

Minutes of the Regular Meeting of the Town Board of the Town of Kirkland, held at the Town of Kirkland Municipal Building, 3699 State Route 12-B, Clinton, Oneida County, New York on January 19, 2022, at 7:00 p.m.

Present:

Supervisor Robert J. Meelan (Zoom call)

Councilman Garry F. Colarusso

Councilwoman Melanie L. O’Neil

Attorney Anthony Hallak

Codes Enforcement Officer Robert F. Harris Jr.

Absent:

Councilwoman Donna E. Yando

Councilman Richard J. Maxam

Deputy Supervisor Colarusso called the regular meeting to order at 7:00 p.m. and asked those present to stand for the Pledge of Allegiance.

RESOLUTION #4

Upon motion by Councilwoman O’Neil, seconded by Councilman Colarusso, the following resolution was ADOPTED:

RESOLVED, that the Kirkland Town Board approve the minutes of January 3, 2022 as printed.

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert J. Meelan	Abstain
Councilman Garry F. Colarusso	Aye
Councilwoman Donna E. Yando	Absent
Councilman Richard J. Maxam	Absent
Councilwoman Melanie L. O’Neil	Aye

RESOLUTION #5

Upon motion by Councilwoman O’Neil, seconded by Councilman Colarusso, the following resolution was ADOPTED:

RESOLVED, that the Kirkland Town Board approve the 2022 Kirkland Art Center Agreement.

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert J. Meelan	Aye
Councilman Garry F. Colarusso	Aye
Councilwoman Donna E. Yando	Absent
Councilman Richard J. Maxam	Absent
Councilwoman Melanie L. O’Neil	Aye

RESOLUTION #6

Upon motion by Councilwoman O’Neil, seconded by Councilman Colarusso, the following resolution was ADOPTED:

RESOLVED, that the Kirkland Town Board approve the 2022 Clinton Youth Foundation (pool) Agreement.

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert J. Meelan	Aye
Councilman Garry F. Colarusso	Aye
Councilwoman Donna E. Yando	Absent
Councilman Richard J. Maxam	Absent
Councilwoman Melanie L. O’Neil	Aye

RESOLUTION #7

Upon motion by Councilwoman O’Neil, seconded by Councilman Colarusso, the following resolution was ADOPTED:

RESOLVED, that the Kirkland Town Board approve the 2022 Animal Sheltering Agreement.

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert J. Meelan	Aye
Councilman Garry F. Colarusso	Aye

Councilwoman Donna E. Yando	Absent
Councilman Richard J. Maxam	Absent
Councilwoman Melanie L. O’Neil	Aye

RESOLUTION #8

Upon motion by Councilwoman O’Neil, seconded by Councilman Colarusso, the following resolution was ADOPTED:

RESOLVED, that the Kirkland Town Board approve the 2022 Felt Evans Retainer Agreement.

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert J. Meelan	Aye
Councilman Garry F. Colarusso	Aye
Councilwoman Donna E. Yando	Absent
Councilman Richard J. Maxam	Absent
Councilwoman Melanie L. O’Neil	Aye

RESOLUTION #9

Upon motion by Councilwoman O’Neil, seconded by Councilman Colarusso, the following resolution was ADOPTED:

RESOLVED, that the Kirkland Town Board appoint Stephen Orvis the Climate Smart Task Force Coordinator.

Town of Kirkland

Appointment of Climate Smart Task Force Coordinator

WHEREAS, Supervisor Robert Meelan presented the name of Stephen Orvis, a resident of the Town of Kirkland, forward to the Kirkland Town Board on 19 January 2022 for appointment as the Clinton-Kirkland Task Force Coordinator, pursuant to Department of Environmental Conservation for the State of New York to coordinate the activities of the Clinton-Kirkland Task Force with duties to include, but not limited to be chair of the task force; serve as liaison between the task force, the Supervisor of the Town and other officials; provide leadership to the task force to assist the community and the Town to build a climate-smart community; develop a plan for climate action; in concert with the Town implement the approved climate action plan; work with the community to inform and inspire environmentally responsible

actions; work with the community to engage in evolving climate action; and serve as a point of contact for the Climate Smart Communities Program.

