

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

DATE: December 13, 2021

KIND OF MEETING: Special 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: Highway Superintendent, John Fox and Town Clerk Millie Newcomb

CALL TO ORDER: The meeting was called to order at 10:00 a.m. with Supervisor Krupke leading in the Pledge of Allegiance.

Some background as to why this meeting was called was given to the Board by Supervisor Krupke. Superintendent Fox had emailed the Board members and wanted to speak to them individually about the position of Water Supervisor. After speaking to Supervisor Krupke, Councilwoman Haynes thought it would be better to meet as a group. Superintendent Fox's view of the circumstances is he has been taking care of the water department for a very long time. He knows that the position is important, but it's a position that when the former supervisor had the job met with the mechanics 1 time per week and was available everyday. He told the Board that since he is here all the time, available all the time for the guys and if anyone needs anything. He thinks it's easier to keep the position in house, it keeps the cost down, everyone is on the same page. Mr. Fox is at the Board meetings each month to answer any questions on any of this stuff. He feels that another worker is needed at the Water Department before they need a Supervisor. He has discussed this with Mr. Hicks and Mr. Sikora previously himself. If they could put someone on full time, Mr Fox could take them for the Winter Months. If the Water Department was slow in the summer months, this person could always come back to the Highway Department. There are always things to do. With Mr Hicks

stepping up to the New position of Chief Water Operator with the extra pay, it puts him in charge of the other person or people that work there. The minimal part that is left such as the payroll, time off anything like that , payment of the bills, that's what he would be there for, the Union Contract, he is very familiar with. This is where he is coming from. Mr Fox has offered to do this before for \$4000 per year for his supervision and input and doing what he does. Councilwoman Gilson asked if the \$4000 is on top of the stipend that he receives. Mr Fox responded "Yes". It would be the stipend plus the \$4000 that was left there for 2yrs. Supervisor Krupke asked Mr Fox what would be his daily routine or weekly routine to be able to manage this department. Now that he has a much more competent and reliable Foreman, not that he didn't have that before but it has opened him up for more management time. He can step back and do more managing of workers now that Kevin is there. Since his accident, he hasn't been in and out of equipment everyday. He is now able to delegate responsibility to other workers. Mr. Fox told the board that before the previous Supervisor, he used to meet with the Water Mechanics each day at 6:30am. With the previous Supervisor, Mr. Fox had to adjust his time to see what this previous Supervisor had the Water Mechanics doing before he could plan his day. The Water Mechanics would let Mr. Fox knew if they had anything big coming up that the Highway department would have to be on the job for. Councilwoman Haynes asked why he thought they needed a third person at the Water Department. Superintendent Fox explained that another person for the summer to help with weed eating, exercising the hydrants and valves and to get the new meters installed. They are behind doing some of these things that are required of them to do on a daily basis. This extra person would only work in the Water Department in the summer months. This was budgeted for 20hrs per week for 12 weeks over the summer to help per Supervisor Krupke. Getting the new Zenner Meters installed is a high priority. It was discussed previously about having Zenner put in the meters instead of our employees, but it was determined that the cost was significantly more. It sounds easy to do but there is really much more to it from making appointments and going into people's homes. The Board admits they did not really understand the gravity of it, and that it wasn't going to go as easy as the Board thought. The previous Supervisor never estimated how much it was going to cost with the Town putting in the meters virus a contractor doing them. It sounds easy to do but it takes a lot more time. The good thing about having the Water Operators doing the meters is that they are going to people's homes and seeing something out of sorts, they have their eyes on it and can take care of it. Another reason for having another person is that in 5 years we may have someone retiring and its always good to have a back up already trained to take over. The contract says that we have to maintain 1 certified Water operator. With John doing this the next certified operator coming out of the shop makes it in a pool all together it keeps everything in one thing and it works. The elephant in the room is that the Board didn't think you were doing the "Supervisory " job the way it could have been done or should have been done when you previously had this position. We had a couple of conversations about 2 people riding in a truck, the board wanted them separated. Things of this nature. To fill out work orders etc. Things like this that the board felt like it wasn't getting done. How would you address this if you were in this position again? Mr Fox said that he would just stay on top of it. If the Board wants

something done I would stay on top of it. Period. Any other questions for John?

Superintendent Fox told the Board that he doesn't have any plans on going anywhere with kids still at home. Mr Fox told the Board that he is losing 2 full time workers. Mr Dye is going to National Grid and Mike Wilson is going to Nuclear Plant. He has interviewed 6 people for those jobs already. I was in the newspaper and on the Towns Website. We have had very good feedback to Fox's surprise. A couple local people. He has already had a conversation with his men about moving over to the Water Dept. He has 2 employees that are interested. A seasonal guy has 10yrs running an Excavator and a class A license. He is ready to run equipment. He is looking for a full time job. He will probably be one of the mechanics. Based on the new contract does the board have input on who they designate the person they put over in the Water Department? Councilman Yerdon said yes they do. There was an agreement with the business manager that now the person has to be qualified to do the entire job. So the board will have to get together with John and look at the ones to see if they are qualified to do the job. Another thing that was brought up to Mark May was you can have a person that is claustrophobic and doesn't want to go down in the vaults. You could have a person that can no longer jump up in and out of the

Ditch. Right now we take pictures and use the computer to send data, so you need someone that is computer savvy and has familiarity in how to do that. That person because of the NYS Board of Health has changed alot since we started back in 2007. So Mark May agreed that you don't have to go by Seniority anymore. The person has to be able to perform the job.

