

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

**DATE:** December 12, 2017

**KIND OF MEETING:** Regular Monthly 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, Ed Gilson  
CEO/ZEO John Howland  
Highway Superintendent John Fox (arrived at 6:25)  
Town Attorney, Allison Nelson  
Town Clerk, Millie Newcomb

**CALL TO ORDER:** The meeting was called to order at 6:05pm. with Supervisor Krupke leading in the Pledge of Allegiance.

**PUBLIC COMMENT:** No Public Comments. Due to the weather, Supervisor Krupke asked what course of action would the board like to take in case of inclement weather. The Board has decided if they don't feel comfortable holding the meeting due to weather, they should contact Supervisor Krupke by 3:00 pm to cancel.

**PUBLIC HEARING:** A Public Hearing will be scheduled for the January 9, 2018 meeting for Local Law #1 of 2018 in reference to the new Zoning Update. The meeting will take place at the H.Douglas Courthouse at 6:00 pm

**HAGER DRIVE UPDATE:** No update at this time per Mr. Caraccioli

**DPW PROJECT:** The Village of Pulaski has decided to opt out of the plan on the Joint Highway Garage Project . Attorney Nelsons timeline for a public vote is as follows. Bond Council, Barclay-Damon , they have put together a **SEQ** resolution, B& L, along with Barclay-Damon, put together the draft bond resolution. Attorney Nelson isn't sure if the Town is ready to proceed with the Bond Resolution yet. With in the Bond Resolution you will set the Referendum date, the date the election would be held. A few things around that are, the Town Board must set the election date at least 20 days prior to the date of the election. A public notice must go in the newspaper 10 days prior to the date of the election. A reminder, a few things to keep in mind, Millie Newcomb, as the Town Clerk, will be running the election. So before we sent the election date, the board will have to decide if they are going to rent a machine from the County, borrow one from the school, or use a paper ballot. Also, where is the election going to be held, the hours, the election inspectors. All these questions should be answered before the election date is set. The other thing to take into account is with a special election there is **NO absentee ballot**. Unless there is a personal registration period . So a separate adopt a resolution and set up a whole other process for absentee ballot voting. Every municipality that Attorney Nelson has worked with has not done absentee voting. What you are really doing is requiring every person has to come in and personally register at set times, limiting there availability in order to get a absentee voting. So we are at that time of year when a lot of residents are out of town for the winter. So no matter which way the Board decides, your still going to have some residents are not going to be happy. Either way, the board feels a vote in February or April, groundbreaking will not take place until the spring of 2019. The Board agrees that most of the residents are usually back in town by the middle of April. The SEQR resolution can be adopted tonight. The Bond resolution can be adopted when the Board is ready to set the Public Vote. Supervisor Krupke would really like to talk to Matt to get the figures for a possible ground breaking in April of 2019 of \$2.2 or the \$2.5 million were the last figures that were talked about. The Town Board will look into April dates to see what is available, if the voting machine would be available. Supervisor Krupke asked about the possibility of using a paper ballot. Attorney Nelson explains that is an option. All the water districts that she has been involved with have been by paper ballot. Typically these kind of votes do not draw a large amount of voters. Supervisor Krupke called for a motion to adopt the Resolution for the SEQR. A motion to adopt the resolution was made by Councilwoman Haynes and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of **"AYE"**. The Board agreed that one polling place would be sufficient. Hours and place will be discussed at the January meeting.

**WATER REPORT:** Water Board Minutes were presented for December 6,2017 Storage building update. The walls are up and a possibility of the roof being up on next week weather permitting.

Councilman Yerdon has a question about the 30hp pump that was recently replaced. The first bid was \$7185.00 the other was \$4890. The one for \$7185 was all stainless steel 30 hp submersible pump. Mr. Yerdon noticed in the minutes of the Water Board that Castors price

was parts of the pump were stainless. Not 100%. Superintendent Fox explains that Mr. Castor advised not going to 100% stainless as some of the parts would not hold up. The pump that was pulled from the well was stainless on the outside and you couldn't tell from the 7 years that it was in the well. Mr. Fox also explains to the Board that the motor is stainless but the outside is a mix of stainless and cast iron. Councilwoman Gilson asked if the other bad pump can be rebuilt. Mr. Fox says they are going to see if it can be. It would be good to have a spare. Discussion proceeded with questions to the 2 bids on the pump. The Board has experience on what to look for and know now the companies and what to look for moving forward.

**ZONING AND CODE REPORTS:** CEO/ZEO Howland addressed the meeting about the proposed changes in the Zoning and Mapping changes for the Town of Richland. The Board members were advised of the current and proposed law for the Public Hearing for January Meeting on January 9, 2018 at 6:00pm. A brief synopsis of the proposed changes was given by Mr. Howland and Attorney Nelson. Mapping was the biggest change. More defined lines for Fernwood and Richland Hamlets and the Water overlay. Discussion about lot size, buildable lot size, when a variance needs to be gotten. Attorney Nelson feels the Town needs to have a variance process to give landowners a chance to voice their concern. Every case is unique. Each situation is different. Mr. Howland advised that the Zoning and Planning Boards do not have the authority to say that "this lot is not buildable without going through a variance". They are trying to help the applicator to say ok, we know this piece of property is either going to be yes it's buildable or not its not buildable. It gives the Water Board the authority to say its not buildable in there eyes, and that way it can be deemed a non buildable lot. The non buildable lot is charged a 1/10th an EDU. The Water Board does not have the authority to make the decision. The Water Board can make the recommendation to the Town Board to make the said lot a unbuildable lot. The existing set backs would be used to determine the criteria in the zoning ordinance. It's just a relief process to help cut time down from the 3 months that is usually takes. A guideline for a local windmill law from the Town of Redfield was brought to the Boards attention by Councilman Gilson. The Town Supervisor from Redfield would like the Comp Board to look it over. Mrs. Gilson really likes the outline and encourages everyone to look at it .

