

**KENDALL TOWN BOARD  
MEETING**

Tuesday, September 15, 2020 7:00 p.m.

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

Supervisor Cammarata called the meeting to order at 7:05 p.m., and led the Pledge of Allegiance.

**ROLL CALL**

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

**SUPERVISOR’S COMMENTS**

Water District Ten’s preconstruction meeting is scheduled. Construction is to begin in mid-October.

Water District Eight progress meeting to discuss finishing and restoration planned.

REDI projects ceremony has been postponed until all of them have been completed.

**CORRESPONDENCE**

Lisa Ames – Submitted a letter from the New York State Department of Taxation and Finance, Office of Real Property Tax Services – stating her having successfully satisfied the standards to be in the candidate for assessor program, and outlining the requirements of that program.

New York State Department of Taxation and Finance, Office of Real Property Tax Services – re. 2019 Full Aid Certification for the Town of Kendall, resulting in a state aid voucher for \$4,792.33 to be recorded in A3040 State Aid- Real Property Tax Administration.

Orleans County Office of the Aging – senior nutrition program

**PUBLIC COMMENT**

None

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

**Standing Committees**

Public Safety/Emergency Services & Occupational Safety – Martin

Buildings & Grounds – Martin

Highway – Martin

New floor looks great.

The foyer case will need some adjusting to refit. The carpenter who built it will be contacted.

The left over carpet will not cover the clerks' office.

Community Relations - Flow

Culture & Recreation – Flow

Information Services – Flow

Ladies' Auxiliary is having a chicken BBQ this weekend.

The community band will be utilizing the Town Hall for practices. They will be vigilant about cleaning any surfaces they touch.

IT – CEO Hennekey's tablet has been set up.

Judge Kluth will work on applying for a Justice grant.

Human Resources and Ethics – Szozda

Employee Benefits – Szozda

Retirees' medicare will be increasing in price.

Univera cost and coverage information will be available later in the week.

Planning, Zoning & Agriculture – Newell

No report

Finance, Taxes & Special Districts – Cammarata

Justice audit has begun.

Sales tax revenue has been closer to budget than expected. Online orders have helped buffer some of the damage done by the COVID-19 shutdowns.

## **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 – no report

Highway - W. Kruger – no report

Historian – K. Corcoran – written report submitted

Recreation – M. Werth – no report

Town Clerk – A. Richardson – written report submitted

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

Supervisor – A. Cammarata – written report submitted

## **RESOLUTIONS**

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

### **RESOLUTION 90-0920 BUDGET AMENDMENT**

Be it hereby resolved to increase Revenue Account A1120.00, Non Property Tax Dist. by County by \$15,000.00 and to increase Expense Account A1420.40, Attorney by \$15,000.00.

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

Councilwoman Szozda made the following motion, which was seconded by Councilwoman Flow:

### **RESOLUTION 91-0920 BUDGET AMENDMENT**

Be it hereby resolved to increase Highway Revenue Account DA3502.00 (not appearing in budget) by \$60,000.00, and increase Highway Expense Account, DA5110.40, Maintenance of streets, by \$60,000.00.

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

Councilwoman Flow made the following motion, which was seconded by Councilwoman Szozda:

### **RESOLUTION 92-0920 BUDGET TRANSFERS**

Be it hereby resolved to reduce General Expense Account A7620.20, Adult Recreation Equipment, by \$200.00 and to increase General Expense Account A3310.40, Traffic Control, by \$200.00.

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

Discussion: The clerk said Account A7620.20 had no funding in the budget.

Councilman Newell made the following motion, which was seconded by Councilwoman Flow:

**RESOLUTION 93-0920 CORRECTION TO AUGUST ABSTRACT FOR PAYMENT OF CLAIMS**

Whereas a claim from Westside News was erroneously approved in August, and Westside News did return an overpayment, so

Be it resolved to subtract \$245.64 from the Water District Ten Fund of the August Abstract to reflect the destruction of the duplicate payment in the form of check number 2401 to Westside News. The new corrected total of claims for Water District Ten is \$3,000.00, and the total for the Payment of Claims is \$495,008.31.

