

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

**DATE:** September 12, 2023

**KIND OF MEETING:** Regular Town Board Meeting

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

**BOARD MEMBERS PRESENT:** Supervisor Kern Yerdon  
Councilwoman Donna Gilson  
Councilman Allen Goodsell  
Councilwoman Sue Haynes (arrived 6:15pm)  
Councilman Robert North

**OTHERS IN ATTENDANCE:** Village Residents, Shelley Joss, Anthony DeRoose, Carl Falk, Water Board Member Robert Jeffery & Tim Crouch, Town Residents, Larry Atkinson & Eric Pappa, Comp Board Chairperson, Dawn Holynski, Legislator Ed Gilson, B&G Supervisor/Deputy Highway Superintendent, Kevin Balcom, ZEO-CEO John Howland, Attorney Graham Seiter, and Town Clerk Millie Newcomb.

**CALL TO ORDER:** The meeting was called to order at 6:04 p.m. with Supervisor Yerdon leading in the Pledge of Allegiance.

**PUBLIC HEARINGS** Local Law #4-Rescinding LL#2 of 2009, LL #4 2010, Local Law #5 Amend LL #2 of 2005 and Local Law #6 Flood Damage Protection.

***A motion to open the Public Hearing for all the Local Laws was made by Councilwoman Gilson and seconded by Councilman Goodsell. 6:05pm. In a roll call vote, all were in favor with a vote of "AYE". Supervisor Yerdon went through all the revised Local Laws as well as the new Local Law #6. With no questions from the audience, a motion to close the Public Hearings was made by Councilwoman Gilson and seconded by Councilman Goodsell. In a roll call vote, all members present voted "AYE". Public Hearing closed at 6;12pm . With no discussing, a motion to accept and pass Local Law #4 Local Law #5 and Local Law #6 was made by Councilwoman Gilson and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE".***

**PUBLIC COMMENT:** Village resident Shelley Joss would like to address the Board. She is here with Anthony DeRoose who up to recently, owned a parcel of property in the Hamlet of Richland. The property at 1133 Co Rt 48 was gifted to Mr DeRooses brother who recently lost his home to a fire. The concern is that Mr. DeRoose recently had violations on his property at 1133 Co Rt 48 and since he has turned the property over to his brother he is wondering if he is still responsible for the clean up. After a lengthy discussion, Attorney Seiter advised Ms. Joss and Mr DeRoose that after he has spoken to John Howland about this matter he will contact them. Secondly, Ms. Joss has some concerns over the assessment of her Mothers home at 3398 Maple Ave. She told the Board that she does have an appointment with Warren Wheeler on September 28th to discuss this matter.

**LEGISLATIVE REPORT:** Legislator Ed Gilson is here to give his report to the Board. The Ice and Snow Contract has been approved. It's a 3 year contract. There is some other verbiage in the contract like cancellations, in case of emergency or like the case in Boylston where the county had to step in with some sand. The contract is very much like the one in the past. Mr Yerdon has just received the contract yesterday and really hasn't had a chance to look things over. The Governor is proposing changing Local Elections to even years. The Legislature by supermajority passed a resolution opposing that change. They tried to do this in the past. The Legislature opposed it due to the additional cost. It is true that it may get additional voters out for elections, but it also takes the spotlight off of local issues. The Legislature approved new voting machines. They should be in place for the next election. The improvement was the technology, they are more accurate and faster. The old machines were breaking down more. The damage on the Fernwood Bridge is being repaired. The parts have been ordered.

**ZONING AND CODE REPORTS:** The Board was presented with a list of permits for the month of August. It's been busy. He did reach out to Resource Renewable on Lehigh Road. It's finally been mowed. They had a contract to have it mowed and the company never showed. Mr DeRoose, the Board had the Administrative Hearing on his property. It got out of hand and it was decided to send the case to the State Supreme Court. In the meantime the property was going to be transferred to a family member per the Town Clerk. The family member is going to build a house there but Mr Howland explained that the property has to be cleaned up before a permit can be issued. Howland went by the property today and many of the tires have been cleaned up. That will be cleaned up. The case has not been dismissed, it's been put on hold. If the new owners don't clean it up it will proceed to the State Supreme Court. Attorney Seiter has sent a letter to owners on Phillips St about the camper and shed that someone has been living in. The letters have gone unanswered. The Town Board will decide next month which direction to go if nothing gets picked up. There will be a Planning and Zoning meeting next week. Zoning has 2 variances for the same guy on N. Ramona Beach. He wants to tear down his house and build close to the line. He needs a 5' waiver. The other is, he owns a vacant lot across the street. The lot is about 50' wide and he wants to build a 25' wide building so he needs a 5' waiver from one of the side properties. The Planning Board, if anyone is coming for the Selkirk

Project, that has been postponed until next month, October, for the Public Hearing. The only other thing on the agenda is another Solar Farm on Route 11 behind the old Trust Nursery. Charlie Trust is the only person that will be able to see the Solar panels. The way they are coming in. There are trees on both sides and the homes on Co Rt 41 may be able to see the back side of it. Mr Howland spoke to Charlie Trust tonight and he really doesn't have an issue. He may get the job to plant the trees. Between Sandy Creek and Richland, there are a total of 9 Solar fields either done, under construction or in the planning stages. Of the 9 the only one with Battery storage is on Lehigh Road. The Solar Law is pretty explicit about Battery Storage.

