

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

**DATE:** June 13,2017

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

**PLACE:** Half-Shire Historical County Route 48, Richland, New York

**BOARD MEMBERS PRESENT:** Supervisor Dan Krupke  
Councilman Kern Yerdon  
Councilman Allen Goodsell  
Councilwoman Sue Haynes  
Councilwoman Donna Gilson

**OTHERS IN ATTENDANCE:** CEO/ZEO John Howland  
Highway Superintendent John Fox (Absent)  
Water Board Chairman Craig Sternberg Dustin Clark (B&L)  
Historian and Co Legislature Shawn Doyle  
Town Attorney, Allison Nelson DCO Elisa Dunn  
Town Clerk, Millie Newcomb  
Listing of Attendees attached.

**CALL TO ORDER:** The meeting was called to order at 6:11 p.m. with Supervisor Krupke leading in the Pledge of Allegiance.

**PUBLIC HEARING FOR THE FORMATION OF WATER SERVICE AREA # 5:** At 6:12pm the Public Hearing was open. Valerie Rose asked what Water District 5 was. Supervisor Krupke explained that Water District #5 is a joint project for expansion of the water district into the Town of Sandy Creek. Councilman Yerdon noticed in the verbage that the words Water District has been crossed out and replaced with the words Water Service Area #5. Dustin Clark from Barton and Loguidice is here to explain the rewording. Mr. Clark explains that the NYS Comptroller has recently made some interpretation of calling a Water District into a Water Service Area. When a proposed service area is not contiguous , in other words, when all the areas in the service area don't touch the state now wants it called a Service area when you form it. Mr. Clark continues, so the legal procedure is just calling it a Service Area but for every other purpose, it's a water district. There is no difference. There is some legal actions that Attorney Nelson and Mr. Clark have to take with Comptroller approval but other than that there is no difference. Attorney

Nelson explains that it is formed under a different section of the Law. Water Service area is considered an improvement opposed to a Water District. Its is formed under Article 12 C for the Towns purpose. The only difference is that we have to submit an application to the Comptroller after the district is formed to get Comptroller approval. The main reason for it is because not all the areas in the proposed service area are contiguous. Councilman Yerdon is questioning the terminology of the Water District to Water Service Area. Mr. Clark admits it different and confusing but in the end it's just "Lingo" The only difference is that the plan has to go through the Comptroller. Attorney Nelson says you cannot use the word "District " because the district is not contiguous. Attorney Nelson just wants to make things clear, The wording Water Service Area does not replace the word "District". If you have an area where you are looking to provide water and it's all contiguous, its called a Water District. We haven't done away with that phrase, it's just this particular project has areas that are not contiguous so that is why it's called a Water Service Area and its formed under a different area of the Law. The Laws have become more strict and they are enforcing it, and the other Water projects were contiguous. Mr Clark adds that some of the Funding sources that they have been looking at have made some requirements that they don't want to see If the project is not contiguous, they don't want to see it formed as a water district, they want to see it as a Water Service Area and the comptroller has matched that. Question from Albion resident Valerie Rose, who owns property in the Town of Richland would like to know what exactly the Water District is. Mr Clark explained how it is formed and the costs that are involved. The EDU cost is of course a concern to the residents in the district. Mr Clark explains if you don't hook up to the Water line, the cost of is slightly different. Mr. Krupke explained to the residents, the surveys that were done with in the last few years indicated that the residents in the Hamlet of Richland did **not** want municipal water. The places where the water line is going through are the areas, per the surveys, that wanted the water. Kelly Groff explains that Mr. Clark's keeps saying the water line is going down Co Rt 48 but she is unsure of the direction. She thinks this is what is getting people confused. Mr. Clarks says the line is coming down Co Rt 2 into the hamlet then south onto Co Rt 48. With no other comments, Supervisor Krupke closed the Public Hearing 6:27pm