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

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

**RESOLUTION 94-0920 RESOLUTION APPROVING OUT OF DISTRICT USER AGREEMENT BETWEEN TOWN OF KENDALL RESIDENT 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 owner of real property situated on the east side of Transit Road, which premises are 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 the said property through the Town of Gaines water distribution system:

Owner: Brian J. Schomske

Property Address: 2075 Transit Road

Tax Account No.: 343000 31.-1-19.11

**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 Cammarata called for a vote, resulting in all ayes, and declared the motion carried.

Discussion: Supervisor Cammarata asked if the Town Board should send the Town of Gaines this resolution, and will the property owner contact Gaines. It was decided to have the clerk send a copy of this resolution to Gaines and to Mr. Schomske.

Councilwoman Szozda made the following motion, which was seconded by Councilwoman Flow:

**RESOLUTION 95-0920 THOMPSON ROAD PROJECT SEQR LEAD AGENCY STATUS**

Be it hereby Resolved, that in accordance with the New York State Environmental Quality Review (SEQR) regulations, the town Board of the Town of Kendall hereby announces its intent to serve as Lead Agency to conduct an environmental review of the construction of the Thompson Road turnaround rehabilitation and shoreline stabilization improvements to serve proposed REDI Project No. 32. The project involves shoreline stabilization including materials such as geotextile fabric fill, riprap revetment, and a vegetative buffer with live stakes, perennial ground cover, plantings, and trees. Proposed shoreline stabilization redesign will roughly follow the existing slope contours on both ends of the design. In addition, the southern portion of the existing turnaround is planned to be redeveloped with a parking area to allow beach access for residents and visitors in the Town of Kendall community. Any remaining funds are planned to be used to provide additional site amenities such as benches, walking paths, and additional signage. The purpose of this project is to address safety issues that have arisen as a result of high water levels in Lake Ontario, including shoreline erosion damage and steep, unsafe slopes. The improvements are funded through the Lake Ontario Resiliency and Economic Development Initiative (REDI).

Further be it Resolved, the Town Board has determined that the proposed action is an Unlisted Action as defined by SEQR; and be it

Further Resolved that the Town Board has commissioned LaBella Associates DPC to prepare Part 1 of the Environmental Assessment Form regarding the project.

Be it further Resolved, the Town Board will notify the Involved Agencies of its intention to act as lead agency for this project and will provide each with a copy of the completed Part 1 of the short Environmental Assessment Form for review during the 30-day comment period.

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

Councilwoman Flow made the following motion, which was seconded by Councilman Martin:

**RESOLUTION 96-0920 CANCELLING NOVEMBER WORKSESSION**

Whereas the General Election is scheduled for November 3, 2020 and will be held at the Kendall Town Hall, and

Whereas that is a date on which a Kendall Town Board Work Session Meeting is scheduled, so now therefore,

Be it resolved to cancel said work session.

Further, this cancellation will be noticed in the Town's official newspaper, on its website, and posted on the Town Clerk's official notice board.

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

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

**RESOLUTION 97-0920 SETTING 2021 BUDGET HEARING**

Be it Resolved, that the Town Board of the Town of Kendall will meet and review a Preliminary Budget for 2021 and hold a **PUBLIC HEARING** thereon at the Kendall Town Hall at 7:00 pm on Thursday, the 29<sup>th</sup> of October, 2020 at the Kendall Town Hall, and that any person may be heard in favor or against any item contained therein. Notice of this hearing will be published on the town clerk's board, on the town website, and in its official newspaper.

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

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

**RESOLUTION 98-0920 SNOW AND ICE AGREEMENT WITH KENDALL CENTRAL SCHOOL**

BE IT HEREBY RESOLVED that the Kendall Town Board authorizes Supervisor Cammarata to execute an agreement between the Kendall Central School District and the Town of Kendall for Municipal Snow and Ice removal on access roads Brehse Day Drive and Noon Blvd. This agreement will commence on October 14, 2020 and terminates on June 30, 2021.

The 2020-2021 Season: Sanding and Plowing per season pay to the Town will be \$4,165.94.

