

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 29, 2020, at 7:00 p.m.

Present:

Councilwoman Donna E. Yando

Councilman Garry F. Colarusso

Councilman Richard Maxam

Absent:

Supervisor Robert J. Meelan

Councilman Michael D. O'Neil

Also present:

Village Mayor Steven J. Bellona

Village Trustee Carrie B. Evans

Village Trustee Benjamin J. Fehlner

Deputy Supervisor Colarusso was present to preside over the meeting in the absence of Town Supervisor Meelan.

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.

Deputy Supervisor Colarusso asked all present to remain standing for a moment of silence for the passing of Harvey Yando, he was a Town Councilman from 2000-2007.

RESOLUTION #6

Upon motion by Councilwoman Yando, seconded by Councilman Maxam, the following resolution was ADOPTED:

RESOLVED, that the Kirkland Town Board accept the Resolution Supporting Local Law No. 1 of 2020 as reviewed and signed by the Planning Board.

**TOWN OF KIRKLAND
COUNTY OF ONEIDA, STATE OF NEW YORK**

Resolution Supporting Local Law No. 1 of 2020

- WHEREAS: The Town Board of the Town of Kirkland is sworn to protect the constitutional, statutory and legal rights as well as the health, safety and general welfare of the residents of the Town of Kirkland; and
- WHEREAS: The rapidly growing solar energy industry is in the process of selecting sites for solar energy systems (“SES”) in municipalities throughout our region; and
- WHEREAS: The Town Planning Board of the Town of Kirkland is aware that at least one solar energy company is interested in possibly siting a SES in the Town; and
- WHEREAS: As of this date there are no applications submitted to the Town proposing to place SES in the Town; and
- WHEREAS: Section 118.49 of Article VI, entitled “Solar Energy Systems,” was adopted on the 25th day of April, 1996; and
- WHEREAS: The Zoning Ordinance of the Code of the Town of Kirkland does not adequately address SES, the Planning Board believes that a uniform regulatory scheme for the construction and operation of SES and neutral procedural controls for the rigorous review of land use petitions should be devised; and
- WHEREAS: The intention of the amendment of the Zoning Ordinance is to address all SES uses, i.e., private, commercial and industrial; and
- WHEREAS: The Town Board and the Planning Board believe that a proposed moratoria is a valid land use control which will allow the Planning Board to conduct a formal review of the issues involved in SES, review proposed regulations, and make appropriate recommendations to the Town Board; and
- WHEREAS: The moratorium will not prohibit or unreasonably inhibit fair competition as all applicants and applications will be treated equally under the moratorium; and
- WHEREAS: The moratorium does not regulate entry into the solar energy market; and

WHEREAS: The Town Board and Planning Board will begin drafting language for the amendment to the Zoning Ordinance for Town Board review and approval; and

WHEREAS: Models and samples of other municipalities’ recent amendments relating to SES have been gathered and it is anticipated that preparation of the regulations for final action by the Town Board may require several months to one (1)calendar year, i.e., twelve (12) calendar months.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board respectfully requests the Town Board to enact a moratorium on the submission and/or acceptance of applications, construction, erection and/or installation of SES in the Town of Kirkland for a period of six (6) calendar months. This will allow the Planning Board and the Town Board to actively study and legislate during this period.

1/27/2020
Date

Edward Kaido
Edward Kaido, Chairman

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert Meelan	Absent
Councilman Michael O’Neil	Absent
Councilwoman Donna Yando	Aye
Councilman Garry Colarusso	Aye
Councilman Richard Maxam	Aye

RESOLUTION #7

Upon motion by Councilman Maxam, seconded by Councilwoman Yando, the following resolution was ADOPTED:

RESOLVED, that the Kirkland Town Board amend and accept the minutes from the January 2, 2020 Organizational Meeting: to appoint Anthony Arcuri Budget Director with an annual salary of \$26,500 and an Annual Report Stipend of \$4,500.

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert Meelan	Absent
Councilman Michael O’Neil	Absent
Councilwoman Donna Yando	Aye
Councilman Garry Colarusso	Aye
Councilman Richard Maxam	Aye

RESOLUTION #8

Upon motion by Councilwoman Yando, seconded by Councilman Maxam, the following resolution was ADOPTED:

RESOLVED, that the Kirkland Town Board authorize Deputy Supervisor Colarusso to sign the Contracts for the Clinton Youth Foundation and the Kirkland Art Center.

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert Meelan	Absent
Councilman Michael O’Neil	Absent
Councilwoman Donna Yando	Aye
Councilman Garry Colarusso	Aye
Councilman Richard Maxam	Aye

RESOLUTION #9

Upon motion by Councilwoman Yando, seconded by Councilman Colarusso, the following resolution was ADOPTED:

RESOLVED, that the Kirkland Town Board authorize Deputy Supervisor Colarusso to sign the 2020 Retainer Agreement with Felt Evans, LLP.

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
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Supervisor Robert Meelan	Absent
Councilman Michael O’Neil	Absent
Councilwoman Donna Yando	Aye
Councilman Garry Colarusso	Aye
Councilman Rick Maxam	Aye

RESOLUTION #10

Upon motion by Councilwoman Yando, seconded by Councilman Maxam, the following resolution was ADOPTED:

Whereas: Pursuant to Section 9-a of the General Municipal Law, a Municipal Corporation may Temporarily Advance moneys held in any fund to any other Fund of the Municipal Corporation, in the same manner in which a Budgetary Transfer or Amendment is authorized,

RESOLVED: That the Chief Fiscal Officer is authorized to Loan up to \$150,000 from the Sewers SS-1 Fund to the DA Fund on a Temporary basis until the receipt of the DA Tax in February. Pursuant to Section 9-a of the GML, interest at the rate of 1/4 % will be paid to the A Fund.

