

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

**DATE:** July 9, 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 Kern Yerdon  
Councilman Allen Goodsell  
Councilwoman Sue Haynes  
Councilwoman Donna Gilson

**OTHERS IN ATTENDANCE:** Town Attorney, Graham Seiter  
Highway Superintendent, John Fox  
CEO/ZEO, John Howland  
Deputy Town Clerk, Julie Peterson  
Resident, Dale Bigelow

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

**PUBLIC COMMENT:** No Comment.

**WATER BUILDING SOLAR PROJECT:** The Town Board reviewed the RFP's that were submitted for the solar project at the water building. 4 Bids were received. Due to the technical nature of this project, the bids were sent to Chris Carrick, Energy Program Manager with the CNY Regional Planning and Development Board, to obtain his professional feedback. Mr. Krupke feels that it would benefit the Town to move the solar panels closer to the building. In doing so, we could stay within the \$50,000 grant amount. After much discussion and careful consideration, the board wishes to reach out to the bidders and obtain new estimates based on a closer location and clarified maintenance and warranty terms. This would allow the board to compare things more accurately.

**HAGER DRIVE UPDATES:** Attorney Seiter states that there are no new updates at this time. The Town Board authorized Mr. Seiter to send a letter to Mr. Caraccioli to get this matter resolved quickly or they will be seeking other counsel to take over the case.

**WATER UPDATES:** Water Operators have been working hard on painting and clearing around fire hydrants. Supervisor Krupke read a letter to the board, the Town of Richland has taken first place in the annual best tasting tap water contest. Councilman Yerdon questioned a statement in the July 2019 Water Advisory Board minutes stating that Sandy Creek has hired Fiscal Advisors to help with the remainder of the project due to additional complexity with RD involvement. Supervisor Krupke speculates that it is because of the funding sources coming from several different locations and how to properly manage the money. He is going to find out what exactly this means, the cost, and where the funds are coming from for the advisors. A motion was made to accept the internal audit report for the water department, dated June 5, 2019 by Councilman Yerdon and seconded by Councilwoman Gilson. On a roll call vote, this motion passed with all members voting "AYE."

**ZONING AND CODE REPORTS:** Mr. Howland presented the report to the board for review. Mr. Seiter sent out some letters last month for a few violations that were to be remedied by the 15<sup>th</sup>. Most of the property owners have picked up, there are a few that have not yet, Mr. Howland will revisit those properties after the deadline. The Zoning and Planning Boards have 3 special permit applications to review next week. There is a resident that is filing an Article 78 for an area variance that was granted at the last Zoning Board of Appeals meeting. Mr. Howland explained that he sent the legal notice for the public hearing to the newspaper. The newspaper did not receive it and the notice did not get published. Another hearing will be held for this variance.

**DOG REPORT:** Mr. Krupke has reached out to the Town of Sandy Creek Supervisor regarding an IMA for dog control. The May and June 2019 report was submitted for review.

**HIGHWAY REPORT:** Mr. Fox informed the board that a notice was put in the paper for paving bids. At the last state session, the CHIP funding was approved, and the town will receive another \$27,000. John plans to pave Dunlap Rd. The Haldane building is up, water line is in, conduit for the electrical has been run, and the sewer is run up to the parking lot. It is coming along quickly, just waiting for the contractors to come back to complete it. Superintendent Fox presented the board with a state bid for a new truck. The truck will not be completed until 2020, we are still able to cancel at any time if something happens before the truck comes in. A motion was made Councilwoman Haynes and seconded by Councilman Goodsell to approve the purchase of a 2020 Mack 64FM Granite for \$126,633.56. On a roll call vote, this motion passed with all members voting "AYE." Supervisor Krupke attended the Highway Superintendent meeting last month and was given a copy of the new County Snowplow Agreement. The agreement that was presented will give the town \$8,000 a year per mile and would be a 3-year contract. The first-year, salt and sand will be provided as it has been in years past, the 2<sup>nd</sup> and

