

## **MINUTES OF THE MEETING OF THE TOWN BOARD**

**TOWN OF RICHLAND**

**1 BRIDGE STREET, PULASKI, NY**

**DATE:** May 9, 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 (arrived at 6:10pm)  
Councilwoman Sue Haynes  
Councilwoman Donna Gilson

**OTHERS IN ATTENDANCE:** CEO/ZEO John Howland  
Highway Superintendent John Fox (absent)  
Water Board Chairman, Craig Sternberg, B&L Reps. Dustin Clark &  
George Kalhowski, Special Projects Robert North  
Town Residents, Kathy Stewart, Milt Stewart, Jamie Foster  
Historian and Co Legislature Shawn Doyle  
Town Attorney, Allison Nelson  
Town Clerk, Millie Newcomb

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

**PUBLIC COMMENT:** Milt and Kathy Stewart asked to speak. They are still having issues with the water in the hamlet of Richland. Superintendent Fox was not available for comment, but through Supervisor Krupke, Mr. Fox advised that he has met with the Oswego County on 2-3 occasions to try to clean out some of the lines. Because of the rainfall in recent days, he advises that the ground is going to have to dry up some before they can continue. Mrs. Stewart explains that the same problems persist with no relief. Some of the debris has been picked up but there is still a lot of "stuff" laying around on the Railroad property. CEO/ZEO advised the board that letters have been sent to the property owners and to CSX Railroad. Supervisor Krupke told the Stewarts that as soon as Superintendent Fox is back in town, he will get with him to get updates. The Board sympathises with the residents, with all the rain over the last few weeks and with not a lot of signs for a break. Rainbow Shores resident Jamie Foster addressed the Board. Mr. Foster would like the Town to take over maintenance of Rainbow

Shores Road. Councilman Yerdon advised Mr Foster that this matter has been brought to the board numerous times. For instance, the Road would have to be brought up to the Town's Specifications. Also, they must get a right of way signed by everyone on Rainbow Shores Road. Per Mr. Yerdon's experience he added, it may be easier to form a Homeowners Association to help offset the costs of maintaining the road, something like the residents of Pine Grove Road did, several years ago. Mr. Foster asked that maybe the Town make it a "Seasonal Road". Per Attorney Allison Nelson, the road will still need to meet all the Town's Specifications and the right of way needs to be at least, 50 feet wide. Supervisor Krupke advised Mr. Foster that the Town cannot commit the amount of money needed to maintain the road the way Mr. Foster would like to see. Supervisor Krupke advised the town wouldn't mind dropping off some stone from time to time to help out, however, the Town cannot commit anymore than that.

**HAGER DRIVE UPDATES:** per Supervisor Krupke, there is no news from Judge Merrill. Kristen Norfleet had asked if the Town would waive the fee for the variance for the fence. The Town's answer was no. The Town Board has no jurisdiction over the fees. The fee is what it is. The fence is not a part of the negotiation of the ongoing litigation.

**DPW BUILDING PROJECT UPDATES:** Supervisor Krupke has met with USDA Rural Development. The application has been submitted. There should be some news maybe in a week or so the town should have a preliminary approval. At that point he may call for a special meeting to decide on what course the board would like to take. The Board must make the decision to take it to a public referendum or not. The board will make the decision once the financing is in place. As of now the board is looking at a 30 year term at a rate of 3% interest rate. Supervisor Krupke told the board that potentially the Town could receive a grant about \$100,000 from USDA Rural Development money to go toward the soft costs.

**WATER UPDATES:** Water Board Minutes from May 7, 2017 were submitted for review. Councilman Goodsell was asked about the electric gates at the well site. He advised for the time being, the matter was tabled until later in the season for budget purposes. At this time, there was no solid numbers to discuss. Dustin Clark from Barton and Loguidice. Objective tonight that the town can approve the Map Plan and report. A brief description is as follows. It describes the "Water Service Area #5." This is one distinction that is being made due to a ruling from the NYS Comptroller and challenges in funding, just covering all bases. This joint venture brings 516 EDU's in Sandy Creek and 220 in the Town of Richland for a total of 736. The estimated rate is \$700.00 per EDU. Based on \$2 million dollars in grants and DWS financing for the rest, the operation and maintenance, added it to the current budget it actually comes out to \$660.00 per EDU. At this time it is still unsure about the financing and kind of talked about \$700 all the time per EDU. The transmission line will come down on the north side of County Route 2 into the Hamlet of Richland. From that point it can go down Co Rt 2 the rest of the way, or turn and go down County Route 48. The most important thing is identifying the service area and make sure it's 100% right and that everyone is comfortable with it. Once the service area is

