

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

DATE: Tuesday, April 13, 2021

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: Legislators Herb Yerdon and Ed Gilson, Attorney Graham Seiter, CEO/ZEO John Howland, DCO Elisa Dunn, Kevin Balcom, Dawn Holynski, Ronald Novak, Charity Graham, Judge Conger, Craig Sternberg, and Julie Peterson

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

PUBLIC HEARING: A public hearing was held to adopt the goals update changes to the draft of the Comprehensive Plan. There was no public comment. ***A motion was made by Councilwoman Haynes and seconded by Councilman Goodsell to close the public hearing at 6:02 p.m. In a roll call vote, all members were in favor with a vote of "AYE."***

PUBLIC COMMENTS: Resident Charity Graham stated that the Town has requested her presence at the meeting. Supervisor Krupke informed the board that Ms. Graham is the owner of the property in Richland that has the encroachment issues on the Town owned property at the well field location. Ms. Graham was unaware that she had exceeded the boundaries of her property, her family has owned the property for years. She said the sign by the road that says Town of Richland has moved over the years, she thought her property went to that signage. Sheds, additions to the residences on the property, a pool, some cars, and quite a bit of other items have accumulated on property that belongs to the town. She has cleaned up a lot of the items that were on the town's property and her sons and her will continue working diligently to get things cleaned up. Mr. Krupke showed her the survey of the 2 properties and explained the items that have exceeded their lines. Mr. Seiter has asked Craig Sternberg to keep him updated

on the progress of the cleanup efforts. Mr. Sternberg volunteered to mark the property for Ms. Graham and offered to provide her with the survey that the town had done of her property. Attorney Seiter told her that after some serious improvements, they will then discuss the issue with the additions on her residences that have also exceeded her property lines. As long as progress is being made, the town may extend her deadline before pursuing further action.

LEGISLATIVE REPORT: Legislator Yerdon updated the board on events, programs, and topics of discussion in the legislature. There is a grant for youth programs. Mr. Krupke told board members that the town has applied for \$2,000 for the Summer Recreation program. Applications are currently being accepted for Veteran of the Year; they must be submitted by July 30th. There is a new, updated rabies clinic schedule available, and the County will resume private well testing for residents in the Spring. There is a burn ban in place until May 15th, some exemptions apply. Legislator Gilson stated that the last number he saw, over 32,000 people in Oswego County have received, at least, their first COVID vaccine, which is approximately 32% of the County population. The Towns lease for our offices in the Courthouse is up. The new lease agreement will increase by 3 %. The seawall on County Route 5, by the Selkirk Lighthouse, will proceed. It is part of a grant from the REDI program. County Route 5 will remain the way it is around to the parking lot, an agreement between the property owner and the County could not be reached.

ZONING AND CODE REPORTS: There is problem with a property on County Route 2 that has approximately 200 tires in the yard that needs to be addressed. He provided the board with the monthly report. Councilman Goodsell would like to see public hearings for areas where there are seasonal residents held during a time when those residents are here. Mr. Howland and Mr. Novak informed the board that it is state law, they have 62 days to render a decision based on when the applicant submits the application.

JUDGE CONGER: Judge Conger addressed the board regarding the changes to the vehicle and traffic laws and fine collection. The Town Court is no longer able to suspend people who fail to pay fines on vehicle and traffic law offenses. Effective June 29th, they are going to clear all old suspensions for people who are suspended for failure to pay. Going forward, they must give people the option of a payment plan if they cannot pay it all up front and they will be given 90 days. If they do not pay, the only recourse is to file a civil judgement against them. This will cause a lot more paperwork to offer payment plans. The civil judgement will be difficult as well, as they have to be filed where the person resides.

