

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

DATE: February 21, 2023

KIND OF MEETING: Special Town Board Meeting

PLACE: Grand Jury Room, H. Douglas Barclay Courthouse Pulaski, NY

BOARD MEMBERS PRESENT: Supervisor Kern Yerdon (Absent)
Councilwoman Donna Gilson
Councilman Allen Goodsell
Councilwoman Sue Haynes
Councilman Robert North

OTHERS IN ATTENDANCE: Highway Superintendent John Fox, Water Supervisor Ron Novak, Town Attorney Graham Seiter and Town Clerk Millie Newcomb

CALL TO ORDER: The meeting was called to order at 10:00 a.m. with Deputy Supervisor Gilson leading in the Pledge of Allegiance.

PUBLIC COMMENT: No Public Comment

The purpose of this meeting was to open bids for replacement of the 1989 John Deere Dozer that the Highway Department would like to replace due to lack of getting parts. And a bid for the rest of the fire wood that is at the Highway Garage. There was only one bid for the Wood. That bid was for \$25.00. ***A motion to NOT accept the bid for the wood was made by Councilman Goodsell and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE".*** There was only one bid that was received by the Town Clerk. It was from Tracey Road Equipment. Deputy Supervisor Gilson opened the only bid in the amount of \$95,900. Mr. Fox advised that he was surprised that they dropped another \$4,000 from the quote. It's a good price for this 2014 Liebherr Crawler Dozer and the money is in the equipment reserve account. ***A motion to accept the bid for this 2014 Dozer for \$95,400 was made by Councilwoman Haynes and seconded by Councilman Goodsell. In a roll call vote all were in favor with a vote of "AYE".*** A few things that Mr Fox would like to bring to the Board's

attention. Mr Fox said that he is pretty sure that he had brought this up to Kern, Allen and maybe Councilwoman Gilson was there also . Anyway, in the Employee Handbook, the season help is not, it's in black and white what they do get but what they don't get is standby pay. I have exactly half full time and half part time, seasonal guys at the shop. And like what happened last week we had freezing rain come in the middle of the night. I put my guys on "stand by". That means they have to be ready and fit for duty, ready to go. If they don't, they will get written up for not showing up for work, not fit for duty, or can't make it. My seasonal guys don't get any of that. I go to my 5 guys on days right now and tell them, "you guys, they are calling for freezing rain tonight", it can be 11 or 1am, who knows, you put them on stand by. They are ready to go. They get paid 4 hours of straight time for each 16 hrs , 4 for every 24 on the weekend. It's straight time, not overtime. The seasonal guys don't get this. Mr Fox says that he brought this up to Supervisor Yerdon and Councilman Goodsell before and they said they would look into this. Mr Fox says that he is guilty of letting this slide and now he says that he doesn't use it maybe 4 times a whole winter. The guys are very good about coming in. Councilman Goodsell said that there were a few other things that Mr. Fox asked to be put in there too. Mr Goodsell said they were going to look at them all. Mr. Fox said that I would like to do it because I had to do this last week and they are calling for freezing rain tomorrow night, and he doesn't know what time the freezing rain is supposed to start. He just wanted to bring it back up to the board and address it and get it changed in the book if we can. Councilwoman Gilson agreed that the Handbook needs some updating and that is true. Councilman Goodsell said there were 2-3 different things when he and Supervisor Yerdon met with the Highway workers and they brought that up about the seasonal workers. They told them they would address it. Councilwoman Haynes feels that the seasonal workers have to get up at the same time as everyone else and she doesn't have a problem with it. Mr Fox said they are with the Full time workers, working 16-18-20 hours per day, coming in at the same time and going home at the same time. Councilman Goodsell told the members that he doesn't see a problem with it. Mr Goodsell said he would like to see the part time workers come back year after year. Training costs money. Retraining costs money and if you lose them you have to retrain again.

Councilwoman Haynes wants to make the motion to pay seasonal workers stand by pay, 4 hours straight time. This motion was seconded by Councilman North. In a roll call vote, all were in favor with a vote of "AYE". It's in the union contract. It's a contract issue that needs to be brought over to the handbook according to Water Supervisor, Ron Novak. It could be very rare that in the summer if we had major storms rolling in that Mr he could put a seasonal person on, it may be beneficial . Councilman Goodsell advised that we have to be careful that we don't make the part time exactly like the seasonal worker because it becomes part of the contract. Mr Fox said that they can't because they can't work over 180 days. Attorney Seiter agrees with the Boards decision that the seasonal workers get the stand by time.

