

KENDALL TOWN BOARD
Kendall Town Hall – 1873 Kendall Road, Kendall, New York
December 16, 2014 7:00 p.m.

Supervisor Cammarata called the meeting to order at 7:03 p.m and led the Pledge of Allegiance.

ROLL CALL

Councilman Joseph	present
Councilman Martin	present
Councilman Newell	present
Councilwoman Szozda	present
Supervisor Cammarata	present

Also present, Attorney Meier, Clerk Richardson, CEO Hennekey, Dep. CEO Strong, Planning Chair Kludt, Hwy. Supt. Kruger, Orleans County Legislator DeFilipps, Tim Quintern, Dan Gaesser, MaryEllen Seaman, Sarah Boyle, Kristen Jacob

CORRESPONDENCE

Reemsten e-mail regarding water expansion
Required rate of responses has been achieved, and the median income meets levels to qualify for grants. Next step is a meeting with Mike Schaffron and the Assessor to discuss options.

ACCEPTANCE OF MINUTES

Councilman Newell motioned to accept the minutes, as presented, seconded by Councilwoman Szozda; all ayes:

Town Board Meeting November 18, 2014

REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS

Standing Committees

Public Safety/Emergency Services & Occupational Safety –Joseph
Buildings, & Grounds – Joseph
Information Services – Joseph

Locksmith hired to change outer door locks on January 29th. There will now be a strict sign-out policy for keys, administered through the Town Clerk’s office. Interior offices’ locks will also be addressed, beginning with the Justices’ offices.

The Justice-elect now has a town e-mail address. He has inquired as to being added to the cellphone reimbursement list, as he is required to give his cell phone to the Sheriff Department.

The Hamlin Beach Parkway is open in both directions now.

Highway – Cammarata – no report

Community Relations – Cammarata

Tree lighting and after-party went well.

Culture & Recreation – Szozda – no report

Human Resources and Ethics – Szozda

Employee Benefits – Szozda

Medical cards are arriving. Transition seemed smooth.

Planning, Zoning & Agriculture – Newell

Zoning Board has reviewed a preliminary request for a bed and Breakfast Special Use Permit on Petersmith Road. County is currently reviewing this application because Petersmith is a county road.

Finance, Taxes & Special Districts – Cammarata

No report

Orleans County Representative – DePhillips

Orleans County tax rate has gone down slightly.
The county has taken over the small drug task force.

Boards

Planning Board – Kludt, Chair –

The Bed & Breakfast application has been reviewed by the County Planning Board, and was approved.

The local Public Hearing regarding this application has been scheduled for January 14th.

Zoning Board – Bolton, Chair – no report

Department Heads

Assessor – G. Massey – no report

Code Enforcement – Dep. Strong

Building permits requests are down, and Troutberg is quiet.

The house on Kenmor Road discussed at the November meeting due to a complaint made at that meeting by Mr. Mael had been cited for code violations. The property maintenance company responsible for the parcel is seeking the approval to expend funds for rectification from the bank which owns the property.

The urging of the group of citizens – Carol D’Agostino, Nadine Hanlon, and Ken DeRoller – at the last meeting, has prompted a survey, house to house, being started by Code Enforcement, starting at the west end of town. There are numerous violations against NYS Code, across the board, and many of which cannot be addressed in poor weather. If the Board wishes a canvass, it will be town-wide, with no exceptions made. The survey can only be done from the roadside.

The complaint against a property on West Kendall Road has been considered, and notice has been sent to the owner, not the occupant, of the property, by certified mail, with no response as of yet.

Councilman Joseph asked if businesses have been inspected. Deputy Strong responded that only places of public assembly require annual inspection; others are every three years. Councilman Joseph asked why this “policing of the town” survey is being done. Deputy Strong said it is in response to citizen demand at an open meeting. Code Enforcement Officer Hennekey said to have an overview of the possible violations seems judicious. His policy has been to act upon violations which threaten health and safety, and to investigate complaints filed with his office. It has not been his policy to go looking

for issues. It is not his intent to act on these observations, other than on abandoned properties; he will provide results to the Board for its direction.

Councilman Joseph expressed that the job of public servants is to be a help and resource to residents, not a policing agency. He likes the current policy of investigating specific complaints, made by known complainants, and taking action on those found to be legitimate. The right to face your accusers is a basic right. This step of “surveying” is an overreaction to a very small number (4) of dissatisfied citizens expressing vague and general criticisms. Many citizens may not be able to afford upkeep to NYS standards, and the Town should never be in a position of chasing people out of town instead of attracting them.

Councilman Newell thinks the full, broad-based assessment and presenting the data to the Board is a good idea.

CEO Hennekey said nearly every property could be cited for infractions. The Board needs to direct what issues are considered essential to address, and needs to be ready with information and clear intentions the next time this issue is raised.

Supervisor Cammarata said the Board has expressed that addressing life and safety is most important, that it is what this should focus on, and he said the Board backs that.

