

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

**DATE:** November 8, 2022

**KIND OF MEETING:** Regular Town Board Meeting with Administrative Hearing

**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, Thomas Brown, Swiat Kaczmar, Tina Lane, Ella Gibbs, Anthony DeRoose, Town of Sandy Creek residents and Town Board members Ruth Shepard, Brittany Washburn, Mike Kasler, Cheryl Yerdon, Dave Warner, Larry Atkinson, Water Supervisor, Ron Novak, Highway Superintendent, John Fox, Building and Grounds Supervisor, Kevin Balcom, Supervisor Clerk & Budget Officer, Tammie Whaley, CEO/ZEO John Howland and Town Clerk Millie Newcomb.

**CALL TO ORDER:** The meeting was called to order at 5:00 p.m. with Supervisor Yerdon leading in the Pledge of Allegiance.

Administrative Hearing for Ella Gibbs who resides on 9 Beulah Drive in the Hamlet of Richland. Attorney Seiter read the grievances about the property owned by Ms. Gibbs. CEO/ZEO John Howland was sworn in and then advised the Board about the violations that are currently open for the Gibbs property, and the communications between him and Ms. Gibbs. Ms. Gibbs told the Board that the Explorer in her yard with no license plates on it is in the process of being repaired and that she had to file for a new title because the original title was misplaced. As far as the washer, there is nothing wrong with the washer; she is waiting to get municipal water before she can use it. She states that she has been waiting for water for the last 5 years and the 2 wells that she has on her property, she can barely take 2 showers before her water runs out. With no comment from the Board, Attorney Seiter said the next step is to either grant her more time to pick up the property or send someone in to clean it up. Supervisor Yerdon asked Mr

Howland if he had any recommendations. Mr. Howland advised that this is in the Board's hands. He wants to let the Board know that they are entitled to 1 unlicensed vehicle in the yard. The washer is covered but maybe it should be moved to the back of the house. Ms. Gibbs has no problem cleaning up her property. She thinks the Explorer will be repaired within the next 2-3 weeks. Supervisor Yerdon would like to give Ms Gibbs 3 weeks to clean up the property if the Board is in agreement. Ms Gibbs wants the Board to know that her lot is 75'X100 and that she could have 2 vehicles in her driveway and it would look like a junkyard. It looks bad because she has a very small yard. If she is not compliant by the next board meeting, December 13th, the board will take further action. Attorney Seiter will follow up with Ms. Gibbs by mail. The second hearing is for Anthony DeRoose at 1143 County Route 48 also from the Hamlet of Richland. Attorney Seiter questioned CEO/ Howland as to the nature of the violations. Mr Howland went back to over 5 years of violations. The chief complaint is that Mr. DeRoose has a fence made of tires around his property and 2 unregistered campers. According to the Junk Law for the Town of Richland, this is a violation. Mr Howland read a letter from an Attorney Antonuchi in Watertown and his assertion is that tires being used as a fence or barrier are therefore not junk. They are being repurposed. Mr DeRoose wants the Town to prove to him that tires are junk. He uses them for a fence, property line marker and for flowers. After a long discussion, Mr. DeRoose became irritated and left the proceedings. ***A motion to enter into Executive Session to talk about possible litigation was made by Councilwoman Haynes and seconded by Councilwoman Gilson. In a roll call vote, all members were in favor with a vote of "AYE". 5:29pm. A motion to come out of Executive Session and back into regular session was made but Councilwoman Gilson and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE". 5:39 pm.***

The result of the Executive Session was to turn over Mr. DeRoose's case to legal counsel. ***A motion was made to do this by Councilman Goodsell and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE".***

