

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 26, 2020, at 7:00 p.m.

Present:

Supervisor Robert J. Meelan

Councilwoman Donna E. Yando

Councilman Richard J. Maxam

Councilwoman Melanie L. O'Neil

Attorney Anthony G. Hallak

Absent:

Councilman Garry F. Colarusso

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

Supervisor Meelan opened the Public Hearing. The Public Hearing was left open. (A copy of the Notice of Public Hearing has been made a part of these minutes.)

TOWN OF KIRKLAND
COUNTY OF ONEIDA, STATE OF NEW YORK
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE THAT, in Accordance with Section 202-b of the New York State Town Law, the Town Board of the Town of Kirkland, Oneida County, New York (the "Town") will conduct a public hearing on August 26, 2020 at 7 p.m. at the Town of Kirkland Municipal Building, located at 3699 State Route 12B, Clinton, New York in regard to proposed Local Law No. 2 of 2020 entitled "A Local Law to amend the code of the Town of Kirkland, Chapter 118, Article VI thereof entitled Antenna's; Solar and Wind Energy Systems and Chapter 118, Section 118-2 entitled Definitions and Usage."

The Public Hearing will be held to hear all persons interested in "A Local Law to amend the code of the Town of Kirkland, Chapter 118, Article VI thereof entitled Antenna's; Solar and Wind Energy Systems and Chapter 118, Section 118-2 entitled Definitions and Usage."

A copy of the proposed Local Law is available for inspection in the Office of the Town Clerk, 100 N. Park Row, Clinton, NY, 13323.

Dated: July 16, 2020
By Order of the Town Board of
The Town of Kirkland
Oneida County, New York
Donna B. Maxam, Clerk

David Spotts with Summit Solar addressed the Board. Mr. Spotts said that he had read through the Local Law. Mr. Spotts asked about the lot coverage requirements in Section D and also had concerns regarding Section C2 (NYSERDA) and also Section C5 (Contractors). Attorney Hallak said that he would take the comments under advisement and present them to the Planning Board.

The minutes of August 10, 2020 will be voted on at the September 14, 2020 Town Board Meeting.

RESOLUTION #68

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

RESOLVED, that the Kirkland Town Board establish a Climate Smart Communities’ Task Force.

Roll Call Vote:

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

Dated: 26 August 2020

Adopted: 26 August 2020

Town of Kirkland

Resolution: Establishment of Climate Smart Communities Task Force

WHEREAS, by resolution adopted on August 26, 2020, the Town Board duly established the Climate Smart Communities Task Force for the Town of Kirkland to be named the Clinton-Kirkland Climate Smart Community Task Force and,

WHEREAS membership is to be appointed by the Supervisor and Town Board to include an elected official from the Town and members of the community as required by the Department of Environmental Conservation of the State of New York as a mandatory action to become a Climate Smart Community;

NOW, THEREFORE, BE IT:

RESOLVED, that as required by the Department of Environmental Conservation of the State of New York, there is hereby established a Climate Smart Communities Task Force to be named the Clinton-Kirkland Climate Smart Community Task Force for the Town of Kirkland whose members will be appointed by the Supervisor and Town Board to include an elected official from the Town and members of the community; and that the current membership of the former Clinton-Kirkland Climate Preparedness Working Group constitutes the inaugural membership of the Clinton-Kirkland Climate Smart Community Task Force.

This resolution is to be attached to the minutes of the Town Board Meeting for the date 26 August 2020. Resolution passed by motion of the Town Board and passed unanimously.

RESOLUTION #69

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

RESOLVED, that the Kirkland Town Board appoint Carol Gable the Climate Smart Task Force Coordinator.

Roll Call Vote:

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

Dated: 26 August 2020
Appointed: 26 August 2020

Town of Kirkland
Appointment of Climate Smart Task Force Coordinator

WHEREAS, The Kirkland Town Board presented the name of Carol Gable, a resident of the Town of Kirkland, 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 Kirkland Town Board; 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 Kirkland Town Board, Carol Gable 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 Kirkland Town Board; 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.

This resolution is to be attached to the minutes of the Town Board minutes for the date 26 August 2020.
Resolution passed by motion of the Town Board and passed unanimously.

RESOLUTION #70

Upon motion by Councilwoman Yando, seconded by Councilman Maxam, 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 16201.1	Buildings PS	\$8,000.00
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To: A 90508.1 Unemployment Insurance \$8,000.00

Purpose: To Transfer Funds to cover the cost of Unemployment.

Dated: August 26, 2020

Roll Call Vote:

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

RESOLUTION #71

Upon motion by Councilman Maxam, seconded by Councilwoman 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 Amendment:

INCREASE: Appropriation SS-4 -8120.4 \$16,000

INCREASE: Appropriated FB SS-4 -599 \$16,000

To appropriate funds from Fund Balance for the purpose of Additional Testing of Sewage for COVID-19, \$5,000. And to appropriate funds for the final Phase of Televising and Repair throughout SW051 in the amount \$11,000.

Dated: August 26, 2020

Roll Call Vote:

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

RESOLUTION #72

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

RESOLVED, that the Public Hearing for the proposed Local Law No. 2 of 2020 be closed at 07:20 p.m.