**PUBLIC COMMENT:** Joe Martin of Atkinson Road. Mr. Martin would like a speed limit reduction on his road due to speeding cars. Mr. Krupke would get with Superintendent Fox to have him request to the County for a Speed reduction. Next Mr. Toppee of Ramona Beach is asking about the Hager Dr case. Supervisor Krupke advised Mr.Toppee that Kevin Caraccoli contacted him and apparently there is 1 hold out on a letter that Judge Merrill wants. This is a new property owner that purchased the lot last fall. As soon as the property owner gets the letter to Mr. Caraccioli, Attorney Nelson feels that the Judge will probably take another 60 days before he renders his decision. Hally and Andrew Denny would like to comment about the concrete pillars on the corner of Co Rt 2 and Co Rt 48. The pillars are hazard to pedestrians and cars pulling out onto Co Rt 2. Several other residents have also made comments at this time. Councilwoman Haynes advised that she has been in contact with County Legislator Milford Potter. He is going to contact Kevin Gardner of the County Highway to get a hold of the owner. It's clear that the

pillars are on the County right of way. Legislature Shawn Doyle's says that there was a registered letter sent out by the county. If the pillars are not removed by a certain date, the county will remove them. Next is the drainage issue in the Hamlet of Richland. Kathy Stewart says that something has to be done. Supervisor Krupke agrees. As soon as it makes sense for our Highway guys to get in there they will be there. Mr. Krupke has also called on Kevin Gardner as well to try to get the County involved and to possibly to get an engineer in to help give some guidance as to what needs to be done. If the Town is going to spend the money to rectify the problem, we want to spend it wisely so this doesn't happen again. Superintendent Fox has set aside some road money that he planned on doing road repairs with to do the work up here. The Board is well aware of the problems with the water in the Hamlet, and wants the residents to know that they are going to do the best they can to rectify the problem. Mr Krupke also stated that once work does start on the water and drain issue, the town of Richland will have to get releases from the Home Owners that they are digging by incase it gets into existing septic systems so the Town will be released from that. So with that being said, if there are any septic systems running into those drains, they would have to be shut off. Mr. Krupkes also advises that the Health Department is now involved. Kim Shaw states that she lives on the corner of Beulah Drive and Co. Rt 48. Many residents have the same story of standing water. This year there is so much water that her septic system will not work. More stories of garbage bags and furniture dumped on the railroad property. Its unclear whether some of this dumping is in the Town of Richland or Albion. Supervisor Krupke advised the audience that a letter was written to CSX Railroad by the Town Attorney and the response has come back so hopefully something will come of it. Supervisor Krupke advised that the Town is working on the problem. Jim Tighe of Lake Street in Pulaski would like to comment on the Town's opposition on Plan 2014. Mr. Tighe is in favor of Plan 2014. As an avid sportsman he feels a lot of the estuaries are filling in with silt making some of the streams that use to be accessed through local boat launches in accessible. Mr. Tighe just wanted to air his comments in support of of Plan 2014. Public Comment session ended. 6:55pm

**LAND BID OPENINGS:** Opening of Bids for the land the Town of Richland has for sale on Canning Factory Road. The bids read as follows The lot is located on the corner of Canning Factory and Orton Road. Bid 1 049.00-02-15 25 acres for \$25501.13 Robert and Susan Edick. Parcel # 049.00-02-19 Julie and Garrett Peterson bid \$20,000. Mr. Edick states that the Attorney put the wrong parcel number on Mr. Edicks parcel. At this time, a motion to table the the decision until our Attorney has had time to review the bids was made by Councilman Yerdon and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of **"AYE"**.

**DPW BUILDING PROJECT UPDATES:** Supervisor Krupke spoke to Eric Johnson from USDA Rural Development last week because he thought that the Town would have a preliminary approval for financing, but he is still working in that direction and will get back to Mr. Krupke.