3<sup>rd</sup> year the Town would be responsible for all salt and sand purchases. Mr. Krupke, John Fox, and Bob North broke down the costs of truck maintenance, labor, and materials to maintain County roads, which Mr. Krupke reviewed with board members. The Town currently plows 27 miles of County roads. If the Town accepts this agreement, this year sand will be screened for free. The County will continue to screen the sand and sell it to the towns for \$5 a yard. If the Town opens our own pit, they can screen the sand themselves cheaper. Councilman Goodsell questioned if there was anything in the contract regarding fuel inflation. Mr. Fox states that it is only a 3-year contract there is enough offset to account for increasing costs. Mr. Fox and Town of Sandy Creek Highway Superintendent, Mike Kastler, may split the cost of a used sand screener and screen the sand themselves to save the townships money. Highway Superintendents throughout Oswego County plan to continue to order salt as a group to get a better rate as they have done in the past. The new agreement makes it easier financially, as we will no longer have to submit for payment. Payments will be paid automatically for a specified amount and on a set schedule. Highway Superintendents were told to take the contract revisions to the boards to review and get back to the County by August 1<sup>st</sup>, prior to the next Legislature meeting. Councilman Yerdon questioned the wording of the contract when they met in May of 2018 regarding the language of the County being able to cancel the contract at any time. Mr. Krupke said that he did mention at the meeting that if services are not completed the way the County would like then the notice needs to go to the Supervisor of each Town in addition to the Highway Superintendent. At this time there is not an official completed contract, it is still in the process of being revised.

**SUPERVISOR REPORT:** A motion was made by Councilman Yerdon and seconded by Councilman Goodsell to accept the April 2019 Supervisors report as submitted and to table the May 2019 report to the August meeting. On a roll call vote, this motion passed with all members voting "AYE."

**RICHLAND TOWN PARK:** An invoice for the playground was submitted to the board for review. A motion was made by Councilwoman Gilson and seconded by Councilman Yerdon to approve the expenditure of \$51,009.27 to order the Richland Park equipment. On a roll call vote, this motion passed with all members voting "AYE." After the equipment is ordered, it will take approximately 8 weeks for delivery. Superintendent Fox is trying to coordinate a time to visit the park with Alycia Smith to discuss what site work needs to be completed prior to delivery to prepare for the installation of the new equipment. Councilwoman Haynes would like to meet with Mrs. Smith for a project update. A waiver is required for all volunteers and contractors who plan to assist with the site work at the park. Mrs. Smith has an example from another township. A copy of this will be given to Attorney Seiter for review.

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

**JUSTICE REPORTS:** A motion was made by Councilwoman Gilson and seconded by Councilman Goodsell to approve Judge Congers May 2019 Justice Report. On a roll call vote, this motion

passed with all members voting "AYE." A notice was submitted to the board regarding the new office hours for the court, the office will be closed and will only be open on Wednesday evenings to accept payments. Judge Ridgeway informed Mr. Krupke that the hours will be for the month of July and a little bit into August due to vacations and a new Court Clerk. Councilman Yerdon questioned how they can cancel the agreement that was made between the court and the board. The agreement was that they would have more office hours to accommodate people if the board allowed them to have a higher salary and a second clerk. Councilwoman Gilson feels that the Judges need to step up and assist clients and that we are now going back to where we were before, and the rest of the office staff has to bear the burden and assist their clients as they are not available. Everyone agreed when the salaries were raised that there would be longer office hours. The board understands that vacations are deserved and there is a new clerk in the office that is in training. Although this may be for a short time frame, why can't the judges assist more in their office? Councilman Goodsell states that other offices will only be closed for a week or two for the vacation, not a month or more. Councilwoman Gilson feels that they should be able to work out some sort of compromise with the board and have office hours. Councilwoman Haynes feels that a letter needs to be sent addressing the feelings of the board. Unfortunately, there is not a supervising Judge in the position at this time to aid the Town with this issue. The board may consider a reduction in the Justice payroll when budget time comes if a satisfactory agreement can not be met. Attorney Seiter feels that may produce results and assist the constituents of the Town. Supervisor Krupke will send a letter to the justice department to let them know that the board does not approve, does not accept it, and that they would like them to find a way to keep the office open as agreed upon. Attorney Seiter feels that the Unified Court System should have rules regarding office hours for the Town Courts.

