

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

**DATE:** April 11, 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  
Councilman Robert North

**OTHERS IN ATTENDANCE:** Town residents, Krista Fox, Abby Fox, Robert D'Argenio, Angela Goodway, Larry Atkinson, Zoning Board Alternate, Timothy Crouch, Water Board & Planning Board Alternate Robert Jeffery, ZEO/CEO John Howland, Highway Superintendent John Fox, B&G Supervisor, Kevin Balcom, Water Supervisor Ron Novak, Legislator Herb Yerdon, Attorney Graham Seiter and Town Clerk Millie Newcomb

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

**PUBLIC COMMENT:** Robert Jeffery has an issue with the April Town Board Meeting being held during the day. Supervisor Yerdon acknowledged his concern and promised to be more aware of the public's interest in attending. Robert D'Argenio of Port Ontario wanted to publicly Thank the Highway Department for keeping the road on Scharoun Drive open and taking care of it this past winter.

**LEGISLATIVE REPORT:** Legislator Herb Yerdon is here to give his report. The Oswego County Household Hazardous Waste Facility opens on May 3 The facility will be open Wednesdays from 8am to 2pm and Saturdays from 8-11am May through September. The Waste Facility is located at the Bristol Hill Landfill 3125 NYS Route 3, Volney. A reminder that the Burn Ban is in effect throughout New York State until May 14. The NYS Department of Civil Service announced

Oswego County has been approved for its Hiring Emergency Limited Placement (HELP) Program to help with recruitment efforts. The local government has faced significant challenges filling open positions with fewer applicants, cumbersome hiring processes and an increasingly competitive job market with private sector employers. We hope that this initiative will help level the playing field as we work to build up our workforce. Interested candidates can visit Oswego County's Civil Service Employment Portal at [www.oswegocounty.com/civilservice](http://www.oswegocounty.com/civilservice). Tick bite prevention Week March 24-30. The Oswego County Health Department reminds residents that ticks are becoming more active and looking for hosts-people, pets and wildlife to attach to.

**ZONING AND CODE REPORTS:** List of building and zoning permits and violations was presented to the Board. Violation notices have been sent out. Mr Howland has been in Codes school this week. Last week it was the meeting at the Turning Stone. Most of the Zoning and Planning Boards attended. Discussion about the Morse property again on Richland Road. There isn't a live owner so the Town is limited to what it can do. Discussion turned to the DeRoose property in the Hamlet of Richland. After a brief discussion ***a motion to move the case to State Supreme Court was made by Councilwoman Haynes and seconded by Councilman North. In a roll call vote, all were in favor with a vote of "AYE"***. The Canning Factory Road project is moving ahead. Working on lead agency status, and scheduling a Public Hearing for the long form SEQR for Mays meeting. The ZBA will be meeting about subdividing the parcel in Port Ontario on State Route 13. The owner would like to divide the property into 2 building lots. And anticipating another for Eric and Connie Pappa dividing a parcel to sell to the Town of Orwell for the water project with the Town of Richland. Mr. Howland will be in Codes School for the rest of the week.

**WATER REPORT:** Minutes were presented to the Board. Councilwoman Gilson has a question about the Water Board minutes and Town Board disallowing the Water Supervisor to complete the ARPA Engineering as part of his salary. Mr Novak said he would be happy to discuss this in the Executive Session as a personal matter. Councilwoman Gilson asked if any of the ARPA engineering had even been started. The only projects that have been started are the generator and the water line, GPS locating. She then asked about the power poles. Mr Novak said he would be happy to go into Executive Session to discuss it.. ***Supervisor Yerdon said they could go into Executive Session to discuss individual matters and critical issues. This motion was made by Councilwoman Haynes and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE". 7:03pm. At 8:03 pm a motion to come back into Regular Session was made by Councilwoman Gilson and seconded by Councilwoman Haynes. In a roll call vote, all were in agreement with a vote of "AYE". The result of the Executive Session was, no action taken.*** 2022 Water Audit. Water Clerk Mary Yerdon has done a great job as Laird Petrie has noted. 1. The recommendations are the Water Clerk should convey total billing amounts to the Town Bookkeeper each billing period for each water district so that the bookkeeper can debit the SW260 account thereby establishing a control account for which for which someone independent of water rent collecting and recording and periodically determine