**WATER UPDATES:** Municipal Water Agreement for WD 3 with Sandy Creek. This agreement was approved last meeting. Resolution to establish WD#5. There was a misunderstanding about Railroad Street and Beulah Dr. and what area was going to be in the new water district. After a lengthy discussion, the water line is not going down Railroad Street. Mr. Clark states that properties that front Co Rt 48 in section around Beulah Drive are in the water service area. A **Resolution to Establish Water Service Area # 5**, the motion was made by Councilwoman Haynes and seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of **"AYE"** Mr. Clark adds the Town also has the Intermunicipal Agreement with the Town of Sandy Creek. This is an agreement for Water Service #5 and WD#3 with Sandy Creek. All the agreements were brought up to date for this new service area. The biggest change was in district 3 was 1 major connection at Rainbow Shores with Sandy Creek so now there is a metering arrangement. There was 4 different connections and it was decided to make it master meter at each connection at the Town line. Attorney Nelson adds the other difference is the Eastern Shore Intermunicipal Agreement has the piece that allows Sandy Creek to have a water salesman at there site on Weaver Road. A motion to enter into an **Intermunicipal agreement for Water Service Area #5 for the Town of Richland and Water District #3 with the Town of Sandy Creek** was made by Councilman Goodsell and seconded by Councilwoman Gilson. With no further discussion, a roll call vote was in favor by all with a vote of **"AYE"**.

**ZONING AND CODE REPORTS:** listing of permits submitted. May was a little slow and June is definitely picking up. There is a Special Permit hearing for a Repair Sales & Service of small engines. Next 2 pages is violation that were sent out. Mr. Howland would like to address the CSX Railroad issues. Mr. Howland did send a letter and gave them until May 31st to respond. They did respond and were advised that the person he needed to speak to was out of town and would get back to Mr Howland as soon as he gets back. Several neighbors told Mr. Howland that of the trash that is being dumped along the railroad property. There was a law passed that if a property is foreclosed on, the lender must then maintain the property. Mr.Falk of Pulaski says he believes it was passed last year. If the Bank has taken the property over its the banks responsibility to maintain it. Most of the letters were junk letters with the exception of a property on the corner of County Route 41 and Dunlap Road. The owner of record is Dawn Harrington. She no longer lives there, and the mobile home is in very poor shape. Supervisor Krupke would like an update at next month's meeting. Supervisor Krupke asked Mr. Howland how long typically does it take to get responses from property owners. Mr Howland said that some property owners are really good and typically respond quickly. Most people do either contact him to tell him that they have everything picked up or ask for more time. Councilwoman Haynes asked about Sprague home on Daysville Road. Mr Howland advised that they have a letter and have until June 25 th. If they still don't comply, an administrative hearing brings them to appear in front of the Town Board. Attorney Nelson advises that the Town has a couple of choices. 1st. The Town can take them to Town Court. The Town Court is limited to just fining them. The Town Court cannot order owners to clean up their property. Sometimes this works the town can go in and work with the owners to clean up without a penalty or fine. If

they refuse or cannot clean up the property, then the Town can go to State Supreme Court and get a court order to clean up the property. Or the Town Board can hold an Administrative Hearing. where the property owner gets written notice .The town has the right to present evidence and so does the property owner evidence Then the Town Board makes a determination whether the status of the property constitutes a public nuisance the board will give 10 days to get the property picked up or the Town will clean it up. The problem the last few years is now the Town cannot put the cost of the clean up on the property taxes. The options for the Supreme Court and Administrative Hearing are still available but the Town is going to "Foot" the bill for the clean ups. The Town can always go back to the Supreme Court and try to collect the costs, but in most cases the assets of the property owners just isn't there. There is a budget of \$5000 that was set aside for just this purpose. The Town may not have any other option. Councilman Yerdon asks Attorney Nelson about the situation about putting the expense of property cleanup on property taxes if its true. Attorney Nelson advised Mr. Yerdon that the County adopted a resolution preventing the towns from putting clean up costs on taxes. Twenty two County Legislature voted to stop the practice of putting property clean up bills on Property tax bills. Also, Zoning changes to the town ordinances. Since that time, Attorney Nelson has reached out to Surveyors in the area to see if they would be interested in preparing legal descriptions for some of the new areas they are adding into some of the districts. and to prepare descriptions of the hamlets overlay districts. Only 1 of the 3 Dave Brodeau said that he would be interested. Mrs. Nelson has met with him and he agreed he would update the areas and put the descriptions together for a cost of \$4600 . A motion to enter into an agreement with Dave Boudreau to prepare description of the hamlets and overlay areas was made by Councilman Yerdon and seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of "AYE"

**DOG REPORT:** DCO Dunn is here to give her report. Its summer and things are picking up . A lot of stray dogs. 1 dog named Taz is in the shelter for an animal cruelty case. At this time, the charges are at \$1050 at the shelter. There is also a charge from North Country Vets for \$52.00. DCO Dunn advises the board that the charges should be paid by Court restitution when the case is settled. The inspector from Ag and Markets urged DCO Dunn to get new cages for her truck. Mrs. Dunn also informs the board that she recently changed jobs so she will be available more.

