

**MINUTES OF THE MEETING OF THE TOWN BOARD**  
**TOWN OF RICHLAND**  
**1 BRIDGE STREET, PULASKI, NY**

**DATE:** Tuesday, March 12, 2019

**KIND OF MEETING:** Regular Town Board Meeting

**PLACE:** Grand Jury Room, H. Douglas Barclay Courthouse Pulaski, NY

**BOARD MEMBERS PRESENT:** Supervisor Dan Krupke  
Councilman Allen Goodsell  
Councilwoman Sue Haynes

**BOARD MEMBERS ABSENT:** Councilwoman Donna Gilson  
Councilman Kern Yerdon

**OTHERS IN ATTENDANCE:** Highway Superintendent John Fox  
CEO/ZEO John Howland  
Attorney Graham Seiter  
Deputy Town Clerk Julie Peterson  
Residents: William and Roselyn McVicker, Jim Tighe, and Dale Bigelow

**CALL TO ORDER:** The meeting was called to order at 6 p.m. with Supervisor Krupke leading in the Pledge of Allegiance.

The meeting was opened with the public hearing for Local Law No. 1 of 2019 to provide for the administration and enforcement of the ICC, State Fire Prevention and Building Code. A motion was made by Councilwoman Haynes and seconded by Councilman Goodsell to close the public hearing, on a roll call vote the motion passed with all board members voting "AYE."

**PUBLIC COMMENT:** No Public Comment

**HAGER DRIVE UPDATES:** Mr. Seiter spoke with Kevin Caraccioli regarding the pending litigation for Hager Drive. The Judge would like this to be a third party action, which would involve other residents and the county getting involved. Mr. Caraccioli feels that he can get the matter settled and will reach out to the Norfleet's for the Town in hopes that by giving them the right to put up the fence they may stipulate to the ownership. Mr. Seiter stressed to Mr. Caraccioli

that the Town would really like to get this issue resolved and finalized as soon as possible. There was much discussion about the Hager Dr. situation and whether or not the Town should seek other or additional legal counsel to get it settled in a timely manner with a definitive conclusion. Residents from Hager Drive have expressed their frustration with the length of this process and little to no movement on this without closure. The board is sympathetic to the residents and agrees that there needs to be a final decision, and to not continue to let this linger out there with the possibility of having to start all over again in the future. The board will review their options and resume this discussion at the next board meeting.

**WATER UPDATES:** A copy of the March water board minutes was given to the board to review. Supervisor Krupke shared an e-mail that was sent to the Town from the Village water board. Village Attorney Mark Gebo states that the Town did everything correctly in the formation of the water districts. Mr. Krupke's interpretation of the findings is that residents along County Route 2 have the right to hook up to Town water and they don't have to stay with the Village water.

**ZONING AND CODE REPORTS:** There was some discussion regarding the court case that is currently in the Appellate Division to determine if counties must continue to guarantee property maintenance and demolition charges placed on tax bills. Attorney Seiter and Mr. Howland are following the case and awaiting the court's decision. Mr. Seiter has sent letters to Conn, Eby and Woodmancy regarding their violations asking them to correct their situations to avoid further litigation. There was conversation regarding a local law for a bank registry program. If a bank owns the property, they need to maintain the property and perform necessary repairs. Other Towns are working on developing Local Laws for this and are forwarding the information to Mr. Howland to review for consideration for the Town of Richland.

**DOG REPORT:** The February 2018 dog report was submitted to the board for review. There were repeated calls regarding a dog on Peck Rd. that was being left outside and constantly barking. The dog was unlicensed and picked up by dog control. Owners paid for license and the dog was returned to them.

**HIGHWAY REPORT:** The Agreement to spend Town highway funds was given to the board. Superintendent Fox states that this is given out before the state passes the budget, it can't be filled out as it is unknown what the Town will receive for CHIPS money. The item will be moved to the agenda for the next Town board meeting. Mr. Krupke informed the board that the roof for the Town Highway building was damaged in the wind storm. They are currently in the process of repairing it, they did have to refer back to the insurance adjuster as the building codes required that we have a minimum of R-38 insulation on the underside of the roof. The repairs are being completed and the insurance does cover the necessary code upgrades. Mr. Fox updated the board on what the highway department is currently working on. They are preparing for Spring, there are a few trucks that are broke down that they are trying to fix, and

a hydrant on US Route 11 was damaged and in need of repair. This will be covered by the insurance. There was a lot of damage caused by three ice storms we had this year that needs to be cleaned up. One of the plows that does the Village streets all winter had to have both sets of rear springs replaced due to the large number of pot holes. Some spots were so bad that the plows are digging into the blacktop and completely tearing the road up. The Town highway department has gone around and fixed some of the really bad locations within the Village. This has been one of the worst winters in a long time as far as freezing and thawing, which is not good for the blacktop.

**SUPERVISOR REPORT:** There is no Supervisor report at this time as we are waiting for Bonadio to complete their audit so we can complete the year end.

A motion was made by Councilwoman Haynes and seconded by Councilman Goodsell to set up a Public Hearing for the SEQR for the Richland Town Park for the next Town Board meeting in April. On a roll call vote this motion passed with all members voting "AYE." Councilwoman Haynes has asked members of the advisory committee to attend the next board meeting and give a presentation for the park.

