

MINUTES OF THE MEETING OF THE TOWN BOARD

TOWN OF RICHLAND

1 BRIDGE STREET, PULASKI, NY

DATE: September 10,2019

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

Councilman Allen Goodsell

Councilwoman Sue Haynes

Councilwoman Donna Gilson

OTHERS IN ATTENDANCE: CEO/ZEO John Howland, Highway Superintendent John Fox, Attorney Graham Seiter and Town Clerk Millie Newcomb. Legislature Ed Gilson arrived at 7:10pm.

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

PUBLIC HEARING: The Public Hearing was open at 6:03 pm for the Charter Communications, Time Warner/ Spectrum contract. This public hearing was held previously, but due to an issue with the Ad placed in the local newspaper, the hearing had to be held again. *With no comments or objections a motion to close the hearing was made by Councilman Yerdon and seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of "AYE. A motion to accept the Charter Communications, Time Warner/ Spectrum contract was made by Councilwoman Gilson and seconded by Councilman Yerdon. In a roll call vote, all were in favor with a vote of "AYE".*

PUBLIC COMMENT: No public comment at this time

ZONING AND CODE REPORTS: Listing of permits that have been issues this month were presented for review. Also included was a copy of the ISO rate. This is the rating that Insurances companies give to Town Fire Departments. The rating for the Town went from an "8" to a "4" which is good. Homeowners insurance rates are based on ISO rating. Fish Cleaning and Junk Yard inspections will be taking place over the next few weeks. Councilwoman Haynes will ride along with Mr. Howland this year. Question as to if the contractor for the Solar Project has to apply for a Building permit. A motion was made by Councilman Goodsell and seconded by Councilwoman Haynes to wave the Building permit fees to the Contractor of the Town Solar Project on County Route 41 at the Water Building. It's understood that the contractor must obey all Town Laws while working on this project. Next, the Bellingers fence on the end of Hager Drive is on the Town's property, by 3 feet, according to the most recent survey. The owners were in wanting to get a permit because they are tearing the home down and rebuild. ZEO/CEO Howland told them that he would not issue the permit until they remove the fence from the Town property. They are still in violation. The other property owners came in last fall and got a variance and just up to a few minutes ago, that part of the agreement was the fence was supposed to be 3' from the property line and apparently its 1 foot. They may have to come in and reapply. Mr Seiter maybe able to answer any questions the board may have regarding this issue. The law is the fence has to 3 feet off a road right a way, the way the Zoning Board of Appeals took it, because it's on a corner lot, this was still hager drive and should still be 3 feet off the road. The Town of Brighton recently took the County of Monroe to court over collection of fees for clean up of Town properties. The case went to the Appellate Court and the Town lost the case. The Judge ruled that the County does not have to reimburse the Town for the cleanup of Properties in a 3-2 vote. Councilwoman Gilson said that she had heard if you take the waste to the Landfill, you can be rid of it for half the cost. Mr. Howland said that it was brought up at another meeting he was at that Landbank does this. He said that the County waved the tipping fees for these properties. Landbank purchases property's and is exempt from taxes. They are supposed to fix the property's up and put them on the market to sell. The profits are supposed to go towards the next property to remodel. The question is does the Townships get the same consideration on taking debris from cleaned up properties to the dump and have the tipping fees waived. Mrs. Gilson is going to find out if the Towns can do the same and get back with the board. Some concerns of Amish building multiple homes on one lot. Mr Howland told the board they may be grandfathered in but as of the time of the new Zoning and Code laws were adopted, there are no more multiple homes allowed on one parcel.

HAGER DRIVE UPDATES: Tabled until Executive session

DOG REPORT: No report at this time.