**HIGHWAY REPORT:** Superintendent Fox is absent. Supervisor Krupke advised the board. Getting ready for road work. Also work on drainage issues. Deputy Superintendent is currently out on Me

**SUPERVISOR REPORT:** Report for January 2017. A motion to accept the Supervisor's report 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".

**COMPREHENSIVE PLANNING BOARD MINUTES/UPDATES:** Work session at the last meeting in May. Met with Steve Gaffney who is involved with the Land Banks. Hoping within the next few

months, they may have something for the Town Board soon. The board will try to have a meeting on July 9, 2017.

#### **HALDANE ADVISORY BOARD MINUTES:**

**JUSTICE REPORTS:** Justice's reports were presented by Judges Ridgeway and Congers. The courts have been very busy according to the reports. Bob North has completed his report about the court system. . Per Mr. North's reports the board will wait until a later meeting to discuss a possibility of bringing on another Court Clerk. Supervisor Krupke tells the board that he has spoke to Judge Ridgeway about attending the next board meeting. He will advise Justice Conger of the date and time.

**WARRANT OF BILLS:** Abstract # 6 was presented. A motion to approve abstract #6 was made by Councilwoman Haynes and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE"

**TOWN BOARD MINUTES:** No minutes.

**CEMETERY UPDATES:** No updates.

**TOWN HISTORIAN REPORT:** Mr. Doyle says that Halfshire will be hosting a seminar in August at the Halfshire about cemeteries. All are invited to attend. Also, some high school kids will be working in the Historian's office this summer.

**LEGISLATIVE REPORT:** Legislature has had a very light schedule. The property auction is on July 25th. At a meeting in Redfield, Mr Doyle, Margaret Kastler and Doug Barclay has been appointed to represent Oswego County in the wind mill project that has been proposed for Redfield. Mr. Doyle says that we all should be concerned about this. The proposal is make big circular areas that they are going to cut out in the big woods near North Redfield and Greenboro that will be about 600-700 feet tall. The footers alone will have to go down to the shale. There will be blasting . The camp roads will be roads for a while. Little John Drive will be the main road so they will have to build bridges to get over the streams. This group is trying to move fast, so the Town Board of Redfield is concerned and have been looking into this. There are concerns for Fort Drum's radar systems. These wind farms cause a block on the radar systems. Griffiss Air Base in Rome had blocking issues with the wind farms in Madison County. There are also concerns of the Aquifer . As of now the meeting of the Legislature will be in Pulaski in August.

The county is planning to pave 70 miles in Oswego County. Eleven of those miles are in the Town of Richland. Also the county gave a price to the Village of Pulaski to pave Delano St. The price Mr. Doyle said was about \$62,000. With the county being in the area, it would be the perfect time and very cost effective for the street to get paved. Supervisor Krupkes states that

he and Mr. Yerdon met with Mayor Hax and offered to help with hauling and manpower but the town did not have the funds available to pave the street. Supervisor Krupke told the audience that he has a meeting with Mayor Hax and Kevin Gardner on Thursday. He is hoping that everyone can come to terms with getting the road paved. Mr. Doyle says the price is a very good price. Ideally, the Village would like to make Delano Street a county road, but the likelihood of that happening doesn't look good. The Town of Richland will help in anyway it can.