selected its done. The one thing Mr Clark wants to make sure of is that the hair Salon and the Nice and Easy are included in the Water Service Area . Supervisor Krupke has a phone call into the District Manager of the Nice and Easy. He was out of town this week so Mr. Krupke will check with him the first part of the week. So in the meantime, the Board can wait for the call back or proceed as if they are going to be a part of the Service Area. The decision has to be made whether they are in or out in order to proceed in scheduling the Public Hearing for the Map Plan and Report. Supervisor Krupke made the decision to add the Nice and Easy Gas Station into the report. In further discussion, Councilman Goodsell asked if it would be a good idea to put in taps on County Route 2 just incase for future expansion. Councilman Yerdon answered with a firm No. An explanation was when he met with the homeowners on County Route 2, they inquired whether or not fire hydrants would be put in along the new water line. Councilman Yerdon explained that would not be feasible at that time because the line is a transmission line. Only time taps would be added would be if the residents decided to hook up to the water line at the time of construction. He further explained that the other residents in the Service Area would have to pay for the Hydrants while the Homeowners on County Route 2 opted out of the plan. The residents will still have the same fire protection as they have had all along. The residents have spoken and the homes will not be getting municipal water from the Town of Richland. Attorney Allison Nelson explained in front of the Board is a resolution order which is the next step in scheduling a Public Hearing. As Mr. Clark explained this new water project is being treated as a Water Service Area, which is formed under Article 12 C in Town Law. Usually it's formed under 12A. All this means is at the end of the day the Town will have to apply for permission to the Comptroller Office for approval of the Water Service Area. A motion to adopt the Resolution for Water Service 5 was made by Councilwoman Haynes and seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of "AYE".

**ZONING AND CODE REPORTS:** Violation notices have been sent to the Beulah Drive residents. CEO/ZEO Howland asked Attorney Nelson if she would draw up a letter to CSX Railroad about all the dumping on the railroads property. Former CEO & ZEO/ Town resident, Carl Falk added when he was in Mr Howlands position a letter was sent to the CSX about the dumping. Mr. Falk added they sent an investigator fairly quickly to address it. Also about 30 Violation notices are about to be mailed. If the residents do not comply by second letter, Attorney Nelson sends a letter, then eventually a ticket if the resident is still not compliant.

**DOG REPORT:** DOC report was presented. Supervisor Krupke asked if DCO Dunn could come to at least one meeting per quarter. The Town Clerk will relay the message to the Mrs. Dunn.

**HIGHWAY REPORT:** Been busy with Truck repairs and getting up firewood. The Town has received approximately 11 inches of rain since April 1st. Hwy Superintendent is requesting to go to Highway school. A motion to allow Superintendent John Fox to attend Superintendents Highway School June 12 - 14 was made by Councilman Goodsell and seconded by Councilman Yerdon. In a roll call vote, all were in favor with a vote of **AYE**. A motion to approve CHIPS

spending was made by Councilwoman Gilson and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of **"AYE"**. Chips moneys are as follows.

Chips-\$145745.99, Pave NY \$33,057.74 and Winter Recovery moneys \$ 27269.87and moneys that have been set aside, a total of \$372673.60 for 2017 repairs. The roads due for paving are Halsey Road to Lehigh about 1.28 miles and Peck Road from Co. Rt 2 to Centerville Road. 1.67 miles. A motion for Superintendent Fox to proceed with the plans outlaid out was made by Councilwoman Gilson and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of **"AYE"**

**SUPERVISOR REPORT:** Final Year End Report was submitted. Supervisor Krupke advised the report has been submitted to New York State. A motion to accept the Year End Report was made by Councilman Yerdon and seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of **"AYE"**

**COMPREHENSIVE PLANNING BOARD MINUTES/UPDATES:** Minutes are presented. The next meeting will be on May 11,2017 at 6:00pm. The topic will be the Land Bank with Steve Gaffney. Anyone interested is invited to attend. The meeting will be in the H.Douglas Courthouse.