Councilman Newell wanted it clear that he is not limiting his comments to health and safety. He would like quantitative data on a broad-based survey of across the board violations, to be able to determine if action should be taken, due to several speakers being at the last meeting who wanted general property maintenance addressed. He said he may not necessarily want any action taken.

Councilman Joseph reiterated that health and safety issues, and surveying for abandoned properties should be the limit of this exercise.

Councilwoman Szozda said she agrees with Councilman Newell that the survey is a positive thing. In trying to beautify the area, some things are just a matter of cleaning up unsightly areas, but she would not want enforcement to go any further.

Councilman Joseph made the point that perhaps a notice in the paper of an upcoming survey, by Code Enforcement only, would be helpful to people, and should specify what is being looked for.

Planning Chair Kludt said that excess debris in a lawn can be a hazard to first responders in an emergency.

Highway Superintendent Kruger read a hypothetical example of the financial struggles faced by many families in this area, and made the point that picky maintenance issues may not be a fair priority for some families, and this should be taken into consideration.

Highway - W. Kruger

Winter road and marker prep is done

Tree work and equipment work continue

The cemetery had damage from an intoxicated driver hitting headstones

The new highway building erection is nearly complete

No town hall key is necessary, at a risk of \$250.

Councilman Newell said that last week, north of the Parkway, there were two spots which were drifted over, and asked if he should report that to Hwy. Supt. Kruger.

Supt. Kruger said if an area seems very out of hand, and more than an inconvenience, he could call, but near the lake it would sometimes take perpetual attention to fight the wind. Patrolling the roads to assess need takes nearly two hours, and conditions change within that time.

Historian – K. Corcoran – no report

Recreation – B. Flow –written report submitted

Town Clerk – A. Richardson – written report submitted

Town Justices – D. Drennan, S. Cliff – written reports submitted

Supervisor – A. Cammarata – written report submitted

PUBLIC COMMENT

Daniel Gaesser, former Supervisor questioned Voucher 826 being paid to the NYS Retirement System. The account number to which that is charged (A481) is an unfamiliar one.

Supervisor Cammarata said it is a number used to pre pay a 2015 charge, according to the bookkeeper.

Mr. Gaesser asked the Budget Officer how this payable account against the 2015 budget will affect the 2014 budget, which had the funds reserved for this expense.

Budget Officer Cammarata said he reviewed that with his bookkeeper, and if Mr. Gaesser wanted an explanation, he could contact the bookkeeper.

Mr. Gaesser explained how this expense has been budgeted for at least the past seven years, stated it will have a nearly \$61,000 impact on the 2014 budget, and asked how that impact will be accounted for.

Budget Officer Cammarata stated he addressed that with the bookkeeper, and it will go into the general fund, because they are “setting this up for 2015”.

Mr. Gaesser asked again what impact that will have on the 2014 budget.

Supervisor Cammarata stated he talked to his CPA and that is the decision., and he would have the bookkeeper call Mr. Gaesser with an explanation.

Mr. Gaesser expressed concern that this will result in a misstated, false positive impact on the 2014 budget, due to not properly charging that budget line.

Supervisor Cammarata said, “there seems to be an accounting conversation between you and Mr. Hungerford, and so I am relying on Mr. Hungerford’s opinion in this matter.”

RESOLUTIONS

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

RESOLUTION 112-1214 Extension of the Snow and Ice Contract with NYS-DOT

Be it RESOLVED that the Town Board of the Town of Kendall authorizes Supervisor Cammarata to execute an agreement with the New York State Department of Transportation to extend the Municipal Snow and Ice Contract between the Town of Kendall and the New York State Department of Transportation for the 2016/2017 contract year, subject to attorney approval as to form, content and legal compliance.

Supervisor Cammarata asked for a vote, resulting in all ayes, and declared the motion carried.

Councilman Joseph moved for the Payment of Claims being paid, as presented, seconded by Councilman Newell; all ayes:

PAYMENT OF CLAIMS

General Fund	Abstract 13	\$ 46,903.73	Vouchers 824-837,839-860,862
Highway Fund	Abstract 13	\$ 66,006.81	Vouchers 826,834,863-890
Light District One	Abstract 13	\$ 585.62	Voucher 825
Light District Two	Abstract 13	\$ 286.94	Voucher 825
Light District Three	Abstract 13	\$ 158.88	Voucher 825
Water District Six	Abstract 13	\$ 201.32	Vouchers 827,861
Library	Abstract 13	<u>\$ 400.00</u>	Voucher 838
		\$114,543.30	

OLD BUSINESS

Water Expansion – addressed earlier
Codification – awaiting Attorney input
Natural gas line expansion – no report; still awaiting RG&E input
Ad hoc committee for Healthcare Consortium – three plans developed; next meeting will be January
Cemetery upkeep complaint and grave purchase and opening rates – has been discussed with Custodian Patt – no report

NEW BUSINESS

Cemetery Committee - will be forming

Councilman Joseph motioned for adjournment, seconded by Councilman Newell; all ayes. Meeting adjourned at 8:01 p.m.

Respectfully Submitted,

Amy K. Richardson