

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 12, 2024, at 5:00 p.m.

Present:

Supervisor Robert J. Meelan

Councilman Garry F. Colarusso

Councilwoman Donna E. Yando

Councilwoman Melanie L. O'Neil

Attorney Anthony Hallak

Absent:

Councilman Richard J. Maxam

Supervisor Meelan called the regular meeting to order at 5:00 p.m. and asked those present to stand for the Pledge of Allegiance.

Supervisor Meelan opened the Public Hearing for Local Law No. 1 of 2024 relating to the Zoning Ordinance change from RT-C to PD. The Town Clerk read the Notice.

There was no one present who wished to address the Board. 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 12, 2024 at 5 pm at the Town of Kirkland Municipal Building, located at 3699 State Route 12B, Clinton, New York in regard to the proposed amendment to the Town of Kirkland Zoning map and ordinance to change the zoning designation from Residential Town Center (RT-C) to Planned Development (PD).

The Public Hearing will be held to hear all persons interested in the Local Law No. 1 of 2024 relating to change the Zoning Ordinance from RT-C to PD.

A copy of the proposed Local Law for the Change to the Zoning Ordinance of the is available for inspection at the Office of the Kirkland Town Clerk, 100 N. Park Row, Clinton, NY, 13323.

Dated: July 17, 2024
By Order of the Town Board of
The Town of Kirkland
Oneida County, New York
Donna B. Maxam, Town Clerk

Attorney Hallak said that since no one was present to speak for the applicant that this is a petition to rezone for a significant expansion of Clinton Tractor and that the Planning Board is in favor of the zone change.

Supervisor Meelan recognized the public in attendance. There was no one present who wished to address the Board.

RESOLUTION #69

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

RESOLVED, that the Kirkland Town Board approve the minutes of July 17, 2024 as printed.

Roll Call Vote:

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

Attorney Hallak confirmed with the Board that the Public Hearing was closed for the requested Amendment to the Zoning Ordinance on behalf of Hamlin Harkins, LTD.

RESOLUTION #70

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

RESOLVED, that the Kirkland Town Board close the SEQR and adopt Part 2 of the EAF (Environmental Assessment Form).

Roll Call Vote:

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

RESOLUTION #71

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

RESOLVED, that the Kirkland Town Board issue the Negative Declaration and authorize Supervisor Meelan to sign Part 3 of the EAF.

The Town of Kirkland Town Board having met in regular session at the offices of the Town Board on August 12, 2024, at 5:00 p.m. local time.

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

PRESENT: Robert Meelan, Garry Colarusso, Donna Yando and
Melanie O'Neil

ALSO PRESENT: Town Clerk, Donna Maxam.

Absent: Richard Maxam

Councilman Colarusso presented the following "Resolution" which was seconded by Councilwoman O'Neil:

**RESOLUTION OF THE TOWN OF KIRKLAND TOWN BOARD ISSUING A
"NEGATIVE DECLARATION" PURSUANT TO THE STATE ENVIRONMENTAL
QUALITY REVIEW ACT RELATIVE TO THE HAMLIN HARKINS PETITION
FOR AN AMENDMENT TO TOWN CODE AND ZONING MAP.**

WHEREAS, the Town of Kirkland Town Board, (hereafter the "Board") has received a Petition from Hamlin Harkins Ltd. (the "Applicant") to

- (a) Rezone a portion of a parcel of land located at 3408 NY State Route 12B, situate in the Town of Kirkland, Oneida County New York in the Town of Kirkland from C-H (Commercial Highway) to P-D (Planned Development); 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 Parts 2 and 3 of the EAF; and

WHEREAS, at its meeting held on May 13, 2024, the Board declared its intent to designate itself lead agency; and

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

WHEREAS, the Board desires to make 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.

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) Notice of Intent to be Lead Agency was mailed to interested agencies, including Herkimer-Oneida County Comprehensive Planning on May 20, 2024;

b) That the project complies with existing zoning and the consolidation will not negatively impact on the character of the area nor public health or safety;

c) The change in zoning from Commercial Highway to Planned Development results in reduced intensity of use and vests in the Town of Kirkland Planning Board greater control over the parcel for the benefit of uniform development; and

d) That any future and/or additional concerns of development of the land can be addressed through the site plan review.

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 Action” 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.

2. 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 the Environmental Notice Bulletin, the Herkimer–Oneida Counties Department of Planning, and Town of Kirkland Town Clerk’s Office Attention: Donna Maxam;

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

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

Dated: August 12, 2024

TOWN OF KIRKLAND TOWN BOARD

By: _____
Robert Meelan, Supervisor

RESOLUTION #72

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

RESOLVED, that the Kirkland Town Board approve the Petition for the Amendment to the Zoning Ordinance.

Roll Call Vote:

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

RESOLUTION #73

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

BUDGET TRANSFER

TOWN OF KIRKLAND

RESOLUTION NO: 73

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

TO: A 1320.2	Budget Dept. EQ	\$1,000
FROM: A 1990.4	Contingency	\$1,000

REASON: To Transfer Funds to Purchase Desk Top Printer Scanner

Resolved that this Resolution will take effect immediately.

This resolution was adopted by the following votes:

Ayes: 4 Nays: 0 Absent: 1

Dated: August 12, 2024

Roll Call Vote:

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

GENERAL ORDER

Attorney Anthony Hallak – have been receiving more applications for Solar projects, has received 2 for Limberlost Rd and has not heard on Rt 12B, a Positive Declaration was issued.
Town Clerk Donna Maxam – Received a letter from the NYS DOT, the request for a lower speed limit on Dwight Avenue has denied, the letter states “that based on test drives, field observations, radar speeds and recorded crash history, the investigation determined that a lower speed limit is not appropriate at this time.”
Highway Supt. Jon Scott – Absent, Councilman Colarusso – Trucks are all in and also a new smaller truck for College Hill Rd. Still looking into a cover for the Salt Barn.
Police Dept. - Administrative Officer Occhipinti – Absent
Building and Grounds Liaison Councilwoman Yando – No report
Recreation Liaison Councilwoman O’Neil – Pickle Ball Courts under construction, hopefully will be complete by the end of the week. Roller Derby was held Sunday. Arena contracts were sent out for signatures.
Seniors Liaison Councilwoman Yando –No report
Sewer Liaison Councilman Maxam – Absent
SWOCO Liaison Councilman Maxam – Absent

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

DISCUSSION

Supervisor Meelan discussed the NYS Pro-Housing Communities Program and asked the Board members to review and see if anyone would be interested.

Supervisor Meelan will check with BAR member Terry Hoffman to see if he would like to be reappointed as his term expires September 31, 2024.

Councilwoman O’Neil stated that she had a resident approach her regarding her residence on the Grant Rd curve. The resident is concerned getting in and out of their driveway. Councilwoman O’Neil asked if a blind driveway or curve sign be put up, Supervisor Meelan told her to call Highway Superintendent Jon Scott.

A thank you card was received for the installation of the Veteran’s banners on the poles.

AUDIT BILLS

RESOLUTION #74

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

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

A -	31,462.62
B -	15,693.34
DA -	28,289.34
DB -	42,947.68
SS1 -	883.48
SS2 -	649.26
SS4 -	487.93
Cap Fund H –	19,480.95

Roll Call Vote:

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

RESOLUTION #75

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

RESOLVED, that the Public Hearing for Local Law #1 of 2024 be closed at 05:17 p.m.

Roll Call Vote:

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

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 5:18 p.m.

Donna B. Maxam, Town Clerk