COMPREHENSIVE PLANNING BOARD: Dawn Holynski presented to the board what the Comprehensive Plan is now working on and how they would like to proceed with beginning to implement some of the items they have been working on. They are working on updating the Climate Action Plan. The Comp board would like the Town's assistance to establish a Conservation Resource Committee to aid in implementing Conservation Subdivision Design into

the zoning. Jeanie Gleisner has applied for funding to assist municipalities with the cost of this implementation and the Comp board is willing to oversee the committee. One thing Mrs. Holynski stressed to the board is their desire to move forward with their plan. They feel the Town needs to look into using a lawyer who is experienced in "smart growth zoning." The Town of Oswego has used Frank Pavia, Esq. with Harris Beach PLLC. The language that was used in the 2016 revision is not legal language and we need to update to modern zoning and subdivision laws before new development comes to the area. Other municipalities have budgeted \$25-50,000 towards this update. She is hoping that the Town and the Village could join and commit to allocating money towards the important plan for a land use lawyer. Craig Sternberg feels this is something that the zoning board may be able to assist with along with the assistance of a professional consultant to aid in the wording. Legislator Gilson reminded the board that the Comprehensive Plan is the vision for the future for our community. Councilwoman Gilson feels that the work needs to be completed by a professional and that this plan and recommendation from Jeanie Gleisner for a legal consultant, will be money well spent. The comp board has put a lot of work and time into this project. Dawn gave Attorney Seiter a copy of the proposed zoning plan that the board has devised, for the Town and the Village combined, to review. Councilman Yerdon asked Mr. Gilson to research how many towns in the County have zoning and code laws in place. He also suggested the town consider reaching out to the Association of Towns to see if their staff can assist us with the zoning verbiage, or possibly a representative from the state that works with zoning. We pay into the Association and should utilize them if possible. Supervisor Krupke will reach out to them. ***A motion was made by Councilman Yerdon and seconded by Councilwoman Gilson to adopt the revisions as presented to the Comprehensive Plan, contingent upon SEQR approval. In a roll call vote, all members were in favor with a vote of "AYE."*** Supervisor Krupke thanked Mrs. Holynski and her whole committee for all their hard work.

HIGHWAY REPORT: A copy of the inventory for highway machinery, tools, and equipment was given to the board for review. ***A motion was made by Councilwoman Haynes and seconded by Councilman Goodsell to expend, not to exceed, \$32,000 to replace the ceiling in the cold storage building as presented and the money will be spent out of reserves. In a roll call vote, all members were in favor with a vote of "AYE."*** ***A motion was made by Councilman Goodsell and seconded by Councilwoman Haynes to allow Superintendent Fox to purchase a 2022 Mack truck with plow, wing, and sander in the amount of \$235,074.61. In a roll call vote, all members were in favor with a vote of "AYE."*** 3 quotes were submitted to the board for a melting machine. Councilman Yerdon inquired whether the machine will remain in the Town of Richland, Deputy Supervisor Balcom states that it will. ***A motion was made by Councilwoman Haynes and seconded by Councilwoman Gilson to purchase a tow behind, used tar melting machine with burner, hose, and applicator for \$7,000. In a roll call vote, all members were in favor with a vote of "AYE."***

WATER REPORT: The April water minutes, and March report were submitted to the board for review. Councilwoman Haynes questioned the vote of the trailer. When voted on, the use was for the water department, there was no mention of it being utilized for the Haldane. Craig

Sternberg states that it has always been presented as a shared use. The purchase of the trailer was funded by the water department; however, the shelving, tools, and equipment were purchased by the buildings and grounds department. Both departments have shared the cost of the trailer, therefore, will share the use of it. The board is ok with the shared use of the trailer, just frustrated at the presentation when it was voted on. Councilman Goodsell asked about the inventory and tracking of the inventory in the trailer. Mr. Sternberg states that not much equipment will be stored in the trailer. Councilman Yerdon mentioned the large fire in Richland and the tankers from the fire departments that were filled from the hydrants. He would like a letter sent out to the area fire departments asking that they keep track of approximately how much water they use as the town must account for all water usage/losses. Mr. Sternberg will be away next week attending a water training school. Through this training he will obtain his certification, he will not be a licensed operator. As a Supervisor, he can assist the water department in emergent situations, per the union contract.

RICHLAND TOWN PARKS: Craig Sternberg completed a safety report for NYMIR. The zipline is installed at the Richland Park. A ramp system for the zipline is being discussed. There will be Wi-Fi installed at the Haldane pavilion tomorrow.

