

**TOWN OF KENDALL**  
**TOWN BOARD MEETING**  
Tuesday, May 21, 2013, 7:30 P.M.

Supervisor Gaesser called the meeting to order and led the Pledge of Allegiance.

**ROLL CALL**

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

Also present, Attorney Sansone, Clerk Richardson, CEO Hennekey, Planning Board members Andrew Kludt, Raymond Wenzel, Hwy. Supt. Kruger, several members of the public.

**SUPERVISOR'S REMARKS**

The State Comptroller's Office auditor has requested additional information and a preliminary report is pending.

Amato and Fox returned for additional information, and their preliminary audit report should be done within a week.

Cottages at Troutburg project is progressing. They have received many of the required permits from various agencies and are now working closely with code enforcement for the permits required by the Town.

The Highway Department has purchased some equipment at auction.

Welcome to the high school student attendees.

Supervisor Gaesser expressed that there is an empty feeling on the Board. On the agenda is the acceptance of Councilman Donn Pritchard's resignation. Donn has served this town for several years, and has offered to volunteer some of his time each month, as needed. He has been a loyal and dedicated servant, who has worked for the betterment of Kendall, and will be sorely missed.

**ACCEPTANCE OF MINUTES**

Councilman Schuth motioned for acceptance of the following minutes, seconded by Councilwoman Szozda:  
Town Board Meeting – April 16, 2013  
All ayes.

**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

The large pine tree in front of the Town Hall requires removal. The Highway Department will do this job.

The gutters needed repair and some replacement.

The website has information about an upcoming hazardous waste collection in Orleans County.

The new Hamlin Morton Walker fire district is moving ahead well.  
Cemetery work is progressing.

Highway –Gaesser, Chair

Some budget items will be addressed regarding the new purchases.  
The new truck purchased in 2012 is now on the road.

Culture & Recreation

Summer rec is in full swing.  
Registration fees, budget-wise, are in good order.

Planning, Zoning & Agriculture -Schuth, Chair

Community Relations –Schuth, Chair

Three variance requests have been considered by the Zoning Board; one requires additional information.  
Road-side clean-up went well. A trailer of debris was removed.  
The Memorial Day service is set for May 31 at 7:00 p.m.

Human Resources and Ethics –Szozda, Chair

Employee Benefits –Szozda

An inquiry was made and a response was sent.

Finance, Taxes & Special Districts –Gaesser, Chair

The mortgage tax check was received, and was significantly higher than expected.

Orleans County Representative – Ken Rush – not present

Boards

Planning Board – P. Gray, Chair

Member Wenzel reported that a Public Hearing was held regarding a special permit for a hair salon on Kendall Road. The Planning Board recommends that the permit be granted.  
Redistricting work continues, and should be completed by next month.  
The County Planning Board has been busy. Training is being offered for municipal officers.

Zoning Board – K. Banker, Chair

Department Heads

Assessor – G. Massey – no report

Code Enforcement – CEO Hennekey

Busy construction season is underway – multiple permits and inspections.  
The Cottages at Troutburg have received all of the required approvals from the DEC to break ground, and the Department of State has weighed in and approved the project in full. The Army Corps of Engineers has issued a wetlands mitigation permit, and a preliminary approval for the plans for the pier and outflow pipe. The local Hazard Area Permit is all-inclusive, and can be issued, conditional on final Army Corps approval of the pier and outflow pipe. CEO Hennekey will provide a packet of all approvals for the file.

Highway - W. Kruger

Thank you to the Lions Club and Scouts for the successful clean-up day.  
Cemeteries are in good shape for Memorial Day.  
Garden Club has placed the flower boxes.

The pine tree will be removed this week.  
Mowing of roadsides has begun.  
The water mapping project is being worked on.  
The new truck is in service and performing well.  
Auction purchases : 2004, 4 x 4, ¾ ton Silverado Pickup  
Plow for the truck  
Sidewalk equipment  
Some excess equipment was sold.  
Budget impact will be minimal.

Kenmor Road – trees have been planted along last year’s sidewalk work.  
Sidewalks at North end of town will be next.  
The county will be working on part of Kenmor Road. The town is seeking commitment from the county to work on all of Kenmor Road.  
Superintendent Kruger will be on vacation for a week in June.  
Culvert work is ongoing.  
Invoice for Ice and Snow will be coming soon.  
The agreement between the school and the town for parking lot work is beneficial to taxpayers.  
The KFD auction at the carnival is accepting donations.  
Beechwood Cemetery repairs are nearly complete.

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

Letter of resignation from Councilman Donald Pritchard

Letter from the Fire Department asking the Town Board to waive open container law during the carnival.

