

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

DATE: September 14,2021

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 Resident John Mandigo, Legislatures Herb Yerdon and Ed Gilson, CEO/ZEO John Howland, Highway Superintendent John Fox, Attorney 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.

PUBLIC COMMENT: John Mandigo is here to speak to the Board about the no parking on County Route 2A. He states that he has spoken to the county about the no parking signs and they are not in agreement about posting all the way from the Railroad tracks to the Village of Pulaski. Their decision was based on cost and maintenance of the signs. ***After some conversation, it was decided to make a resolution to post 250' on both sides of the road, on each side of the railroad tracks. This 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".***

LEGISLATIVE REPORT: Legislature Herb Yerdon is here to give his report. COVID is alive and well. In August there were 204 positive cases, and in September it rose to 516. People are not being careful and not getting the vaccines. There have been 15 cases at St Francis House in

Oswego. Councilman Yerdon says one of the reasons for many infections is the poor communication. When the virus came out and with the vaccinations that you could not get the virus if you were vaccinated. The County has been spraying for EEE in the area. 3 Horses have died. Reports of positive EEE in mosquitoes have been found in Palermo, Albion, West Monroe, and in some southern Townships, mainly in swampy wet areas. A COVID clinic was held in Williamstown recently. A total of 60 people were vaccinated. A very good turn out for that area. On October 16th, another paper shredding event will be taking place at the Transfer Station in Oswego. The hours will be 8-11am. A rabies clinic will be at Pulaski tomorrow September 15th from 6-8pm. The DEC has been dropping rabies packets by air to try to combat that disease. It hoped that the wild animals would eat the sweet tasting packets to help stop the spread of rabies in wild animals. Next up is Legislature Ed Gilson. The state Equalization rate in the Town of Richland is 79%. Landbank has been approved to purchase 9 properties. Only one in the Town of Richland is in the Village of Pulaski. The property is on View St. It's the burned out home. The DA's office will be hiring for 2 positions. The Oswego County Sheriffs have settled the contract with the County. The contract is a 3yr contract with a 3% increase. The moral within the Department is very high under Sheriff Hilton. The county transfer station is loaded with trees at the moment. The county will be working on getting rid of them this fall. Discussion turned to the properties that were purchased by the Landbank. Councilman Yerdon wants to know if there is a limit as to how many properties the Landbank can have. Mr. Gilson replied, "yes". This year it was 9 properties around the county, last year it was 19 and they were given 10-11. Councilman Yerdon asked if that is the limit as to what they could have? Mr Gilson explained that he doesn't think that is the maximum but the rules that are in place now, they review every property, and each Legislator that would be affected by it , has to be contacted to see if they really want to be a part of it or let it go. They did contact him and Mr Gilson talked to Pulaski Village Mayor Tighe about it; there was no opposition in letting that property go. As the legislators become more educated about it, they will have more and more questions about the process. It will be a more discussed point in the future and he is happy to say that they will probably have to pay the county some money at the sale of the property, so the county would make some money. It's evolving and Mr. Gilson thinks in the right direction.

ZONING AND CODE REPORTS: CEO/ZEO John Howland presented the reports for Building permits to the Board. The Bakula issue on US Rt 11 has been settled by stipulation. The property owner has agreed to pay the Town of Richland's legal fees in the amount of \$7200. They will also get all permits required by the Town of Richland, however because there were no inspections of the buildings on the property, the owners will not get a certificate of occupancy. Councilman Goodsell asked if the Solar Field on Lehigh Road is complete. Mr Howland explained that they are looking to be online by the end of September. Councilman Goodsell also said that it looks terrible and he hopes they clean up and do planting. This project is the one that was sold just before it was to get started. Councilman Goodsell wants to make sure that the new owners are doing everything that was agreed to. Mr Howland will pull the file to make sure they will finish everything that was agreed to. The agreement should run with the sale

