

REGULAR MEETING, KENDALL TOWN BOARD – MAY 12, 2005

Supervisor Becker called the meeting of May 12, 2005 to order at 7:30 PM and the Pledge of Allegiance was led.

PUBLIC PARTICIPATION:

Public Present: Bridget Flanagan, Jenna Rodas, Ben Jones, Colin Zimmerman, Jamie Johnson, Scott Sampue (sp?), Jasmine Barringer, Caleb Burnside, Bonnie Jenks, Natasha Jenks, Donald Beers, William Vick, Dennis Buehler Jr., Tom Holloway, Leigh Lustombo, Allen Lofthouse, Beverly Lofthouse, Nicole Wolck, Rick Mrzywka.

Ben Jones – Glad that cannon was back but still unhappy with the way it was handled. Now NYS taxpayers will pay for it's return which is a disgrace. Town's \$5,000 replica is only worth \$600.00 and may get one for \$1400. Questioned the \$2,000 restocking fee we paid if we kept the cannon. Attorney General's Office can look into this. Felt that the Town Board should not pass resolution to transfer funds to pay to repurchase the cannon and that \$12,000 should come out of the pockets of the Town Board members who voted for this action and from those prominent people you spoke to about selling the cannon. Nothing to do with tax payers. Mr. Jones feels Mr. Watterson should not make a profit from stealing history. Mr. Watterson has interrupted 15 cemeteries since 1988. Mr. Jones stated the best thing that can be done is that the Town Board educate other groups of this town's situation so it will not happen to others. Senate passed a bill (S2348-A) and now to Assembly (A03432) to keep Watterson from continuing with these actions. Asked that the Town Board be in contact with governmental representatives, especially Nesbitt, to help get this legislation passed and get this bill on the calendar now. Questioned if received Charlie Nesbitt's grant funds for repurchase of cannon. Supervisor Becker stated notice has been given by Nesbitt's Office that we were awarded a grant but paper work will follow to get funds.

Colin Zimmerman – Questioned why the replica did not go back to Watterson. Supervisor Becker indicated that Watterson was not interested in getting it back. Questioned the restocking fee and why we had to pay fee if replica did not go back. Supervisor Becker stated it was for the gun carriage which Watterson already had it in his possession and sent it back. Colin asked why we had to go to Assembly Nesbitt for grant money and why we did not handle it in house. Colin asked who went to Nesbitt? Supervisor Becker indicated that he asked for the grant money to get cannon back, for rededication, and improvements to the site. Colin asked how much money is left. Supervisor Becker indicated \$3,000 plus replica should the Board decides to sell. Supervisor Becker indicated that the Advisory Board is charged with plans for rededication of the cannon and improvements of the sight. Colin suggested that laws be checked, and communications with GAR, before any improvements are done to avoid any violations of the law.

Jamie Johnson –
Crosswalks – 2 years ago wrote a letter for Crosswalks to be put into place. Concerned about children safety while crossing to school when the weather gets good. Superintendent Kruger stated he had communications with County Highway Department. The County plans to CHIP seal the road in the Spring. Approaches have been poured and will see what the County is going to do. Jamie indicated that it is a safety issue and would like to see the crosswalks in place as soon as possible.

Neighbors on Crandall and Kendall road have a real concern with drainage. Has obtained some signatures of neighbors supporting drainage projects. (Signatures and pictures on file with Town Clerk) Felt standing water is a safety issue. Sometimes water can go as high as 18" to 3'. With all the children living in his area, concerned about their adventurous trips.

Ken Rush – County Legislator
Crosswalks – have been in communications with County Highway. Knows that concerns have been addressed between Warren and the School. Legislator Rush has been aware of the drainage issues through his involvement with Orleans County Soil and Water, especially in the Kendall Hamlet area. Creek Road has been caving in due to Sandy Creek. Orleans County Highway will be using their new Track Hoe to try to fix this problem.

