

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 September 9, 2024, at 5:00 p.m.

Present:

Supervisor Robert J. Meelan

Councilman Garry F. Colarusso

Councilman Richard J. Maxam

Councilwoman Melanie L. O'Neil

Anthony Hallak

Absent:

Councilwoman Donna E. Yando

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 recognized the public in attendance and asked if anyone would like to address the Board. Chris Abbe, an EMT with the Clark Mills Fire Department asked for the Town's assistance on helping to repair the Fire Districts. He said there is no relationship between Clark Mills and Clinton Fire Departments. He thought maybe both districts should be called or possibly adjust district lines, he feels the closest district should respond. Mr. Abbe feels that he is trying to do what's best for the people in the area. Supervisor Meelan said that the Town has no jurisdiction over Clark Mills and Deansboro Districts, they are run by commission. Chip Bassett also addressed the Board, he said that the Highway Department has been working on Phase 1, from Dugway to Rt 12B. The Trails are very happy with the work that has been completed. There was also some drainage work that needed to be done. The Trails want to hold an opening ceremony on October 1st. He also asked about the sidewalks, Supervisor Meelan told him that if any sidewalks were done it will most likely be on Franklin Ave.

RESOLUTION #76

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

RESOLVED, that the Kirkland Town Board approve the minutes of August 12, 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	Absent
Councilman Richard J. Maxam	Abstain
Councilwoman Melanie L. O'Neil	Aye

RESOLUTION #77

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

RESOLVED, that the Kirkland Town Board accept the resignation of James Nolan, Director of the Senior Center.

Roll Call Vote:

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

RESOLUTION #78

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

RESOLVED, that the Kirkland Town Board accept the resignation of Officer Joseph McCormick effective September 8, 2024.

Roll Call Vote:

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

RESOLUTION #79

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

RESOLVED, that the Kirkland Town Board reappoint Terry Hoffman to the Board of Assessment Review with term to expire September 30, 2029.

Roll Call Vote:

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

RESOLUTION #80

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

RESOLVED, that the Kirkland Town Board adopt the corrected resolution to the Negative Declaration Pursuant to the SEQR relative to the proposed Zoning Amendment on a portion of tax parcel 346.000-1-52.2 (Amendment has been made a part of these minutes)

RESOLUTION OF THE TOWN OF KIRKLAND TOWN BOARD ISSUING A "NEGATIVE DECLARATION" PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT RELATIVE TO THE PROPOSED ZONING AMENDMENT ON A PORTION OF TAX PARCEL 346.000-1-52.2

WHEREAS, the Town of Kirkland Town Board, (hereafter the "Board") has received an application from Hamlin Harkins Ltd. (the "Applicant") to rezone a portion of a parcel of land located on NYS Route 12B in the Town of Kirkland; and

WHEREAS, pursuant to the State Environmental Quality Review Act (hereinafter "SEQRA"), the Applicant caused to be prepared a long Environmental Assessment Form for the Project (hereinafter the "EAF"); and

WHEREAS, the EAF was reviewed by the Board and deemed adequate and accurate relative to the Project; and

WHEREAS, the Board resolved to notify all interested and involved agencies for the Project and assumed the status of lead agency for the Project and the Board duly notified such 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; 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) Based on the number of uses on the property and on the surrounding area, the change of zoning to enlarge the Corridor Overlay District is well suited to the area; and

b) The planned zoning change is consistent with the intent to implement a Corridor Overlay District along NYS Route 12B.

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 an unlisted 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 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 12, 2024

TOWN OF KIRKLAND TOWN BOARD

By: Robert Meelan, Supervisor

Roll Call Vote:

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

RESOLUTION #81

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

RESOLVED, that the Kirkland Town Board Ratify the Adoption of the Amendment to the Zoning Ordinance to a portion of a parcel of land located on NYS Route 12B in the Town of Kirkland, Tax parcel #346.000-1-52.2.

Roll Call Vote:

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

RESOLUTION #82

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

RESOLVED, that the Kirkland Town Board Agrees to Maintain, Repair & Energize a Highway Lighting System on or along State Highway 12B.

Roll Call Vote:

<u>NAME</u>	<u>VOTE</u>
Supervisor Robert J. Meelan	Aye
Councilman Garry F. Colarusso	Aye

Councilwoman Donna E. Yando	Absent
Councilman Richard J. Maxam	Aye
Councilwoman Melanie L. O'Neil	Aye

Supervisor Meelan stated that the Town does not require a special lighting district as this is located on a State Road.

RESOLUTION #83

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

RESOLVED, that the Kirkland Town Board opts to participate in the NYS Pro-Housing Communities Program if recommended after Attorney review.

Roll Call Vote:

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

GENERAL ORDER

Attorney Anthony Hallak – No report
 Town Clerk Donna Maxam – No report
 Highway Supt. Jon Scott – Councilman Colarusso – No report
 Police Dept. - Administrative Officer Occhipinti – No report
 Building and Grounds Liaison Councilwoman Yando –Absent
 Recreation Liaison Councilwoman O'Neil – Pickleball courts are installed and have had positive feedback, the ice is on and ready for Mondays practice!

Patti Maxam said that the Parks & Rec Dept. has a 2002 Zamboni and a 2015 car she would like to put on Auctions International, the Board approved.

Seniors Liaison Councilwoman Yando – Absent
 Sewer Liaison Councilman Maxam – All good
 SWOCO Liaison Councilman Maxam – No recent meeting

The monthly Safety Inspectors' Reports and Animal Control Officer's Reports were reviewed by the Town Board Members. (No Animal Control Report for the month of August)

DISCUSSION

With the resignation of the Senior Center Director James Nolan, a new Director will be needed. Sharlene Machold a long term member has said that she will take the position.

RESOLUTION #84

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

RESOLVED, that the Kirkland Town Board appoint Sharlene Machold to the position of Senior Center Director.

Roll Call Vote:

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

AUDIT BILLS

RESOLUTION #85

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 August 28, 2024 bills as audited: The totals were:

A -	34,801.25
B -	13,173.96
DA -	6,033.28
DB -	37,890.20
SS1 -	9104.68
Cap Fund H –	26,838.00

Roll Call Vote:

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

Councilman Garry F. Colarusso	Aye
Councilwoman Donna E. Yando	Absent
Councilman Richard J. Maxam	Aye
Councilwoman Melanie L. O’Neil	Aye

RESOLUTION #86

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 September 9, 2024 bills as audited: The totals were:

A -	16,049.89
B -	24,996.24
DA -	32,409.52
DB -	15,380.64
SS1 -	1,576.18
SS2 -	529.26
SS4 -	487.93
Cap Fund H –	445,327.70
SL1 –	649.97
SL2-	215.95
SL3-	115.34
SL4-	678.81

Roll Call Vote:

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

Attorney Hallak asked for a motion to enter into executive session to discuss a pending litigation.

A motion was made by Councilwoman O'Neil, second by Councilman Maxam to enter in to executive session at 5:42. All in favor.

A motion was made by Councilman Colarusso, second by Councilwoman O'Neil to come out of executive session at 6:07. All in Favor.

There being no further business to come before the Town Board, upon motion by Councilwoman O'Neil, seconded by Councilman Colarusso, the meeting was adjourned at 6:08 p.m.

Donna B. Maxam, Town Clerk