Superintendent Fox says that he has guys that will go and take dirt or help with Water but they don't want to go and learn water. So looking at the sheet right now, Kory Pearson, seeing that Mike Wilson and Rob Dye are leaving, he was pretty much the guy other than the ones that wouldn't take it. Mr. Fox said Kory Pearson and Chris Watson are the 2 guys that are interested. Chris has a little more seniority than Kory. Kevin Balcom is not interested. Chris has a license to operate to dig on water jobs, he has his card. You have to have this now from NYS. This is why we send him everywhere. Our next operator will have the same thing. A bonus with Chris going over there is, we would have an equipment operator there already so if we had to do a job for the Water Department we can take the truck and equipment over there and Chris can run it and wouldn't have to charge for it because he was already working there. He is a good candidate for the Water Department.

Supervisor Krupke would like to meet with Councilman Yerdon, Superintendent Fox and Supervisor Clerk Tammie Whaley to discuss the resignations and how they should be paid. Mr Yerdon went through the contract and its set up is different than Mr Yerdon is used to. They way alot of companies that he was worked for is when you get hired let's say in June, that was your anniversary date. You had to work until the following June to earn your credit for your vacation that you were going to get. That would be your anniversary date every year. What they did here if you took a person that got hired in June, they had to work until the following June to get the 10 days for example. Now, they can get those 10 days from June forward. Now starting in January 1st the following year, they automatically get those 10 days January 1st not in June. After that one year, whatever month they started, they got to work that following full year to

get vacation. Then they can use it then. Then the following January 1st, they get their vacation every year on January 1st. From that day on. In Rob Dyes' case, he got hired in January. So the following January, he had his time for vacation. The way the contract is, if you quit, before that, say November, we have to pay out for that part of the year. If you wait until the following year, your going to get that other credit. Superintendent Fox told the Board the reason the Highway did it like this is we are married to the job from November to April 1st. Rob Dyes start time or went full time in March, so like this year, March 1st he will have his 15 yrs in completed and will get another week of vacation. He doesn't get that at the first of the year, he gets that on his anniversary date but everything that is earned up to that we would put accrued time for the first of the year. He has 3 weeks vacation starting on January 1st. He doesn't get his 4th week which is earned until his anniversary date. He gets it that day. The reason why they did this is because no one takes time from January to April. Councilman Yerdon said if someone starts in June, walk me through it. Mr. Fox explains, If you got hired in June, his time would start in June. All the anniversary dates are when there time is added up that they earn. If they work one year, you wouldn't have anything until the following June you would get one week of vacation. But the following year, January 1st, you pick up another week, 2weeks for 2 years. Wouldn't be until June. It's a little complicated. So the question is, what is his resignation date?. Superintendent Fox explained that he would not give it to him. Councilman Yerdon told the Board that Mr Dye gave it to him Saturday. Councilman Yerdon has no idea why he gave it to him and not his Supervisor. He has no idea why he got it but Mr. Yerdon told the board that he wanted to know what vacation time he was getting paid. Mr Yerdon told Mr. Dye, he had no idea and that he would have to check on it, Because it's different from what he was used to. Pertaining to that, take that and sent it aside. He told Superintendent Fox his resignation was effective December 25th. He told Councilman Yerdon, January 3rd. Mr Fox told the Board that he has no time coming. Mr Fox told Mr Dye that if his resignation date was after the first of the year, then he would get time he had coming to him. But he thinks that if he left on December 23rd, and did not work until January 3rd, he would not get anything. He has to be available to work in order to get paid. Superintendent Fox asked him for his resignation over 2 weeks ago. Based on his January 3rd resignation, he will not be working for National Grid until after January 3rd. With his notice and last day being January 3rd he only gets his 2 weeks vacation and personal days. (32) hours. No sick time because he is quitting, not retiring. If he was retiring then he would get everything. The concern is if he stands up the department and doesn't show up for his shifts. The resignation letter said that he will be there for his shifts. Superintendent Fox told Councilman Yerdon that he interprets the language differently. Councilman Yerdon read the language out in the meeting. It says"Money due shall include but not limited to wages, accrued vacation, and personal leave credits upon retirement money due on the sick leave". So he doesn't get the money for the sick leave because he isn't retiring he is quitting. Mr Fox said there is another page that pertains to the sick leave credits. And the maximum amount due when you do get done. Switch to Mike Wilsons case, upon getting done, you're entitled up to 70 days. He is not retiring, so he is not entitled to the sick time money. If you're retiring and have 180 days of sick time, you only get paid for 70 days. Mr. Wilson is sitting on 400 hours of sick

time of which he is not entitled to collect on. He could only get 70 hrs of sick time if he was retiring and not quitting. Mr Wilson is under the impression that he is going to be paid for sick time.

With nothing more to discuss with Mr. Fox ***a motion to go into Executive Session to discuss an Employee was made by Councilman Yerdon and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE". 10:38 am.***

At 11:15 am a ***motion to come out of 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". No action was taken as a result of this Executive Session.*** Back in regular session 11:16am. With nothing more to bring before the board, ***a motion to adjourn was made by Councilman Goodsell and seconded by Councilwoman Gilson. In a roll call vote, all members were in favor with a vote of "AYE". 11:16 am***

NEXT TOWN BOARD MEETING: December 14, 2021

MEETING ADJOURNED: 11:16am

Respectfully submitted by

Millie Newcomb
Town Clerk