NOW, THEREFORE, BE IT:

RESOLVED, pursuant to requirements of the Department of Environmental Conservation of the State of New York, and in consultation with and approval of the Town Board, Stephen Orvis is hereby appointed Coordinator of the Clinton-Kirkland Climate Smart Community Task Force with duties to include, but not limited to be chair of the task force; serve as liaison between the task force, the Supervisor of the Town and other officials; provide leadership to the task force to assist the community and the Town to build a climate-smart community; develop a plan for climate action; in concert with the Town implement the approved climate action plan; work with the community to inform and inspire environmentally responsible actions; work with the community to engage in evolving climate action; and serve as a point of contact for the Climate Smart Communities Program.

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert J. Meelan	Aye
Councilman Garry F. Colarusso	Aye
Councilwoman Donna E. Yando	Absent
Councilman Richard J. Maxam	Absent
Councilwoman Melanie L. O’Neil	Aye

RESOLUTION #10

Upon motion by Councilwoman O’Neil, seconded by Councilman Colarusso, the following resolution was ADOPTED:

Final Year End Budget Transfers

<u>Fund</u>	<u>Account TO</u>	<u>Amount</u>	<u>Account FROM</u>	<u>Amount</u>
<u>General Fund</u>				
Justice Contractual	11104.1	\$ 100.00		
Supv Clerical CE	12214.1	\$ 100.00		
Town Clerk SW	14101.1	\$ 1.00		
Traffice Control CE	33104.1	\$ 3,000.00		
Historian CE	75104.1	\$ 102.00		
				\$
Contingency			19904.1	3,303.00
<u>Town Outside Gen'l</u>				

Planning SW	80201.2	\$	4,600.00		
Transfer Station CE	81604.2	\$	1,700.00		
				\$	
Planning CE				81214.2	6,000.00
				\$	
Police EQ				31202.2	300.00
<u>Highway Town Outside</u>					
Highway SW	51101.4	\$	400.00		
Health Insurance	90608.4	\$	6,300.00		
Unallocated				\$	
Insurance				19104.4	4,500.00
				\$	
Contingency				19904.4	2,200.00
<u>Clark Mills Sewer</u>					
Unallocated					
Insurance	19104.11	\$	2,300.00		
Treatment/Disp CE	81304.11	\$	16,000.00		
				\$	
Administration CE				81104.11	9,800.00
				\$	
Treatment/Disp EQ				81302.11	8,500.00
				\$	
		\$	34,603.00		34,603.00

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert J. Meelan	Aye
Councilman Garry F. Colarusso	Aye
Councilwoman Donna E. Yando	Absent
Councilman Richard J. Maxam	Absent
Councilwoman Melanie L. O’Neil	Aye

Board members reviewed and signed the financial reports for the fiscal year 2021 submitted by Donna Maxam, Town Clerk; Patricia Maxam, Recreation Manager; Sarah McCullough, Receiver of Taxes; Town Justices, Paul Heintz and Jay Williams III. (Copies of the reports have been made a part of these minutes).

DISCUSSION: Climate Smart Taskforce proposals

Deputy Supervisor Colarusso said that there were concerns as to what the Climate Smart Program was expecting from the Town and Village, the Deputy Supervisor said that Mr. Orvis had replied and Deputy Supervisor Colarusso would like Mr. Orvis’ reply entered into the record,

“We need to be able to provide documentation to the Climate Smart program that the Town and Village are co-hosting the event and will advertise it that way. We have no other expectations, though would hope that town officials would come to some events. Heat Smart provides all the materials for the events and will cover the only modest costs of advertising. If the Town had an appropriate space for an event we might ask to use it but our current plans are to use some combination of spaces at the library, KAC, and the school.”