**COMPREHENSIVE PLANNING BOARD MINUTES/UPDATES:** Board Chairperson, Dawn Holyinski is here to update the Board. Mike Bacuzzi from the Regional Planning Board was able to print 10 Climate Action Plans. They will be distributed between the Village and Town Offices. Mayor Tighe is creating a scoping document for Heating and Cooling Champaign. NYSERDA needs to approve the document before installation can be done. They need 5 commitments from residents or businesses that would want to heat with a heat pump. It goes over the zip code of 13142. This takes in the Town and the Village. It would be beneficial to get a few people so the Town can get the points that it needs. Supervisor Yerdon asked how people are supposed to find out about the program. Ms Holyinski said we can put it on our Website and Facebook page to see if anyone is interested. The more points the better to get projects done. The committee has a few more projects to finish then they will move to review the Comprehensive Plan from page 1 starting with the new Flood Plan.

**HIGHWAY REPORT:** Deputy Superintendent Kevin Balcom is here to give his report. The sand is complete for this year. They are working on trucks and getting them ready for winter. Mr Balcom would like to attend the state Conference this year. The conference will be held September 27-29. It would also include a little bit of time on Friday. ***A motion to approve Kevin Balcom to attend the State Conference was made by Councilman Goodsell and seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of "AYE".***

**BUILDINGS AND GROUNDS & RICHLAND PARKS:** Report for August and September 2023. Vented new modine heat through the roof at the Highway shop. The boys finished community service. Mr Balcom had them weedeat, paint tables , paint the inside of the football tower, sweep off concrete and pick up garbage. Finished main doors at the Haldane-metal plates for closures to bolt to. Installed new windows in the main building at Haldane. Installed 2 new shelves at Fernwood for monitor and recorder. Noah and Kevin worked on cameras at the concession stand. Ran new wire for inside and the 1 new camera that boys broke. New cameras are ordered for the main building. . Replaced back garbage roof at Haldane 22'x42". Striped old metal off. New snow and ice, drip edge metal , gable end trim. End wall flashing replaced. Replace all rotten wood. Softball field and walk trail are done. Working on overhead door frames at Highway. The Board reviewed the K & L Consulting report.

**WATER DEPARTMENT:** A few updates: The County contacted Mr Novak about the student that worked in the Water Department this summer. There was a little bit of money leftover in the program. We had to sign papers to keep her on for a few more weeks. They indicated there may be more money after a few weeks or as long as there is money. She is still in school but she can work 15 hours a week . At the present time she is working 8am to 11am 4 days per week with Friday being a full day at BOCES. When she is done she would like to work 40 additional hours as her community service project as a senior in high school. Mr Novak plans on honoring her request. Supervisor Yerdon said that both of the students did a great job. Together they have painted 580 hydrates and exercised 970 valves. They expect to be done with districts 1,2 and 3 by the end of next week. They know they have missed some hydrants mainly because of bees. They have 161 tranmeters left to install out of 1114. They have made significant progress. Mr Novak would like to set a power pole on the corner of Orton and Canning Factory road. He needs a high point to set an antenna. He cannot pick up a signal on that end of town without it. He has to put up a repeater antenna on the Town property over in that area. He told the Board that he can take one of the power poles that are up at the well field to set on that property. He has placed antennas on the power poles on Manwaring and Maltby roads and they are all working. He has no signal on that part of town. Mr Novak would like permission to sell the old generator that was taken from the well fields in Richland. He would like to place it on Auctions International . It has a blown engine. He is hoping to get \$2500-\$3000. It's a 1997 Ford motor.. It would need a full motor rebuild. If someone wants to put the time into it, it may be worth their while. Mr Novak isn't sure you can even get parts for it. ***A motion to put the generator up for auction was made by Councilman Goodsell and seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of "AYE".***