Moved into session at 7:52 PM

- Members present: Supervisor Becker
Councilpersons Kludt, Robinson, Weisenburg
- Members excused: Councilperson DiNatale
- Others present: Attorney Douglas Heath, Legislator Kenneth Rush, Highway Superintendent Warren Kruger, Water Superintendent Eric Peters

Motion by Councilman Weisenburg, seconded by Councilwoman Robinson, to accept the minutes of the meeting of April 14, 2005 as presented by the Clerk.
Ayes: All
No: None

Motion by Councilwoman Robinson, seconded by Councilman Kludt to accept **General** Claims (Abs#5) totaling \$90,516.23. Supervisor Becker is authorized to pay said claims. (Voucher 114 to 138)
Ayes: All
No: None

Motion by Councilman Kludt, seconded by Councilman Weisenburg to accept **Highway** Claims (Abs#5) totaling \$31,359.82. Supervisor Becker is authorized to pay said claims. (Voucher 97 to 134)
Ayes: All
No: None

Motion by Councilman Weisenburg, seconded by Councilman Kludt to accept **Agency** Claims (Abs#5) totaling \$33,034.22. Supervisor Becker is authorized to pay said claims. (Voucher -)
Ayes: All
No: None

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CORRESPONDENCE:

FROM:	RE:
Supervisor & Bookkeeper	Revenues vs Expenditures Jan-April 2005
Planning Board	Meeting Minutes-3/22/05, 3/29/05
	Letter of approval to Mr. Martin Rand
Assessor’s Office	Letter from the KCS Superintendent
Morton Union Cemetery Assoc	Thank you for cleanup of Morton Cemetery
Betty Erdmann	
Kendall Central School District	School owned roads
Michael O’Laughlin	
Zoning Board	Meeting Minutes-March 10, 2005
Family of Deanie Jurhs	Thank you for memorial gift
Supervisor Becker:	
Time Warner Cable	LPGA Kick off Invitation

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS:

Joette Knapp – Historian

Steffen homestead at 1893 Kendall Road was a 1846 2 room school house that stood across the road. It was moved from across the road in 1909 and what we see from the road is the back of the old school house. Would like to place a historical designation sign in front of this home. Will have a plaque that may cost \$300.00. Typical historical marker costs up to \$1300.00. Historian Knapp feels this is over her budget at this time.

R.J. Smith brought the old wrought iron from the Greenwood Cemetery arch that was salvaged. All the letters are present. Went to Timothy Dunn of Markusen’s Metal Workshop and Mr. Dunn will make a design. The arch will not be reconstructed because the vault trucks will again destroy it when they drive under it. Would like to see this displayed on the east side of the entrance of the cemetery. Mr. Kruger (Warren’s Dad) and Mr. Bob Ralph would most likely be able to construct something once Mr. Dunn completes a design. Will not be able to come from Historian’s Budget but asked if money is available from the Cemetery Budget. Supervisor Becker stated that funds have been allocated for a sign and would need to find a date that cemetery was established.

Eric Peters –

New backhoe has been working well. LaBella Associates have been working with Chatfield Engineers for the estimates on these small extensions the Town would like to construct. Water main break was fixed at Hamlin Center Road. 44 year old hydrant replaced on Kendall Road at the end of Smith Drive after a car struck it. Attended a computer conference in Syracuse from the Water Billing Software provider. Busy putting meters back into summer cottages.