even if it's sold several more times in the future. There were originally 3 lots and the Town made them merge the properties even though the project was only on 2 of the parcels. They need a certificate of occupancy for the building part, but they also need a certificate of compliance for the zoning. Councilman Yerdon would like to know where the Town stands with the Charity Graham property on Main Street, on the town line of Richland and Albion. Attorney Seiter explained that the last he had heard things were getting cleaned up. Councilman Yerdon advises that there was a discussion going on about what happens after everything is cleaned up. What about the fact that some of the buildings are on Town of Richland property, and what is the Town going to do about it. The discussion was, was there potential of possibly entering into purchase or quick claim to some of the property, but this was only discussed. She has never approached the Town about that. Councilman Yerdon is not interested in selling the land, but if it was a lease, then the Town would still be in control of what happens. Attorney Seiter advised it was whatever the Town would like to do at this point. He was really just putting out there all the options that are available to the Town. Councilman Yerdon likes the idea of a lease. The planning board has a new permit on Monday night. The old Trust Nursery property. The new owners were sent a violation notice on August 23rd. The new application for a permit is to open a retail store. Councilwoman Gilson would like more information when a new business is to open in the community. CEO/ZEO Howland states that he is not sure exactly what the new store is going to sell but it will be revealed on Monday night. What he does know is that the area for the "store" will be small. There will be a Public Hearing in October. The owner of Bears Sleepy Hollow Campground is on target for cleaning up the property. . The county auction is online again this year.

COMPREHENSIVE PLANNING BOARD MINUTES/UPDATES: The Board has a virtual meeting with Amanda Mazzoni. It was about the Climate Action Plan. Chairperson Dawn Holyinski sent all members an email in regards to the cost of the updates of the Climate Action Plan. In the email, the Village of Pulaski agreed to pay \$1700 of Mr Pavia's invoice and \$2000 toward the Climate Action Plan. They also voted to have the Comp Plan committee act as the Climate Smart Task Force. What this means is if the Town and Village were all going to go along with the updates of the action plan, that we should have our Comp Board as the task force. There is so much into meeting the benchmarks, point systems, it requires money. For each point there is a certain amount of money available. Councilwoman Gilson explains that it's \$4000 for the update of the Climate Action Plan, and that the Village has agreed to \$2000. In the other, Mr. Pavia, the Village will pay there $\frac{1}{3}$ of the cost in the amount of \$1700. The Town went ahead and paid the bill last month and now the Village will reimburse the Town for that cost. The Climate Smart Committee is kind of new to the Town right now so Supervisor Krupke would like to get some information on it before the board takes any action. It's pretty involved and maybe the Town may not want to get involved right now. There is some stuff that may not make sense at this time. Councilwoman Gilson advised there are some rebates as well as grants. She thinks that the Town has to look at the bigger picture and Amanda Mazzoni will send the presentation to

the town. Mrs Gilson thinks the town should look at it and identify where it may help the Town or it may not help and to why should we make the investment if the town doesn't feel they would get enough out of it for the investment. That, however, is her personal opinion. To start the Climate Action Plan, right now it's been 5-6 yrs since all the information has been gathered on all the buildings. There is a big push on Greenhouse gases. The climate smart community helps with grants for this. Councilman Yerdon would like to see all the information before he makes a decision on this issue. About 3 months ago, Supervisor Krupke sat in a webinar that Amanda Mazzoni put on, and one of things was to if we took our Water Barn and converted it over to a Heat pump system, you would get so many points for that then it has to be open for the Public to be able to view it. It had to be available to the Public to see what it was all about. AT the time Supervisor Sternberg looked at the cost and it stopped there. Councilman Yerdon explained then you get into the protection of the Water System, and that goes under the federal and state guidelines. The building would not be open for people to randomly come into the building, it would have to be when the Water Department personnel would be there. Supervisor Krupke thinks this needs to be discussed more because this could be more involved. It goes into Building Codes, for example having to have new structures with solar panels that obviously would not work in our area. Councilman Gilson would like to keep encouraging Kristy LaMache to check on this stuff and if we consider, and she agrees that she agrees with other members, she needs more information before she makes a decision. Charging stations, for example, where in the Town would we put these stations? It really takes a lot of thought to where these would go. This is NYS pushing this. The Village of Pulaski has agreed to the \$2000 for the Climate Action Plan so this decision will be left to Supervisor Krupke to discuss with the Mayor. The Town would have to contribute \$2000 to reactivate this program. Supervisor Krupke will wait for the call from the Mayor. On the comp board, the board is supposed to be made up with 3 Village residents and 4 from the Town. At the moment, there are 4 from the Village and 3 from the Town. Councilman Yerdon would like to know why this is. It has always been agreed to. Councilwoman Gilson will find out. This has always been based on population.

