

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 May 27, 2020, at 7:00 p.m.

Present:

Supervisor Robert J. Meelan

Councilman Michael D. O’Neil

Councilman Garry F. Colarusso

Councilwoman Donna E. Yando

Councilman Richard Maxam

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

Carrie Storm addressed the Board regarding the chickens on Homewood Drive. Supervisor Meelan told Ms. Storm the Public Hearing for the Ag District open enrollment was going to be held on June 24th. The Supervisor also stated he had spoken with Oneida County Legislator, George Joseph, and he was going to go take a look at the area.

RESOLUTION #31

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

RESOLVED, that the Kirkland Town Board approve the minutes of February 26, 2020 as printed.

Roll Call Vote:

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

RESOLUTION #32

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

RESOLVED, that the Kirkland Town Board approve a Grant Administration Stipend – Norton Ave. Bridge, for Anthony Arcuri, Budget Director. \$300. per pay period beginning May 15, 2020 and ending October 30, 2020.

Roll Call Vote:

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

RESOLUTION #33

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

Town of Kirkland
2020 Budget Amendment

Resolved: That the Budget Director is hereby authorized to make the following Transfers:

From: A 1221.1 Supervisor Clerical SW	\$3,000.00
To: A 1221.2 Supervisor Clerical EQ	\$3,000.00

Purpose: To Transfer Funds to cover the cost of Town Financial Accounting Services Software Update. Original SW purchased 2010.

Roll Call Vote:

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

RESOLUTION #34

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

RESOLVED, that the Kirkland Town Board Audit Bills from the COVID-19 shutdown on these dates: March 25, April 13, April 19 and May 11. (Note: Bills were paid during the shutdown; Board Members reviewed and signed the abstracts before each check run.)

Roll Call Vote:

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

RESOLUTION #35

Upon motion by Councilman O’Neil, seconded by Councilwoman Yando, 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,

and Whereas: The Sales Tax
Payment normally received in May of 2020, may not be made in a timely fashion,

RESOLVED: That the Chief Fiscal Officer is authorized to Loan up to \$200,000 from the General A Fund to the General B Fund on a Temporary basis until the receipt of the full May 2020 Sales Tax Payment estimated to be \$410,000 . Pursuant to Section 9-a of the GML, interest at the rate of 1% will be paid to the A Fund.

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.

May 27, 2020

Ayes: 5 Nays: 0 Absent: 0

		Budget Transfers and Amendments May 27, 2020					
					Contingency Balance 05/21/2020		
					\$ 16,000		
	<u>Transfer From</u>		<u>Transfer To</u>				
B 3120.1	Police Wages	\$ 15,000					
B 3120.2	Police Eq	\$ 2,000					
B 3120.4	Police Contractual	\$ 12,000					
B 8540.4	Stormwater Contractual	\$ 10,000					
B 9015.8	Police Retirement	\$ 23,338					
B 9040.8	Workers Comp	\$ 4,725					
B 9060.8	Health Insurance	\$ 25,000					
B 9901.9	Transfer to DB	\$ 20,000					
			Continge ncy	\$ 112,06 3	<u>\$ 128,06 3</u>	Balance After Transfer	
		Anticipated Sales Tax Shortage			\$ 127,50 0		
					Contingency Balance 05/21/2020		
	<u>Transfer From</u>		<u>Transfer To</u>		\$ 4,880		
A 1221.1	Supervisor Clerical SW	\$ 9,000					
A1320. 2	Budget Equipment	\$ 1,500					
A 1420.4	Attorney CE	\$ 12,000					
A 1621.1	Seasonal PT	\$ 12,000					
A 1930.4	Judgements	\$ 6,000					
A 3310.4	Traffic Control CE	\$ 3,000					
A 7550.4	Celebrations	\$ 6,000					
A 9040.8	Workers Comp	\$ 3,937					
A 1910.4	Unallocated Insurance	\$ 10,000					

			Contingency	\$ 63,437	<u>\$ 68,317</u>	Balance After Transfer	
		Anticipated Shortage State AIM and Fines/Bail			\$ 80,000		
			Use of Fund Balance		\$ 12,000	\$ 467,686	\$ 455,686
					Contingency Balance 05/21/2020		
	<u>Transfer From</u>		<u>Transfer To</u>		\$ -		
DB 9040.8	Workers Comp	\$ 12,000					
DB 5142.4	Purchase of Fuel	\$ 3,000					
			Contingency	\$ 15,000			
	<u>Budget Decrease</u>		<u>Budget Decrease</u>				
DB 5031.0	Transfer from B	\$ 20,000					
			General Repairs	\$ 20,000			
	REASON: In anticipation of lost revenues throughout the 2020 Budget as a result of the COVID-19 Pandemic.						

Roll Call Vote:

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

RESOLUTION #36

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

RESOLVED, that the Kirkland Town Board amend and accept the resolution to become a Climate Smart Community.