## PUBLIC COMMENT

None

## RESOLUTIONS

Supervisor Gaesser made the following motion, seconded by Councilwoman Szozda:

### **RESOLUTION 47-0513 ACCEPTING DONALD PRITCHARD’S RESIGNATION**

Be it hereby resolved that the Town Board does, with much regret and best wishes, accept the resignation of Donald Pritchard as councilman for the Town of Kendall, effective April 30, 2013.

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

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

**RESOLUTION 48-0513 AUTHORIZING ADVERTISING FOR THE VACANCY ON THE TOWN BOARD**

Whereas Donn Pritchard has resigned from the Town Board, and a vacancy does exist on the Town Board as a result of his resignation, and,

Whereas, the Town Board of the Town of Kendall desires to notify citizens about this open position and to receive letters of interest, applications, and resume's from interested citizens, and,

Whereas, the Town Board of the Town of Kendall will be accepting resumes and applications for this position, with such deadline of receipt to the Kendall Town Clerk by June 10, 2013.

Now, therefore, be it RESOLVED, that the Town Clerk is instructed to advertise this open position.

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

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

**RESOLUTION 49-0513 ACKNOWLEDGEMENT AND THANKS FOR TOWN CLEAN-UP**

Whereas the members of the Kendall Lions Club, Kendall Leos Club, Boy Scout Troop 94, Cub Scout Pack 94, and many town residents volunteered to, and accomplished a town-wide roadside clean-up project on the 4<sup>th</sup> day of May 2013, and...

Whereas this project did improve the appearance of the Town, reduced the workload of the Highway Department, and improved the appearance of the community, therefore, now,...

Be it resolved that the efforts of Kendall Lions Club, Kendall Leos Club, Boy Scout Troop 94, Cub Scout Pack 94, and numerous town residents are hereby acknowledged, duly noted and sincerely appreciated.

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

Councilwoman Szozda made the following motion, seconded by Councilman Joseph:

**RESOLUTION 50-0513 INTERMUNICIPAL AGREEMENT WITH KENDALL SCHOOL DISTRICT**

Be it hereby resolved to authorize Supervisor Gaesser to enter into an INTERMUNICIPAL AGREEMENT FOR COOPERATIVE EXCHANGE OF EQUIPMENT AND MATERIALS RELATED TO PAVING KENDALL SCHOOL DISTRICT PARKING AREAS, subject to the Highway Superintendent's and the Attorney for the Town's approvals.

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

Supervisor Gaesser made a motion to pay the claims, as presented, seconded by Councilwoman Szozda; all ayes:

**PAYMENT OF CLAIMS**

General Fund	Abstract 5	\$21,780.09	Vouchers 272-296,298-301,305-308
Highway Fund	Abstract 5	\$22,922.84	Vouchers 273,281,309-344
Light District One	Abstract 5	\$453.48	Voucher 295
Light District Two	Abstract 5	\$268.22	Voucher 295
Light District Three	Abstract 5	\$147.66	Voucher 295
Water District Three	Abstract 5	\$6,523.75	Voucher 303
Water District Four	Abstract 5	\$24,310.00	Voucher 304
Water District Six	Abstract 5	\$1,191.79	Vouchers 297,302,306
Capital Project	Abstract 5	<u>\$36,547.82</u>	Vouchers 345-351
		\$114,145.65	

**OLD BUSINESS**

*Water Expansion- Course of Action Plan:*

Councilman Joseph has drafted a follow-up letter to encourage those who have not responded to do so. Suggestions were made to finalize that letter, which will be sent by end of the week. Very high response is necessary. The next step will be for Board members to go door to door.

A mapping draft has been drawn up. A discussion of how to map specific cases was held.

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

The results of this will need to be included in the Codification project.

**NEW BUSINESS**

Kendall Medical Center – owned by Lakeside Health System, but the funds were raised by the community. With Lakeside closing, there is a need to explore legal options to be able to keep the center open. The concerns raise some complicated legal issues. Attorney Sansone has begun to study options and timeframes. If bankruptcy is pursued by Lakeside, it is a real possibility that the center could be lost. The Kendall Medical Center Oversight Committee will be contacted.

Councilman Schuth asked about the Street Dance being scheduled. Movie night, a street dance and a community church service are planned for the third weekend in August.

There are Scouts to be recognized for achieving the Eagle and Gold rankings. This will be on the June meeting agenda.

Highway Superintendent Kruger spoke about the infestation of Ash Borers being an issue – both for environmental reasons and the possibility of residents being taken advantage of by offers of treatments at exorbitant prices.

With no further business being brought forward, Councilman Schuth motioned for adjournment, seconded by Councilwoman Szozda; all ayes. Supervisor Gaesser adjourned the meeting at 9:00 p.m.

Respectfully Submitted,

Amy K. Richardson, Kendall Town Clerk