HIGHWAY REPORT: Paving is done for the year. Five miles of new black top on Atkinson, Salisbury, Hinman, and Canning Factory Road from Springbrook to Richland. The shoulders have been put on, it's done. Chips money has covered this in full. Councilman Yerdon asked why the highway went past the Town line. Superintendent Fox advised that that was a joint effort with the Town of Sandy Creek. The Town of Sandy Creek paid from the town line to the top of the hill. Superintendent Fox bid the Town of Richlands and Sandy Creeks Highway Supervisor bid his to be done at the same time. The 1971 truck that Mr. Fox asked to be put on the Auction website, it came out on the website today. Still screening sand in the Altmar Pit. The Towns dozer is broken at the moment. The alternator quit working and the blade is the wrong one for that machine. They are having problems finding the proper one. We just had 450 ton of road salt delivered. The roadside mower was just repaired. It blew a rear tire that was loaded with calcium half way across town. No one could change it because it had a 1500# counter weight in the center so Mr Fox has to hire someone with a lowboy to bring it back to the shop. Supervisor

Krupke advised that Superintendent Fox has put a request in the budget for a new dozer for next year. Trying to work it into the budget . Attorney Seiter has drafted a letter to the Pollic's for the lease of their property for sand. With that, we got a proposal from the company that does the flyover to determine the amount of sand on the Pollic's property. The intention with this proposal of the sand pit is to lease it from the Pollic's based on the amount of sand that we haul, and pay them so much per yard. The payment per yard is to be determined . Then the Town will apply for the mining permit and the mining permit will be in the Towns name, so they could not sell the rights to that area. Paul James Olszewski is the person to do the flyover with a drone flight. This will generate an orthoimage / topography and quantity of sand and the cost will be about \$3200 for the imagery and the drone will be about \$2600. This is a new way to determine the quantity of the sand. It's expensive but it's a new technique and it has been pretty accurate. The length of time to get the mining permit can take up to 1 ½ years. Superintendent Fox says there is a company that can walk the Town through the process. The cost is about \$3000-\$5000 . The Town of Sandy Creek has just gone through this process. Sand is getting very scarce in the area. ***A motion that the Town enter into this contract for \$5850 with this company, once we get approval from the Pollics that we can go in and do our due diligence and look at that property was made by Councilman Yerdon and seconded by Councilwoman Gilson. We may take it one step further once we get permission to go in and do some core drilling to make sure we are 100% comfortable in the decision. In a roll call vote all members were in favor with a vote of "AYE".*** Councilman Yerdon wants to know about the bids that were presented for repairs of the Highway Roof replacement/repair. Two bids were received by Supervisor Sternberg. One bid from Caza Contraction and Over the Top Roofing. The bids were received via Email. The bids were opened with Supervisor Krupke and Mr Sternberg in attendance. Superintendent Fox explained the price difference between the 2 contactors because their labor is included but none of the lumber isn't . It says in the bid that the lumber would be supplied by the Town of Richland. One of the reasons for that is because #1. the Town put a \$50,000 cap on the project, and #2. Once 2-3 layers of roofing are torn off, he has witnessed this in the past. Once the bottom ⅓ of the roof of the wood plank 2' was bad, the rest was solid as a rock. The last 2 contractors we had over there, the same thing, they replaced the bottom, maybe the first 4-5 feet of wood and the rest was fantastic. I think they are going to run into this on the other side so instead of taking the \$ 53,000 price and replacing all the lumber they decided to go this way. So this way, we can buy it at our cost and replace what is needed and have it at the \$50,000 cap on it. So, Superintendent Fox agrees and recommends Caza Contracting is a better deal. In the understanding that it may cost a little bit more because the town could have to pay for additional wood. It's all really unknown until they get up on the roof and look around. In any case, it's still better than the other bid. ***A motion to award the Roofing bid to Caza Contracting was made by Councilman Goodsell and seconded by Councilwoman Haynes. In a roll call vote, and with no other discussion, all were in favor with a vote of "AYE".*** Going back to the other building that Caza Contracting did last winter, they did a great job but there is no ventilation. Superintendent Fox said looking over the specs,

he didn't see any item in the contract that called for ventilation. Mr. Fox will ask Caza Contracting to look at the vent issue and maybe they can do something about the ventilation.

