

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

**DATE:** September 28, 2023

**KIND OF MEETING:** Budget Workshop 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:** Village resident, Carl Falk, Town Residents, Larry Atkinson, Eric Pappa, Financial Advisor, Laird Petrie, Budget Officer/Supervisor Clerk Tammie Whaley, B&G /Deputy Highway Superintendent Kevin Balcom, and Town Clerk Millie Newcomb.

**CALL TO ORDER:** The meeting was called to order at 1:00 p.m. with Supervisor Yerdon leading in the Pledge of Allegiance.

**PUBLIC COMMENT:** Supervisor Yerdon wanted everyone to know that the cost of living has gone up, especially in NYS the cost of living has gone up 128.2% and across the country 100%. NYS is the second highest in the Country.

**SALARIES:** There was a hand out of comparison of what everyone's position made from 2020-2023, proposed and the only figures that are in there now are what is known from the Union Contract. It's an automatic 5%. Those figures on their line item. That last column is what each department has requested. Supervisor Yerdon asked to speak to the Board first. Based on what is going on in the state and country at the moment, he proposes a 5% increase across the board for everyday workers for the Town. The Board is in agreement. All Boards excluding the Town Board, will stay the same. Summer Recreation, new hires will start at \$15.25 per hour and

returning employees will be \$15.97. These are not for Directors or health directors. ***A motion was made by Councilwoman Haynes to keep Water, Planning, Zoning and Assessment Review Boards salaries stay the same. This motion was seconded by Councilman North. In a roll call vote, all members were in agreement with a vote of "AYE".*** The conversations turned to vacation time for employees that have been working for 10 yrs. To make it more equal to the teamsters, ***a motion to change the vacation time for office personnel and make it the same as the union workers. You must be here for 10 years to receive 3 weeks vacation. This motion was made by Councilman Goodsell and seconded by Supervisor Yerdon. In a roll call vote, all were in favor with a vote of "AYE".*** Next the discrepancy in the hourly rate between some employees that have been here longer was discussed. After a long discussion it was decided by ***a motion made by Councilwoman Haynes and seconded by Councilwoman Gilson to pay Deputy Town Clerk Julie Peterson for the meetings she attends for the parks. In a roll call vote, all were in favor with a vote of "AYE".***

Next was the salary for the Town Supervisor. The salary for the year was 21,296.60 with a 5% increase, it would bring the Supervisor up to \$22361.30. Supervisor Yerdon explained that the increase is warranted due to the many Town Board Meetings over the complex water system, highway. He feels they meet a lot on important stuff. Town Councilwoman Hyanes agreed with the Supervisor. The Board is also asking for 5%. The Budget Officer position gets more and more complex so Supervisor Yerdon would like to recommend she gets a 5% increase also. Councilman North, who is running for the Town Supervisor position, feels that Budget Officer Whaley and himself will be good working together because of his past experience working with the Budget. Discussion about the role of the Deputy Supervisor. The role of the Deputy is "When the Town Supervisor is absent or unable to act the Deputy Supervisor may perform the Supervisors duties The definition of absent must be reasonable." Although the Deputy Supervisor may act as said Supervisor, unless the Deputy Supervisor is a member of the Town Board. He or She has no authority to vote on matters. The Town Board may establish the Office of Deputy Supervisor, The Town Supervisor appoints the Deputy Supervisor but if he or she fails to do so within 5 days, the Town Board can make the appointment. The Deputy Supervisor serves at the pleasure of the Town Supervisor thus even if the Town Board appoints the Deputy Supervisor. The Town Supervisor may remove the Deputy without Town Board approval. The Town Supervisor does not forfeit the right to appoint a Deputy if he fails to appoint one in 5 days. As a Town Board member, Mrs. Gilson feels it is the responsibility of every Town Board member to understand the budget. Mrs. Whaley asked Laird Petrie what his experience was paying board members and the Deputy like how the Town of Richland does it. Mr. Petrie explained that how this Town does it is a common practice but there are alot of Towns that the Deputy Town Supervisor is not a Town Board Member. This is where the difference is. Usually what happens is, the Deputy Supervisors role is to serve in the absence of the Supervisor. If they are a board member then they vote as a board member. If they are not a Board member then they don't vote. The only thing he takes issue on is if that Board member is a Deputy Supervisor, he would take issue that they support the decisions of the Supervisor. They are all elected separately; your vote should be on your opinion. You may not agree with the

Supervisor at that point, just because you were appointed by that person doesn't mean you will always agree. This is where a lot of Deputy Supervisors have a hard time separating the rules. How are they paid? They usually get a little bit of a stipend for being a Deputy on top of the Board Member pay. A question was asked: what if the Supervisor is never absent? Is it just a stipend for just having the title? Councilwoman Gilson said that members should work. The rest of the Board chimed in with all the other duties that the Board members do. Members feel they put in the time for the extra work they do. Discussion about the listing for the Public Notice for Deputy Supervisor. It was decided to increase the pay for all the Councilpeople, the Budget Officer, Deputy Supervisor and the Town Supervisor 5%. Next was the Town Clerk and Deputy Town Clerk. This Department is asking for a 5% increase also. It was decided to give the 5% increase to the Town Clerk but increase the Deputy Clerk to \$21.03 per hour or 8%. Next the Court. They requested a 5% increase. After a long discussion it was decided to give the Court employees a 3% increase in pay.