if the control account agrees with the total of all unpaid customer records 2. The water clerk should seek supervisor authority for any adjustments made to customer billing records and document such authority in her records. 3. The water clerk should specify the total for both cash and checks on duplicate receipts prior to issuing them to the Town Clerk. 4. The board should examine the risk associated with the manner in which monies in the water salesman machine are collected and deposited. At a minimum, the board should ensure that only keys are limited to one person and that money collected from the machine is counted and recorded in the presence of another employee. Discussion about getting a credit card machine at the water building. The cost is \$5330 for the machine. The water salesman took in about \$4018 in 2022, about 80% in dollars and 20% in coins. For \$1.00 the salesman dispenses about 120 gals. And for .25 it dispenses 5 gals. That equates to \$8.00 per 1000 for dollars and \$50 per thousand for quarters. It would take about 2.63 years to pay for the machine. We would need the internet for the credit card machine and numerous fees associated with it. Discussion went on about the pro's and con's. Laird's opinion was about compliance. The Water Salesman is more of a service to the public than a money maker. Tax levy fee is next. Under 198 of Town Law 3D sub paragraph *The town board may by ordinance or resolution, that unpaid water charges in arrears 30 days or longer shall be subject to a penalty of not more than 10% of the amount due and further provide for cutting off water supply of water if such water charges are not paid within 60 days of the due date. The Town Board must provide an ordinance or resolution to comply with the County law.* Next is Water District #6 survey. Survey letter was handed out to the Board. This was tabled until such time that Barton and Loguidice can be in attendance. Use of highway equipment for water projects. According to Laird, it's up to the Town Board to set the rates for the pieces of equipment. Attorney Seiter will prepare a resolution for the Water shut off procedures and will be voted on at the May 9th meeting. Next is a directional drill contract. The Town of Sandy Creek entered into a contract with NY underground to do directional drilling within the Town of Sandy Creek. Mr Novak got a copy of the contract and spoke to the company. They are willing to do the same with the Town of Richland. This is directional drilling for under the road, for long side services. It's \$25 per foot, which is less than Malone who was charging \$35 per foot. NY underground is preparing the contract and sending it to the Town. Currently the town has had 7 individuals come to the town that will need long side services. The company will send it in the next few days. A special meeting will be scheduled to address the rest of the water issues. This meeting will be April 20th at 6:00 pm here at the Courthouse.

**BUILDINGS AND GROUNDS & RICHLAND PARKS:** Repaired heaters at the shop. Caps on exhaust for heaters are repaired. Baths at the Haldane pavilion are open. Moved new bleachers to the softball field. Still have the other set. Someone bumped the fence last fall, so it's all repaired now. Someone informed Councilwoman Haynes that the picnic tables aren't any good. Mr Balcom said they took away the bad ones. The ones left are old but still in good shape. Mr. Balcom is working on concrete specs for a new floor in the shed at the highway. At the **Haldane Center**, Mr Ed Wolinski would like to use the center for a wrestling tournament in