WATER REPORT: Minutes from September 7th and the Water Report. Agreement with the Village for the Town Water Mechanics to store and maintain the shared line pusher for going under road, that we use it more and will receive some required maintenance in our care. Supervisor Krupke advised this is the first that he has heard of this so he doesn't know what it involves, the detail, not sure how often we use it. Councilman Yerdon thinks that we have used this in the past. Usually when the Town goes to get it, it's not working or it hasn't been cleaned. A new "pusher" would cost approximately \$10,000., so using theirs would be cost effective even if we have to do occasional maintenance to it. The Town uses it more than they do and we usually do the maintenance and clean it up before we take it back. Supervisor Krupke would like to have an agreement with the Village to use this. It is stored at the Village. It's a small trailer, kind of like the size wood splitter. Attorney Seiter will draw up this agreement. Councilman Yerdon has a question about the minutes. He doesn't really like the idea of having water information online, something like GIS information. He thinks that maybe we should contact the State to see what kind of information should be public. Councilman Goodsell thinks that the Town should also update all the Towns computers with a better firewall/sonic wall. Talk about turns to the 2015 Ford Truck replacement. Supervisor Krupke advises it's in the budget for next year to replace it. Superintendent Fox told the board that the truck is 7 yrs old and is starting to need more maintenance work. It doesn't have any rust, just the usual maintenance.

BUILDINGS AND GROUNDS & RICHLAND PARKS: The Haldane Center, Councilman Yerdon showed the Board some pictures of the picnic tables down near the snack shack and bathrooms that should be replaced. The rest of the area is in good shape. Superintendent Fox explains that every year the Highway crew has to replace some boards. Mr. Yerdon feels that the tables should be replaced.

DOG REPORT: Dog Control report was presented to the Board. Town Clerk Newcomb had nothing more to add to the report. Councilwoman Gilson told the Board that she recently ran into the Town of Richland Dog Control Officer Elisa Dunn. After a brief conversation, Councilwoman Gilson thinks it may be a good idea for the Town to put her on the list for a body cam. Mr Fox will look around for some suppliers.

SUPERVISOR REPORT: The Supervisors Report was presented to the Board. With no discussion, ***a motion to accept this report was made by Councilman Yerdon and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE".***

JUSTICE REPORTS: Justice Reports for both Judge Conger and Judge Ridgeway were presented *A motion to accept the reports as presented was made by Councilwoman Gilson and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE".*

WARRANT OF BILLS: *A motion to approve for payment Abstract # 9 was made by Councilwoman Haynes and seconded by Councilwoman Haynes 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 August 10th, August 23rd and September 7th were presented to the Board for review. *With no discussion, a motion to accept the minutes as presented was made by Councilman Yerdon and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE".*

TOWN CLERKS REPORT: The Town Clerks report is next for review. *With no discussion, a motion to accept the report as presented was made by Councilwoman Gilson and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE".*

CEMETERY UPDATES: No updates

TOWN HISTORIAN REPORT: No report.

MISCELLANEOUS BUSINESS: Pilot agreement for the Boards review. Letter that Supervisor Krupke asked Town Attorney Seiter to write saying that the Town does want the opportunity to have a Pilot agreement for property at 141 North Street, the Balcom Property, for a proposed Solar Field. Councilman Yerdon wants to know how it all works. Supervisor Krupke advised that it all goes through the Village Planning and Zoning Boards. It's unsure if the Village has a Zoning Law. It was suggested that maybe the Village would like to use the Town's law regarding solar farms. The 2020 Energy use Data. With our Solar Project that we have, at the Water Department, we accumulate kilowatts. So right now we have a cumulative total of 28,750 kilowatts. We can sell those. We did hold off for 1 yr because we wanted to see how it would work out. If we sell them, Supervisor Krupke thinks that it's somewhere around \$.06 per kilowatt that we would get back, so we would get a credit somewhere around \$1725.00. If the Board is okay with this, he will let Deputy Clerk Julie Peterson know to go ahead and collect that. 2020 Town Census report is in. The Town lost population in the amount of 81 people, down 1.4%. The Energy Use Data Bonadio is next. Mr. Krupke called because he wanted more information about their proposal. The ARPA money requires a certain amount of reporting which has to be done on a quarterly basis. We get into situations where we are not sure what we can use the APRA money for. So Supervisor Krupke reached out to the Bonadio Group to see if they have someone set up to support us with this. They do so here is their scope of services. We can use them as much or as little as we want. But it is definitely a resource he thinks of but wants more information from them. Just for the reporting, do they come to the Supervisors

