

KENDALL TOWN BOARD  
Tuesday, June 18, 2024 7:00 p.m.  
Kendall Town Hall – 1873 Kendall Road, Kendall, New York 14476

Supervisor Cammarata called the meeting to order at 7:00 p.m., and led the pledge of Allegiance.

ROLL CALL

Councilman Bentley	present
Councilwoman Flow	present
Councilman Jennings	present
Councilman Martin	present
Supervisor Cammarata	present

SUPERVISOR'S REMARKS

The Town of Kendall has had a multitude of ventures which we are currently undertaking.

These ventures are as follows:

Sewer Project  
Water District 11  
Clean Energy Grant  
Morton Union Cemetery  
Curtis Park  
Rte. 18 Sidewalk  
Town Hall Septic  
Community Church Service  
Comprehensive Plan  
ARPA Projects  
On-Line Newsletter

We are focused to successfully complete these projects in a timely manner to benefit our constituents.

Thank You

The May 23, 2024 minutes were accepted for publishing.

CORRESPONDENCE

- Town of Murray re: increase of water rates
- Bernard Alexander (Schumer office) re: Water District Project Congressional spending request, regarding a \$1,000,000 request.
- U.S. Army Corps of Engineers re: compliance of waste water line, permit approval

## PUBLIC COMMENT

Truda Slocum asked how much Water District Ten cost.

Supervisor Cammarata said the exact cost can be provided, but that it would have nothing to do with the costs associated with a potential Water District Eleven. There are different numbers of benefit users, different installation engineering needs, different material costs, etc.

## REPORTS OF COMMITTEES, BOARDS AND DEPARTMENT HEADS

### Standing Committees

Public Safety/Emergency Services & Occupational Safety – Martin

Buildings & Grounds – Martin

Highway – Martin

Septic system is in progress.

The plaque for the flag display is expected to be finished this week.

Community Relations - Flow

Culture & Recreation – Flow

Information Services – Flow

The community church service is August 4<sup>th</sup>, at 10:00 a.m.

Some team sports have been cancelled this week, due to heat.

The new modem was installed at the highway building today. The new phones should be installed soon.

Human Resources and Ethics – Bentley

Employee Benefits – Bentley

Nothing new to report

Planning, Zoning & Agriculture – Jennings/Bentley

The NYS DEC is considering re-defining the term “wetlands”.

A subdivision application has been received.

A new building is being proposed at the lumber business on Rte. 18.

Finance, Taxes & Special Districts – Cammarata

CD rates have been good.

Orleans County Legislature – John Fitzak

The County Treasurer’s Office will be moved to a former bank building.

The Probation Department will move to an area of Genesee Community College.

The District Attorney’s Office will move to the current Treasurer’s Office, and work can then begin on the Public Safety Building.

## Boards

Planning Board – B. Newell, Chair – no report

Zoning Board – P. Bolton, Chair – no report

## Department Heads

Assessor – L. Hewitt – no report

Code Enforcement – P. Hennekey

Two site plans have been submitted for review.

Property maintenance issues are being addressed at various locations throughout the Town.

The not-yet-up-and-running solar farm on West Kendall Road had a fire last Saturday.

Questions about animal housing have been increasing.

The property with the manufactured home inquiry is for sale again.

## Highway – E. Maxon

Cemeteries and ditches have been mowed.

Sand Road has been repaved this month, using an experimental, cooler process.

Creek Road is next slated to be paved.

Sand was hauled in for the Town Hall septic system replacement.

Re-ditching was completed on the south end of Center Road.

New railings along the culvert on Knapp Shores Road will be installed to increase safety. The cost can be covered by surplus money from the REDI projects.

Carr Road work is being done by the County.

On Kendall Road, the dead plants and trees near the new bridge will be cleared by the County.

Historian – L. Richardson – no report

Recreation – M. Werth / E. Rodas – no report

Town Clerk A. Richardson – written report submitted

Town Justice – D. Kluth – written report submitted

Supervisor – A. Cammarata – written report submitted

## **RESOLUTIONS**

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

### **RESOLUTION 64-0624 BUDGET AMENDMENT JCAP GRANT**

BE IT RESOLVED, to increase General Revenue Account A2770.31 JCAP Grant, \$6,669.95, and increase General Expense Account A1110.41, Grant Contractual, by \$6,669.95.

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

Flow made the following motion, which was seconded by Jennings:

### **RESOLUTION 65-0624 BUDGET TRANSFERS ASSESSOR & TOWN HALL EQUIPMENT**

BE IT RESOLVED, to decrease General Expense Account A1355.12, Assessor Extra Help, by \$150.39 and to increase General Expense Account A1355.40, Assessor Contractual Expense, by \$150.39, and

BE IT RESOLVED; to decrease General Expense Account A1620.40, Town Hall Contractual, by \$102.38, and to increase General Expense Account A1620.20, Town Hall Equipment, by \$102.38.