July. He mentioned that his organization would like to have this as a yearly thing. The agreement with Salmon River Hockey would have to be looked at. Grant Writer Kristy LaManche told the Board in previous meetings that more grant money could be available if the Building could have multiple uses. An organization had contacted Councilwoman Haynes about having Pickleball at the Haldane. They will see if there is any grant money out there. The Lobdell family would like to purchase a new scoreboard for the fields at the Haldane. More information will be forthcoming. Attorney Seiter gave an update about the possibility of money from the Assemblyman Barclays Office for the removal of the Water Tower in Richland. As we know, the Fire Department got estimates on the removal of the tower. A few estimates were very expensive so Mr Seiter decided to talk to the Assemblyman Barclays office. At a Zoning Board meeting for the Town's Zoning Board, Deputy Clerk Julie Peterson advised Attorney Seiter that the Fire Department had received another estimate for \$7000. After speaking to Mr Barclay, it was revealed that that sort of project wasn't really in the realm of how the money was to be used. They are looking for projects worth \$50,000 or more. They did say if there were some infrastructure type issues that were going on in the town, the Multi-Modal application we should turn in if we can come up with a project. It has to be for the right purpose. He did ask about the Haldane roof, but that did not fall into the project's idea. It's for any kind of highway, sidewalk that needs help would be considered.

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

**HIGHWAY REPORT:** Workers are on 10 hour days April 1-December 1. Doing a lot of repairs to trucks. Snow posts are down and taking plows off the trucks. Also painting equipment. Even though the New York State Budget has not yet passed, New York State left highway funds alone through an agreement for 3 years, so the Town is guaranteed the same money from last year. So Mr Fox gave the agreement to spend highway funds to Supervisor Yerdon and for all the Board members to sign. One of the trucks has a bad clutch and the transmission is bad. At this time it's cheaper to buy a used transmission with the labor being in house. The amount for the transmission is \$5000. It's guaranteed. Paving bids are going out. The Ad was put in the newspaper. Getting ready for road sealing. The new dozer arrived and the old dozer was put on Auctions International. Mr Fox was looking to get at least \$10,000 for it and the bid right now is \$21,000 with 5 days left. The Highway School is happening soon and Mr. Fox would like the Board to approve him attending. ***A motion to allow Superintendent Fox to attend the Highway School this year, June 4 -June 7 was made by Councilwoman Gilson and seconded by Councilman North. In a roll call vote, all were in agreement with a vote of "AYE".*** Lastly, the bids for the wood at the Highway garage. Two bids were received in the Town Clerk's Office. Bid #1 was for \$260 by Mike Stevens and Bid #2 from Joe Sikora was for \$200. The Town Board awarded the bid to Mike Stevens for \$260. ***The motion to accept the bid by Mr. Stevens was made by Councilwoman Haynes and seconded by Councilman North. In a roll call vote, all***

**were in favor with a vote of "AYE".** Discussion turned to summer help for the Water Department. Zach Mascucca who works for the Highway Department through a program at school. Once Zach graduates he can go and work for either the Highway or the water department until the fall. Mr Novak was in the understanding that he has money in his budget to pay for a summer position for 22 weeks . Supervisor Clerk Tammie Whaley informed Councilwoman Gilson and Town Clerk Millie Newcomb that after putting figures together there is only money for 18-20 weeks. Superintendent Fox told Mr Novak that when he graduates, he is all his until the fall, when he will return back to the Highway Department.

**SUPERVISOR REPORT:** *A motion to accept the Supervisors Report was made by Councilwoman Gilson and seconded by Councilman North. With no discussion and in a roll call vote, all were in favor with a vote of "AYE".*

**FINANCIAL REPORTS:** *A motion to accept the Financial report as presented was made by Councilwoman Haynes and seconded by Councilman North. In a roll call vote all were in favor with a vote of "AYE".*

**COMPREHENSIVE PLANNING BOARD MINUTES/UPDATES:** No meeting

**JUSTICE REPORTS:** Justice reports for Judge Ridgeway were reviewed by the Board. With no comments, *a motion to accept the justice report by Judge Ridgeway 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:** *A motion to accept Abstract #4 as presented was made by Councilwoman Haynes and seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of "AYE".*

**TOWN BOARD MINUTES:** No Town Board Minutes.

**TOWN CLERKS REPORT:** *A motion to accept the Town Clerks Report was made by Councilwoman Gilson and seconded by Councilwoman Haynes. With no discussion, and 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:** David Webb has resigned his position on the Board of Assessment Review. He had served on that Board for 14 years. The Town Board would like to Thank Mr Webb for his service to the Town. Attorney Seiter has 3 Resolutions for the Board to approve.

