

**KENDALL TOWN BOARD  
TOWN BOARD MEETING**

Tuesday, June 19, 2018 7:00 p.m.

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

Supervisor Cammarata called the meeting to order at 7:04 p.m. and led the Pledge of Allegiance.

**ROLL CALL**

Councilwoman Flow	excused
Councilman Martin	present
Councilman Newell	present
Councilwoman Szozda	present
Supervisor Cammarata	present

**SUPERVISOR’S COMMENTS**

There is a pre-construction meeting for Water District Seven next Monday. Many thanks to all those involved in the process thus far.

A community development grant application has been completed and sent. Bids for the administration of this grant are being accepted until July 10<sup>th</sup>.

A meeting regarding a potential sewer district is scheduled for next week. Norway Heights, and Bald Eagle Drive will have their respective association representatives there.

The following minutes were accepted as presented:

Town Board Meeting May 15, 2018

**CORRESPONDENCE**

Charles Patt – resignation as Beechwood Cemetery Caretaker

Orleans County Legislator DeRoller – sidewalk issue

The Canal Corporation – embankment work

**PUBLIC COMMENT**

None

**REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS**

**Standing Committees**

Public Safety/Emergency Services & Occupational Safety – Martin

Buildings & Grounds – Martin

Highway – Martin

Frontier Heating and Cooling has sent a recommendation and cost estimate for mini-splits for the courtroom.

Community Relations - Flow

Culture & Recreation – Flow

Information Services – Flow

No reports

Human Resources and Ethics – Szozda

Employee Benefits – Szozda

Univera Healthcare has filed for rate changes, but there may be none this year.

Planning, Zoning & Agriculture – Newell

A variance for a pole barn was considered and approved by the Zoning Board of Appeals.

The excavation and mining business on Petersmith Road special use permit is being considered by the Planning Board.

Finance, Taxes & Special Districts – Cammarata

Water Districts One through Five interest payment is due.

Justice audit will be completed next week.

Orleans County Representative – DeRoller

No report

### **Boards**

Planning Board – A. Kludt, Chair – no report

Zoning Board – P. Bolton, Chair – no report

### **Department Heads**

Assessor – G. Massey – no report

Code Enforcement – P. Hennekey

Building permit and property maintenance issues are being addressed.

There are possible plans for the old K&K store to become some type of retail business.

The Brightly Farm labor camp is progressing well, and should be completed soon.

Highway - W. Kruger – no report

Historian – vacant

Recreation – M. Werth – no report

Town Clerk – A. Richardson – no report

Town Justices – D. Drennan, D. Gaudioso – written reports submitted

Supervisor – A. Cammarata – written report submitted

### **RESOLUTIONS**

Councilman Newell made the following motion, seconded by Councilman Martin:

#### **RESOLUTION 68- 0618 REAPPOINTMENT OF DANIEL STRONG AS DEPUTY CODE ENFORCEMENT OFFICER**

Be it resolved to reappoint Daniel Strong as Deputy Code Enforcement Officer for The Town of Kendall, with his term expiring December 31, 2018.

Supervisor Cammarata asked for a vote, resulting in all ayes. Motion carried.

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

**RESOLUTION 69- 0618 BUDGET TRANSFER**

Whereas the Morton Union Cemetery is now a Town of Kendall Cemetery, and will now incur expenses,

Be it resolved to establish account A8810.43 Mt. Union Cemetery Contractual, and fund that account with \$1,000.00 from general account A1990.40 Special Items Contingent.

Supervisor Cammarata asked for a vote, resulting in all ayes. Motion carried.

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

**RESOLUTION 70- 0618 BUDGET TRANSFER**

Be it resolved to transfer \$100.00 from general account A8010.11, to general account A8010.40.

Supervisor Cammarata asked for a vote, resulting in all ayes. Motion carried.

Councilman Newell made the following motion, seconded by Councilman Martin:

**RESOLUTION 71-0618 BUDGET AMENDMENT**

Be it resolved to increase general revenue account A0599 Appropriated Fund \$15,000.00  
And increase general expense account A1420.40, Attorney, \$15,000.00.