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

Jennings made the following motion, which was seconded by Bentley:

### **RESOLUTION 66-0624 ACCEPTING THE LATERAL RESTRICTIONS GUIDELINE FOR THE KENDALL REDI SEWER PROJECT**

WHEREAS, the Town Board of Kendall recognizes the importance of supporting and preserving agricultural land within the county-adopted, State-certified agricultural districts within the Town of Kendall; and

WHEREAS, the Town Board is committed to managing connections to the public sewer system in a manner that supports agricultural uses and protects the integrity of agricultural districts; and

WHEREAS, the Town is undertaking the Kendall REDI Sewer Project, which requires the implementation of lateral restrictions to ensure that connections to the public sewer system are limited to agricultural uses and existing non-farm uses; and

WHEREAS, the Town has prepared a guideline for lateral restrictions to limit connections to the public sewer system to agricultural uses and existing non-farm uses, as outlined in the attached document titled "Lateral Restriction - Conditions on Future Service"; and

WHEREAS, the Town Board has reviewed the attached guideline and believes that its adoption is in the best interest of the Town and its residents;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of Kendall as follows:

The Town Board hereby accepts and adopts the guideline titled "Lateral Restriction - Conditions on Future Service," which is attached hereto and made a part of this Resolution.

The only land and/or structures that will be allowed to connect to the proposed sewer within an agricultural district will be:

1. Existing structures at the time of construction,
2. Future agricultural structures,
3. Land and structures that have already been approved for development by the local governing body prior to the date of filing of the Notice of Intent (NOI) to the Department of Agriculture and Markets on May 28, 2024.
4. Land and structures approved for development are defined as properties/structures that have been brought before a local governing body and received necessary approvals (e.g., subdivision, site plan, and special permit). If no local approval is required, the municipality accepts the limitation under Public Health Law §1115, which defines a

“subdivision” in part as “any tract of land which is divided into five or more parcels.” Sewer service will not be provided to more than four residences, buildings, and/or structures on any tract of land

divided into parcels after the date of filing of the NOI by the municipality where no local approval is required, and the land is located within a county-adopted State-certified agricultural district.

5. In cases of significant hardship demonstrated by an existing resident, the lateral restriction to the resident’s property may be removed by the municipality upon approval by the New York State Department of Agriculture and Markets (NYSDAM). The resident landowner must clearly demonstrate the need for public sewer service and submit a hardship application approved by the County Department of Health and agreed to by the NYSDAM.

6. If a landowner requests the county to remove their land from an agricultural district during district review and the county legislative body refuses, the lateral restrictions may be removed by the municipality if the NYSDAM determines that the removal of the restriction would not have an unreasonably adverse effect on the agricultural district.

7. If one more tax parcels are removed from a county-adopted State-certified agricultural district and the district has been reviewed by the county legislative body and certified for modification by the NYSDAM Commissioner, the lateral restrictions imposed by the municipality will no longer be in effect for the parcels of land removed from the agricultural district.

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to enter this resolution into the official minutes of the Town Board.

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

Bentley made the following motion, which was seconded by Martin:

**RESOLUTION 67-0624 WATER DISTRICT SIX WATER RATE INCREASE**

WHEREAS the Town of Murray supplies and delivers the water for the Town of Kendall's Water District Six through an intermunicipal agreement, and

WHEREAS, the Town of Murray has notified the Town Board of the Town of Kendall of significant increases in the rates it pays to Monroe County Water Authority for its water supply, and

WHEREAS, it now becomes necessary to pass these increases on to the Town of Kendall, and so to each benefit user of Water District Six, so

NOW BE IT RESOLVED, that the new water rate for Water District Six customers, effective July 1, 2024, will be \$4.60 per 1,000 gallons of water. The \$15.00 quarterly service fee will remain unchanged.

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

Councilman Martin moved to accept Abstract Six, as presented, and to pay the claims.  
Councilwoman Flow seconded the motion, and all were in agreement.

**PAYMENT OF CLAIMS**

General Fund	Abstract 6	\$ 44,861.91	Vouchers 295-321,323-342
Highway Fund	Abstract 6	\$ 61,661.54	Vouchers 296,305,339,343-355
Light District One	Abstract 6	\$ 365.42	Voucher 326
Light District Two	Abstract 6	\$ 231.32	Voucher 326
Light District Three	Abstract 6	\$ 114.85	Voucher 326
Water District Six	Abstract 6	\$ 1,473.51	Vouchers 341,356,357
Sewer District One	Abstract 6	\$ <u>117,715.41</u>	Voucher 359,360
	<b>TOTAL:</b>	<b>\$ 226,423.96</b>	

**PENDING ISSUES**

Morton Union Cemetery – no update

Sewer Project – Construction should start in the spring of 2025.

Community committee formation for Curtis Park utilization

A survey is necessary.

A meeting of interested community members will be held in September.

Semiquincentennial (250 year) Celebrations

Fireworks cannot be done over the water, as per Young Expolsives.

Curtis Park may be an option for several activities to be staged.

Beechwood Chapel restoration – A bid has been received, and sent to Orleans County Economic Development for funding consideration.

Newsletter – E-mails are still being collected.

With no further business being brought forward, Martin made a motion to adjourn. Jennings seconded, and all agreed. Supervisor Cammarata adjourned the meeting at 7:50 p.m.

Respectfully Submitted,  
Amy K. Richardson, Kendall Town Clerk