The first one is money that was put aside for the purchase of the property on Peck Road and was placed in a Capital Reserve Fund. At the moment no one can find where that fund was established by The Town Board so we will pass the resolution to establish the Capital reserve fund, no greater than \$50,000 for the purchase of property on Peck Road. ***A motion to establish this fund was made by Councilwoman Gilson and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE". The seconded resolution is to Expend Capital Reserve Funds that are in the Capital Reserve Fund. This resolution is subject to a permissive referendum. Mr Seiters Office will take care of the public notice for the paper. A motion to Expend the Capital Reserve Fund was made by Councilman Goodsell and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a Vote of "AYE". The third resolution is to schedule a Public hearing for the purchase of the Peck Road Property from the IDA, Oswego County for the purpose of a new Highway Garage. 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".*** The Special Town Board Meeting will be April 20th at 6:00 pm.

**NEXT TOWN BOARD MEETING: May 9, 2023**

**MEETING ADJOURNED:** With nothing more to bring before the Board, ***a motion to adjourn was made by Councilwoman Gilson and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE". 8:53pm***

Respectfully submitted by

Millie Newcomb  
Town Clerk

At a regular meeting of the Town Board of the Town of Richland held the 11<sup>th</sup> day of April, 2023, at the Town Hall located at 1 Bridge Street, Pulaski, New York.

**RESOLUTION APPROVING THE PURCHASE OF PROPERTY ON PECK ROAD FROM THE COUNTY OF OSWEGO INDUSTRIAL DEVELOPMENT AGENCY FOR THE TOWN HIGHWAY BARN SITE FOR THE TOWN OF RICHLAND**

**WHEREAS** the Town of Richland is proposing to purchase property located on Peck Road in the Town of Richland, County of Oswego and State of New York, Tax Map No. 071.00-02-28.01, from the County of Oswego Industrial Development Agency for a price of \$50,000, for purposes of building a new Highway Department Building; and

**WHEREAS** the Town Board believes it is in the best interest of the residents of the Town to buy this parcel for purposes of building a new Highway Department Building.

**NOW, THEREFORE**, on motion made by Gilson, and seconded by Haynes, **BE IT RESOLVED** as follows:

1. That the Town Board shall hold a Public Hearing on the proposed purchase of property located at Peck Road, Tax Map ID 071.00-02-28.01, in the Town of Richland, to be held the 9<sup>th</sup> day of May, 2023, at 6:00 p.m., or as soon thereafter as possible at the Richland Town Hall, 1 Bridge Street in the Village of Pulaski, New York, and the Town Board of the Town of Richland shall hold a meeting to determine whether to purchase said property on Peck Road in the Town of Richland immediately following the public hearing on May 9, 2023; and

2. That the Town Supervisor is hereby authorized, directed and empowered to execute, for and on behalf of the Town, any and all documents required in connection with the purchase of the Property, including but not limited to purchase agreements and escrow documents.

2. That the Town Clerk is directed to advertise and post a Public Notice of said Public Hearing as required by law.

MOTION ADOPTED as follows:

KERN YERDON, Supervisor  
DONNA GILSON, Councilwoman  
SUE E. HAYNES, Councilwoman  
ALLEN GOODSELL, Councilman  
ROBERT NORTH, Councilman

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Millie Newcomb  
MILLIE NEWCOMB, Town Clerk

At a regular meeting of the Town Board for the Town of Richland held the 11<sup>th</sup> day of April, 2023 at the H. Douglas Barclay Courthouse, Pulaski, New York.

