

TOWN OF KENDALL
TOWN BOARD MEETING
Tuesday, April 16, 2013, 7:30 P.M.

Supervisor Gaesser called the meeting to order at 7:30 p.m., and led the Pledge of Allegiance.

ROLL CALL

Councilman Pritchard	present
Councilman Joseph	present
Councilman Schuth	present
Councilwoman Szozda	present
Supervisor Gaesser	present

Also present, Attorney Sansone, Clerk Richardson, CEO Paul Hennekey, Hwy. Supt. Kruger, Planning Board members Andrew Kludt and Raymond Wenzel, Orleans County Legislator Ken Rush, Dan and Marietta Schuth, MaryEllen Seaman, Kathy Scroger, one unidentified observer

SUPERVISOR'S REMARKS

Amato & Fox on-site audit is complete; preliminary report should be received within two weeks.

Notification has been received that the Marina loan default will NOT adversely affect grant eligibility through CDGB for public water extension.

ACCEPTANCE OF MINUTES

Councilman Pritchard recommended a change in wording to the minutes from March 19, 2013, and made motion to accept those minutes, with the change, and the minutes from April 2, 2013, as presented. Councilman Schuth seconded the motion; all ayes; minutes accepted.

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS

Standing Committees

Public Safety/Emergency Services & Occupational Safety –Joseph, Chair

Buildings, & Grounds –Joseph, Chair

Information Services –Joseph, Chair

Fire alarms and generator have had the routine maintenance performed. The generator will need some parts replaced in the autumn. This was budgeted.

Morton Union Cemetery may need some assistance. The company which will be repairing headstones will begin work soon. State money will be utilized for this as this is still a private cemetery.

The new, consolidated fire district had 14 calls in its first month, and is off to a successful start.

Water surveys – 76 % of the surveys have been completed. Those who did not respond or sent neutral answers will be contacted. Mike Schaffron expressed that this is a good start, and has offered help. A review of breakdown by road was given. Postcards to those who still do not respond is an appropriate step.

Some shingles were lost from the Town Hall during the heavy winds, and will need replacement.

Supervisor Gaesser reviewed comments from Mike Schaffron, who recommends mapping the responses at this point, as most with a high need or desire for water respond promptly. Pictometry can be utilized to aid this.

Highway –Gaesser, Chair – no report

Culture & Recreation –Pritchard, Chair

Councilman Pritchard helped the recreation department by setting up spreadsheets.

Planning, Zoning & Agriculture -Schuth, Chair

Community Relations –Schuth, Chair

The Zoning Board of Appeals granted a variance request from The Wegman Group.

The Planning Board will hold a Hearing and will consider an application for a home business.

The Boy Scouts and Lions will sponsor the town-wide clean-up May 4th at 9:00 a.m.

A concert by the Community Choir is scheduled for May 22nd at the gazebo.

The Memorial Day service will be at Morton Union Cemetery on Friday, May 31st.

Human Resources and Ethics –Szozda, Chair

Employee Benefits –Szozda

No report

Finance, Taxes & Special Districts –Gaesser, Chair

No report

Orleans County Representative – Ken Rush

The sale of the County Nursing Home is controversial, but is being pursued.

Mr. Rush will be retiring from his position at year-end.

Boards

Planning Board – P. Gray, Chair

Member Wenzel said the Board will consider an application from Crystal Frietag for a hair salon located in her home.

Redistricting to aid water expansion is being studied.

Zoning Board – K. Banker, Chair

No report

Department Heads

Assessor – G. Massey – no report

Code Enforcement – CEO Hennekey

The burned out house on Petersmith Road has been demolished.

Both CEO Hennekey and his Deputy have completed their annual training.

CEO Hennekey expressed support for resolution 46-0413.

Highway - W. Kruger

Winter damage, including potholes, is being addressed. Snow markers are down.

Equipment is in shape ready for summer use.
Machinery – CAT program is available to refurbish certain equipment.
Tree trimming is occurring.
A productive meeting with Orleans County Soil and water was held.
Daniel Schuth reported about his meeting with Monroe County Soil and Water.
Drainage project is on hold until Monroe County Soil and Water meets with the DEC.
There will be a CHIPS increase this year.
Cemeteries are being put into shape.
KCS would like its parking lot paved. Supt. Kruger has given KCS an estimate for that work.
Councilman Pritchard asked about the 284 agreement. Mr. Kruger said it will be more about intense maintenance this year than capital improvement.