**PUBLIC COMMENT:** Supervisor Yerdon asked because there is a lot on the agenda that public comment be held to a minimum of 5 mins. Mike Kasler of Sandy Creek would like to address the Board about the joint meeting that was held with the Town of Richland on the 21st and had some discussion about getting numbers from the Schoeller well site. He wants to see numbers from just Schoeller and not the whole water department. He is wondering if there are any new numbers for that. The Town of Sandy Creek does not get water from the whole water system, it gets it from the Schoeller well site. He asked what the cost to pump water from that site alone. He believes that the Town of Richland pumps 400,000 gallons per day and Sandy Creek takes between 100-130,000 per day. He would like to know the cost of water just from the Schoeller well field, because he feels that the Town of Sandy Creek as a municipality should not be subsidizing the commercial business' in the Town of Richland, it shouldn't be subsidizing Brennan's Beach, and we shouldn't be subsidizing the operation in Fernwood. We do not benefit from those operations. Looking at the water rates that have been set, Sandy Creek has

the highest water rates that were set on August 17th. You gave commercial business a lower rate than Sandy Creek and I have yet to get an explanation about the agreement with Brennans. He believes that the Town gets a payment of \$177,000 but when you look up their tax bill, there is no water charge on their tax bill. Is the \$177,000 going to the water dept or the General fund? He is just trying to understand why this whole thing is a struggle on the Town of Richlands end. There has been no discussion since the 21st. He is asking if the Town is staying at \$4.50 per thousand. He is not going to charge his customers \$5.00 per thousand since some of them haven't seen a water bill yet. He just doesn't agree with it. Supervisor Yerdon asked Mr. Kasler to put everything in writing and send it to the Board. Mr Kasler said he doesn't have a problem with it but these are the same questions they asked at the meeting in Sandy Creek. Mr. Yerdon explains that at that meeting, Mr Kasler didn't have a problem with the increase nor did Supervisor Ridgeway. Mr Kasler told Supervisor Yerdon that he was not a Board member and did not have a say and Supervisor Ridgeway would take it back to their board. Mr Yerdon explained that he understood that both men supported the increase. Mr Kasler said that they would present it to the Board, not that they supported it. Ruth Sheppard, a Board member in the Town of Sandy Creek told Mr. Yerdon that Mr Kasler or Supervisor Ridgeway did not tell the Board in Sandy Creek that they supported the Water Rate increase. They questioned it. She thought it would have been better if the Town of Richland went to the Sandy Creek Board and said that there was a mistake in the way that the Town of Richland figured EDU's and water rates, and say we are going to make an increase in percentages over the next 2-3 years to get to it. She explains that the office staff is going to get screamed at and she is going to tell them to come talk to the Town of Richland. They are the ones that changed the rate with no explanation other than they made an accounting error. It's hard to swallow. Councilman Dave Warner has asked for a Water Budget through the Town of Sandy Creeks Town Clerk. Supervisor Yerdon told him he would get those to him as soon as he could. Another question is that there are no Law Enforcement Officers here tonight and he asked why they were at the last joint meeting on October 21st. Supervisor Yerdon explained that it was done out of precaution, because that morning a window was broken with a heavy object being thrown and hitting a wall about 6 feet beyond that. Since it was the Water Office, he assumed that someone was upset about the rates. I was just for precaution. Mr. Kaslers question is he is assuming that the Town has used the new rates since they are going to approve the budget tonight. Both Towns are on the same time frame, we both have to have a Public Hearing and pass the budgets by November 20th. Supervisor Yerdon said that the Board has agreed and voted on \$4.50. Supervisor Clerk Tammie Whaley told Mr Kasler that she can answer one of the questions he was asking about the money received from Brennans, \$177,339, it comes in as a revenue into Water District #1. Water Revenue cannot go into the General Fund. Mr. Kasler told the Board that he will not put a list of questions together for the Richland board but he does wish that the communication would have been better from the letter of the 20th to today. He thinks the communication between the 2 boards is important and that they both have a commitment to their taxpayers that we were going to join a partnership and work together. Tina Lane of Pulaski asked why there were so many sets of minutes and that some of the minutes are not on the agenda. Town Clerk Millie

Newcomb responded to Ms. Lane saying that with the Town Board, having so many meetings in a row and with the Town Clerk being out of town to attend to a family matter and a death in her immediate family, she simply got behind. All the minutes should be caught up before the next meeting.