**HALDANE ADVISORY BOARD MINUTES:** No minutes.

**JUSTICE REPORTS:** Justice Reports. Judge Ridgeway's report only . The courts have been very busy by the looks of the report.

**WARRANT OF BILLS:** Abstract #5 was presented. A motion to accept Abstract 5 was made by Councilwoman Haynes and seconded by Councilman Yerdon . In a roll call vote, all were in favor with a vote of **"AYE"**

**TOWN BOARD MINUTES:** Minutes for March 14, 2017 & April 11, 2017 were presented for review. A motion to accept the minutes as presented was made by Councilman Yerdon and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of **"AYE"**.

**CEMETERY UPDATES:** Cemeteries are open. Mowing is in full operation. Deputy Clerk Julie Peterson is working once again on the mapping in the cemetery software

**TOWN HISTORIAN REPORT:** No report

**LEGISLATIVE REPORT:** No report

**MISCELLANEOUS BUSINESS:** A proposal by K&L Services to help put a grant application together for the Snow Foundation. About 4-5 years ago, the Snow Foundation had committed to help with the Haldane Center. The dollar amount was \$50,000. Supervisor Krupke would like

to contract Kristy to work on the application to hopefully get the money. She has already been in contact with the Foundation to get things going . A motion to contract Ms. LaManche was made by Councilman Yerdon and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of **"AYE"** .

Next to address the board in Robert North. Supervisor Krupke would like Mr. North to tell the board what he has been doing in the last few months. Mr North informed the board of his concerns over the Inventories, record storage/retension have been cleaned up but need constant upkeep. The PO system, there are still some question that need to be answered. He explains that everything has been going very well but still has a few items to go over with Superintendent Fox. The judicial records are in desperate need of purging but he is unable to do so do to the laws that surround them. Soon the records will be deemed historical then we will have problems. He explains to the board that everything has a retention schedules. Supervisor Krupke tells the Board that there may be some money out there to help in the process. We have 168 boxes in storage. Legally there is a retention schedule for everything including court records. Mr. North advised the board that the Judicial System needs to ask the State for help with the retention. Councilman Goodsell would like to discuss the need for another clerk in the Judges. Supervisor Krupke has asked the Justices to advise the board of the need for another clerk, and to come to the board and talk about getting extra help, but as of this date he has not heard from either one. Supervisor Krupke will reach out to the Judges again to set up a meeting. Next up was the Scrap Metal forms. The reason for the form is that it makes the Board aware of what metal is to be sold how much it's sold for. It's a generated form and just more control over and a chain of custody. A motion to implement the use of the form was made by Councilman Yerdon and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of **"AYE"**. Next, a reminder when information needs to be to Tammie Wilson for the packets. The Board would like to Thank Robert North for all his hard work on the special projects and around the Office. Supervisor Krupke handed the board an outline of a position for Mr. North as a Special Projects Officer. He would work under the Town Supervisor. He will work about 20 hours per week at a rate of \$17.00 per hour. The hours are going to be flexible. Mr. North will also work on the Budget, and retain the position of Budget Officer. The floor was open for discussion. Councilwoman Gilson offered her opinion. Everyone is getting busier and she thinks Mr. North would be a great asset in looking for grants and fill in where needed and possibly save us money in the long run. A motion by Councilman Yerdon to make the position at Special Projects Officer under the direction of Supervisor Krupke. This is an annual appointment. The motion was seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of **"AYE"**.

Also in the packet is information for the board. The Lake level is 30" above normal.