**DOG REPORT:** Dog Controls Report was presented.

**HIGHWAY REPORT:** Superintendent Fox's report is next. It's been very busy. The Highway Department is fully staffed with permanent and seasonal workers. There have been many breakdowns. Training for Water Class B License. The classes will be in January.

**SUPERVISOR REPORT:** Motion to accept Supervisors Report for November 2017 was made by Councilman Yerdon and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE".

**HALDANE ADVISORY:** Minutes for the Haldane Advisory Board. Councilwoman Haynes advises

the Board that after she received the contract from Bill Wood to have Attorney Nelson look over and get ready to sign, she received a message from Steve Olson of the Salmon River Hockey Association. He advises the Town Board that the Hockey Association would like to be open in September if not earlier and possibly in May. He also advises that they would like to hold hockey related activities over the summer. Its Councilwoman Haynes opinion that the Hockey Association doesn't want the Summer Recreation program at the Haldane Center at all. Mrs. Haynes doesn't really like the idea of the Hockey Association renting the building year round. That sentiment was voiced by other members of the board. The understanding was The Town of Richland reduced the rent of the Building over the summer because the Town planned to use the building over the summer months. Attorney Nelson feels the Board should get specific dates from the Association to see when it would be used. Councilwoman Haynes will advise the Haldane Committee of the Towns decision.

#### **COMPREHENSIVE PLANNING BOARD MINUTES/UPDATES:**

**JUSTICE REPORTS:** Justice Reports were presented to the Board for review. The courts have been very busy. A motion to accept the Justice reports as presented was made by Councilwoman Haynes 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 accept abstract # 12 of 2017 was made by Councilman Yerdon and seconded by Councilwoman Gilson. After a brief discussion, in a roll call vote, all were in favor with a vote of **"AYE"**.

**TOWN BOARD MINUTES:** Minutes Oct 17th for 2 meetings, October 23rd, November 14th and November 30th A motion to accept minutes as presented was made by Councilwoman Haynes, and seconded by Councilman Yerdon. In a roll call vote, all were in favor with a vote of **"AYE"**.

**CEMETERY UPDATES:** No updates. Pulaski High School students have been helping with burial permits for their community service for graduation.

**TOWN HISTORIAN REPORT:** No report

**LEGISLATIVE REPORT:** No report

**MISCELLANEOUS BUSINESS:** 2018 Training School for newly elected officials in Rochester. Councilwoman Gilson is going to go but is worried about the weather. She is going with another Board Member from the Town of New Haven. Town Clerk Newcomb will call the Hotel and make her reservation and verify if cancellations are accepted due to weather. Next, Bob North has been very busy. Update Policy Manual and Employee Handbook update to allow the Town Highway Superintendent to inspect employee CDL and regular licenses for employees

that drive any Town Vehicles. Town Highway Superintendent will set up and join the NYS DMV lens Program. Another thing that has to be updated is the Town's Anti-discrimination and Anti-Harassment policies with the Town Attorney. This will be worked on starting in the beginning of the new year. Hold Harmless Agreement to have on file for anyone that does work for the Town of Richland. The issue of the Court Constables must be deemed Peace Officers. Per Local Law #3 of 2013. Per Attorney Nelson it is specified in the Law that they had to be Peace Officers. NYMIR has been asking for updates in the Prior Written Notices. Per Mrs Nelson, Is to limit the Towns liability for Highways. In order for the Town to be liable if someone gets hurt on a town highway, culvert, or sidewalk, the Town must first have prior written notice of the defective condition. So someone must first file a complaint with the Town. NYMIR was questioning sidewalks. At the time the Town didn't have sidewalks, but since the Town Highway snow plows all village streets and they contain sidewalks and crosswalks, Mrs. Nelson will include that in the updated version. The hold harmless for the Town Constables and if they carry their own insurance because they belong to the State Constables Association. Supervisor Krupke asked Attorney Nelson if the Town needs to appoint the Constables Association in the beginning of the year Appointments. Because the Constables change the organization needs to be named in the Appointments. Mr. North has been very busy with many things one of which is the SAM Grant for the Richland Park . Although it wasn't completed he was told to submit it as it was. Also working on Grant Application for the records room. This grant includes shelving and humidifier. Its very detailed and specific. There are only a few companies that deal with this type of shelving that is accepted with the grant. The shelving is very expensive. Mr. North has been very busy and has been a terrific addition to have in the Office. Councilman Yerdon asked where the Town was on the ownership of the Richland Park Property. Attorney Nelson explains the Attorney for the Association has been working on the application to the Supreme Court. He hasn't sent it to Attorney Nelson as of yet. So it hasn't been finalized or hasn't got the signatures as of yet. The question to the Board is that they don't have an Abstract of Title and the survey is very old. Mrs. Nelson would like to know if the Board would like to go ahead and order a new abstract prepared at the Towns cost and order a new survey. The Board agrees that a new abstract and survey be done. The last survey was done in 1981 by Jim Byrd. Intermunicipal agreement on Dog Control Services. Attorney Nelson wants to know if the Town is ready to proceed with the agreement. It was sent to the Town of Albion and as of now Attorney Nelson hasn't heard from them.

**NEXT TOWN BOARD MEETING:** Year End meeting will be on December 27th at 10:00 am in the Grand Jury Room. The next Town Board meeting will be held on January 9th, 2018 at 6:00 pm.

**MEETING ADJOURNED:** A motion to adjourn was made by Councilwoman Gilson and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of **"AYE"**. 7:36pm

Respectfully submitted by

Millie Newcomb, Town Clerk