Debit: DA Cash 200.3	\$150,000
Credit: Due to Other Funds 630.3	\$150,000
Debit: Due From Other Funds SS-1 391.11	\$150,000
Credit: SS-1 Cash 200.11	\$150,000

Moneys temporarily advanced pursuant to this section shall be repaid to the fund from which they were advanced as soon as available but in no event later than the last day of the fiscal year.

This Resolution will take effect immediately.

January 29, 2020

Ayes: 3 Nays: 0 Absent: 2

Approved

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert Meelan	Absent
Councilman Michael O’Neil	Absent
Councilwoman Donna Yando	Aye
Councilman Garry Colarusso	Aye
Councilman Richard Maxam	Aye

RESOLUTION #11

Upon motion by Councilman Maxam, seconded by Councilwoman Yando, the following resolution was ADOPTED:

RESOLVED, that the Kirkland Town Board approve the 2019 Year end transfers per the Budget Director.

Budget Transfers January 29, 2020
For Fiscal Year 2019

		<u>TO</u>		<u>FROM</u>	
			\$	3,717.00	A 1420.4
			\$	1,000.00	A 1460.4
Board Salaries	A 1110.1	\$	667.00		
Tax Coll Salaries	B 1990.4	\$	297.00		
Town Clerk					
Salaries	A 1410.1	\$	1,048.00		
Records Mgt Sal	A 1460.1	\$	500.00		
Buildings Salaries	A 1621.1	\$	5.00		
Soc Sec	A 9060.8	\$	2,200.00		
		\$	4,717.00	\$	4,717.00
Soc Sec	DA 9060.8	\$	1,605.00		
				\$	1,605.00
		\$	1,605.00	\$	1,605.00
Workers Comp	DB 9030.8	\$	1,000.00		
				\$	1,000.00
		\$	1,000.00	\$	1,000.00
To record Final Year end Transfers					

		<u>INCREASE</u>		<u>INCREASE</u>	
Police					
Equipment	B 3120.2	\$	57,947.30		
				\$	57,947.30
		\$	57,947.30	\$	57,947.30
To record Lease Agreement for New Police Vehicles					

For Fiscal Year 2020

		<u>Decrease</u>		<u>Decrease</u>	
A 1081	PILOTS	\$	15,120.00		
				\$	15,120.00
					A 1990.4
SDJ Pilot is already included in the Taxable Portion of the Levy					

Roll Call Vote:

NAME

VOTE

Supervisor Robert Meelan	Absent
Councilman Michael O’Neil	Absent
Councilwoman Donna Yando	Aye
Councilman Garry Colarusso	Aye
Councilman Richard Maxam	Aye

RESOLUTION #12

Upon motion by Councilwoman Yando, seconded by Councilman Maxam, the following resolution was ADOPTED:

RESOLVED, that the Kirkland Town Board appoint two non-competitive part time Police Officers: Officer Jayce Janczewski and Officer Andrew Sobel.

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert Meelan	Absent
Councilman Michael O’Neil	Absent
Councilwoman Donna Yando	Aye
Councilman Garry Colarusso	Aye
Councilman Richard Maxam	Aye

RESOLUTION #13

Upon motion by Councilwoman Yando, seconded by Councilman Maxam, the following resolution was ADOPTED:

RESOLVED, that the Kirkland Town Board set a public hearing, to be held February 26, 2020, regarding Local Law No. 1 of 2020, “Moratorium on Construction, Erection and/or Installation of Solar Energy Systems.”

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert Meelan	Absent
Councilman Michael O’Neil	Absent
Councilwoman Donna Yando	Aye
Councilman Garry Colarusso	Aye
Councilman Richard Maxam	Aye

AUDIT BILLS

RESOLUTION #14

Upon motion by Councilman Maxam, seconded by Councilwoman Yando, the following resolution was ADOPTED:

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

A - 126,718.10

B - 115,947.49

DA - 139,575.34

DB - 68,598.07

SS 1 - 13,455.67

SS 2 - 1,621.13

SS 4 - 467.82

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert Meelan	Absent
Councilman Michael O’Neil	Absent
Councilwoman Donna Yando	Aye
Councilman Garry Colarusso	Aye
Councilman Richard Maxam	Aye

Board members reviewed and signed the financial reports for the fiscal year 2019 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).

CORRESPONDENCE

A letter was received from Kirkland Town Library; they are looking for storage space for the many books that are donated for the Annual Book Sale. They are asking for any suggestions the Board or residents may have.

A letter was received from Sheriff Robert Maciol on the benefits of using drones.

Presentation: Climate Smart Communities hosted by the Clinton/Kirkland Preparedness Working Group

Climate Smart Communities is a New York State program that helps local governments take action to reduce greenhouse gas emissions and adapt to a changing climate. The program offers free technical assistance, grants and rebates for electric vehicles.

Amy Wyatt spoke regarding the multi-step program, the 10 elements and the benefits of the program. Dazzle Ekblad from Albany did a question and answer with the people in attendance. The group would like the Village/Town to adopt the New York State Climate Smart Communities pledge.

There being no further business to come before the Town Board, upon motion by Councilwoman Yando, seconded by Councilman Maxam, the meeting was adjourned at 8:07 p.m.

Donna B. Maxam, Town Clerk