

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 March 24, 2025, at 5:00 p.m.

Present:

Councilman Garry F. Colarusso

Councilwoman Donna E. Yando

Councilman Richard J. Maxam

Councilwoman Melanie L. O’Neil

Absent:

Supervisor Robert J. Meelan

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

Deputy Supervisor Colarusso recognized the public in attendance. Mike Debraggio said the kickoff with LaBella was held. They are now working to put together application materials and a timeline. The businesses within the DRI District can apply for a share of the \$600,000. Mike Zielinski asked about minutes from the DOT meeting, Deputy Supervisor Colarusso explained that the DOT held its own meeting and was not part of a Board meeting, he told Mr. Zielinski to contact Heather Tehan from the DOT, she is the Public Information Officer.

RESOLUTION #21

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

RESOLVED, that the Kirkland Town Board approve the minutes of March 10, 2025 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	Aye
Councilman Richard J. Maxam	Aye
Councilwoman Melanie L. O’Neil	Aye

RESOLUTION #22

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

RESOLVED, that the Kirkland Town Board approve the Hamilton College Fireworks Display to be held June 7, 2025 at 10pm.

Roll Call Vote:

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

The resolution for the Kirkland Town Board to approve the Town of Kirkland Green Waste Facility Contractor Dumping Agreement has been tabled until the next meeting after the Board has a chance to review the agreement.

Town Clerk Maxam told the Board, Proof of Insurance for the KAC Run has been received.

RESOLUTION #23

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

RESOLVED, that the Kirkland Town Board approve the SEQRA

RESOLUTION DETERMINING THAT ACTION TO UNDERTAKE
CERTAIN PROJECTS WILL NOT HAVE A SIGNIFICANT
EFFECT ON THE ENVIRONMENT

WHEREAS, the Town Board of the Town of Kirkland, Oneida County, New York (the "Town") is considering undertaking certain projects described on Exhibit A to this resolution (the “Projects”); and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the Town desires to comply with the SEQR Act and the Regulations with respect to the Projects;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE TOWN BOARD OF THE TOWN OF KIRKLAND, NEW YORK AS FOLLOWS:

1. The Projects constitute a "Type II Action" (as defined in the Regulations), and no further action under the SEQR Act and the Regulations is required.

2. This Resolution shall take effect immediately.

The foregoing was thereupon declared duly adopted.

EXHIBIT A

PROJECTS

(a) Machinery and apparatus for construction and maintenance costing more than \$30,000. The purchase of machinery and apparatus to be used for constructing, reconstructing, repairing, maintaining or removing the snow and ice from, any physical public betterment or improvement. Type II action under 6 NYCRR 617.5(c)(31).

(b) Equipment, Machinery, Apparatus or Furnishings. The acquisition of original equipment, machinery, apparatus or furnishings for any physical public betterment or improvement or required for the purposes for which the physical public betterment or improvement is to be used. Type II action under 6 NYCRR 617.5(c)(31).

(c) Construction, reconstruction, widening or resurfacing of highways, roads, streets, parkways or parking areas. The construction, reconstruction, widening or resurfacing of highways, roads, streets, parkways or parking areas, whether or not including sidewalks, curbs, gutters, drainage, landscaping, grading or improving the rights of way, or the elimination of any grade crossing or improvements in connection therewith, with flexible pavement not specified in Local Finance Law Section 11.00(a)(20)(a) or (c). Type II action under 6 NYCRR 617.5(c)(2) and/or (5).

Roll Call Vote:

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

RESOLUTION #24

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

BOND RESOLUTION NO. 24 OF 2025

BOND RESOLUTION DATED MARCH 24, 2025 OF THE TOWN OF KIRKLAND, ONEIDA COUNTY, NEW YORK, AUTHORIZING THE ISSUANCE OF \$350,000 SERIAL BONDS TO FINANCE THE CONSTRUCTION, RECONSTRUCTION, WIDENING OR RESURFACING OF A HIGHWAY, ROAD, STREET, PARKWAY OR PARKING AREA

Introduced by Councilwoman Yando, who moved its adoption, seconded by Councilman Maxam.