WATER UPDATES: Supervisor Krupke asked about a second Quote for the tank washing. Supervisor Krupke reached out to another contractor, but has yet to get back with him. Superintendent Fox said its a pattern with that particular contractor. Supervisor Krupke would really like to get another quote. Moving on, one price from PTTG Maintenance Division for cleaning the outside of the tanks. Tank one is the Fernwood tank on County route 41 and the

cost is \$9600.00, and Tank 2 that is on Bishop Road is \$8800.00. The money has been budgeted for cleanings. The company has guaranteed to be done by winter. Regular inspections are done on the tanks every year. *A motion to hire PTTG get the outside of the tanks cleaned was made by Councilwoman Haynes and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE".* There is an upcoming Water Board Meeting with the Town of Sandy Creek for September 17th at 7:00pm. The meeting will be mostly about financing of the upcoming joint water project. Councilwoman Gilson asked about the Town of Sandy Creek hiring a Financial advisor for the upcoming joint water project. Attorney Seiter will look into this matter.

HIGHWAY REPORT: Snow and Ice agreement with Oswego County 2019-2020. Supervisor Krupke asked if the mileage was corrected by the County. Per Superintendent Fox the new miles that the Town plows for the County is 26.54 miles And at \$8000 per mile comes out to \$212,320.00 per year for 3 consecutive years. The following 2 years the Town will have to pay for all the sand and salt. The break down for sand is \$ 5.00 per yard. Superintendent Fox is working with the DEC at this moment at the end of Main Street in Richland to the Town of Albion line, from the Town of Albions line to our property line to square off the corner. Some test holes have been dug and its been found to have nice material. There is a lot of paperwork to be done for the DEC. The Town Highway has hulled out everything that the county screened and are a little short on the Towns end, but Mr. Fox thinks that we have another year of sand in the Altmar pit. He thinks he is about 75 loads short or for him to be comfortable. If the Town enters into a contract with the county, the town will be receiving the \$212,320.00 for this year and will be getting the sand and salt from the County. So he feels the Town should take advantage of this. The Town of Richland and the Town of Sandy Creek have talked about purchasing a screener together and have a screening plant between the two towns since both towns have gravel pits. That will eliminate a large expense. If the Town would have to purchase sand for next year, the closest would be Sampsons Pit up on County Route 52. For the Town it's an advantage because its close. Lindseys Aggigate on Red School House Road is offering sand right now at \$5.00 per yard. Many Towns will be looking at them for their supply. Councilman Goodsell is inquiring about the cost of Bulk Salt. The cost at the moment , has gone down \$5.00 per ton from \$58.00 per ton to \$53.00 per ton. Oswego County went back out on there own for the Bid away from Onondaga County. What is not in the Contract this year with the county is Termination. Supervisor Krupke told the Board that not one piece of the language in the contract has changed. Per Councilman Yerdon, the Towns gave the County 5 proposals 2 years ago to try to prevent what happened to the Town of Mexico a few years ago. In today's paper, the Town of Mexico the Appellate Court ruled against Judge McCarthy's ruling and said because they did go by 30days on Towns with in the county that it voided language with Mexico. The 5 Judges sent there ruling back to Justice McCarthy and told him to figure something out. That was a big win in the Town of Mexico's favor in Councilman Yerdon's book. The county does not want to budge with anything in there contract. Mr Yerdon feels that the county is punishing the Towns that go by the rules Ninety percent of the Towns do things correctly, he feels they should speak to the 10% that don't . Personally, Councilman Yerdon is not in favor of accepting this contract as it is with the language in it. With the ruling that was handed down today, he feels