Resolution: To Become A Climate Smart Community

WHEREAS, the Town of Kirkland (hereinafter “local government”) believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

IT IS HEREBY RESOLVED that Town of Kirkland, in order to reduce greenhouse gas emissions and adapt to a changing climate, *adopts the New York State Climate Smart Communities pledge (within the parameters of its budgetary constraints), which comprises the following ten elements:*

- 1) **Build a climate-smart community.**
- 2) **Inventory emissions, set goals, and plan for climate action.**
- 3) **Decrease energy use.**
- 4) **Shift to clean, renewable energy.**
- 5) **Use climate-smart materials management.**
- 6) **Implement climate-smart land use.**
- 7) **Enhance community resilience to climate change.**
- 8) **Support a green innovation economy.**
- 9) **Inform and inspire the public.**
- 10) **Engage in an evolving process of climate action.**

Roll Call Vote:

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

RESOLUTION #37

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

RESOLVED, that the Kirkland Town Board approve the NYS Unified Solar Permit.

Resolution No. 37 of 2020

Adoption of the New York State Unified Solar Permit

WHEREAS, New York State has developed a unified solar photovoltaic permitting process designed to streamline municipal permitting which will reduce costs for solar projects and support the growth of clean energy jobs across the state, and

WHEREAS, the Town of Kirkland is desirous of participating in the unified permitting process, thereby increasing the Town’s eligibility for various incentives and grants through the New York State Energy Research and Development Authority; now, therefore, be it

RESOLVED, that the Town of Kirkland adopts the New York State Unified Solar Permit as attached hereto as Exhibit I, and be it further

RESOLVED, that this resolution shall take effect immediately and a copy of this resolution, with Exhibit 1, shall be provided to the Building Department.

Roll Call Vote:

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

RESOLUTION #38

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

RESOLVED, that the Kirkland Town Board authorize Supervisor Meelan to sign the 2020 Mowing Agreement with Oneida County.

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert Meelan	Aye
Councilman Michael O’Neil	Aye
Councilwoman Donna Yando	Aye

Councilman Garry Colarusso Aye
Councilman Richard Maxam Aye

RESOLUTION #39

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

RESOLVED, that the Kirkland Town Board authorize Supervisor Meelan to sign the 2020 Emergency Medical Treatment Agreement for Dogs and Cats with Clinton Pet Vet.

Roll Call Vote:

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

RESOLUTION #40

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

RESOLVED, that the Kirkland Town Board hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

Standard Work Day and Reporting Resolution
for Elected and Appointed Officials

RS 2417-A

(Rev. 8/15)

BE IT RESOLVED, that the _____ Town of Kirkland _____ 30432 _____ hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
Elected Officials								
Town Board	8	Richard Maxam			<input checked="" type="checkbox"/>	01/01/20-12/31/23		<input checked="" type="checkbox"/>
					<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
					<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
Appointed Officials								
Court Clerk	8	Rozanne D'Acurio			<input checked="" type="checkbox"/>	01/01/20-12/31/20	5.79	<input checked="" type="checkbox"/>
Planning Board	8	Michael Tressdale			<input checked="" type="checkbox"/>	01/01/20-12/31/24	1.33	<input checked="" type="checkbox"/>
Assessor	8	Nina Wallace			<input checked="" type="checkbox"/>	10/01/19-09/30/25	4.16	<input checked="" type="checkbox"/>

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

I, _____ Donna B Maxam _____, secretary/clerk of the governing board of the _____ Town of Kirkland _____ of the State of New York, (Name of secretary or clerk) (Circle one) (Name of Employer) do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the _____ 27 _____ day of _____ May _____, 20 20 _____ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the _____ Town of Kirkland _____ on this _____ 27 _____ day of _____ May _____, 20 20 _____ (Signature of the secretary or clerk) (Name of Employer)

Affidavit of Posting: I, _____ Donna B Maxam _____, being duly sworn, deposes and says that the posting of the Resolution began on _____ May 27, 2020 _____ and continued for at least 30 days. That the Resolution was available to the public on the _____ (Date)

☐ Employer's website at _____

☐ Official sign board at _____

☒ Main entrance secretary or clerk's office at _____ 100 N Park Row, Clinton NY 13323 _____

(seal)

 Page _____ 1 _____ of _____ 2 _____ (for additional rows, attach a RS2417-B form).

RESOLUTION #41

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

RESOLVED, that the Kirkland Town Board accept the resignation of RoseMarie Arcuri as Part Time clerk for the Kirkland Police Department effective May 8, 2020.

Roll Call Vote:

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

RESOLUTION #42

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

RESOLVED, that the Kirkland Town Board appoint Jace Janczewski from part time non-competitive Police Officer to part time competitive Police Officer.

Roll Call Vote:

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

RESOLUTION #43

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

RESOLVED, that the Kirkland Town Board approve the Full-Time annual salary of Joseph Scarafile of \$42,570.00, effective May 1, 2020.

