THE TOWN OF KENDALL

WHEREAS, The Town of Kendall has received an offer from the Morton Fire Company, Inc. to donate to the Town of Kendall certain real property located at 1223 County line Road, in the Town of Kendall, consisting of approximately 6.25 acres improved by a recreational field, on the condition that the property be used for park purposes, and

WHEREAS, the town wishes to accept such property on such terms,

NOW, therefore, be it,

RESOLVED, to authorize Supervisor Cammarata to execute on behalf of the Town of Kendall a certain agreement to transfer property to the Town in the form attached here, and to sign such further instruments, including deed documents and related instruments, to carry out the acquisition of such real property on behalf of the Town.

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

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

RESOLUTION 122-1223 NYCLASS MUNICIPAL RESOLUTION

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o(Section 199-o) empowers municipal corporations (defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, towns and villages, and districts) to enter into, amend, cancel, and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers, and duties on a cooperative or contract basis, and

WHEREAS, the Town of Kendall wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019, and

WHEREAS, the Town of Kendall wishes to satisfy the safety and liquidity needs of their funds, so, now,

BE IT RESOLVED, that the Kendall Town Board authorizes Supervisor Cammarata of the Town of Kendall to hereby participate in the NYCLASS Program under the terms of the NYCLASS Municipal Cooperation Agreement, amended and restated as of March 28, 201 Supervisor Cammarata called for a vote, which resulted in all ayes, and declared the motion carried.

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

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

RESOLUTION 123-1223 BUDGET TRANSFER W D #10

BE IT RESOLVED, to decrease Water District 10 expense account SW10-9710.73 by \$7.00, and to increase Water District 10 expense account SW10-8389.00 by \$7.00.

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

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

RESOLUTION 124-1223 BUDGET TRANSFER

BE IT RESOLVED, to decrease General Expense Account A9060.80 by \$6,627.93 and increase the following General Expense Accounts:

A1110.13 by \$163.44,
A1110.40 by \$407.44,
A1220.42 by \$188.82,
A1315.10 by \$766.66,
A1410.40 by 190.59,
A1420.40 by \$795.52,
A1440.40 by \$1,631.25,
A1450.40 by \$251.16,
A1620.20 by \$54.28,
A1670.41 by 26.61,
A7310.11 by \$121.25,
A7310.40 by \$1005.91, and
A8010.10 by \$1025.00, for a total of \$6,627.93.

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

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

RESOLUTION 125--1223 BUDGET TRANSFER WATER DISTRICT SEVEN

BE IT RESOLVED, to decrease expense account SW7-8389.00 \$44.30 and increase expense account SW7-9710.73, \$44.30.

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

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

RESOLUTION 126-1223 BUDGETAMENDMENT HIGHWAY DEPARTMENT

BE IT RESOLVED to increase Highway Revenue Accounts:

DA2309.00 by \$4,968.56,
DA2401.00 by \$381.42,
DA2650.00 by \$500.00,
DA2665.00 by \$1,678.00,
DA2770.00 by \$4,420.00, and
DA2302.00 by \$2,276.26, for a total of \$14,224.24, and to

Increase Highway Expense Accounts:

DA5110.40 by \$2,776.24,
DA5130.40 by \$5,027.57,
DA5142.40 by \$3,730.17, and
DA9060.80 by \$2,690.26, for a total of \$14,224.24.

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

Councilwoman Szozda made a motion to pay the claims, as presented on Abstract 12. Motion was seconded by Councilman Martin. All votes were in favor.

PAYMENT OF CLAIMS

General Fund	Abstract 12	\$ 25,944.19	Vouchers 733-770,781,783,800,802,806
Highway Fund	Abstract 12	\$ 15,629.89	Vouchers 736,768,771-780,782,784-799
Light District One	Abstract 12	\$ 392.25	Voucher 800
Light District Two	Abstract 12	\$ 248.24	Voucher 800
Light District Three	Abstract 12	\$ 126.21	Voucher 800
Water District Six	Abstract 12	\$ 57.34	Vouchers 801,802
Water District Ten	Abstract 12	\$ 1,669.30	Voucher 803
Sewer District One	Abstract 12	\$ 1,652.50	Voucher 805
CP Thompson Drive	Abstract 12	\$ <u>170.00</u>	Voucher 804
	TOTAL:	\$ 45,889.92	

PENDING ISSUES

Morton Union Cemetery – a letter has been drafted to Senator Ortt, seeking his help to expedite grant payment.
Sewer Project – discussed earlier
Curtis Park – committee to determine usage will be formed in January
Medical Building – issue of transfer of ownership to the Town is still in court
Woodchuck Alley Brush Dump – better cameras and enhanced fines will be necessary

NEW BUSINESS

IT – e-mail switch to 360 – Supervisor Cammarata will contact C&H PC to get this in place.

With no further business being brought forward, Councilman Martin made a motion to recess this meeting until December 28th, at 3:00 p.m., which was seconded by Councilman Jennings. All in favor. Meeting was recessed at 8:04 p.m.

Respectfully Submitted,

Amy Richardson,
Kendall Town Clerk