**COMPREHENSIVE PLANNING BOARD MINUTES/UPDATES:** No report at this time

**JUSTICE REPORTS:** A motion was made by Councilwoman Haynes and seconded by Councilman Goodsell to accept the January 2019 report from Judge Conger and the January and February 2019 report from Judge Ridgeway as presented. On a roll call vote this motion passed with all board members voting "AYE."

**WARRANT OF BILLS:** A motion was made by Councilwoman Haynes and seconded by Councilman Goodsell to pay abstract #3 of 2019. On a roll call vote this motion passed with all board members voting "AYE."

**TOWN BOARD MINUTES:** A motion was made by Councilwoman Haynes and seconded by Councilman Goodsell to approve the February 2019 town board minutes as submitted. On a roll call vote this motion passed with all board members voting "AYE."

**CEMETERY UPDATES:** No updates at this time.

**TOWN HISTORIAN REPORT:** No report at this time.

**LEGISLATIVE REPORT:** No report at this time

**MISCELLANEOUS BUSINESS:** Supervisor Krupke gave the board a letter from Assemblyman Barclay regarding Cuomo's Aid for Municipalities and his wishes to defeat the cost shift onto counties and push for restoration of the AIM.

A memo was given to the board from Special Projects Coordinator, Robert North, referencing annualized budget plans and considerations for 1, 3, and 5 year plans. Mr. Krupke will continue to discuss this with Mr. North.

A liquor license for Two Clubs Inc. was given to the board for review.

A motion was made by Councilwoman Haynes and seconded by Councilman Goodsell to approve the Town Clerk and Deputy Town Clerk to attend the annual Town Clerk's Convention in May. On a roll call vote this motion passed with all board members voting "AYE."

A motion was made by Councilwoman Haynes and seconded by Councilman Goodsell to approve the DCO to attend the annual DCO/ACO Conference in May. On a roll call vote this motion passed with all board members voting "AYE."

A motion was made by Councilwoman Haynes and seconded by Councilman Goodsell to adopt Local Law #1 of 2019, to provide for the administration and enforcement of the ICC, State Fire Prevention and Building Code. On a roll call vote this motion passed with all board members voting "AYE."

Supervisor Krupke states that the Judges have requested an additional position for the Justice Clerks. One of the current clerks wishes to reduce her hours during the summer months to 15 hours per week. The demand of the department requires a full 30 hour position. They would like to pursue the option of adding a position for a 15 hour clerk for the summer. There was some discussion of what would happen to that position in the fall when the other clerk returns to her normal hours. It is unclear at this time. The Judges do have a candidate in mind, it is a family member of one of the Justices. Justice Ridgeway has applied to the office of Court Administration for approval. Supervisor Krupke feels that if we are going to move forward with the position, the job must be opened and posted to the public. Councilman Goodsell suggested posting the position as soon as possible to allow time for qualified applicants to apply and to fill the position quickly. Councilwoman Haynes would like to postpone making a decision until all board members are present to discuss. Councilwoman Haynes questioned where the funds for the position would come from. Justice Ridgeway spoke with Supervisor Krupke and recalls approximately \$6,000 in the budget for him to attend some classes that he will probably not be attending which would free up some funds. Mr. Krupke recommends that board members speak with the Judges and the clerks and get their feedback on the situation. Councilman Goodsell mentioned how busy our court is compared to neighboring towns, Attorney Seiter and

the other board members agreed. There is a lot of data to enter and paperwork to do with each violation/case.

Supervisor Krupke updated the board on the solar field location. Councilman Yerdon and Councilman Goodsell met with representatives and it is their recommendation that we do not move forward with the solar development at the well fields due to the possible future development of the water districts into other municipalities. Mr. Goodsell questions the contamination possibilities from equipment entering the property for installation and maintenance and also if a panel was to get broken during removal. A solar field could impede the Town in many ways, by tying up land and right of ways. Option B would be for the Fernwood property, this would not be viable based on their review as there is no interconnection nearby. Option C is the consideration of the sandpit in Albion, there is approximately 35 acres. Upon a conversation with John Fox, the Town can only get one more sand pile out of there. Mr. Krupke forwarded the information about the sandpit to Melissa Clark from Abundant Solar and asked her to review it to see if this location would work. At this time, she feels that this site would work to put the 5M solar site. There was some discussion about ownership of the properties, water districts versus the highway. Supervisor Krupke asked Melissa to perform an in depth review of the Albion site and give the Town a proposal in two weeks. Mr. Krupke would like to hold a special board meeting on March 26<sup>th</sup> at 6 p.m.

**NEXT TOWN BOARD MEETING:** The next regular Town Board meeting will be held on Tuesday, April, 9, 2019

**MEETING ADJOURNED:** A motion was made at by Councilman Goodsell and seconded by Councilwoman Haynes to adjourn the meeting at 7:10 p.m. On a roll call vote this motion passed with all board members voting "AYE."

Respectfully submitted by  
Julie Peterson  
Deputy Town Clerk