The agreement will be executed by Supervisor Cammarata and also signed by Highway Superintendent Kruger. Form and content is to be reviewed and approved by the Attorney for the Town of Kendall.

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

Councilwoman Szozda made the following motion, which was seconded by Councilwoman Flow:

**RESOLUTION 99-0920 SUPPORTING ASSEMBLY BILL A.9779A/SENATE BILL S.7589B TO CREATE A VOLUNTEER FIREFIGHTER RECRUITMENT AND RETENTION TASK FORCE**

WHEREAS, Volunteer firefighters serve not only an important function as first responders in their communities, but are often the first line of defense during a state-wide emergency, like COVID-19, and

WHEREAS, over the years the number of individuals willing to join the volunteer fire service has decreased, putting a strain on many communities as they seek to ensure the protection of their residents, and

WHEREAS, The COVID-19 pandemic has further increased the difficulty in attracting new individuals to join the ranks of volunteer firefighters, and

WHEREAS, the Firemen's Association of the State of New York, the Association of Fire Districts of New York, the State Association of Fire Chiefs and New York State Fire Coordinators have been left with the sole responsibility of recruiting volunteer firefighters, and

WHEREAS, Assembly Bill A.9779A and Senate Bill S.7589B have been introduced in the New York State Legislature to create a volunteer firefighter recruitment and retention task force, and

WHEREAS, such a task force would be inclusive of relevant state agencies, designated associations representing volunteer firefighters and members of the legislature to provide the Governor, the Senate and the Assembly with recommendations to assist in the recruitment and retention of volunteer firefighters, now, therefore, be it

RESOLVED, that the Kendall Town Board acknowledges the important role volunteer firefighters play in keeping our community safe and shares the concern about the decreasing numbers of those serving as volunteer firefighters, and be it further

RESOLVED, that the Kendall Town Board fully supports Assembly Bill A.3440A and Senate Bill S.7589B and be it further

RESOLVED, that copies of this resolution be sent to Governor Andrew Cuomo, Senator Robert Ort, and Assemblyman Steve Hawley.

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

Councilwoman Flow made a motion to accept and pay the claims as presented on Abstract 9. Motion seconded by Councilman Martin; all ayes.

### **PAYMENT OF CLAIMS**

General Fund	Abstract 9	\$ 31,395.67	Vouchers 598-628
Highway Fund	Abstract 9	\$ 192,224.56	Vouchers 604,626,629-657
Light District One	Abstract 9	\$ 328.63	Voucher 615
Light District Two	Abstract 9	\$ 207.90	Voucher 615
Light District Three	Abstract 9	\$ 99.77	Voucher 615
Water District Six	Abstract 9	\$ 47.90	Vouchers 627,658
Water District Eight	Abstract 9	\$ 239,959.15	Vouchers 659-662,665
Water District Ten	Abstract 9	<u>\$ 11,178.99</u>	Vouchers 666-669
		<b>\$ 475,442.57</b>	

### **OLD BUSINESS**

Morton Union Cemetery – no report

Lake Ontario State Parkway Advisory Committee – no report

LWRP Amendment Committee – no report

Clean Energy Community – no report

Sewer District being formed – no report

Modern Recycling issue with private lakefront roads having inadequate turnarounds –

The town does own the turnaround at the end of Norway Heights.

Councilman Newell asked to speak with the Supervisor regarding that after the meeting.

VRBO/Airbnb rental – the Orleans County Treasurer does collect tax from Airbnb. Since this is a county tax, there is not a breakdown specific to towns.

Property Maintenance – A local law would not need to go before the county planning board, according to Deputy CEO Strong. Planning is considering this.

Solar Projects – Planning Board has had discussions with a developer, whose application has several omissions and shortfalls. The developer will work with its engineer to rectify these items.

**NEW BUSINESS**

None brought forward

Councilwoman Szozda made a motion to adjourn. Seconded by Councilwoman Flow. All ayes.  
Meeting adjourned at 7:45 p.m.

Respectfully Submitted,

Amy K. Richardson,  
Kendall Town Clerk