**MISCELLANEOUS BUSINESS:** Proposed Richland Park. Alysha Smith is the spokesperson. The park has been getting proposals for playground designs. The park is not a standard design and it is all inclusive. Its for children of all abilities. This is something that hasn't been tried in this area. The group wants to continue moving forward with grant funding as soon as possible. Highlighted in the packet is the new Phase I. The company Paragon is the company they are looking at right now and might donate the installation. They will do the site work and installation. Ms. Smith's husband works for the company. Right now the organization is trying to keep the costs under \$50,000. That amount is the amount of the grant that the Town of Richland is in charge of. The moneys spent so far on playground equipment the group is trying to get is \$50,769.62. They are over in the amount of \$769.52 which they are holding fundraisers for. Shawn Doyles chimes in to explain that the Snow Foundation is willing to help and hopefully cover the overage. Also, the Shinnimin Foundation is very interested in supporting the future phases. In the packet is a breakdown of the costs of what the group would like to do. Also they are trying to get the community more involved and would love the Town of Richland community to do the same. Also Lighting, security cameras, drainage issues at the basketball court are among other issues that the park is facing. The funding will be disbursed by the Town because the town holds the lease, so they need the town's approval to go ahead. Grants for this area because of the high poverty rate are 75/25 instead of the normal 50/50. The need for better lighting and signage needs to be addressed. The association would like the continued support of the Town for future endeavors. The agreement between the Town and the Association will be tabled until the next meeting to give the Board members a chance to look it over. The request to submit the grant for \$50,000 from NYS in order for them to proceed with the purchase of the playground equipment as outlined in the proposal. A motion was made by Councilwoman Haynes and seconded by Councilwoman Gilson. In a roll call vote all were in favor with a vote of "AYE". Next, Councilwoman Haynes is requesting that the Town of Richland would pay \$250.00 for a new metal sign to replace the older signs at the line for the Hamlet of Richland. The signs are much brighter and have reflective tape. Kathy Watson made the new ones. The new signs will be located on County Route 2 and on County Route 48. Mr Doyle says it may help slowing down cars letting them know they are coming into a populated area. Rural Ministry and the Halfshire are also purchasing the signs. Material was donated by Fulton Companies. The old signs will be used at the Park. Also 12 banners have been ordered and National grid will have to be contacted to install the signs. A motion was made by Councilwoman Gilson and seconded by Councilman Goodsell that the Town Purchase one of the

signs for \$250.00. In a roll call vote, all were in favor with a vote of **"AYE"**. Next, Local records to be disposed of. A motion was made by Councilman Goodsell and seconded by Councilman Yerdon . In a roll call vote, all were in favor with a vote of **"AYE"**. Supervisor Krupke and Robert North will like to attend a seminar on Basic Supervision on July 19,2017. A motion to approve for Mr. Krupke and Mr. North to attend the seminar was made by Councilman Yerdon and seconded by Councilwoman Haynes. In a roll call vote all were in favor with a vote of **"AYE"**. Resolution to commence Legal Action on behalf of the Town of Richland. This was started at the Town of Sodus asking the Town of Richland to jump on board. It's to show support and states our position. A motion to accept this resolution on behalf of the Town of Richland was made by Councilman Goodsell and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of **"AYE"**. Review Local Law #2 prohibiting burials on private property. Cremation burials are not covered under this Local Law. Public Hearing will be scheduled at the next meeting in July. Local Law #3 Animal Abuser Registry. This will also be a part of the Public Hearing in July. In addition a meeting scheduled in Watertown on June 15th from 2-4pm at the Ramada Inn. Neighbors of Lake Ontario will be holding Flood Recovery Program. Everyone is invited to attend. Purchase of property on Co Rt 41 next to the proposed Highway Garage. The cost of \$30,000. This purchase is subject to a Public Referendum. The town must wait 30 days to see if anyone petitions it. A motion to enter into the agreement with Mr Becker was made by Councilwoman Haynes. The motion was seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of **"AYE"**.

**NEXT TOWN BOARD MEETING:** Next meeting will be on June 27th at 6:00 pm to open the Roof restoration bid on the Haldane Center. The Regular Town Board Meeting will be on July 11th at 6:00pm. Discussion on the second lot on Canning Factory Road. The board will discuss at the next meeting on how to proceed.

**MEETING ADJOURNED:** Motion to adjourn was made by Councilman Yerdon and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of **"AYE"** 7:40 pm

Respectfully submitted by  
Millie Newcomb  
Town Clerk