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert Meelan	Aye

Councilman Michael O’Neil	Aye
Councilwoman Donna Yando	Aye
Councilman Garry Colarusso	Aye
Councilman Richard Maxam	Aye

RESOLUTION #44

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

TOWN OF KIRKLAND

RESOLUTION NO.: 44

**RE: AUTHORIZING THE TOWN SUPERVISOR TO CANCEL
A SCHEDULED MEETING**

BE IT RESOLVED by the Town Board for the Town of Kirkland, Oneida County as follows:

WHEREAS, the Town of Kirkland (the “Town”) presented a Town meeting schedule at its January organizational meeting and made said schedule available to the public; and

WHEREAS, the Town is currently affected by the COVID-19 virus limiting social gatherings and personal contact; and

WHEREAS, the State of New York, by Executive Order of the Governor has suspended in person and quorum requirements under Open Meetings Law; and

WHEREAS, the County of Oneida has declared a State of Emergency to address the COVID-19 crisis and combat impending or urgent threats caused by the COVID-19 virus; and

WHEREAS, the Town Board for the Town of Kirkland deems it in its best interests to limit public gatherings and/or cancel public meetings in the interest of public health, safety and welfare.

NOW THEREFORE, IT IS,

RESOLVED, that the Town Board delegates to the Town Supervisor the authority to cancel meetings regularly scheduled by the Town, as well as schedule and cancel special Town Board meetings under Town Law Section 62; and it is further

RESOLVED, that the Town Supervisor is delegated the discretion to determine

the appropriateness of holding public meetings until the COVID-19 crisis is averted and all four phases of reopening are implemented under New York State guidelines to reopen; and it is further

RESOLVED, that the Supervisor shall afford the public forty-eight (48) hours advance notice of the cancellation of a scheduled meeting by posting notice of cancellation on its website, posting notice at the Town Clerk’s office, posting notice at the Town Offices; and it is further

RESOLVED, that the Town Supervisor in his discretion, may conduct meetings entirely by conference call or video conferencing, with no in-person attendance; and it is further

RESOLVED, that this Resolution shall take effect immediately.

This Resolution was adopted by the following votes:

AYES: 5 NAYS: 0 ABSENT: 0

Dated: May 27, 2020

Roll Call Vote:

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

RESOLUTION #45

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

RESOLVED, that the Kirkland Town Board reclassify the title of Office Specialist 1 to a part time position and appoint Lorraine McCoy to the position.

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert Meelan	Aye
Councilman Michael O’Neil	Aye

Councilwoman Donna Yando Aye
Councilman Garry Colarusso Aye
Councilman Richard Maxam Aye

RESOLUTION #46

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

RESOLVED, that the Kirkland Town Board authorized the placement of the 2014 Dodge Charger back on Auctions International with a starting bid of \$9,000. and will accept the final bid of \$9,200.

Roll Call Vote:

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

An estimate from General Codes was presented to the Board by the Town Clerk.

This will include:

- Local Law 4-2018 Override of the Real Property Tax Levy Limit
- Local Law 1-2019 Zoning for a Route 12B Corridor Overlay District
- Local Law 1-2020 Moratorium on construction, Erection and/or Installation of Solar Energy Systems

The price quote is between \$1,815-2,180

The Board has decided to hold off on the updates as there will be 1-2 more Local Laws in the near future and they would rather update all at once.

The Clerk will notify General Codes as to their decision.

AUDIT BILLS

RESOLUTION #47

Upon motion by Councilman O’Neil, 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 - 13,896.60
B - 2,775.11
DA - 5,330.60
DB - 2,027.62
SS1 - 8,540.42
SS 2 - 34.40
SS 4 - 105.25
Cap Fund H – 1,000.

Roll Call Vote:

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

CORRESPONDANCE

A check was received from Charter Communications in the amount of \$26,654.77 for franchise fees.

Clark Mills Fire Department will not be holding the annual Field Days this year. Supervisor Meelan said they have been doing well with other fund raising.

The July 4th parade and fireworks will not be held this year.

Supervisor Meelan stated that the transfer station is paid for out of the B budget and not by taxes, the cost last year to run the transfer station was between \$40,000-50,000. This is for Town residents only not for Village of Clinton residents. Over 120 people were there Saturday and the Supervisor said that if the amount of people doesn’t go down he may have to go back to the Wednesday and Saturday schedule.

Supervisor Meelan said that the PILOT (payment in lieu of taxes) program was up with Hamilton College, this began 15 years ago, it’s a program that when the college takes a property off the tax roll they pay a lump sum, Supervisor Meelan recommended that they freeze for 1 year and take last year’s payment but he was then notified that they want to take 5 more properties off the tax roll, he is going to contact and ask if the College is going to add that sum to the PILOT.

There being no further business to come before the Town Board, upon motion by Councilwoman Yando, seconded by Councilman Colarusso, the regular meeting was adjourned at 7:40 p.m.

Donna B. Maxam, Town Clerk

