

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 December 29, 2021 at 7:00 p.m.

Present:

Councilman Garry F. Colarusso

Councilman Richard J. Maxam

Councilwoman Melanie L. O’Neil

Absent:

Supervisor Robert J. Meelan

Councilwoman Donna E. Yando

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 the public in attendance if anyone wished to address the Board. Residents of 3915 New Street said that they had a concern with a traffic issue, there was a speed limit sign posted of 30mph and the sign fell of the post, then the sign was gone, they were asking if a sign could please be put back on the post. Deputy Supervisor Colarusso said that he would contact Highway Superintendent Jon Scott and make him aware of the signs disappearance.

RESOLUTION #121

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

RESOLVED, that the Kirkland Town Board approve the December 13th minutes as printed.

Roll Call Vote:

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

RESOLUTION #122

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

RESOLVED, that the Kirkland Town Board accept the resignation of Daniel English as PT police officer.

Roll Call Vote:

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

RESOLUTION #123

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

RESOLVED, that the Kirkland Town Board approve the demolition of 1 Main St., Clark Mills and to notify the property owner pursuant to Subdivision 16 40-7 of the Town of Kirkland Code.

RE: 1 Main Street, Clark Mills, New York 13321

Demolition of Unsafe Building

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

WHEREAS, the subject property was significantly damaged by fire; 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, Charles Lee has failed and/or refused to demolish said premises; 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.

NOW, THEREFORE, IT IS:

RESOLVED, that the Town Board find the subject building at 1 Main Street, Clark Mills, New York dangerous, unsafe, incapable of repair and must be demolished and removed, and it is further

RESOLVED, that the Town Board afford the property owner notice pursuant to Subdivision 16, § 40-7 et seq. of the Kirkland Town Code, and it is further

RESOLVED, that in the event property owner shall fail to comply, appear or act, the Town may take such further action as it deems necessary to demolish the structure and any other actions authorized by law, and it is further

RESOLVED, that this Resolution shall take effect immediately.

Roll Call Vote:

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

RESOLUTION #124

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

RESOLVED, that the Kirkland Town Board authorize the Supervisor and/or Deputy Supervisor to set the Notice of Unsafe Condition Order and Notice Hearing upon notification by the Town Attorney.

TOWN OF KIRKLAND

**NOTICE OF UNSAFE CONDITION
ORDER AND NOTICE OF HEARING**

TO:	Square One Central LLC Attention: Mr. Charles Lee
Description of Premises:	1 Main Street Clark Mills, New York 13321 Tax ID No.: 315.018-1-8 See Schedule “A” attached
Statement of Particulars:	Commercial structure situate on the premises identified at Schedule “A” was severely damaged in a fire. The residence, which is a multi-story construction, sustained severe structural damage and is unfit for habitation.
ORDERED:	The building is to be bordered, secured, placarded as unsafe, and otherwise made safe and off limits to the public. Arrangements must thereafter be made for the demolition of the structure, removal of debris and restoration of the land.

NOTICE OF HEARING

A hearing will be set when notice has been given by the Town Attorney, to be held at the Town of Kirkland Municipal Building located at 3699 Route 12B Clinton, New York 13323 in regard to such unsafe building at which time you will be prepared to outline a plan of safety and demolition.

Removal of such building shall commence within 30 days of the service of this notice and be complete within 60 days unless extended by Order of the Town Board.

In the event of your neglect or refusal to comply with this order to secure and demolish the building, the Town Board is authorized to provide for demolition and removal of the structure. All expenses of demolition are subject to being assessed upon the land on which the structure is located. The Town may also maintain a special proceeding against you to collect the costs of demolition, including legal expenses.

TOWN OF KIRKLAND

By: _____
Robert Meelan, Supervisor

Roll Call Vote:

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

RESOLUTION #125

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

RESOLVED, that the Kirkland Town Board give approval to amend Local Law No. 2 – to delete the requirement of a Special Use Permit and referral to the Zoning Board.

Roll Call Vote:

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

Councilwoman Melanie L. O’Neil Aye

RESOLUTION #126

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

RESOLVED, that the Kirkland Town Board appoint Joseph McCormick as Part Time Police Officer.

Roll Call Vote:

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

RESOLUTION #127

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

Town of Kirkland

Resolution: Establishment of

Capital Reserve (Type) Fund

RESOLVED, that pursuant to Section6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as “Arena Equipment Reserve Fund” (hereinafter Zamboni Reserve Fund”). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a Zamboni. The type of equipment to be financed from the Reserve Fund is the purchase of a Zamboni.

The chief fiscal officer is directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Town Board and or the Chief Fiscal Officer may invest the monies in the Capital Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the Investment Policy of the Town. Any interest earned or capital gains realized on the monies so deposited or invested shall accrue to and become part of the Capital Reserve Fund. The Town

Supervisor shall account for the Capital Reserve Fund in a manner which maintains the separate identity of the Capital Reserve Fund and shows the date and amount of each sum paid into the separate identity of the Capital Reserve Fund, interest earned by the Fund, capital gains or losses resulting from the sale of investments of the fund, showing cash balance and a schedule of investments, and shall, at the end of each Fiscal year, render to the Town Board a detailed report of the operation and condition of the Capital Reserve Fund.

Except as otherwise provided by law, expenditures from this Capital Reserve Fund shall be made only for the purpose for which the Capital Reserve Fund is established. No expenditure shall be made from this Capital Reserve Fund without the approval of the Town Board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law.

Roll Call Vote:

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

CORRESPONDENCE

Deputy Supervisor Colarusso read the following letter:



New York State
Parks, Recreation and
Historic Preservation

ERIK KULLESEID
Commissioner

December 14, 2021

Honorable Robert J. Meelan
Town Supervisor
Town of Kirkland
3699 State Route 12 B
Clinton, New York 13323

RECEIVED DEC 20 2021

Dear Supervisor Meelan:

I regret to inform you that your application for the **Edward W. Stanley Recreation Center Improvement Project** submitted for the Environmental Protection Fund Grant Program for Parks, Preservation and Heritage (EPF) has not been selected for funding.

For this year's competition, we received 255 eligible applications through the Consolidated Funding Application (CFA) requesting over \$90.4 million. With only \$19.5 million available for distribution, not all eligible projects could be funded.

This does not pertain to potential funding awards from other agencies or programs and does not preclude you from applying for future CFA funding rounds.

At this time, we encourage you to contact Sunshine Jenkins at (315) 740-8100 regarding your ongoing or proposed capital plans.

Sincerely,

Beatrice L. Gamache
Director, Grants Bureau

CC: Sunshine Jenkins, Mohawk Valley Region

AUDIT BILLS

RESOLUTION #128

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

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

A - 58,094.04

B - 61,490.88

DA - 37,529.22

DB - 12,782.50

SS1 - 14,532.54

SS 2 - 934.20
SS 4 - 28.56
SL 1- 654.87
SL 2 - 227.05
SL 3 - 125.70
SL 4 - 737.14
Cap Fund H 56.59

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert J. Meelan	Absent
Councilman Garry F. Colarusso	Aye
Councilwoman Donna E. Yando	Absent
Councilman Richard J. Maxam	Aye
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 Maxam, the meeting was adjourned at 7:15 p.m.

Donna B. Maxam, Town Clerk