Warren Kruger – Highway Superintendent

- Working on equipment, cemeteries, road signs, etc. Tires and trash are being picked up from roadsides by Highway Crew. Thanked efforts of Boy Scouts and Lions during their Spring Clean up on one of the worst of weather days.
- Cemeteries – Will need to fix Beechwood cemetery from the improper driving damage once ground dries up. Replaced hand well pump at Beechwood Cemetery and cut up a fallen tree at Morton Cemetery and hauled it away. Cemetery Association sent letter of appreciation for help.
- Tire Pile – current price is \$88.00 per ton - \$.88./tire. Price has gone down. Hamlin has a half of a truck and we could work with them to reduce our pile. Councilwoman Robinson asked if the Town should have another Tire Collection Day. Supervisor Becker indicated we have money allocated for tire removal.
- Historical Committee could look at building located at Beechwood Cemetery. Building was built in 1928 per Historian Knapp. Concerned because it was fixed once before but kids destroyed it. Building is sound.
- Extensive Drainage Proposal Reviewed by Highway Superintendent Kruger to eliminate standing water in Hamlet area. Houses in hamlet are older and have limited septic systems. Selling homes in area could be difficult. Reviewed the drainage plan and how to direct the water out of the hamlet limits. Will review project as an entire Village project and propose to apply for grant funds to cover costs. Nothing severely altered so communications with DEC could be limited. Wish to meet with Town Engineer – LaBella Associates to work on plan for future should Waste Water treatment plant be phased in. Will need to obtain easements for this project. Supervisor Becker suggested that a cost proposition be put together and further meet with the Highway Committee. Will need cost estimates for Attorney and Engineer. Committee could do some of that chasing for Superintendent Kruger. Superintendent Kruger asked Jamie Johnson if he would be the liaison between the Highway Department and neighbors, he stated he would.
- Sidewalk – Tree at 1987 Kendall Road would need to be removed or try to go over the hump – would need to make handicap accessible. Councilman Weisenburg stated he visited the area and would need to check on existing telephone pole that may also be in the way and septic system issue. Kruger indicated he will have to check on rise for handicap accessible issue. Will need to meet with homeowner of this property.
- Mower has been promised everyday. Should be here soon.

RESOLUTIONS: (57-59)

RESOLUTION #57 – WAIVE OPEN CONTAINER LAW – MAY 29, 2005

MOVED BY Councilman Weisenburg, seconded by Councilwoman Robinson

BE IT RESOLVED THAT the Town of Kendall Open Container Ordinance be waived for the Kendall Fireman’s Grounds only on May 29, 2005 from 12:00 Noon until 11:00 PM for the “Ride with Eagles” Memorial Day Event.

Ayes: All

Nays: None

RESOLUTION #58 – TRANSFER OF FUNDS - REPURCHASE OF CANNON

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MOVED BY Councilman Kludt, seconded by Councilwoman Robinson

BE IT RESOLVED THAT a transfer of funds is authorized in the amount of \$27,000.00 to A8010.4 Cemetery Contractual Expense; with \$15,000.00 from T95 Cemetery Fund and 12,000.00 from Unallocated Fund Balance.

Ayes: All

Nays: None

RESOLUTION #59 – CANNON REDEDICATION ADVISORY COMMITTEE

MOVED BY Councilman Weisenburg, seconded by Councilwoman Robinson

BE IT RESOLVED THAT the following people be appointed to the Cannon Rededication Advisory Committee: Jerry Reamer, Fred Conratt, David Ergott, Lyndon Billings, and Craig Herman and setting the date for the first meeting for May 18, 2005 at 7:00 PM at the Kendall Town Hall.

Ayes: All

Nays: None

NOTE: Following officials chose advisory members: Reamer by Becker; Conratt by DiNatale; Ergott by Robinson; Billings by Weisenburg; and Herman by Kludt.

GENERAL DISCUSSION:

Joint Hamlin Kendall Water District Meeting – in Hamlin, May 31st at 7:00 PM. Supervisor Becker will notify Hamlin Town Clerk.

Town Hall Front Sidewalk repair – Councilwoman Robinson has contacted several masons and awaiting estimates. Need Superintendent Kruger to address the drainage issue at the end of the front walk.

Memorial Day Ceremony – Beechwood Cemetery – May 30th @ 7:30 PM.

Motion to adjourn by Councilman Kludt, seconded by Councilwoman Robinson

Meeting adjourned at 8:35 P.M.

Next Meeting : June 9, 2005 at 7:30 P.M.

Respectfully submitted,

Nadine P. Hanlon, RMC
Kendall Town Clerk