RESOLUTION #11

Upon motion by Councilwoman O’Neil, seconded by Councilman Colarusso, the following resolution was ADOPTED:

TOWN OF KIRKLAND

RESOLUTION: Community Campaign for Clean Heating and Cooling and Energy Efficiency

- WHEREAS** the Town of Kirkland adopted the New York State Climate Smart Communities pledge on March 2, 2020; and
- WHEREAS** one element of the Climate Smart Communities pledge is an agreement to inform and inspire the public; and
- WHEREAS** public support is critical to creating a sustainable program of municipal and community-based emission reductions and enhanced community resilience; and
- WHEREAS** increasing public understanding of climate change and community resilience, particularly among vulnerable and previously disengaged groups, is important to building public support; and
- WHEREAS** effective public outreach can help the Town gather information and public preferences to inform climate action planning and prioritization; and
- WHEREAS** the Town of Kirkland created a Climate Smart Communities Task Force and empowered that Task Force to assist in climate-related planning and actions; and
- WHEREAS** the Climate Smart Communities Task Force has proposed to develop a Community Campaign for Clean Heating and Cooling and Energy Efficiency, with the support of HeatSmart Mohawk Valley;
- IT IS HEREBY RESOLVED** that the Town of Kirkland authorizes the Climate Smart Communities Task Force (“Task Force”) to develop a Community Campaign for Clean Heating and Cooling and Energy Efficiency that meets the guidelines as a “Community Campaign” as set by the New York Climate Smart Communities program and follows the outline presented to the Town. Furthermore, the Town agrees to serve as a co-host of the campaign and to provide assistance for the campaign as possible.

Roll Call Vote:

NAME

VOTE

Supervisor Robert J. Meelan	Aye
Councilman Garry F. Colarusso	Aye
Councilwoman Donna E. Yando	Absent
Councilman Richard J. Maxam	Absent
Councilwoman Melanie L. O’Neil	Aye

RESOLUTION #12

Upon motion by Councilwoman O’Neil, seconded by Councilman Colarusso, the following resolution was ADOPTED:

TOWN OF KIRKLAND

Resolution Authorizing Hosting Town Halls on Flood Management

WHEREAS the Town of Kirkland adopted the New York State Climate Smart Communities pledge on March 2, 2020; and

WHEREAS one element of the Climate Smart Communities pledge is an agreement to inform and inspire the public; and

WHEREAS public support is critical to creating a sustainable program of municipal and community-based emission reductions and enhanced community resilience; and

WHEREAS increasing public understanding of climate change and community resilience, particularly among vulnerable and previously disengaged groups, is important to building public support; and

WHEREAS effective public outreach can help the Town gather information and public preferences to inform climate action planning and prioritization; and

WHEREAS the Town of Kirkland created a Climate Smart Communities Task Force and empowered that Task Force to assist in climate-related planning and actions; and

WHEREAS the Climate Smart Communities Task Force has proposed re to develop one or more Kirkland/Clinton Town Halls on Flooding and Water Management and has presented a tentative outline to the Town;

IT IS HEREBY RESOLVED that the Town of Kirkland authorizes the Climate Smart Communities Task Force (“Task Force”) to host Kirkland/Clinton Town Halls on Flooding and Water Management that meets the guidelines as a “Climate-related Public Event” set by the New York Climate Smart Communities program and follows the outline presented to the Town. Furthermore, the Town agrees to serve as a co-host of the event and to provide assistance for the event as possible.

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
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Supervisor Robert J. Meelan	Aye
Councilman Garry F. Colarusso	Aye
Councilwoman Donna E. Yando	Absent
Councilman Richard J. Maxam	Absent
Councilwoman Melanie L. O’Neil	Aye

ASCEND Program:

Deputy Supervisor Colarusso brought to the Boards attention Oneida County’s ASCEND Program, he said it is a newer version of the Yellow Dot Program which was to help emergency responders provide prompt care in the event of an accident or medical emergency, a person would place a yellow dot sticker in their car or on their refrigerator to alert medical personal. The new version is an online process where the individual’s information is entered into a database that is accessible to county 911 operators. There is also a window decal for homes and vehicles with this program.

David Fitzgerald, Executive Director of the Kirkland Art Center, addressed the Board, thanking them for their support and contributions. He said that on February 28th the KAC will be given, by the senate, a proclamation for 60 years of service. At 4:30 a tour will be given and at 5:30 the proclamation will be issued. Mr. Fitzgerald also said that the first Saturday in June is a go for this year’s KAC Run, he wanted to give the Town a little more warning this year!