Supervisor Cammarata asked for a vote, resulting in all ayes. Motion carried.

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

**RESOLUTION 72-0618 RESIGNATION OF CHARLES PATT, CUSTODIAN FOR BEECHWOOD CEMETERY.**

Be it hereby resolved that the Town Board does with much regret and best wishes accept the resignation of Charles Patt, who served over ten (10) years as custodian and caretaker for Beechwood Cemetery, effective June 11, 2018.

Also be it resolved, to direct the Town Clerk to advertise in the official newspaper and the town website for a custodian for Beechwood Cemetery. Any and all candidates should submit letters of interest to the Kendall Town Clerk by July 31<sup>st</sup>.

Discussion: Councilman Martin submitted the following statement to record in the minutes regarding the resolution:

To the Town Board of the Town of Kendall,

I would like to make a statement in regards to the resignation of Charles Patt as the Beechwood Cemetery custodian. It is his wish to step down and I will respect it. However, I would like to go on record expressing my displeasure with this decision. This position is a thankless, low pay position. Losing a loved one is traumatic and hard to handle at best. Ensuring that all goes smoothly and with no added hardships, it is incumbent on town personnel to help this process. A process that went awry from the beginning and in my opinion involved other parties.

I appreciate the acceptance of responsibility in part by Charles Patt for his role and unprofessional behavior of the most recent incident at Beechwood. Having personally grown up next door to the Seaman family and having attended school with Mr. Patt, the effects are profound on me.

To my knowledge based on detailed conversations with Mr. Seaman and Mr. Patt as well as other town personnel, this situation appears to be personal and dates back. There has been no documentation presented to the Board prior to this incident suggesting any negligence on the custodian's part with regards to care and maintenance of Beechwood in the past that I have been made aware of until now.

I have reviewed the process and it appears to be clear as to what each party's responsibilities are, from the Town Clerk to the caretaker to the funeral home director and I find it odd that Beechwood is the only problem area. That being said, I am of the opinion that there are other parties involved that will not step forward to accept their part in this matter and have forced all responsibility onto one person. I will accept the resignation of Charles Patt as the Beechwood Cemetery custodian, but I do so with reservation.

Respectfully

Wayne Martin

Councilman, Town Board of Kendall

Councilman Newell asked if acceptance of the resignation could be tabled for a month to let “cooler heads prevail”. Supervisor Cammarata responded that he thinks that Mr. Patt had been considering this action since the beginning of the year as his lifestyle is changing. Mr. Patt has performed this service for many years and done a good job, but is ready to move on. The Town is very grateful for his years of dedication and service. Councilman Martin is under the same impression.

Supervisor Cammarata asked for a vote, resulting in all ayes. Motion carried.

Councilwoman Szozdal made the following motion, seconded by Councilman Martin:

**RESOLUTION 73-0618 KENDALL FIRE DEPARTMENT FIREWORKS DISPLAY PERMIT**

Whereas the Kendall Fire Department has submitted an application for public display of fireworks to the Kendall Town Clerk and,

Whereas said application has been reviewed by the Code Enforcement Officer and it is the recommendation of the Town of Kendall Code Enforcement Officer to the Kendall Town Board to approve a conditional permit, subject to receiving land lease agreements with connecting properties, so therefore,

Be it Resolved that the Kendall Town Board authorizes the Kendall Town Clerk to issue a Conditional Public Display of Fireworks Permit pursuant to applicable provisions of section 405.00 of the Penal Law of the State of New York to the Kendall Fire Department for fireworks display commencing at or about 10:00 pm on Saturday July 7<sup>th</sup>, 2018.

Supervisor Cammarata asked for a vote, resulting in all ayes. Motion carried.

