

MINUTES OF THE MEETING OF THE TOWN BOARD

TOWN OF RICHLAND

1 BRIDGE STREET, PULASKI, NY

DATE: August 13, 2019

KIND OF MEETING: Regular Scheduled Town Board Meeting

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

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

OTHERS IN ATTENDANCE: Greg Evans, from Bonadio, Dustin Clark and Brett McVoy from B&L, Village Residents Chad & Darcy McCarty, Cathy & Rick O'Hara, Town Justices Judy Conger and James Ridgeway, Town Resident, Dale Bigelow Legislator, Ed Gilson ZEO/CEO John Howland, Town Attorney Graham Seiter and Town Clerk, Millie Newcomb.

CALL TO ORDER: The meeting was called to order at 6:00 p.m. with Supervisor Krupke leading in the Pledge of Allegiance.

BONADIO AUDIT: Greg Evans who has taken over the Town of Richlands account from Terry Philips is here to talk about the recent audit of Town finances for 2018. The Audit is available in the Town Offices for review. Over all, the Town of Richland is "In Good Shape". A copy of the audit is available in the Town Clerk's Office.

PARADISE SOLAR: Nate Bureau with Paradise Energy Solutions is here to brief the Board on the proposed solar field at the Water Building site on County Route 41. Supervisor Krupke advised the Board that this is the recommendation he would like to make for the solar project on County Route 41. Deputy Clerk Julie Peterson and Supervisor Krupke have reviewed all the proposals, and based on the recommendations from Chris Carrick's Office and sitting down with Nate just to refine the plan a little more, Mr. Krupke would like to make a recommendation that the Town move forward with Paradise Solar's proposal. Mr. Bureau is here to answer any questions that the board may have. The exact configuration may not be to the drawing that is presented, but Supervisor Krupke and Mr. Bureau will talk the board through what is being proposed. The panels will be as close to the Water Building as possible, to keep as much of the land freed up as possible for a possible new Highway building. The Town has the responsibility of putting down the weed barrier and stone. Supervisor Krupke will work the Superintendent Fox on the lay out and call for site work. The Town is getting 21.39 kw, it's a triple 10. Mr. Krupke will let Nate Bureau explain to the Board what that means. The project comes with a triple 10 guarantee. One of which is Paradise Solar guarantees production for the first 10 years. Any short falls in year 1, year 5 or year 10 they hold themselves responsible so they would make up the difference in monetary amounts. He says that is a big part of it, it keeps them involved. They also have a 10 year maintenance guarantee on this project which means Paradise will cover anything that goes wrong on parts labor and shipping so the Town has no expense after that fact for the first 10 years. That is the 10 year maintenance guarantee. Paradise will monitor the system for the first 10 years. This system comes with a 25 yr. system level monitor so the Town can monitor, but Paradise will monitor for 10 yrs just to make sure there are no shortfalls. Anyone in the Town can have access to the app. Per Supervisor Krupke, The panels will actually be producing more energy than what they will be using at the Building, so the town would not be getting credit for that energy getting produced so the thought is going with value stack. It's a different form of compensation for the solar. It allows the town to turn into monetary credit. The rate is less, but the thought is if the panels over produce the Town should get credit for it. If the proposed New Town Barn ever happens, it could have its own separate meter for the panels. The Solar Panels will be directed to the Water Department and the Water Districts and anything that would be in excess would go to offset the credit for any of the Water Districts. Because the Water Department has to pay back the General Fund, for the money that was spent to retrofit on the light poles, That has to be figured out from an accounting standpoint. Mr. Krupke thinks the total is about \$14,000 that is owed. He also doesn't think that the Town will see any benefits from the panels for the first 1-2 years, but should see it shortly after that. Conversation . was directed to

maybe splitting the array?, Mr Bureau advised that is a better question for the Project Manager to look at. He explained that once the project gets Rolling they can get on site and get some measurements . The inverters for the projects have a 10 Year full warranty on them. The panels are usually pretty fail proof. If a failure occurs, it's usually with the inverter. The replacement cost of the inverters are \$3600.00 . Inverters have come a long way in the last few years. Not many changes have incurred with the panels themselves. The cost of the extended warranty after the regular warranty is done will be about \$600.00 per year. With all questions answered, a motion to accept the proposal from Paradise Solar was made by Councilman Yerdon and seconded by Councilwoman Gilson. The time frame for the project will be about 10-15 weeks. The difference between the other companies was the triple 10 warranties. In a roll call vote, all were in favor with a vote of "AYE". (Councilwoman Haynes was absent)