Zoning and Code Officer is next. Supervisor Yerdon would like to discuss the wording in the Employee Handbook. It is referred to in the handbook that the CEO/ZEO and the Assessor are considered a Contract Employee. What this means is they fall into a "contractor" we should pay them as a contractor and not as an employee of the Town. Back when this started we talked about getting rid of the elected position of assessor. The 3 elected assessors. We had the Town wide vote to eliminate the three and move to a Contract Sole Assessor. Per Mr. Yerdon it was meant for all the positions such as Town Judges, they were all going to be contractors. Throughout the years, they became employees of the Town. At that time, they should have been filling out time sheets etc. He is not sure what to do about it now. For years they should have been getting paid an hourly rate. Per Laird there is an eleven step test in order to treat someone as a contractor vs an employee. The government would like to have the withholdings so they want you to treat someone as an employee instead of a contractor. Mr Yerdon doesn't have an issue with them being an employee, it's just in the Employee handbook they are listed as a contractor but they are not a contractor and haven't been in years. Supervisor Yerdon is talking about the Assessor and the CEO/ZEO. At this time, both positions are paid as employees of the Town. Budget Officer Whaley explained to the Board that there are 2 types of employees. One is a W2 employee and a 1099 employee. The Assessor and CEO/ZEO are w2 employees. Supervisor Yerdon feels they should have been 1099 employees or Contractors. They have been forever paid as W2 employees. Both the Assessor and CEO/ZEO work for several different towns. They used to fall into contractor language, and fill out a 1099. Per Laird an employee has to be a .1 wage employee to earn retirement credits. So if you pay someone on a .4, contractual then they aren't part of the retirement system. Per the budget office Tammie Whaley both the assessor and CEO/ZEO have completed their 3 month calendar. A lot of Assessors that do a lot of towns, they want to be employees because they want all of their time sent into the State retirement system to increase their retirement. Some Code officers and assessors are contractors but they are not being reported to the retirement system. The thought process back when both men were hired was they would be contractors. Sometime over the years, they were switched. From day one per Tammie Whaley, they have been paid as

a W2 employee. Supervisor Yerdon at this point in time, he doesn't care; the point is that they are listed in the employee handbook as a contractor. So, the handbook has to be changed to take those 2 positions out of the Contractor category. So they are employees of the Town, the Town pays into the retirement. The only one of the two that gets insurance is John Howland and he contributes 40%. John Howland is listed as a part-time employee. He has filled out a 3 month calendar and the state calculates and they come up for the salary for days worked per pay period. Its NYS rules.increase in pay. **A motion made by Councilman Goodsell and seconded by Councilman North to remove the Assessor and the Codes and Zoning Officer from the language in the employee handbook on page 13 as "Contractor". The wording that the Assessor no longer gets paid per parcel but by a salary and is paid by WD2. With no more discussion and in a roll call vote, all were in favor with a Vote of "AYE".**

These 2 positions will receive a 3% increase.

Next is Dog Control. It was suggested to raise her 5%. Town Historian. It was suggested to raise him 3%. Haldane Building Worker was raised 5%. Summer recreation. The Director as a new employee Director gets now \$19.50. A returning employee gets \$20.09. The Board could do 2% along with the Assistant and Health Director. Rec Leader 15.25 and keep the returning rec leader at \$15.97. Lifeguards and Health Directors we have to have per the county. The Health Director- We have used the school nurse. Mr Jennings really helped the Town out by doing this. We only need a Lifeguard 2 times per year for 2 trips to the Beach. They will stay the same. The property guard is what the Town pays for the Village Police for Constable Duties on Court nights. The rate is \$25 unless it's someone that has already worked their 40 hrs for the Village so we pay them time and a half.

Highway Superintendent is next. John Fox is retiring after 37 yrs with the Town. Kevin Balcom will take over his spot. Mr. Balcom is also the Towns B&G Superintendent. The salary for that position is \$4284.80. This will be taken into consideration. After a long discussion where some board members felt that a new person should not walk into a position making the same as the previous Superintendent that had been in that position for 37 years. Per Laird, every duty that a Highway Superintendent has, all those duties are all inclusive to whatever you advertise for the salary. If you are giving extra stipend that has to be included in the advertised salary. **A motion from Councilman North to pay the new incoming Highway Superintendent the salary of \$72500 total. Another long discussion before another motion was made by Supervisor Yerdon for \$76000 per year. This was seconded by Councilwoman Haynes. In a roll call vote Haynes, Aye, Gilson, wants more conversation before she votes. Goodsell, No, North, No Yerdon, Aye. Councilwoman Gilson voted No. Motion failed. 3-2** Councilwoman Gilson agrees that he is in a new position, not that he isn't worth it. You have an understanding that when you are running for that position, you can't assume that you are going to get the same pay as someone that has been in that position for 37 years. Not that he is not worth it, but he will move up fast. After a long conversation, **Councilwoman Gilson made a motion to move the Highway Superintendents salary to \$75,000 which includes the Buildings and Grounds position. This motion was seconded by Councilwoman Haynes. In a roll call vote, Haynes, AYE, Gilson, "AYE", North "AYE" Goodsell, "NO, Yerdon, NO. Motion passed. 3-2**