Councilman Newell made the following motion, seconded by Councilman Martin:

**RESOLUTION 74-0618 CALLING ON TOWN OF KENDALL RESIDENTS AND BUSINESS OWNERS TO ADOPT THE “THINK DIFFERENTLY” INITIATIVE TO ASSIST INDIVIDUALS WITH SPECIAL NEEDS AND THEIR FAMILIES**

WHEREAS the “Think Differently” initiative is about raising awareness and promoting acceptance and inclusion of those living on the Autism Spectrum and with special needs; and

WHEREAS for some people with special needs, the very things that make them unique can also keep them on the sidelines of the community, separate from those who might not understand their differences or uniqueness; and

WHEREAS it is important to provide guidance to those with special needs and their families in accessing publically supported services available to them in the community; and

WHEREAS it is also important to encourage and educate the community and businesses in ways they can make facilities and services more accessible and seek training on how to welcome and support special needs customers and co-workers; and

WHEREAS the goal of this initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting events which expand family friendly opportunities for those with special needs and their families; and

WHEREAS adopting the “Think Differently” initiative is an important statement that our Town officials, business owners and residents can make to show their support for the differently abled neighbors and their families,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Kendall adopts and urges residents and business owners and community groups to educate themselves regarding and adopt the “THINK DIFFERENTLY” initiative so that all are better equipped to communicate with, include, provide for, and befriend those living on the Autism Spectrum and with special needs.

Discussion: The Orleans County Legislature has recommended each town consider similar resolutions. Councilwoman Szozda asked if she could access literature on what implementing this resolution would look like. The Clerk will forward the information.

Supervisor Cammarata asked for a vote, resulting in all ayes. Motion carried.

Councilman Martin motioned the following claims be paid, seconded by Councilwoman Szozda; all ayes:

**PAYMENT OF CLAIMS**

General Fund	Abstract 6	\$54,692.01	Vouchers 313-341,344-369371-376,416
Highway Fund	Abstract 6	\$29,545.75	Vouchers 317,342,372,377-415
Light District One	Abstract 6	\$438.99	Voucher 353
Light District Two	Abstract 6	\$260.88	Voucher 353
Light District Three	Abstract 6	\$138.52	Voucher 353
Water District One	Abstract 6	\$4,502.32	Voucher 370
Water District Two	Abstract 6	\$1,290.45	Voucher 370
Water District Three	Abstract 6	\$1,653.45	Voucher 370
Water District Four	Abstract 6	\$3,183.45	Voucher 370
Water District Five	Abstract 6	\$1,070.46	Voucher 370
Water District Six	Abstract 6	<u>\$1,326.91</u>	Vouchers 343,352
		\$98,103.19	

**OLD BUSINESS**

Morton Union Cemetery – Hilton Monument has not submitted a bid yet for repair and fencing. Councilman Martin will be meeting with Tom Weeks this week about flagpole installation.

Lake Ontario State Parkway Advisory Committee – next meeting is June 27<sup>th</sup>. Seeking public input.

LWRP Amendment Committee – work is in progress. Seeking public input.

Kendall’s Finest – plaque has been repaired. School has provided names of future servicemen.

Emergency Management Committee – next meeting will include a Magnet template

Homegrown Days – plans are in place

SAM grant – still awaiting approval

Water District Nine – approved and awaiting funding

**NEW BUSINESS**

The work session on July 3<sup>rd</sup> is cancelled.

A family is waiting for a footer to be placed between graves in Beechwood Cemetery. The interim caretaking of Beechwood Cemetery will be handled by Supervisor Cammarata and Councilman Martin and Clerk Richardson.

Supervisor Cammarata asked to move to executive session. Attorney Meier stated this is necessary for the purpose of discussing credit of a particular person or business, pursuant to Public Officers' Law section 105 subdivision f. Motion was seconded by Councilwoman Szozda, and all agreed. Clerk Richardson, CEO Hennekey, and Deputy CEO Strong were invited to the session. Meeting moved to executive session at 7:46 p.m.

The Board returned to open meeting at 8:15 p.m.

Councilman Newell made a motion to adjourn the meeting at 8:17 p.m. Councilwoman Szozda seconded his motion and all were in a agreement. Meeting closed at 8:17 p.m.

Respectfully Submitted,

Amy Richardson  
Kendall Town Clerk