BARTON & LOGUIDICE: Dustin Clark is here along with Brett McVoy to give the Board an update on the joint water project with Sandy Creek. General design is near completion and both Sandy Creek and Richland will be getting a set. CSX permits have been going well. DEC and Army Corp permits were submitted in April. Good dialogue with the Army Corp but a concern with the DEC has been brought to the forefront. The DEC has an issue with a Barrier Bar in the Town of Sandy Creek on North Rainbow Shores and Sandy Pond Inlet. At this time they are willing to work together to get things resolved. As of right now, this is a significant issue that may impact the project. The issue is that the area is in a coastal erosion hazard area and they are concerned about the longevity and the impact of anything to that barrier bar. Infrastructure has a potential reason to unnecessary burden the area cause hardening. The area is developed and its a bump in the road, hopefully. Mr Clark was blindsided by this news but understands the concerns of the DEC. Right now its going through the process and its hard to say how much of an impact it will have on the start of the project. This concerns about a 1 ½ mile stretch of a 33 mile project. The concern of the DEC is that it's just a piece of infrastructure that will cause harding and push the lake to other concerned areas of the barrier. Councilman Yerdon says that he has been getting calls from constituents about paying and not getting anything for the money.. The promises were made that the water lines would be started in the fall of 2019. Mr Clark says he hasn't given up hope that things with the DEC would get resolved. Project financing includes, 3 million dollar grant, EFC hardship at zero percent those are all phenomenal. Just closed on the short term financing in Sandy Creek with them being lead agency, with EFC for construction funds which are interest free financing for 3 years which is great to get the project going interest free. Found out in June that Rural Development and EFC can actually co-fund the project. Rural Development can initially

fund which means that \$2.5 million grant from Rural Development is on the table. Then after that closes, with Rural Development then you can refinance with EFC for zero percent. This also creates a very dynamic and complex funding situation and that brings him to the next of fiscal advisors. When that situation came up, and that was going to be the new plan for financing for the project, that went beyond the advise of B&L to the Town of Richland. . So its came up as a recommendation to help smooth that process and give a municipal advisor to the project that needed to be in place because of all the complexities. This position will help with all the funding disbursements. The cost would be an hourly and usually be a fee of \$10,000 to \$15,000 for the project. The Town of Sandy Creek has hired this person to oversee the project since they are lead agent for the project. This situation came up pretty quick. Mr. Clark feels it's a good thing and in the best interest of the project. Councilman Yerdon feels that Supervisor Ridgeway should have called Supervisor Krupke to let him know about this. He is not saying that it wasn't a good idea but feels communication is needed in a project this size. Mr Clark agrees that communication is a must and says that he should have also reached out to advise the Town of this advisor. The market for this kind of bid is not great. Contractors are busy and he is hoping that getting this out for bid in the fall will attract some good bids. February and March are typically a good time for contractors to get their schedules set.

PUBLIC COMMENT: No public comment at this time.

HAGER DRIVE UPDATES: Letter to Mr. Caracolli from Mr. Seiter. Paperwork that needs to be filed to the Judge, that hasn't been completed. At this time, Mr. Seiter hasn't heard from Mr. Caracolli. At this time, the Board feels that it's time to move on to a different Attorney. There is a recommendation on the table to move to Attorneys Harris Beach Law Office in Syracuse, NY A motion to change attorney to Harris Beach Attorneys in Syracuse was made by Councilman Goodsell and seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of "AYE".