that if we accept the contract as it is, we are accepting the language that has been in it since the beginning. The new ruling could change this language, so the Town would not be bound to the 30 days. He feels that the Board is "nuts" to agree to this at this time. Mr Fox said that he is not sure what happened because he gets conflicting stories from the county and the Mexico Highway Superintendent. Mr Fox says that he has never had an issue getting his bills in with in 3 days. Councilwoman Gilson asked Supervisor Krupke how other Towns felt about this contract. Mr. Krupke told the Board that The Town of Hastings will sign, Town of Oswego has their Board meeting tonight and will probably get approval tonight, but will hold off depending on what Richland does. The Town of Sandy Creek, Supervisor Krupke will advise what the Town of Richland does in the morning. As far as paperwork goes, its automatic payments from the county. Councilman Yerdon says if this is the case, why worry about the language. Councilman Yerdon advised the Board that he has played these games all the time when he was working in his private life. He states they put language in contracts like this for a reason. If they don't want to take it out, they don't take it out for a reason. He feels that the Town is still going to have to deal with money situations. There are 2 payments, one in the fall and one in the spring. Superintendent Fox still has to deal with the driving sheets that are provided by the drivers. He just has to fill out the driving sheets and split times out. Councilwoman Gilson wants to know what happens if the Town doesn't sign and return the contract by September 15th? The brakes have been put on Salt deliveries right now. Worse case is that the Town loses out on the \$212,320. Superintendent Fox has never had an issue with the County in 33 yrs. Suggestions are to maybe make the contract a 1 yr contract and not 3 year. Attorney Seiter agrees Mr Yerdon and that he has valid points but, this is a typical of a County Contract. Mr Krupke has made every effort to try to get the language changed, the language has been shared and all the county officials know how all the Towns feel. Councilman Goodsell feels the ruling today may force the County to change the language in this contract. Attorney Seiter doesn't really know how much it will really change things. Mr Yerdon doesn't like the words "YOU WILL " buy from the County. He just doesn't agree with that. The Contract is very one sided and all Board Members agree. *A motion to accept the Ice and Snow Contract was made by Councilwoman Haynes and seconded by Councilwoman Gilson. In a roll call vote, Goodsell, AYE Gilson, AYE, Haynes, AYE Krupke, AYE and Councilman Yerdon, No. Mr Yerdon would like to explain his vote and record it in the minutes of this meeting. " I am voting NO because I do not believe Oswego County has fairly sat down and talked to the Towns and tried to negotiate some of the ideas that the Towns have brought forward. This is wrong for them not to do this. They would not even look at one of the proposals but want the towns to do this outstanding job and because of this, I am voting no".*

The truck has been ordered but to do the financing on it, it must be the complete package. Mr Fox has a few quotes. The first bid is, \$89,833.47 the other is \$93,000.00. The truck company gets the complete package together then shops for the best interest rate for the Town for the next 5yrs. They have to get the financing part done since it's been ordered. It's all been budgeted so that is all set. Prices keep going up due to the tariffs. Standard equipment that includes a stainless steel box and sander unit built inside the box which unloads in front of the tires. The \$93000.00 dollar option is also a stainless steel box that comes off during the winter

and then the sander goes on. This is what the Highway has now. The first option (\$89,833.47) box option with the sander in the box is something that a lot of Towns are switching over to but Mr. Fox is not completely sold on the idea. There is a plate that goes over the chain for the summer months then comes off for the winter. *A motion was made by Councilwoman Haynes to authorize spending the \$93,000 for the box and equipment for the new truck and seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of "AYE".* The sand pile is done at the moment with the exception of 75 loads. The Highway crews have been cutting roadsides and mowing for winter. Superintendent Fox and Supervisor Krupke met with the Solar people at the Water Building. The Highway crew is doing the site work for the Solar panels. They have removed the top soil, layed the paper down and stone was brought in. The Solar company said it would be another 2-3 weeks so the Highway crew got on it just incase. The highway has been down to the Haldane to help get the area buttoned up for the contractors at the pavillion. Mr Fox has signed up for a conference next week in the Catskills.and needs the Boards approval to attend. There has been some miscommunication with members of the Richland Park. Hopefully everything has been ironed out. Delivery of the wood chips will happen as soon as the base is set. Mr. Fox has a number of the company to call when he is ready. A big maple has to be removed before the equipment arrives. *A motion to approve SuperintendentFox's meeting in the Catskills was made by Councilwoman Haynes and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE".* Rob Dye would like to redo the Senior League Field at the Little League field. Someone has donated a Dozer to redo the fields and bring in 10 loads of top soil. Landco out of East Syracuse donated the material, and someone would have to go pick it up. Mr. Dye is asking if the Town Highway could possibly do that. Since that is in the Village limits, Councilman Yerdon feels he should ask the Village. Since this is an independent organization, and there is no contract the board feels its not a good practice to get into without a contract and it would fall onto the Village.