**PUBLIC HEARING FOR LOCAL LAW # 3 of 2022:** Local Law #3 of 2022 is providing for the partial tax exemption of certain real property owned by persons 65 years of age or over pursuant to Real Property Tax Law section 467 as enacted by the Oswego County Legislature is open for public comment. With no comments, **a motion to close the Public Hearing was made by Councilwoman Gilson and seconded by Councilman Goodsell. In a roll call vote, all were in favor with a vote of "AYE". 5:54pm A motion to pass Local Law #3 of 2022 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".**

**PUBLIC HEARING ON THE 2023 PRELIMINARY BUDGET:** Budget Office Tammie Whaley is here to present the Preliminary Budget for 2023. After many Budget Workshops and a lot of discussion, we are in trying times right now. Fuel costs, electric costs have doubled. Surcharges on deliveries, natural gas prices are up. To increase and give all the dedicated employees an equal raise increase and to keep our budget at an economical stand, we have come up with a tax to be raised of \$2,366,762.00 We could have raised taxes 4.48% per the tax cap with carry overs from being under the tax cap from previous years but with doing everything with retired comptroller auditor, Laird Petrie, we have raised our budget 1.8%. In these trying times from trying to get parts ordered and on the shelf and to only have to raise the budget 1.8% she believes this is a great accomplishment. This is Mrs. Whaley's first year of doing the budget. As far as the water rates, our own tax payers have been paying a lot of money delivering water to other towns and with the expenses that the Town has had, our systems are getting older and we are starting to run into things that need repair. We do have roughly \$500,000 in reserves between our 4 water districts, but that is not going to be enough when everything starts to break down. Per our Financial Consultant Laird Petrie, we should be charging our water users for the overall water budget and not take it to the taxpayers. If you do hook up to the water, it's a benefit, it brings value to your property. But you have the choice to hook up to it or not. Those taxpayers should not be charged fees for just having that luxury there. I should be the water user that pays to run the water districts. That's what the Town did. We raised our own people on top of Sandy Creek, Schoeller and Fulton Companies. The Town feels they should be paying more than the household users. The Board voted to approve this moving forward with the guidance of Laird Petrie. The floor was open for the Public Hearing on the 2023 Town of Richland Preliminary Budget. **With no comments, a motion to close the Public Hearing was made by Councilwoman Gilson and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE".** With no other comments, **a motion to accept the Town of Richland Preliminary Budget for the year 2023 was made by Councilwoman Haynes and seconded by Councilman Goodsell. In a roll call vote, Haynes, "AYE", Gilson "AYE", Goodsell**

***"AYE", North "NO", Yerdon, "AYE". The motion passed with a majority of 4 in favor and 1 opposed.***

The 2023 Town Budget has to be submitted to the County by November 17th so the Board will have to set a date to adopt the Final Budget for 2023. Budget Officer Tammie Whaley would like to get a date set to finalize the Budget to make sure it gets to the County by that date. The date of November 15th at 10:00 am to finalize the budget. ***A motion to meet at 10:00 am on November 15th was made by Councilwoman Gilson and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE".***