WATER UPDATES: Joint Water Meeting at 7:00 pm on September 17, 2019 at the Sandy Creek Town Hall.

ZONING AND CODE REPORTS: Reports are presented. There was an issue with an Ad. The newspaper had a cyber attack to the Ad for a Planning Board meeting wasn't

published. From this point on, Mr Howland will email the ad to the Town Clerk Millie Newcomb and she will send it on. The confirmation always comes to her email so she will be able to confirm to ZEO/CEO Howland that the Ad was received. This will make a good check and balance system to make sure the ads get placed in a timely manner. Planning Board will meet again with 3 cases to be heard. One of which is the Pines Golf Course. The DEC is putting up 2 pole barns to store Lamprey chemicals. And Amish to build some Storage Buildings. Signed variance from Norfleets for fence on Hager Drive. Mr Howland is trying to get help with the Zoning Changes. Looking for grants. Councilwoman Haynes will help with Junkyard permits. Anymore discussion to amend the Local Law for the Planning Board. Attorney Seiter says he needs the Local Law establishing the board so he knows what they are amending. .

DOG REPORT: DCO Dunn is here to give her report. She had a case involving a Dog in the Town of Sandy Creek and a call from 911. The Town of Richland doesn't have an IMA with the Town of Sandy Creek. Town of Richlands DCO is not interested in getting involved with that Town. The Town of Sandy Creek has a DCO and Deputy DCO. In the future, DCO Dunn will inform 911 to contact the Town Clerk Tammie Miller for Dog Control Services. A motion to name Anne Derr as Deputy Dog Control Officer for the Town of Richland was made by Councilman Goodsell and seconded by Councilman Gilson. The rate of pay for Deputy DCO will be set at \$13.00 per hour with a guarantee of 2 hrs plus mileage. In a roll vote, all were in favor with a vote of "AYE" Mrs. Dunn would like to purchase some flea collars and or 3 pack of flea meds to help out owners or when she picks up a dog that is flea infested that she can use.

HIGHWAY REPORT: Paving Bid : Only 1 Bid was submitted. The paving of Hotchkiss Drive, Scharon Drive, Spath Drive, Phillips Drive, \$60684.00, Peck Road \$113859.20 Any additional mobilization will be \$ 3000. Price is good for the 2019 season. Superintendent Fox was on vacation for this meeting and had discussed this with Supervisor Krupke. A motion to accept the bid was made by Councilman Goodsell and seconded by Councilwoman Gilson. All were in favor with a vote of "AYE"

SUPERVISOR REPORT: A motion to accept the Supervisors Report for the month of June 2019 was made by Councilwoman Gilson and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE"

RICHLAND PARK UPDATES: Letter from the committee. A release to be signed by anyone working at the park must be signed before any volunteer work is to be done. The release was looked over by Attorney Seiter, and was approved.

COMPREHENSIVE PLANNING BOARD MINUTES/UPDATES: No meeting.

HALDANE ADVISORY BOARD MINUTES: No minutes

JUSTICE REPORTS: Reports from Judge Conger for June 2019 Judge Ridgeway June 2019 and Judge Ridgeway for July 2019. A motion to accept the justise reports as submitted was made by Councilwoman Gilson and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE" Attorney Seiter advised the Board that given the fact that nothing was in writing with the employee at the time of her being hire, and that the employee manual was not specific enough, he feels the Board would be better off just paying the employee the vacation time. A motion made by Councilman Yerdon to pay the employee due to it not being clear in the Employee handbook and the Justices duty to make sure she gets her days off. Councilwoman Gilson asked if this was something that had to be decided tonight. Because Councilwoman Haynes was not in attendance, Mrs. Gilson would like to table this decision until Mrs. Haynes is back. A motion to table this until the next meeting was made by Councilwoman Gilson and seconded by Councilman Goodsell. Discussion on this subject proceeded with Chad McCarty asking to address the Board. Mr. McCarty explained that initially the clerk was told she had 2 weeks vacation when she started the position of Court Clerk. The Judges were the ones that hired the clerk. The Town Board only reviews the application that the Court approves. Mr. McCarty feels that the issue should be resolved tonight . He states that the Town Attorney advises the Board to pay the vacation pay, but the Town Board tabled the discussion because one of the Board members is absent. Councilwoman Gilson explained that she has had this discussion with the missing member and would like to give her the consideration in this decision. Letter of resignation from Cathleen O'Hara. This will be effective on October 31.2019. The Board is sorry to hear of resignation.