Roll Call Vote:

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

CORRESPONDENCE

The 3rd installment of the 1st quarter sales tax check was received in the amount of \$137,314.05

Attorney Hallak said that he had received the comments back from the SEQR, all were supportive and nothing negative.

RESOLUTION #73

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

The Town of Kirkland Town Board having met in regular session at the offices of the Town Board at 3699 Route 12B, Clinton, New York 13323 on the 26th day of August, 2020, at 7:00 p.m. local time.

The meeting was called to order by Supervisor Meelan and, upon the role being called, the following were:

PRESENT: Robert Meelan, Donna Yando, Richard Maxam, Melanie O’Neil

ABSENT: Garry Colarusso

ALSO PRESENT: Donna Maxam, Town Clerk and Anthony G. Hallak

Councilwoman Yando presented the following “Resolution” which was seconded by Councilman Maxam:

RESOLUTION OF THE TOWN OF KIRKLAND TOWN BOARD ISSUING A “NEGATIVE DECLARATION” RELATIVE TO INSTALLATION OF SOLAR ENERY SYSTEMS

WHEREAS, the Town of Kirkland Town Board, (hereafter the “Board”) has resolved to amend Chapter 118 of the Kirkland Town Code entitled Zoning; and

WHEREAS, pursuant to the State Environmental Quality Review Act (hereinafter “SEQRA”), the Applicant caused to be prepared Part 1 of a full Environmental Assessment Form for the Project (hereinafter the “EAF”); and

WHEREAS, Part 1 of the EAF was reviewed by the Board and deemed adequate and accurate relative to the Project and the Board subsequently prepared Part 2 and Part 3 of the EAF; and

WHEREAS, the Board resolved to notify all interested agencies for the Project and assumed the status of lead agency for the Project and the Board duly notified such agency of said intent and requested comments regarding the Project; and

WHEREAS, at its meeting held on the 10th day of August, 2020, not having received any objection from any interested agency, the Board designated itself lead agency; and

WHEREAS, the Board desires to makes its determination “of significance” with respect to the Project and in accordance with SEQR regulations at 6 NYCRR 617.7 and to give notice of said determination; and

NOW THEREFORE, BE IT:

RESOLVED by members of the Town of Kirkland Town Board as follows:

1. That based upon a thorough examination and analysis of the EAF and review of the SEQR regulations at 6 NYCRR 617.7 and based further on the Board’s knowledge of the area surrounding the Project and such further investigation of the Project and its environmental affects as the Board has deemed appropriate, the Board has identified the following relevant areas of environmental interest and makes the following findings with respect to the Project:

a) The relevant areas of environmental concern identified include protected streams, bodies of water and flood plain.

b) The potential impacts on community character are that the proposed action will contribute development, promote green energy and minimize land disturbances in vital areas.

c) The potential impacts to the community are that the proposed action will preserve, promote and protect the existing rural and residential character of the community while enhancing quality of life; and

d) The potential impact of public health and safety will not be significant.

2. Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the Board makes the following findings and determinations with respect to the Project:

a) The Project constitutes a “Type I” as said quoted term is defined in the SEQR regulations at 6 NYCRR 617.2;

b) The Project will result in no significant adverse environmental impacts. Therefore, the Board hereby determines that the Project will not have a significant effect on the environment and that the Board will not require the preparation of an environmental impact statement with respect to the Project; and

c) As a consequence to the foregoing, the Board has decided to prepare a Negative Declaration with respect to the Project.

3. The Secretary of the Board is hereby directed to file and circulate a “Negative Declaration” with respect to the Project.

a) Copies of said Negative Declaration shall be mailed to NYSDEC, the Environmental Notice Bulletin, the Oneida County Department of Planning, and Town of Kirkland Town Clerk’s Office ATTN: Robert Meelan;

b) Copies of said Negative Declaration shall also be filed in the main office of the Board; and

4. This resolution shall take effect immediately; the Board adopts this resolution 4-0.

Dated: August 26, 2020

TOWN OF KIRKLAND TOWN BOARD

Robert J. Meelan, Supervisor

AUDIT BILLS

RESOLUTION #74

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

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

A - 57,709.79

B - 7,426.66

DA - 920.00

DB - 71,180.20

SS1 - 8,963.54

SS2 – 28.21

SS4 – 85.38

Roll Call Vote:

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

Councilman Richard Maxam Aye

Councilwoman Melanie O'Neil Aye

Supervisor Meelan read the list of proposed Trail Rules for the Dugway Road Trailhead.

TRAIL RULES

Be Considerate of the Safety and Rights of Others

No Motorized Vehicles Are Permitted

Leash Your Dogs

Clean Up After Your Animals, Including Horses

Carry In/Carry Out

Stay on the Trail; Respect Private Property

Hunting and Trapping are Prohibited

No Alcohol, Tobacco or Firearms are Permitted

Supervisor Meelan said this will be a 3 season Trail and the closing will be dependent upon the weather, that's why there will not be a closing date listed on the posting.

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 7:30 p.m.

Donna B. Maxam, Town Clerk