

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

DATE: June 4, 2019

KIND OF MEETING: Special Meeting of the Town Board

PLACE: Main Courtroom, Upstairs at the H. Douglas Barclay Courthouse Pulaski, NY

BOARD MEMBERS PRESENT: Supervisor Dan Krupke
Councilman Kern Yerdon
Councilman Allen Goodsell
Councilwoman Sue Haynes
Councilwoman Donna Gilson

OTHERS IN ATTENDANCE: Highway Superintendent John Fox arrived 7:40pm, Judge Ridgeway, Cathy O'Hara, and Zach Rivers
Town Clerk, Millie Newcomb

CALL TO ORDER: The meeting was called to order at 7:00 p.m. with Supervisor Krupke leading in the Pledge of Allegiance.

The purpose of this meeting was to discuss a Town Highway employee purchasing a home outside the Town limits and the hiring of a new Town Court Clerk. Zachary Rivers has been employed by the Town of Richland Highway Department for several years as a part time employee. Within the last year, Mr Rivers was hired as a full time employee. At this time, he would like to purchase a home but is having a hard time finding a home in the Town of Richland that he can afford. He came to the last meeting for permission to look outside the Town. The Board suggested he look a bit more and come back to meet with them again. He is here tonight asking the Town Board for permission to purchase a home that is about .33 miles outside the Town limits. He explains that the home he would like to put an offer on is in his price range. At the current time, he pays \$900 per month for a 3 bedroom apartment on the second floor with a 1 ½ year old and 2 dogs. The homes location pays Sandy Creek Town and County Tax but pays Pulaski School Taxes. Mr. Rivers explains that this is not a forever home but would fit his family's needs at this time. He has also put in a few purchases offers on homes with in the Town only to have them fall through for various reasons. Councilman Yerdon asked Mr. Rivers if his Supervisor advised him of the Local Law that existed about living in the Township. Mr Rivers advised the Board that he did know about the Local

Law and his Supervisor told him that he had to get permission from the Board. Councilwoman Gilson asked if Mr. Rivers if he ever received an Employees Handbook. Mr. Rivers advised that he had never seen the Employee Handbook but does know about the Local Law because his Supervisor Mr. Fox advised him of it. She commends Mr. Rivers for being honest and upfront with the Board. Moving forward its important that each Supervisor give the new employee the Employee Handbook and that it gets explained to the new employee about the Local Law that exists. Mrs. Gilson would like to know how Superintendent Fox feels about his moving out of the Township. Mr. Fox is not at the meeting tonight. Supervisor Krupke advised that he spoke to Mr. Fox and Mr. Rivers together and Superintendent Fox has no issues with Mr. Rivers living just outside the Town limits. Councilwoman Haynes says that she has no problems with Mr. Rivers moving outside the limits as long as he contributes to one of the taxes such as School or Town and County. The reason is that there are a lot of areas in and around Richland pay either Pulaski/ Sandy Creek/Mexico school or Richland /Sandy Creek/Mexico Town and County taxes . She agrees that there are many homes for sale in the area but not in Mr. Rivers price range, Mrs Haynes agrees that the Local Law is important and it should remain but also feels it should state if the property pays some part of taxes it should be allowed. She also agrees that the Employee Handbook is important and should be updated. Mr Rivers says a lot of the rules are conflicting because he has been told he goes by the Union Member Contract and not the Town Handbook. Many things that are in the Union contract are not in the Town Handbook. The Board feels the handbook should be updated to reflect the changes. There was an amendment to the handbook in 2015 that reflected the local law about living in the Township that everyone was to sign upon being hired. The Board feels that this is an awkward situation, Councilwoman Gilson agreed and continued that the Board asked Mr Rivers to put in a "Good faith effort" in trying to find a home in the Town of Richland. She feels that he has done this and has been honest in coming to the board. She also believes in the Local Laws and believes that Mr Rivers has tried to keep in with in the law. Councilwoman Haynes also believes in the Local Laws but believes that sometimes things come up that cannot be avoided. Councilman Yerdon feels the Board should go into Executive Session to further discuss this issue. ***A motion to go into Executive Session was made by Councilman Yerdon and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE". 7:23pm***