Mr Novak hasn't found any easements for the Towns water lines. He will work with Attorney Seiter for the easements. In Fernwood there was a Chemical Pump failure. They are about \$1800 per pump. He went ahead and ordered two of them. This will allow us to have a back up pump. The second pump will be the backup for both facilities. Richland and Fernwood. Mr Novak feels that this pump failed prematurely. The pump is only 8 years old. He feels that the failure is because the water pumps are failing. They are down 48%. They are running twice as long. We are continuing to throw good money after bad money. We need to address the wells in Fernwood. He got a quote 1 year ago. If we want to replace 1 pump this year it will be \$21,850 per well. Its 100 % replacement of all the well components along with the well screens. The updated numbers are in Richland well #27 is \$15455. We don't know if we have to rehab the well. If you pull the pump you can video it you can figure it out if you need to do a rehab the screens then it would be \$5500. For a total of \$ 20,955. Fernwood is district #1 and Richland is district #2 Capital Reserve fund for District 1 is \$276000 and Capital Reserve fund for District 2 is \$352000. It's up to the Board what they want to do. Well 27 is one of the 2 wells that is hooked to the Generator. If you are on generator only and you only have well 27, it does not generate enough water 24 hours a day to maintain operation for towns in the summer. It's 150,000 to 200.000 gallons a day short. In the winter, you could probably carry both Towns as long as you have well 13. The new generator should be up and running by the end of the week.

The rental of the back up generator, the \$600 per week fee for that ended August 1st. He feels the fee for that rental could be in the area of \$15,000. If he had to choose to rehab a well, he would choose the Well #1 in Fernwood. If he had to rank the importance of replacement, it would be the Fernwood site. Councilman Goodsell asked if there would be a discount if 2 were done at once. The Town received a letter from the EPA. Mr Novak distributed the letter to the Board. We are subject to more testing and reporting to the Federal Government. The Town is now subject to lead and copper testing. This has to be submitted by October 16,2024. He has submitted a letter to the County and Health Department and in his opinion this does not apply to the Town. Mr Novak would like to have the Board form a committee about painting the water tower on Bishop Road. The cost of this could run the town \$125,000 - \$500,000. The tank gets inspected next year and he feels that it will not pass the inspection. Grant money could be an option to get the tank washed and painted.

**DOG REPORT:** The Dog Control report is next. With no discussion, a motion to accept the dog report as presented. ***A motion was made by Councilwoman Haynes and seconded by Councilman North. In a roll call vote, all were in favor with a vote of "AYE".***

**SUPERVISOR REPORT:** Supervisors reports for June and July 2023 are presented to the Board for review. With no discussion ***a motion to accept the Supervisors reports for June and July 2023 was made by Councilwoman Gilson and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE".***

**JUSTICE REPORTS:** Justice reports for Judge Conger and Judge Ridgeway for the months of July 2023 for Judge Ridgeway and August 2023 for Judge Conger. ***A motion to accept these reports was made by Councilwoman Haynes and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE".*** Judge Conger would like the Board to pass the Resolution so she may apply for the JCAP Grant through the Office of Court Administration. As in the past, Judge Conger has been successful in receiving grants that she has applied for. ***A motion 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:** Warrant of bills in next. ***With no discussion a motion to approve Abstract #9 of 2023 was made by Councilman Goodsell and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE".***

**TOWN BOARD MINUTES:** Town Board Minutes for July 11 and August 8, 2023 were presented to the Board. ***With no discussion a motion was made by Councilwoman Haynes and seconded by Councilman Goodsell. In a roll call vote, all members were in agreement with a vote of "AYE".***

**TOWN CLERKS REPORT:** The Town Clerks report for August 2023 is next. *A motion to accept the Town Clerks Report as presented was made by Councilwoman Gilson and seconded by Councilman North. 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:** The County Legislature recently passed the **RESOLUTION ADOPTING COUNTY OF OSWEGO LOCAL LAW NUMBER 3 OF 2023 ENTITLED "A LOCAL LAW ALLOWING ELIGIBLE VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS TO RECEIVE A REAL PROPERTY TAX EXEMPTION UNDER REAL PROPERTY TAX LAW (RPTL) §466-a"** Oswego County would like town's pass the same to assure consistency. The Town must first schedule a Public Hearing for this to become law in the Town of Richland. *A motion to schedule the Public Hearing for Local Law #7 allowing eligible Volunteer Firefighters and Volunteer Ambulance workers to receive a real property tax exemption on October 10th at 6:00pm here at the H.Douglas Barclay Courthouse. This motion was made by Councilwoman Gilson and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE".*

With nothing more to discuss, Supervisor Yerdon would like to speak to Attorney Graham Seiter and the Board in the Supervisor's Office as an attorney and client discussion. Mr. Yerdon told the Audience no motions will be made and nothing further needs to be discussed.

**NEXT TOWN BOARD MEETING:** October 10, 2023 at 6:00pm

**MEETING ADJOURNED:** At 8:35 pm, after the discussion with Attorney Seiter, a motion to adjourn the meeting was made by Councilwoman Gilson and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE". 8:35pm.

Respectfully submitted by

Millie Newcomb  
Town Clerk