Clerk and say I need this or that and they submit it or does the Town. Supervisor Krupke was hoping to have a conversation with them before the meeting to get those answers. They would be a resource we could call and say, this is a project we are thinking about does it fall within the ARPA guidelines. They would be able to give us guidance on that. The first thing they would do is a review of loss revenues. Like in the Court's case for example, they could say that the Town lost \$50,000 .That money gets noted, taken out of the ARPA money and put back into the General Fund and at which point it gets noted in the A fund and can be spent on anything the Town deems necessary. It doesn't have to go back into the Court System, it just goes back to the General Fund. It's agreed that this is a good source that the Town should definitely look into and work with. This makes sense to do this. Supervisor Krupke feels this is a good source of information, and would like to know what kind of support they would give. ***A motion to hire Bonadio to oversee the spending of the ARPA funding was made by Councilman Goodsell and seconded by Councilwoman Gilson. It was also agreed to allow Supervisor Krupke to enter into this contract with Bonadio. In a roll call vote, all were in favor with a vote of "AYE".***

Next, The issue with the Bakula property on US Rt 11. There are certain aspects of this property that have been deemed that Mr. Howland said yes now they have submitted the proper applications and the permits are now current on 2 of the issues. The third issue is that the building is too close to the property line, and did not meet the set back requirement. They are in the process of purchasing the land needed from the neighbors to increase the setback requirement. They are now willing to pay the Towns legal fees of \$7200. Most of the legal fees will be covered. The only thing that may not be is the motion to withdraw the action by the Town. Also one other document that will have to be filed so some legal fees may be incurred by Harris Beech. Those should be fairly minimal. There are precautions put into the agreement that should they not follow through, getting the set backs, we can revioliate them again. It would not be a breach of this agreement. If they don't follow though we can go right back after they are still there. ***A motion to enter into the Stipulation of settlement was made by Councilwoman Haynes and seconded by Councilman Gilson. In a roll call vote, all were in favor with a vote of "AYE".***

Water Clerk Mary Yerdon received a call today from someone that is interested in purchasing our Windmill. To decommission it and clean up the area. His offer is \$20,000 and would like to make this happen before the snow falls if the town is interested. Per the conversation with Water Clerk Mary Yerdon, the caller stated that usually when they go in a decommission turbine, the cost of the decommission and clean up is usually all they have to pay. The person is Bill Ellgaretti, and he is the person the Town has dealt with since the beginning with this Turbine Project. There is a computer on site that may be used here in the office. Also power, internet, and phone is still there. Make sure the Chemical Building is secure and that decommissioning doesn't interfere with the workings of the water system. If the Town decided to take the turbine down it would be a lot more expensive. It was agreed just to break even would also be a good thing. Attorney Seiter advised the Board if they do go ahead with this to make sure there is some kind of indemnification made through the decommissioning that if something happens the Town won't be held responsible. ***A motion to move forward with the decommissioning was made by Councilwoman Gilson and seconded Councilman Yerdon. In a***

roll call vote, all were in favor with a vote of "AYE". The next Board meeting will be on September 23rd at 10:00am, here in the Grand Jury room with the Teamsters Union Rep, Mark May. With nothing more to bring before the Board, Councilman Haynes would like to make a motion to go into Executive Session to discuss a Union issue. This motion was seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of "AYE". 8:08pm.

EXECUTIVE SESSION: A motion to exit from Executive Session was made by Councilwoman Gilson and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE". 8:45pm. No decisions were made at this time. Back to regular session at 8:46pm

NEXT TOWN BOARD MEETING: October 12, 2021 at 6:00 pm

MEETING ADJOURNED: Motion to adjourn the September meeting was made by Councilwoman Haynes and seconded by Councilman Goodsell. All were in favor with a vote of "AYE". Meeting adjourned 8:47pm.

Respectfully submitted by:

Millie Newcomb
Town Clerk