Superintendent John Fox arrived at 7:40 and joined the Board in Executive session at 7:52 pm. A motion to exit Executive Session was made by Councilman Goodsell and seconded by Councilwoman Haynes. Time is 8:05pm. The result of the session is as follows, "Section 4: Waiver, the Town Board of said Town, if after investigation determines that enforcement of the provisions of this local law works an undue hardship upon any employee or prospective employee, may grant such relief to such employee as said Board in its judgement deems just and proper. b. "For all appointed offices and employees, the Town Board shall consider qualified applicants from within the corporate limits of the Town of Richland first, then qualified applicants from the Towns of Sandy Creek, Orwell, Albion, and Mexico. If no such qualified applicants exist, the Town Board may then consider other applicants. C. Before considering non-resident applicants, the Town Board shall advertise said positions in the official

newspaper of the Town, conduct formal interviews of applicants and approve qualified non-resident applicants by majority vote of the Town Board. D. The offices of Town Assessor, Code Enforcement Officer, Building Inspector, Zoning Enforcement Officer, Flood Damage Control Officer, Dog Control Officer and Justice Court Clerk are town officer positions for which the Town Board may award to persons who do not meet residency requirements after following subdivisions (b) and (c) above. Because the Superintendent did not provide the Employee Handbook with the stated law in it, it is important that Mr. Rivers understands that this is truly an exception and there are some circumstances and because of that, and if any moves in the future especially out of the Town of Richland, that Board would have to decide and it would not be guaranteed. Because you do not live in the voting district of the Town of Richland, any kind of Foreman or Deputy position, you will not qualify for. In the future, the Supervisors office will coordinate with Superintendent Fox in making sure that all proper paperwork is signed and accounted for moving forward. ***A motion was made by Councilwoman Haynes and seconded by Councilwoman Gilson. to allow Mr. Rivers to move outside the Town limits and continue to work for the Town of Richland Highway Department. In a roll call vote, all were in favor with a vote of "AYE".***

Next up is Justice James Ridgeway. He has a recommendation from himself and Justice Conger to hire Tasha Mullins to the position of Court Clerk, replacing Darcy McCarty who will resign effective June 30th. The Board has not had a chance to look over the other applications and may have some questions. Judge Conger has interviewed all but one of the candidates. She feels that Ms. Mullins would best fit the position. Approval from the Courts Office in Syracuse is forthcoming. At this time, they have a verbal and now just waiting for the written approval from the State. The application has been "fast tracked" to get the approval.

The new clerk will be "contingent" upon approval from NYS and put on a probation period of 6 months at the wage of \$27,500 per year. This is a salaried position. ***A motion by Councilman Goodsell and seconded by Councilwoman Haynes to hire Ms. Mullins contingent upon her approval from New York State clearing her background check and working on a training basis. In a roll call vote, all were in favor with a vote of "AYE".*** Supervisor Krupke ask Judge Ridgeway to get the Audit done as soon as possible.

Next up, the bid package for the RFP for the Solar project on Co Rt 41 has gone out. Ground Breaking Ceremony for the Haldane Bath Houses will held in the next few weeks. Supervisor Krupke would like to get Pop Warner, Girls Softball, and Little League, everyone that was involved in making this a reality. Snow agreement with the Village has been signed. Copies are available in both Town and Village Offices. Also, look into the possibility of a Nepotism policy. All members agree it would be a great idea. Councilman Yerdon and former Councilwoman Dawn Holynski have been working on the Solar Law in part with the Comprehensive Plan. Hopefully everything will come together to come to fruition. Discussion about Rainbow Shores Road (South) Mr. Foster has done extensive research and keeps finding more information to share. Unfortunately, at this time, either the State or the Town has the money in the Budgets to help the homeowners to get the road paved.

With no other business to bring before the board, a motion to adjourn was made by Councilwoman Haynes and seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of "AYE".

NEXT TOWN BOARD MEETING: June 11,2019

MEETING ADJOURNED: 8:45pm

Respectfully submitted by
Millie Newcomb
Town Clerk