A copy of the Court Audit was submitted to the board for review. Councilman Yerdon asked if the Justices must comply with the recommendations contained in the audit. Councilwoman Gilson said they do not have to but should to become compliant and more efficient. Attorney Seiter recommended to cover the board, they address any audit questions and concerns with the department. Supervisor Krupke stated that the department is doing a good job, however, future detailed audits will not be completed by Mr. North, they will be conducted when other town offices are audited by the auditors and it would not be necessary to perform this extensive of an audit annually. Councilwoman Gilson reviewed some of the audit findings with the board but would like board members to read it in its entirety before voting on it and states that they are doing a good job. Supervisor Krupke would like to acknowledge the resolution and then ask the Judges to attend the next town board meeting to ask questions and discuss the audit findings. A motion was made by Councilwoman Gilson and seconded by Councilwoman Haynes to accept the Resolution and acknowledge that the required audit was conducted. On a roll call vote, this motion passed with all members voting "AYE." Mr. Krupke will put it on the agenda for the next town board meeting.

The Judges made a request for their new Clerk to attend a training class in July. There is another class at a closer location being held in October. Supervisor Krupke feels that some exposure to the job prior to attending the class would be beneficial to have a better understanding of what she is learning. All board members agreed with this. A motion was

made by Councilwoman Haynes and seconded by Councilwoman Gilson to deny the new court clerk attendance to the July training. On a roll call vote, this motion passed with all members voting "AYE."

**WARRANT OF BILLS:** A motion was made by Councilman Goodsell and seconded by Councilman Yerdon to accept abstract #7 of 2019 as presented. On a roll call vote, this motion passed with all members voting "AYE."

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

**NOCA – 2<sup>ND</sup> QUARTER 2019 REPORT:** A copy of the report was given to board members to review.

**CEMETERY UPDATES:** The Town is awaiting a quote for the fence repair at Riverside Cemetery.

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

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

**MISCELLANEOUS BUSINESS:** There is a meeting tomorrow morning at Oswego College held by the CNY Regional Planning for Oswego County and Cayuga referencing the high-water levels and how to spend the funds. The County is meeting tonight to prepare for the regional meeting tomorrow. A copy of the 2018 energy use data was given to board members for review. This is done annually and posted to the Town website as a requirement for the resolution to be a Clean Energy Community and to be considered for grants. Supervisor Krupke sent a letter to the IJC regarding the hardship on our municipality and encouraging them to consider abandoning the 2014 plan and revert to the old plan. Several townships along the lake have proposed a resolution to revoke IJC plan 2014. A motion was made by Councilman Goodsell and seconded by Councilwoman Gilson to accept the Resolution to revoke the International Joint Commission Plan 2014. On a roll call vote, this motion passed with all members voting "AYE." Legislator Gilson has a copy of the towns needs and ideas to present to the County. Supervisor Krupke would like the minutes to show that the Town has received letters from Susan McLaughlin and family on Grandview and a second letter was received from Matt and Andrea Rudd from Ramona Beach expressing their concerns about the high-water levels. Mr. Krupke and Councilman Yerdon plan to attend tomorrows meeting at the College. Attorney Seiter updated the board on his findings regarding the planning board. The Town would need to locate the original local law giving the planning board decision making authority and amend it. The Town could choose to make them an advisory board or set a guideline with the amount or size of the project it would need to be approved by the Town board. Mr. Seiter will work on this and would like input from the board on what they would like the guidelines to be.

Councilman Yerdon inquired how to become a member of the Tug Hill Commission, he is going to investigate it. A motion was made by Councilwoman Haynes and seconded by Councilwoman Gilson to enter executive session at 8:39 p.m. regarding a personnel matter. On a roll call vote, this motion passed with all members voting "AYE." A motion was made by Councilwoman Haynes and seconded by Councilwoman Gilson to exit executive session at 8:45. On a roll call vote, this motion passed with all members voting "AYE." Supervisor Krupke stated that there was a request from the Judges to extend vacation pay to a former Court Clerk. A motion was made by Councilwoman Haynes and seconded by Councilman Goodsell to deny extending vacation pay to the former clerk. There was no discussion. On a roll call vote, this motion passed with all members voting "AYE."

**NEXT TOWN BOARD MEETING:** August 13, 2019

**MEETING ADJOURNED:** A motion to adjourn the meeting was made by Councilman Yerdon and seconded by Councilwoman Gilson at 8:50 p.m. On a roll call vote, this motion passed with all members voting "AYE."

Respectfully submitted by

Julie Peterson  
Deputy Town Clerk