

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

**DATE:** May 25, 2023

**KIND OF MEETING:** Town Board Meeting

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

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

**OTHERS IN ATTENDANCE:** Attorney, Graham Seiter, Deputy Town Clerk, Julie Peterson, Carl Falk, and Eric Pappa

**CALL TO ORDER:** The meeting was called to order at 1:04 p.m. with Supervisor Yerdon leading the Pledge of Allegiance.

**PUBLIC COMMENTS:** Resident Carl Falk asked the board why they are holding the meeting in the middle of the day. Supervisor Yerdon states that sometimes we aren't passing anything, it's basically like a staff meeting, no decisions will be made, and nothing is going to be voted on at today's meeting. The board is seeking advice from the Town Attorney. Eric Pappa has heard that the Town of Richland Board is trying to stop the sale of his property to the Town of Orwell and would like to know why. Attorney Seiter, the Town of Richland cannot stop the sale of the property to Orwell, that is between them. The Town is disagreeing with the placement of the pump for the purpose of getting water to the Town of Orwell. They envisioned a different idea of where the hookup was going to be and the Town was left in the dark by the engineering firm, this is not personal. Our position is that there is a better way to do this that puts less risk on other lines in the system. Mr. Pappa explained that after Mr. Edick backed out, he approached the Amish and they said no, and Bill Oliver said that he would consider it. It was a matter of time, and Mr. Pappa offered his property after speaking with his wife. He does not feel the water line crossing under another water line will be an issue, this happens all the time. He feels like this is personal. Stowell Dr. is a private road, that he owns half of, that the Town of Richland has put 500' of water line down and never obtained an easement from him. He let it go, but if the Town wants to split hairs. He wants to get the project going as they have a

deadline in October. Supervisor Yerdon explained that nobody on this board has an issue with him and it is not personal. There is a meeting with the Supervisors, Attorneys, Engineers, and the Water Departments on June 6<sup>th</sup> to explain why the board feels the way they do. Attorney Seiter explained that this is a difference in philosophies of how the lines should run. The engineers tell the attorney where they need easements, if they missed something, it starts with the engineers. The Town was unaware of this. Mr. Pappa states that the road is only a right-of-way for the Town of Richland. Mr. Yerdon reiterated that this is not personal.

Supervisor Yerdon asked to adjourn at 1:19 for communication pursuant to attorney-client relationship, it is considered confidential under the Civil Practice Law and Rules, communication between a governmental board and its counsel, in which counsel advises the board of the legal issues involved in a determination and is exempt from the provisions of the Open Meetings Law. The board and attorney returned at 3:03.

**MEETING ADJOURNED: *A motion was made by Councilwoman Gilson and seconded by Councilwoman Haynes to adjourn the meeting at 3:04 p.m. In a roll call vote, all members were in favor with a vote of "AYE."***

Respectfully submitted by  
Julie Peterson  
Deputy Town Clerk