AUDIT BILLS

RESOLUTION #13

Upon motion by Councilwoman O’Neil, seconded by Councilman Colarusso, the following resolution was ADOPTED:

RESOLVED, that the Kirkland Town Board review and approve the bills as audited: The totals were:

- A -** 97,454.48
- B -** 107,553.25
- DA -** 76,699.38
- DB -** 103,110.67
- SS1 -** 11,039.08
- SS2 -** 732.96
- SS4 -** 491.47
- Cap Fund H -** 800.

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert J. Meelan	Aye
Councilman Garry F. Colarusso	Aye
Councilwoman Donna E. Yando	Absent
Councilman Richard J. Maxam	Absent
Councilwoman Melanie L. O’Neil	Aye

Proceeding in the matter of Square One Central, LLC in regard to the structure located at 1 Main Street, Clark Mills, New York 13321.

Enforcement proceedings have been commenced against the owner of a fire damaged building, Square One Central, LLC and its principal Charles Lee. Codes Officer Robert F. Harris, Jr. was in attendance to present testimony, as well as supporting photographic and documentary evidence that the structure was unsafe and posed a clear and immediate danger to public safety. The Town Attorney, Anthony G. Hallak, questioned Codes Officer Harris concerning the building condition and the property owner’s action to either secure or demolish the building.

The property owner was notified of the proceedings but did not appear or respond.

A barricade has been constructed on the north side of the building to protect the public from falling brick or debris.

RESOLUTION #14

Upon motion by Councilwoman O’Neil, seconded by Councilman Colarusso, the following resolution was ADOPTED:

TOWN OF KIRKLAND
COUNTY OF ONEIDA, STATE OF NEW YORK
RESOLUTION AND ORDER

PRESENT: Garry Colarusso, Melanie O’Neil, Robert Meelan (electronically)

ALSO PRESENT: Town Clerk, Anthony G. Hallak

Introduced by: Councilperson O’Neil

Seconded by: Councilperson Colarusso

RE: 1 Main Street, Clark Mills, New York 13321
Demolition of Unsafe Building

WHEREAS, Square One Central LLC is the owner (the “Owner”) of the premises situated at 1 Main Street, Clark Mills, New York, bearing Tax Identification No. 315.018-1-8; and

WHEREAS, on September 28, 2021, Charles Lee as the principal and managing member of Square One Central LLC was notified that the subject property had been condemned and need be demolished; and

WHEREAS, the Town Board has received the report of the Code Enforcement Officer, Robert Harris, dated December 19, 2021 with supporting documentation that the building is unsafe to the general public; and

WHEREAS, the Town Board afforded the Owner notice and opportunity to be heard on the matter on January 19th, 2022, and

WHEREAS, the Owner has failed and refused to respond to the Town Board or undertake any action to secure the subject property and/or demolish the structure on the premises.

NOW, THEREFORE, IT IS:

RESOLVED, DECREED AND ORDERED based upon documentary information presented to this Board, physical inspection of the property and testimony of the Kirkland Town Codes Officer, that pursuant to Town Code Chapter 40, Section 40-12, Emergency Cases, the subject building presents a clear and imminent danger to life, safety or health of persons and/or property unless it is immediately secured and demolished, and that it is further

RESOLVED, DECREED AND ORDERED that the subject building at 1 Main Street, Clark Mills, New York is dangerous, unsafe, incapable of repair and must be immediately demolished and the debris therefrom removed from the premises, and it is further

RESOLVED, DECREED AND ORDERED that the Building Inspector and/or Town Codes Officer immediately cause or undertake such action to facilitate the demolition of such unsafe building as well as such further actions deemed necessary to carry out the intent of this Resolution and Order, and it is further

RESOLVED, DECREED AND ORDERED that this Resolution shall take effect immediately.


This Resolution was adopted by the following votes:

Ayes: 3

Nays: 0

Absent: 2

Dated: January 19, 2022


Garry Colarusso, Deputy Supervisor


Donna Maxam, Town Clerk

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert J. Meelan	Aye
Councilman Garry F. Colarusso	Aye
Councilwoman Donna E. Yando	Absent
Councilman Richard J. Maxam	Absent
Councilwoman Melanie L. O'Neil	Aye

There being no further business to come before the Town Board, upon motion by Councilwoman O'Neil, seconded by Councilman Colarusso, the meeting was adjourned at 7:27 p.m.

Donna B. Maxam, Town Clerk