The Water Supervisor is up next. Supervisor Yerdon read to the Board about the changes in the NYS law. He explained to the Board about the county making up the title for a Water Supervisor/Engineer. This has to be sent to NYS by Oswego County for approval. This all came about when the Town's Water Supervisor became full time. Water Supervisors are only part time. This is the only classification that the County has that is certified by the State for the County is a part time position. Once all the paperwork went through, then they said it would have to be a civil service test for a full time position. They created this job description for what's going on today. If and when it gets approved the Town Board will have approved this new classification for this position. Budget Officer Tammie Whaley told the Board that the Town of Richland just can not afford to have an Engineer on our Payroll. It is being done for one person instead of the position. Supervisor Yerdon insists on just creating a job title. The salary is not based on him just being an Engineer salary is Water Supervisor/Engineer. We are paying him one salary for doing 2 things. As of right now, he is just a Water Supervisor. That is the position as of right now. Councilman North says there is a lot of talk out in the public about how many people there are in the Water Department. This position has gone from \$6000 to \$28000, \$50000. Supervisor Yerdon says that no one in the Supervisor position has ever been a certified Water Operator until now with Mr. Novak. Mr Novak is only supposed to do the work of a Union worker only in the case of an emergency. Councilwoman Gilson said the problem she has is that a year and  $\frac{3}{4}$  ago, we hired Ron at \$30,000. We didn't change anything, we didn't add on anymore towns from then to now. It wasn't enough money for him so we raised \$5000. We had a lot of issues in 2022. He went over his budget and made \$57000 because of all the problems. We started at \$35000 and after  $1\frac{3}{4}$  years, nothing really has changed. He did get some certifications, he is an excellent worker and does a great job, you can't take that away from him. But how do you explain to the taxpayer that a  $1\frac{3}{4}$  year ago we were paying \$35000 and now he is asking \$ 70616. What is the justification that we have increased his salary that much? Mr Yerdon said that first of all he is certified, and based on the new law, he is available. He knows the emergency procedures frontward and backward. He lays stuff out. He knows when pumps are running at 50% he knows how much water it's putting out. If we lose the pump in well 27 the Town of Sandy Creek we could be in big trouble. He knows his stuff. Councilwoman Gilson explained that  $1\frac{3}{4}$  years ago, the Water Supervisors job was worth \$30,000 . It went from \$30000 to \$35000 to \$57000, to \$50000 now it's \$70000. She is not sure how she can explain that to the public. Councilwoman Hayens asked about the engineering that he is getting paid for from ARPA. The only engineering that he has completed is for the Power Poles on the Well fields. No money has been paid out of ARPA as of yet. Supervisor Yerdons suggestion to the Board is keep the \$14000 in the ARPA money, take the Chief Water operators hourly rate of pay of \$32.34 multiply that by 2080 hours, this comes out for 1 year \$67267.00. Eric Pappa who recently ran for a Councilman's seat in the Town of Richland and who also is a Water Operator for the Town of Sandy Creek, commented that the metered water in the Town of Sandy Creek just went up because the Town of Richland was losing money now you want to give this guy a \$20,000 increase in pay? He doesn't know what to tell people in his district. Supervisor Yerdon explained that the Water District in Richland is a

70 million dollar project. You have to have professional people to run it. ***Councilman North made a motion to raise the Water Supervisors salary based on his salary of \$50,000 by 5% or \$52500. The motion was seconded by Councilwoman Haynes. In a roll call vote, Haynes, AYE, Gilson, AYE, Goodsell, "NO", North,"AYE". Yerdon. "NO". Motion passed 3-2***

With these salaries, Budget Officer Tammie Whaley and Consultant Laird Petrie will get the figures inserted and present the Tentative Budget to the Town Clerk on Monday. Councilwoman Haynes left at 4:10. The Board instructed the Town Clerk to put an Ad in the paper for a "Water Operator in training". It starts at \$28.29 but it is \$2.00 less per hour the first year and \$1.00 less per hour the second year. After 2yrs it's up to what the contract says. The new hire has to work under an operator for 1 year before he/she can become certified.

Next Budget workshop is scheduled for October 12, 2023 at 1:00pm.

With nothing more to bring before the Board, ***a motion to adjourn was made by Councilman North and seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of "AYE". 4:14pm***

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

**MEETING ADJOURNED: 4:14pm**

Respectfully submitted by

Millie Newcomb  
Town Clerk