The other item that Mr Fox wants the Board to know is that he will be putting another worker on Full time. He had a man go out for a back operation and he has not returned and it's uncertain if he will return. This employee was injured on his last job when Mr. Fox hired him. Alan Kling has informed Mr. Fox that he will be retiring in April of this year. Superintendent Fox has a

seasonal guy right now that has a class A CDL and drives a snowplow everytime they go out. He is very good at it. This other employee has been out since last September. Councilwoman Haynes asked if this employee was hurt on the job with the Town of Richland. Mr Fox answered no, it was the other job, a workers comp case. He told John about his injury and Fox hired him because he was an ASE Certified Mechanic. The Doctors decided it was time to do his surgery so he did it and from what Mr Fox heard, he is in much more pain than before. The new full time employee is Kollin Watson. The last thing, John Fox has requested when he gets done in December, is that he keeps his phone number that he has had with the Town for the last 21 years. The phone will return to the Town but he would like to keep the number. The Board didn't have any issue with Mr Fox keeping his number and Attorney Seiter didn't think it was necessary to vote on this issue.

The last meeting, the Board did not appoint the Chairman for the Water Board. Mr Schwalm has been acting Chairman since Councilwoman Gilson stepped down. ***A motion to appoint Doug Schwalm Water Board Chairman was made by Councilwoman Haynes and Councilman North. In a roll call vote, all were in favor with a vote of "AYE".***

Next a possible grant opportunity from Kristy LaManche The Grant could not be connected to parks but maybe something for the roof at the Haldane Center. It may be a good idea to get Kevin Balcom involved. Discussion about the Church in Fernwood purchase. Councilwoman Haynes said that the Board decided to pass on the purchase and doesn't understand why it's being discussed again. Ron Novak said the Town would have to put money into the property to have an asbestos survey done and possibly a Phase 1 and possibly Phase 2 done. Until the Town has answers the Board doesn't think it's a good idea to move forward with the purchase.

A motion to go into Executive Session regarding an Employee Issue. The motion was made by Councilwoman Haynes, and seconded by Councilman North. In a roll call vote, all were in favor with a vote of AYE" 10:33am.

A motion to come out of Executive Session was made by Councilwoman Haynes and seconded by Councilman North. In a roll call vote, all were in favor with a vote of "AYE". 10:53 am. The result of Executive Session was to have Attorney Seiter to write a Letter to the Town Court and explain Town Law #120 about keeping a payroll record.

A motion to go back into Executive Session to discuss an employee matter was made by Councilwoman Haynes and seconded by Councilman North. In a roll call vote, all were in favor with a vote of "AYE". 10:55 am.

A motion to come out of Executive Session was made by Councilman Goodsell and seconded by Councilwoman Haynes. In a roll call vote, all were in favor with a vote of "AYE". 11:17am. Back in the regular session. The results of the Executive Session is Councilwoman Haynes and Gilson will meet with the Employee and go over expectations and times sheets. Also, the Board would like to give Supervisor Novak emergency authority to get whatever he needs without permission from the Board. He must however make an effort to

contact members of the board by phone and to keep a log of whom he spoke to. Don't stop at Village Water issues unless contacted by the Village DPW.

Another motion to go into Executive Session to discuss an Employee was made by Councilwoman Haynes and seconded by Councilman North. In a roll call vote, all were in favor with a vote of "AYE". 11:50am

A motion to come out of Executive Session was made by Councilman Goodsell and seconded by Councilman North. In a roll vote, all were in favor with a vote of "AYE". 11:58am. The result of the Executive Session was to have CEO/ZEO John Howland keep track of his time per Town Law #120 and fill out a timesheet.

With nothing more to bring before the Board, ***a motion to adjourn was made by Councilman Goodsell and seconded by Councilman North. In a roll call vote, all were in favor with a vote of "AYE". 12:01pm.***

NEXT TOWN BOARD MEETING: March 14,2023 at 6:00 pm

MEETING ADJOURNED: 12:01

Respectfully submitted by

Millie Newcomb
Town Clerk