**ZONING AND CODE REPORTS:** CEO/ZEO Howland has just a few items for the Board. There is no report due to his computer being down. The harddrive is gone. He will get his report to the Board at the December meeting. The shed on Co Rt 2, the paperwork has been sent to Bob LaCelle for a shed. In that paper work it states that if it's used for anything other than a shed, he authorizes the Town to go in and remove it at his cost. He has been in Florida for the last few months. There is an eviction in the process of the person living in the shed. Once he gets removed, the owner will take care of the shed. Lehigh Road and Route 13, the owner is coming up this weekend and Mr Howland will meet with him on Saturday. When he came up the last time, one of the sheds was going to be for storage and the other for a camp. He can get a permit for a camp, change the one shed by switching out some windows, and anchor it to the ground. He does have to do the paperwork to do that. He was a little confused when he got the letter from Attorney Seiter until Mr Howland explained that he had 2 sheds and you had 10 people coming up. He told Mr Howland that was his family. Mr Howland explained that they cannot sleep in "sheds". The camp is permitted use in that area. He can have a camper, but it can't be used for people to live in. It also must be taken away in the winter. When he originally spoke to Mr Howland he wanted to put a campground there. He hasn't seen any paperwork yet. He did send the property owner all the papers to do that but as of yet, the Planning Board hasn't seen any paperwork for it. Next there are pictures of the Richland Fire Departments Water Tower . The biggest thing is that there is a well cover that is not secured. He did speak to Rich Brodeur and he said he would take care of it. They are going to make a cover for it and lock it. They still use it for drills. That will be done by the weekend. They do have an engineering report on it. It is an unsafe structure. If the Town deems it an unsafe structure and condemn it, then they will have to take care of it. They can hire ABC metal to remove it and pay the fee. If they don't then the Town will have to take care of it. If the Town takes it down then we will have to follow an asbestos survey, pay prevailing wage and it will cost twice as much. Hopefully the next time the fire commissioners meet, maybe have Graham send the fire commissioners a letter putting them on notice that the Town doesn't rent it, own it or lease it. We really don't have the Town as an interested party but if something happens and it falls, everyone is going to get sued. According to the engineer's report, it should come down. The last thing is the zoning book. They had a joint meeting with the Planning and Zoning Board meeting last month. Julie is retyping the book and it's just about complete. The Planning Board is adding a few things like Airbnb's being addressed and the other thing they had a lengthy discussion about is that the RA

zone is 80% of the Town. A restaurant is allowed in a RA zone but a restaurant/tavern is not. What we have now, is like in the finger lakes, you see people having wineries that grow grapes and make craft beer. If there is interest in the Town to do that is unknown. They had an in depth conversation about that. The general conscience about that is that they are not open late at night unlike a bar. They are open until 4-5 in the afternoons. This is something that will be allowed by special permit in those areas like the wine tasting and beer tasting. It would have to be that part of the product would have to be produced and made on the property. A question from Kevin Balcom about the Tower in Richland. He says at the bottom, there is a metal cover over a hole. He thinks there are valves in the hole, but he says kids could fall in that also. It's at the bottom of the middle part of the tower, not the legs. Mr Balcom put a steel plate over it but it really should be secured.

**LEGISLATIVE REPORT : No report**

**WATER REPORT:** The new chemical pumps that have been installed in Richland, there is a spare one on the shelf complete parts set up. In the process Mr. Novak changes everything from 4.17 percent hypochlorite to 12.5% hypochlorite. What does this mean? The Hypochlorite that you put in your pool you get in the blue container. That is 12.5% so it goes straight to the tank. Before they were using a mix. That mix reacts to the impurities in the water, that reacts with the chloride and causes the salt and that becomes a solid and that will interfere with the pump operation. Since they changed the pumps they have also changed the chemical solution that is installed. The pump for the chloratec system is down. It was manufactured in 2009 and there are no parts available. Trying to find an alternative. The closest is \$9200 for the pump with a 14 week lead time. Bottom line is that we are going to be operating on our back up pumps running chlorine that we have to buy because we are not making it anymore. The chlorination costs are going to go up until he can get the other pump in operation. Well 27 was shut down a month ago. We are losing 5-8 gallons a minute per month of operation. It still has bearing problems but he had to make a decision. He doesn't want to operate 2 Towns on 1 generator and 1 back up pump that's it. Joe's truck has been repaired. It's back from the body shop. Bob's truck has a bad starter and fuel tank. Ron's truck may have a wiring harness issue.

**ARPA CONTRACT:** Councilwoman Gilson thinks that the Board should read through it and feels that it will help direct the Town in the right direction.