WARRANT OF BILLS: Abstract #8 Motion to accept abstract was made by Councilman Yerdon and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE".

TOWN BOARD MINUTES: Minutes for June 11, 2019. A motion to accept the minutes was made by Councilman Yerdon and seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of "AYE"

TOWN CLERK REPORT: A motion to accept the Town Clerks report for July 2019 was made by Councilman Yerdon and seconded by Councilwoman Gilson . In a roll call vote, all were in favor with a vote of "AYE"

CEMETERY UPDATES: Fence is repaired in Riverside Cemetery.

TOWN HISTORIAN REPORT: No report

LEGISLATIVE REPORT: The Department of Motor Vehicles is hiring 2 more people on for Pulaski and one for Oswego. The Oswego DMV will be closed in the next 3 days so expect delays and lines at all offices. Mr. Gilson advised that many people do not utilize the online services that DMV offers. Mr. Krupke thought that if this office wasn't used and the online services were it would take away our office. Mr Gilson didn't think that is the case. Aerial spraying will be taking place over the next few days mainly over Toad Harbor area depending on weather. Co Rt 62 ditching will be getting done hopefully by September. It should help with water backup in the Willowgate area. County meeting at the H.Douglas Barclay Courthouse on Thursday. Public Hearing on Local Law #2-2019 to increase the term for Legislatures from 2 to 4 years. On the subject of Town Court and Consolidation. There is a lot going on with the State in the background.. They don't like unlaywered courts. Everyone is going to be faced with lowered assessed valuations. Feet of shore lines have been lost. The Grievance Boards are going to need to know how to handle the influx of people that will come in to try to grieve assessments. Councilman Yerdon blames the federal government for flooding along the shoreline. He feels that the County and Towns should get together and sue the Federal Government. Mr. Gilson isn't ready to settle that this is the new normal. The reason or one of the reasons for the lake raising was to fortify the wetlands. The lake has dropped 11 inches since spring.

MISCELLANEOUS BUSINESS: Hiring of Laurie Barber for Court Clerk. Motion to hire New clerk for the Court at the probation period of 6 months at \$27500.00. At the end of probation period, the salary will be at \$30,000 per year. At this point, she will be paid an hourly wage of \$17.62 hourly rate until she is no longer employed by NYS Parks not to exceed 30 hours per week. The motion was made by Councilman Goodsell and seconded by Councilman Yerdon. In a roll call vote, all were in favor with a vote of "AYE".Discussion about who can access court records. Judge Conger is the only Judge that can download this sensitive information. All employees get fingerprints and background checks.

Budget requests have been sent out to all Department. No decision should be made tonight and should be brought to the September meeting.

Judge Ridgeway and Conger, along with Clerks Cathy O'Hara and former Clerk Darcy McCarty joined the meeting to discuss some issues and to have clarifications with the

Employee Handbook. After a long discussion a motion to go into Executive Session was made by Councilwoman Gilson and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE". 9:06pm. A motion to come out of Executive session was made by Councilwoman Gilson and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE". Councilman Yerdon made a motion to pay former Court Clerk McCarty for her vacation pay of 30 hrs. The motion was seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of "AYE".

With nothing else to bring before the board, A motion to adjourn was made by Councilman Yerdon and seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of "AYE". 9:38pm.

NEXT TOWN BOARD MEETING: September 10,2019 at 6:00pm

MEETING ADJOURNED: 9:38 pm

Respectfully submitted by

Millie Newcomb

Town Clerk