Next is the properties owned on Canning Factory Road by the Town of Richland. Lot A is located on the corner of Canning Factory Road and Orton Road. Lot B is farther down on the north side of the road on Canning Factory Road. Councilwoman Gilson contacted a local realtor Brigitte Kleinschmidt of First Carriage House to do an appraisal. Her appraisal on the properties are between \$33,000 - \$44,000 per parcels. With this being said, Supervisor Krupke advised the

board, if the properties were on the the property tax rolls would be at a full market value of \$22903 and property B would be \$30674. So between the appraisal and the assessment the values the board should be able to come up with a fair market value. Town employee Julie Peterson is interested in the property known as "A". the piece on the corner of Orton Road and Canning Factory Road. Property "A" has been harvested for lumber a few years back. This parcel also has a right of way through it. Attorney Nelson points out to the board that the Real Property print out as to the breakdown of the land is attached. The Board wants to know if the Realtor is aware of the right of way through the middle of the property. The main thing is to make sure that everyone knows that the land is for sale. Per Attorney Nelson the board has a few options of what to do. 1st, The board can put it out to bid. or 2nd., Put it out on the market with a realtor to sell. or sell it privately and accept the offer from the Petersons. Whatever the option, the Town has to adopt a resolution that this is excess property that doesn't serve the town any longer. and the price that is accepted is close to the fair market value of the property. Whichever way the Town decides to go it's is subject to permissive referendum. So if they decide to go with the Petersons offer, the next step is for them to submit a formal purchase offer and that then would be subject to the Town Board accepting the purchase offer subject to permissive referendum. So they submit the purchase offer, presented it to the board at the next Town Board Meeting, the board would have to adopt the resolution approving the the purchase offer, subject to permissive referendum then a Public Notice would go into the paper that the Town was selling the land for this amount of money giving the public the opportunity to petition . The public then has 20 days to submit a petition to the town. Regardless on how you sell real property, it is always has to be subject to permissive referendum. If the Town decides to list it with a Realtor, Councilwoman Gilson feels it should be for a limited amount of time. Mrs. Nelson advised the Board that you can list it in the newspapers, put it in the hands of a realtor or put it up for bid. The big thing with the board is to make sure the public is aware of the land is For Sale. Until the feed back is in on the timber, to make a decision on parcel b is in, the matter of listing or putting that parcel up for sale or bid is to be tabled for now. Supervisor Krupke's opinion is to put parcel A up for bid. He feels maybe it would sell faster and the Town would not have to pay a realtor. Councilwoman Gilson feels that a Realtor could market the property and may already have people in line for vacant property. The Board has decided to put the property up for bid. The abstract needs to be brought up to date. No seller concession, no survey. Attorney Nelson advises not to set a minimum bid. The Board reserves the right to accept or reject any and all bids. A motion to put Property A out for bid was made by Councilman Yerdon and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE". All bids should be submitted by 12:00 on June 9, 2017. The Board will address property "B" at a later date.

Next is Local Law # 2 prohibiting private burial in the Town of Richland. Supervisor Krupke would like to know if the Board is prepared to vote on it or table it for the next meeting. The Local Law is tabled until the meeting in June.

Councilman Goodsell feels the Water Department is in good shape. Currently they are getting an Operation Manual together. Mr. Goodsell still meets with the Water Operators and

Superintendent Fox to go over everything. At this time, Supervisor Krupke asks Councilman Goodsell if he thinks this is a good time to discontinue his oversight collaboration of the Water Department. The date of June 1st is the date that Mr. Goodsell will go back to the title of Town Councilman. Discussion continued about the security cameras, alarms and fences at the Water Tower locations. A motion to abolish Mr Goodsell's position of Deputy Co-Supervisor was made by Councilwoman Gilson and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "**AYE**". Councilman Goodsell says he still has some work to do, but all in all its running much better

**NEXT TOWN BOARD MEETING:** June 13,2017 at the Richland Half Shire Historical on Co Rt 48 Richland at 6:00pm. Councilwoman Gilson wanted to take the time to Thank Historian Shawn Doyle for the Fundraiser that was held at the Halfshire. Mr. Doyle states there were 81 people that was in attendance. Overall a great turn out.

**MEETING ADJOURNED:** Motion to adjourn meeting was made by Councilman Yerdon and seconded by Councilman Goodsell. All were in favor with a vote of "**AYE**" Time 9:07pm

Respectfully submitted by

Millie Newcomb  
Town Clerk