**BUILDINGS AND GROUNDS & RICHLAND PARKS:** All the concession stands are closed up. Bathrooms are closed for the season. They blew out all the lines. Removed debris from the football tower. In the Haldane building, they put in the new water dispenser. The Hockey Association paid for it. Mr Balcom spoke to Kristy about a grant to repair the roof at the building. She said that if we don't use that for something else other than Hockey we might as well forget about it. She said we have to think of something to use the building for. No rain bothers the roof, it's only when there is ice backup on it. They started to clean up around the

pond. He also put the sign up that says that there is going to be a Playground coming soon. He redid the plans for the park at the pond. They submitted it to Kristy and she was going to resubmit it to the park grant people. The windows were ordered from Erie Material to replace the broken ones at the Water Control Building. Mr Balcom spoke to Noah from ARCIT about the cameras to put on the Water Building. In the packets, there are estimates from ARCIT for cameras at Haldane , backup server and outdoor cameras. The Haldane quotes for cameras is \$299.00 the backup server is \$650.00 and the outdoor cameras at the Water Building is \$599.00. If the Board would like to go ahead and approve these items now, Noah can get everything ordered. Water Supervisor Novak asked what building the cameras were going on. Kevin Balcom told Mr. Novak that the building that was just vandalized was the only one he knew that was getting the cameras. ***A motion to approve the cameras, the backup server and the outdoor cameras was made by Councilwoman Haynes and seconded by Councilwoman Gilson. In a roll call vote, all were in favor with a vote of "AYE".***

***DOG REPORT: A motion was made by Councilwoman Haynes and seconded by Councilman North to accept the Dog Control report for October 2022. In a roll call vote, all were in favor with a vote of "AYE".***

***HIGHWAY REPORT: Getting ready for snow. Been out filling cracks with crack seal. The price of that has skyrocketed to \$2300 per pallet. This is the 3rd pallet. Getting trucks changed over for winter . A company is coming in to do undercoating on the trucks in Sandy Creek. Mr Fox is sending 2 trucks up for that. Truck #97 & 98. The cost is reasonable at \$240 per truck. Still looking for seasonal workers. The ad says CDL is preferred but not a requirement. The new neighborhood is being plowed by the owners of the property.***

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

***COMPREHENSIVE PLANNING BOARD MINUTES/UPDATES: The Board met last week. They will be sending out a survey to the public. They want to get ideas about how everyone feels about Electric vehicles. They will be handing out the surveys at the Light up Pulaski event and put out drop boxes and put them in high traffic areas. This may help with the area getting charging stations. A reminder about the seminar featuring Jeannie Glisner at the Tailwater tomorrow at 9:00am.***

***JUSTICE REPORTS: A motion to accept the Justice Reports for September 2022 from Justices Conger and Ridgeway was made by Councilman Goodsell and seconded by Councilwoman Haynes. In a roll call vote all were in agreement with a vote of "AYE".***

**WARRANT OF BILLS:** *Next, Abstract #11 for 2022. A motion to approve Abstract 11 for payment 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:** *A motion to accept Town Board Minutes for August 3rd August 17th October 11th, October 18th and October 21st was made by Councilwoman Haynes and seconded by Councilman Goodsell. With no discussion and in a roll call vote, all were in favor with a vote of "AYE".*

**TOWN CLERKS REPORT:** *A motion to accept the Town Clerks Report for October was made by Councilwoman Gilson and seconded by Councilwoman Haynes. 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:** Councilwoman Gilson and Supervisor Clerk Tammie Whaley would like to attend a Budget Training Class that is going to be held at the Tailwater and be taught by Laird Petrie. Councilman North said that he would like to attend as well. This class would be for 2 days at the cost of \$125 per person. The total cost is \$375 for 3 to attend for 2 days. *A motion to approve the Budget Training class was made by Councilman Goodsell and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE".* Next there is a letter from Austin Wheellock from the IDA about the land on the corner of Peck Road and Centerville Road. There are 14.25 acres. The county is asking \$50,000 for the purchase of the land. *A motion to follow through with the purchase of the land from the Oswego County IDA was made by Councilwoman Gilson and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE".*

**NEXT TOWN BOARD MEETING:** December 13th at 6:00pm

**MEETING ADJOURNED:** With nothing more to bring before the Board, a motion to adjourn was made by Councilwoman Haynes and seconded by Councilman North. In a roll call vote, all were in favor with a vote of "AYE". 6:50pm

Respectfully submitted by

Millie Newcomb  
Town Clerk