SUPERVISOR REPORT: *A motion to accept the Supervisors reports for May and July was made by Councilman Yerdon and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE"*

Reminder to everyone that the Ribbon Cutting Ceremony at the New Pavilion / Bathhouse at the Haldane Complex is on September 25th at 3:00 pm

COMPREHENSIVE PLANNING BOARD MINUTES/UPDATES: No report

HALDANE ADVISORY BOARD MINUTES: No report

JUSTICE REPORTS: Justice Ridgeway's report was presented to the Board. *With no discussion, a motion to accept the Justices report was made by Councilwoman Gilson and seconded by Councilwoman Haynes. In a roll call vote all were in favor with a vote, of "AYE".*

WARRANT OF BILLS: Abstract # 9 of 2019 was presented. *With no discussion, a motion 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: Town Board Minutes for July 9 and September 5 were presented to the Board. A motion to accept the minutes was made by Councilwoman Haynes and seconded by Councilman Yerdon. In a roll call vote, all were in favor with a vote of "AYE".

TOWN CLERKS REPORT: *Town Clerks report for August 2019 was presented. With no discussion, a motion to accept the Town Clerks Report for August was made by Councilwoman Gilson and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE".*

CEMETERY UPDATES: Record number of Burials this year. Mr. Fox thinks the number is pushing 25.

TOWN HISTORIAN REPORT: No report

LEGISLATIVE REPORT: Property tax sale is October 5th . The LandBank has asked for 1 property in Richland that will vote on, on Thursday. The burned out property on US Rt 11 will probably be purchased by the Landbank. Some stats are, 24 rehabs, including 6 partial rehabs, 28 demolitions, 8 rehabs currently in progress, and sales of \$1,000,044.00. There are 2 properties here in the village of Pulaski, 1 on Lake Street and the other on North Street. The type of work on these homes has been mainly clean up. The stats on the demo homes, the organization has lost money on. Mr Gilson is going to challenge them on to why they buy the demo properties since they make no money on them. Talk turned to the tipping fees at the dump for the Towns if they have a property that needed to be demolished. The cost to demo these homes is between \$8- and \$12,000. Oswego County most likely is going to purchase the new hanger at the County Airport. The county is probably going to pay \$800,000 for the property. The county will be ditching on Willowgate and County Route 62 (North St) in the next few weeks.

MISCELLANEOUS BUSINESS: Workshop on October 29th at the Tailwater Lodge in Albion. The cost is \$40.00 per person and will focus on funding for water and wastewater projects. This is sponsored by the Tughill Commission. A letter by Jim Weatherup to Governor Cuomo asking that the \$20,000,000 that was set aside for homeowners along the lake that they take out the work primary so it would be accessible to secondary homeowners as well. Also a letter by Senator Ritchie and Assemblyman Barclays office asking for additional \$20,000,000 for other home owners where the property isn't their primary residents. Mr Krupke Thanked them for their support.

With no other business, a motion was made to go into executive session to discuss wages and salaries and probably litigation of Hager Drive. *The motion was made by Councilman Yerdon and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE". 7:40 pm*

A motion to come out of executive session was made by Councilman Goodsell and seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of "AYE" 8:49pm back to regular session.

The results of the Executive session was to accept the wages and salaries as discussed, a motion was made by Councilman Yerdon and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE". The results will be available in the morning. This is a year for adjustments. No flat across the percentage increase.

With nothing more to bring to 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: October 13,2019

MEETING ADJOURNED: 8:55pm

Respectfully submitted by Millie Newcomb, Town Clerk