

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 August 10, 2020, at 7:00 p.m.

Present:

Supervisor Robert J. Meelan

Councilwoman Donna E. Yando

Councilman Garry F. Colarusso

Attorney for the Town, Anthony G. Hallak

Absent:

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.

A moment of silence was held for the passing of Janice Hogan and Michael O’Neil.

Supervisor Meelan presented Michael O’Neil’s nameplate to his daughter Stephanie.

RESOLUTION #58

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

RESOLVED, that the Kirkland Town Board approve the July 15th minutes as printed.

Roll Call Vote:

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

RESOLUTION #59

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

RESOLVED, that the Kirkland Town Board appoint Melanie O’Neil councilperson to complete the 2020 council term vacancy of Michael D. O’Neil. The 3 remaining years of the term will be determined by the November 2020 election.

Roll Call Vote:

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

RESOLUTION #60

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

RESOLVED, that the Kirkland Town Board approve the Hamilton College Fireworks Display to be held on August 20, 2020 with a rain date of August 21, 2020.

Roll Call Vote:

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

RESOLUTION #61

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

RESOLVED, that the Kirkland Town Board reappoint Edward Labayewski to the Board of Assessment Review, with term to expire September 30, 2025.

Roll Call Vote:

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

RESOLUTION #62

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

RESOLVED, that the Kirkland Town Board approve the new retention and Disposition Schedule for New York Local Government Records (LSG -1)

RESOLVED, By the Town Board [title of governing body] of the Town of Kirkland [local government name] that *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

(a) only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described therein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Roll Call Vote:

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

RESOLUTION #63

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

TOWN OF KIRKLAND

COUNTY OF ONEIDA, STATE OF NEW YORK

**Resolution of the Town of Kirkland Town Board
Intent to be Lead Agency**

At a regular meeting of the Town Board duly called and held on the 10th day of August, 2020, the following resolution was proposed and seconded:

Resolution by: Councilwoman Yando

Seconded by: Councilman Colarusso

WHEREAS, the Town of Kirkland proposes to amend Chapter 118 of the Code of the Town of Kirkland to provide for the regulation of the installation of Solar Energy Systems (the “Proposed Action”); and

WHEREAS, the Town of Kirkland has prepared a short form Environmental Assessment form (the “EAF”) for the Proposed Action; and

WHEREAS, the Town Board has determined that the Proposed Action is an Unlisted Action pursuant to the New York State Environmental Quality Review Act (SEQR), 6 NYCRR

617.4; and

WHEREAS, the Town Board has identified the Village of Clinton, the Oneida County Department of Planning and the New York State Department of Environmental Conservation as Interested Agencies (hereinafter collectively called “Interested Agencies”); and

WHEREAS, the Town Board forwarded a copy of the EAF to Interested Agencies with a request for comments on the Proposed Action; and

WHEREAS, no Interested Agency objected to the establishment of the Town of Kirkland as Lead Agency with respect to the Proposed Action; and

WHEREAS, the Town of Kirkland now desires to establish itself as Lead Agency with respect to Proposed Action in accordance with SEQR.

NOW, THEREFORE, BE IT RESOLVED by the Town of Kirkland Town Board that:

1. The Town of Kirkland shall act as Lead Agency for purposes of SEQR;
2. The Town of Kirkland shall hold a public hearing on the Proposed Action on August 26, 2020; and
3. This Resolution shall take effect immediately.

The foregoing Resolution was put to a vote as follows:

Roll Call Vote:

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

RESOLUTION #64

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

RESOLVED, that the Kirkland Town Board approve the School Resource Officer (SRO) agreement with Clinton Central School.

Roll Call Vote:

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

RESOLUTION #65

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

RESOLVED, that the Kirkland Town Board approve the renewed Fuel System Agreement between Town of Kirkland, Village of Clinton and Clinton Central School to expire June 30, 2025.

Roll Call Vote:

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

RESOLUTION #66

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

Town of Kirkland

2020 Budget Amendment

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

INCREASE: Appropriation	SS-4 -8120.4	\$15,000
INCREASE: Appropriated FB	SS-4 -599	\$15,000

**To appropriate funds for the purpose of Testing Sewage for COVID-19
In conjunction with the Village of Clinton and Hamilton College.
Dated: August 10, 2020**

Roll Call Vote:

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

Attorney Matt Fanelli addressed the Board regarding easements on Chapel View lots # 33 & 34. His client wants to purchase lot 34. The Town has spent approximately \$66,000 on the work involved with these easements and Supervisor Meelan told Mr. Fanelli that someone would have to pay a minimum of \$66,000, survey fees and attorney fees to consider moving the road and putting that back and then redoing the work.

GENERAL ORDER

Attorney Anthony Hallak – No report
Town Clerk Donna Maxam – No report
Highway Supt. Jon Scott and Councilman Colarusso– No report
Police Dept.- Administrative Officer Occhipinti – Absent
Building and Grounds Liaison Councilwoman Yando – Buildings still standing!
Recreation Liaison Councilman Meelan – Patti Maxam said they are looking at a tentative opening date for the Arena of November 2 with guidelines from the State, working on mowing and pavilions at the Park.
Seniors Liaison Councilwoman Yando – Seniors asking when they can start meeting again, Supervisor Meelan said not yet, the guidelines are still needed from the governor.
Sewer Liaison Councilman Meelan – No report
SWOCO Liaison Councilman Maxam– Absent

The monthly Safety Inspectors’ Reports and Animal Control Officer’s Reports were reviewed by members of the Town Board.

CORRESPONDENCE

Councilman Colarusso said that this past weekend he had the opportunity to attend a 6 hour training Police Workshop. Topics on the Use of Force and the restrictions of the use of force, the term that was used was verbal judo, in the event you are being confronted by someone you are able to diffuse the situation by employing verbal tactics as opposed to physical tactics. Using active listening and making sure someone is aware that you are speaking to them and not at them. The primary concern of the police is the safety of the public.

Supervisor Meelan said that Lewis Custom Homes is donating 4 defibrillators for the police cars.

AUDIT BILLS

RESOLUTION #67

Upon motion by Councilman Colarusso, 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 - 23,891.01
B - 11,072.75
DA - 10,813.38
DB - 20,069.40
SS1 - 1,773.79
SS2 - 651.66
SS4 - 5,599.62
SS3 - 6,710.72

Roll Call Vote:

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

There being no further business to come before the Town Board, upon motion by Councilwoman Yando, seconded by Councilman Colarusso, the meeting was adjourned at 7:24 p.m.

Donna B. Maxam, Town Clerk