**RESOLUTION ESTABLISHING A CAPITAL RESERVE FUND  
FOR THE TOWN OF RICHLAND  
PURCHASE OF PROPERTY ON PECK ROAD  
TAX MAP NO. 071.00-02-28.01  
FOR THE PURPOSE OF BUILDING A NEW HIGHWAY DEPARTMENT  
BUILDING**

**WHEREAS**, the Town Board has identified that the Town of Richland in in need of a new Highway Department Building; and

**WHEREAS**, the Town Board deems it in the best interests of the Town to establish a capital reserve fund to finance the purchase of property on Peck Road, Tax Map No. 071.00-02-28.01 for the purposes of building a new Highway Department Building.

**NOW, THEREFORE**, on motion made by Galson, and seconded by Goodsell, BE IT RESOLVED as follows:

1. That pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the Town of Richland Peck Road Reserve Fund. The purpose of this Reserve Fund is to accumulate moneys to finance the cost of the purchase of property on Peck Road, Tax Map No. 071.00-02-28.01, a type of capital improvement.
2. The Town Supervisor is hereby directed to deposit moneys of this reserve fund in a separate bank account to be known as the "Peck Road Reserve Fund".
3. The Town Supervisor is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Town Board may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the Town's investment policy. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Town Supervisor shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.
4. Except as otherwise provided by Section 6-c of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditures shall be made from the Reserve Fund



without the approval of the Town Board and are subject to **permissive referendum** if required by Section 6-c of the General Municipal Law.

MOTION ADOPTED as follows:

KERN YERDON, Supervisor  
DONNA GILSON, Councilwoman  
SUE E. HAYNES, Councilwoman  
ALLEN GOODSSELL, Councilman  
ROBERT NORTH, Councilman

[AYE]	[NAY]
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MILDRED NEWCOMB, Town Clerk

At a regular meeting of the Town Board for the Town of Richland held the 11<sup>th</sup> day of April, 2023, at the H. Douglas Barclay Courthouse, Pulaski, New York.

**RESOLUTION TO EXPEND CAPITAL RESERVE FUNDS  
TO PURCHASE PECK ROAD PROPERTY  
TAX MAP NO. 071.00-02-28.01  
FOR THE PURPOSE OF BUILDING A NEW HIGHWAY DEPARTMENT  
BUILDING**

**WHEREAS**, the Town is in need of a new Highway Department Building; and

**WHEREAS**, the Town Board deems it in the best interests of the Town to purchase property on Peck Road, Tax Map No. 071.00-02-28.01, for the purpose of constructing a new Highway Department Building; and

**WHEREAS**, the Town Board wants to expend capital reserve funds in an amount no greater than \$50,000.00 from the Peck Road Capital Reserve Fund to purchase the property on Peck Road for the purpose of constructing a new Highway Department Building; and

**WHEREAS**, except as otherwise provided by Section 6-c of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditures shall be made from the Reserve Fund without the approval of the Town Board and are subject to **permissive referendum** if required by Section 6-c of the General Municipal Law.

**NOW, THEREFORE**, on motion made by Goodsell, and seconded by Haines, **BE IT RESOLVED** as follows:


1. That the Town Board shall hold a public hearing, pursuant to Section 6-c of the General Municipal Law of the State of New York, to expend Peck Road Capital Reserve Funds to purchase property located at Peck Road, Tax Map No. 071.00-02-28.01, in an amount no greater than \$50,000.00, on the 9<sup>th</sup> day of May, 2023, at 6:00 p.m. at the Richland Town Hall, H. Douglas Barclay Courthouse, Pulaski, New York, and
2. That the Town Clerk of the Town of Richland is hereby authorized and directed to publish a copy of this Resolution in the official newspaper for the Town of Richland, and to post a copy of same on the official bulletin board for the Town of Richland in the time and manner required by law.

Motion passed as follows:

KERN YERDON, Supervisor  
DONNA GILSON, Councilwoman  
SUE HAYNES, Councilwoman  
ALLEN GOODSSELL, Councilman  
ROBERT NORTH, Councilman

AYE  
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MILDRED NEWCOMB  
Town Clerk