Historian – K. Corcoran - no report
Recreation – B. Flow - written report submitted
Town Clerk – A. Richardson - written report submitted
Town Justice - C. Lape & S. Cliff - written reports submitted
Supervisor – D. Gaesser - written report submitted

CORRESPONDENCE

Dog Control Officer Inspection Report from Patricia Famiglietti, NYS Dept. of Agriculture

Towns of Ridgeway and Carlton and Clarendon, and Orleans County Legislature with Resolutions in Support of State Bill No.S2026-2013 To Amend the Lien Law in Relation to Filing of False Liens Against Public Officials

Letters from Assemblyman Hawley, Senator Maziarz, NYS Assembly Minority Leader Brian Kolb, and Member of the Congress of the United States Chris Collins regarding Kendall's resolution opposing the SAFE Act.

Letter from OC Legislature asking for support of proposed state laws concerning contact information for vacant structures

2013 Assessment Notification on eight parcels owned by the Town of Kendall from Gene Massey

PUBLIC COMMENT

none

RESOLUTIONS

Councilman Pritchard made the following motion, which was seconded by Councilman Joseph:

RESOLUTION 45-0413 RESOLUTION APPROVING OUT OF DISTRICT USER AGREEMENTS BETWEEN TOWN OF KENDALL RESIDENTS AND THE TOWN OF GAINES

RESOLVED, that pursuant to the provisions of §198(3)(b) of the Town Law of the State of New York, the Kendall Town Board hereby consents to the Town of Gaines entering into an outside user agreement with the following owners of real property situate on the east side of Transit Road, which premises is contiguous to, or within 500 feet of, the boundaries of Gaines Water District No. 10, providing for the Town of Gaines to supply public water to said the property through the Town of Gaines water distribution system:

Owner: Daniel Schuth
Property Address: 2279 Transit Road
Tax Account No.: 42.-1-34

Owner: Brian Schomske
Property Address: 2193 Transit Road
Tax Account No.: 42.-1-1

FURTHER RESOLVED, that the property owner shall acknowledge in such agreement that if the Town of Kendall establishes a water district in the future which includes the owner’s property, the owner will be deemed to benefit from inclusion in that water district and they will be assessed a bond repayment charge.

Supervisor Gaesser called for a vote, with the following results, and declared the motion carried:

Councilman Pritchard	aye
Councilman Joseph	aye
Councilman Schuth	abstain
Councilwoman Szozda	aye
Supervisor Gaesser	aye

Councilman Joseph made the following motion, which was seconded by Councilman Schuth:

RESOLUTION 46-0413 RESOLUTION TO SUPPORT NEW YORK STATE ASSEMBLY BILLS A.88 AND A.824 REGARDING THE PROPOSED LAWS CONCERNING CONTACT INFORMATION FOR VACANT STRUCTURES

WHEREAS, vacant, abandoned, and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures; and require good faith in obtaining a foreclosure; now be it

RESOLVED, that the Kendall Town Board hereby supports the passage of said Bills and respectfully requests that Senator George Maziarz, and Assemblyman Hawley, the State Representatives who represent constituents in the Town of Kendall County, support the passage of said Bills; and be it

FURTHER RESOLVED, that the Kendall Town Clerk is directed to send copies of this resolution to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver, Senator George Maziarz, Assembly member Steve Hawley, NYSAT, and all others deemed necessary and proper.

Supervisor Gaesser called for a vote, with the following results, and declared the motion carried:

Councilman Pritchard	aye
Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gaesser	aye

Councilman Pritchard made a motion to pay the claims, as presented. Motion seconded by Councilman Joseph; all ayes:

PAYMENT OF CLAIMS

General Fund	Abstract 4	\$14,791.25	Vouchers 203-221,223-236
Highway Fund	Abstract 4	\$27,452.59	Vouchers 204,212,237-271
Water District Six	Abstract 4	\$54.78	Vouchers 222,234
Light District One	Abstract 4	\$449.87	Voucher 223
Light District Two	Abstract 4	\$266.14	Voucher 223
Light District Three	Abstract 4	\$147.28	Voucher 223
		\$43,161.91	

OLD BUSINESS

Water Expansion- Course of Action Plan

Next steps are to map the responses so far, and to obtain direction from Bill Remstein on how to address the issue of unreturned and blank responses, and to clarify the qualification criteria for grants pertaining to number of “no” votes.

Councilwoman Szozda said the mapping may show areas of “yes” concentrations to form a district. Further discussion was held about the mapping process.

Re-zoning RA (residential agriculture) districts with water service to RR (rural residential)

The Planning Board is working on this issue.

With no other business being brought forward, Councilman Pritchard motioned for adjournment, seconded by Councilwoman Szozda; all ayes. Supervisor Gaesser adjourned this meeting at 8:22 p.m.

Respectfully Submitted,

Amy K. Richardson, Kendall Town Clerk