DOG REPORT: Dog control officer, Elisa Dunn, presented the enumeration quotes to the board for review. One estimate was a little more to cover a section of the Hamlet of Richland in which the mail route would be in the Town of Albion, it is her recommendation to include this area. A motion was made by Councilwoman Haynes and seconded by Councilwoman Gilson to proceed with the dog enumeration for \$1,440.27 to include a \$5 enumeration fee for a non-response visit. *In a roll call vote, all members were in favor with a vote of "AYE."*

SUPERVISOR REPORT: The Comptroller AUD report is completed and available for the board to review upon request. Supervisor Krupke commended his clerk, Tammie Whaley, on a job well done for all of her hard work in completing this report. *A motion was made by Councilman Yerdon and seconded by Councilman Goodsell to accept the January Supervisor report as submitted. In a roll call vote, all members were in favor with a vote of "AYE." A motion was made by Councilman Goodsell and seconded by Councilwoman Haynes to appoint Scott Jones as the Summer Recreation Director. In a roll call vote, all members were in favor with a vote of "AYE."*

JUSTICE REPORTS: *A motion was made by Councilman Yerdon and seconded by Councilwoman Gilson to accept the February Justice reports as submitted. In a roll call vote, all members were in favor with a vote of "AYE."*

WARRANT OF BILLS: *A motion was made by Councilwoman Haynes and seconded by Councilman Goodsell to accept Abstract #14 as presented. In a roll call vote, all members were in favor with a vote of "AYE."*

TOWN BOARD MINUTES: *A motion was made by Councilwoman Haynes and seconded by Councilman Goodsell to accept the February and March Town Board Minutes and the March Town Clerk report as submitted. In a roll call vote, all members were in favor with a vote of "AYE."*

CEMETERY: Calls have started coming in to schedule Spring burials.

TOWN HISTORIAN REPORT: Historian, Shawn Doyle, was unable to attend tonight but will submit a report for the next meeting.

MISCELLANEOUS BUSINESS: There was some discussion about changing the term of the Town Supervisor from a 2-year term to a 4-year term. This will be readdressed at the July meeting to then schedule a public hearing. Supervisor Krupke states that John Mandigo would like to have the no parking signs along County Route 2A. The board only wishes to have the signs placed on the South side of the road from the Village line to the CSX Railroad tracks, which is the side that his property is on. To do this, the board must adopt a resolution then send the resolution to the County and the County will place the signs. *A motion was made by Councilwoman Haynes and seconded by Councilman Yerdon to adopt the resolution for parking on County Route 2A. In a roll call vote, all members were in favor with a vote of "AYE."* *A motion was made by Councilwoman Gilson and seconded by Councilman Goodsell to expend \$930 for the purchase of flags. In a roll call vote, all members were in favor with a vote of "AYE."* Supervisor Krupke provided information to the board regarding the annual sales tax for the first quarter, there is a significant increase from prior years. *A motion was made by Councilman Yerdon and seconded by Councilwoman Gilson to appoint Michelle Hughes and Theresa Stowell Hollis to the Grievance Board for 2021. In a roll call vote, all members were in favor with a vote of "AYE."* *A motion was made by Councilwoman Haynes and seconded by Councilwoman Gilson to adopt a resolution to schedule a public hearing for the May meeting for Local Law #1 of 2021 to establish and impose a six-month moratorium on free-standing solar panel installations within the Town of Richland. In a roll call vote, all members were in favor with a vote of "AYE."* Councilman Yerdon updated the board on the progress of the draft for Local Law #2 of 2021 regulating solar energy systems in the Town of Richland. Supervisor Krupke discussed and distributed some information that he learned through a few online classes/webinars that he has attended regarding the Marijuana Regulation and Taxation Act. The town could opt out prior to the end of this year. This means that the town can choose to permit or prohibit retail dispensaries and on-site consumption sites in the township. The decision also must be made to possibly implement a law about smoking/consuming marijuana in public. Additionally, presented to the board was information regarding the American Rescue Plan Act, a coronavirus state & local recovery fund. The Town of Richland could receive \$610,000, possible uses and receipt dates of the funds are still unknown. A portion of the proceeds will go to the Village as

well. A letter will be sent to notify residents, that live near the Lighthouse, that dredging will begin soon.

NEXT TOWN BOARD MEETING: The next Town Board meeting will be held on May 11, 2021 @ 6 p.m.

MEETING ADJOURNED: *A motion was made by Councilwoman Gilson and seconded by Councilwoman Haynes to adjourn the meeting at 9:05 p.m. All members were in favor with a vote of "AYE."*

Respectfully submitted by
Julie Peterson
Deputy Town Clerk