BE IT RESOLVED by the Town Board of the Town of Kirkland, Oneida County, New York as follows:

Section 1. The Town of Kirkland, Oneida County, New York (the "Town") is hereby authorized to undertake the construction, reconstruction, widening or resurfacing of highways, roads, streets, parkways or parking areas, whether or not including sidewalks, curbs, gutters, drainage, landscaping, grading or improving the rights of way, or the elimination of any grade crossing or improvements in connection therewith, with flexible pavement not specified in Local Finance Law Section 11.00(a)(20)(a) or (c), at an estimated maximum cost not to exceed \$350,000.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific objects or purposes is \$350,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of not to exceed \$350,000 in serial bonds (the "Bonds") of the Town authorized to be issued pursuant to this Resolution; PROVIDED, HOWEVER, that to the extent that any Federal or State grants-in-aid are received for such specific objects or purposes, the amount of Bonds to be issued pursuant to this Resolution shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes is ten (10) years pursuant to paragraph 20(b) of Section 11.00(a) of the Local Finance Law. The proposed maturity of the Bonds will be in excess of five years measured from the date of the Bonds or from the date of the first bond anticipation note issued in anticipation of the Bonds, whichever date is earlier.

Section 4. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 5. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution.

Section 6. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00 inclusive of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to sell and deliver the Bonds and any bond anticipation notes providing for substantially level or declining annual debt service, is hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

Section 8. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the Town's General Fund. It is intended that the Town shall then reimburse such expenditures with the proceeds of the Bonds and bond anticipation notes authorized by this resolution and that the interest payable on the Bonds and any bond anticipation notes issued in anticipation of the Bonds shall be excludable from gross income

for federal income tax purposes. This resolution is intended to constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized by this resolution with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Treasury Regulation Section 1.150-2.

Section 9. The serial bonds and bond anticipation notes authorized to be issued by this resolution are hereby authorized to be consolidated, at the option of the Town Supervisor, the chief fiscal officer of the Town, with the serial bonds and bond anticipation notes authorized by other bond resolutions adopted by the Town Board for purposes of sale in one or more bond or note issues aggregating an amount not to exceed the amount authorized in such resolution. All matters relating to the sale of the Bonds, including the date of the Bonds, the use of electronic bidding, the consolidation of the Bonds and bond anticipation notes with other issues of the Town, and the serial maturity of the Bonds, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

Section 10. Any federal or New York State grant funds obtained by the Town for the capital purpose described in Section 1 of this resolution shall be applied to pay the principal of and interest on Bonds or any bond anticipation notes issued pursuant to this resolution, or to the extent obligations shall not have been issued under this resolution, then to reduce the maximum amount to be borrowed for such capital purpose. The Supervisor, as chief fiscal officer, is authorized to determine the application of any such federal or New York State grant funds for any one or more of the foregoing purposes.

Section 11. The validity of the Bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of this resolution or a summary thereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 12. The resolution, or a summary thereof, shall, after being effective, be published in the official newspaper of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 13. The Town Supervisor, as chief fiscal officer of the Town, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the Town to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12.

Section 14. In the absence of the Town Supervisor, the Deputy Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this Resolution.

Section 15. The Town Board hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this resolution.

Section 16. This resolution is subject to permissive referendum pursuant to Article 7 of the Town Law of the State of New York. The Town Clerk is hereby authorized and directed to within ten (10) days after the adoption of this resolution by the Town Board to post and publish a notice in the manner and form prescribed by Article 7 of the Town Law.

Roll Call Vote:

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

RESOLUTION #25

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

BOND RESOLUTION NO. 25 OF 2025

BOND RESOLUTION DATED MARCH 24, 2025 OF THE TOWN OF KIRKLAND, ONEIDA COUNTY, NEW YORK, AUTHORIZING THE ISSUANCE OF \$900,000 SERIAL BONDS TO FINANCE THE PURCHASE OF MACHINERY, APPARATUS, EQUIPMENT AND FURNISHINGS

Introduced by Councilwoman O’Neil, who moved its adoption, seconded by Councilman Maxam.

BE IT RESOLVED by the Town Board of the Town of Kirkland, Oneida County, New York as follows:

Section 1. The Town of Kirkland, Oneida County, New York (the “Town”) is hereby authorized to undertake the projects described below (the “Projects”) at an aggregate estimated maximum cost of \$900,000. The estimated maximum cost of each Project being as follows:

- (a) Machinery and Apparatus for Construction and Maintenance Costing \$30,000 or More. The purchase of machinery and apparatus to be used for constructing, reconstructing, repairing, maintaining or removing the snow and ice from, any physical public betterment or improvement, the cost of which is \$30,000 or more, at a total estimated maximum cost not to exceed \$750,000; and
- (b) Equipment, Machinery, Apparatus or Furnishings. The acquisition of original equipment, machinery, apparatus or furnishings for any physical public betterment or improvement or required for the purposes for which the physical public betterment or improvement is to be used, at a total estimated maximum cost not to exceed \$150,000.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific objects or purposes is \$900,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of not to exceed \$900,000 in serial bonds (the "Bonds") of the Town authorized to be issued pursuant to this Resolution; PROVIDED, HOWEVER, that to the extent that any Federal or State grants-in-aid are received for such specific objects or purposes, the amount of Bonds to be issued pursuant to this Resolution shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific objects or purposes pursuant to paragraph (a) of Section 11.00 of the Local Finance Law are as follows:

	Period of Probable usefulness (Years)	Local Finance Law Section 11.00(a) <u>Paragraph</u>
(a) Machinery and Apparatus for Construction and Maintenance Costing \$30,000 or More	15	28
(b) Equipment, Machinery, Apparatus or Furnishings	5	32

Section 4. The proposed maturity of the Bonds shall not exceed five years, measured from the date of the first issuance of Bonds, or the date of the first bond anticipation note in anticipation of the sale of the Bonds, whichever date is earlier.

Section 5. Pursuant to Section 107.00(d)(9) of the Local Finance Law, current funds are not required to be provided prior to issuance of the Bonds or any bond anticipation notes issued in anticipation of issuance of the Bonds.

Section 6. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution.

Section 7. The Bonds and any bond anticipation notes issued in anticipation of the Bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and the Bonds, and any bond anticipation notes issued in anticipation of the Bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00 inclusive of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, and the power to prescribe the terms, form and contents of the Bonds, and any bond anticipation notes, and the power to sell and deliver the Bonds and any bond anticipation notes issued in anticipation of the issuance of the Bonds, and the power to sell and deliver the Bonds and any bond anticipation notes providing for substantially level or declining annual debt service, is hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

Section 9. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the Town's General Fund. It is intended that the Town shall then reimburse such expenditures with the proceeds of the Bonds and bond anticipation notes authorized by this resolution and that the interest payable on the Bonds and any bond anticipation notes issued in anticipation of the Bonds shall be excludable from gross income for federal income tax purposes. This resolution is intended to constitute the declaration of the Town's

"official intent" to reimburse the expenditures authorized by this resolution with the proceeds of the Bonds and bond anticipation notes authorized herein, as required by Treasury Regulation Section 1.150-2.

Section 10. The serial bonds and bond anticipation notes authorized to be issued by this resolution are hereby authorized to be consolidated, at the option of the Town Supervisor, the chief fiscal officer of the Town, with the serial bonds and bond anticipation notes authorized by other bond resolutions adopted by the Town Board for purposes of sale in one or more bond or note issues aggregating an amount not to exceed the amount authorized in such resolution. All matters relating to the sale of the Bonds, including the date of the Bonds, the use of electronic bidding, the consolidation of the Bonds and bond anticipation notes with other issues of the Town, and the serial maturity of the Bonds, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

Section 11. Any federal or New York State grant funds obtained by the Town for the capital purpose described in Section 1 of this resolution shall be applied to pay the principal of and interest on Bonds or any bond anticipation notes issued pursuant to this resolution, or to the extent obligations shall not have been issued under this resolution, then to reduce the maximum amount to be borrowed for such capital purpose. The Supervisor, as chief fiscal officer, is authorized to determine the application of any such federal or New York State grant funds for any one or more of the foregoing purposes.

Section 12. The validity of the Bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of the Bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of this resolution or a summary thereof are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 13. The resolution, or a summary thereof, shall, after being effective, be published in the official newspaper of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 14. The Town Supervisor, as chief fiscal officer of the Town, is hereby authorized to enter into an undertaking for the benefit of the holders of the Bonds from time to time, and any bond anticipation notes issued in anticipation of the sale of the Bonds, requiring the Town to provide secondary market disclosure as required by Securities and Exchange Commission Rule 15c2-12.

Section 15. In the absence of the Town Supervisor, the Deputy Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this Resolution.

Section 16. The Town Board hereby determines that the provisions of the State Environmental Quality Review Act and the regulations thereunder have previously been satisfied with respect to the expenditures authorized by this resolution.

Section 17. This resolution is not subject to permissive referendum pursuant to Section 35.00(b)(1) of the Local Finance Law.

Section 18. This resolution shall take effect immediately upon its adoption.

Roll Call Vote:

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

AUDIT BILLS

RESOLUTION #26

Upon motion by Councilwoman O’Neil, 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 -** 60,017.85
- B -** 12,626.55
- DA -** 67,339.86
- DB-** 486.20
- SS1 -** 13,072.15
- SS4 -** 37.31
- Cap Fund H –** 2,902.50

Roll Call Vote:

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

Deputy Supervisor Colarusso asked for a motion to enter into executive session to discuss a contractual matter.

A motion was made by Councilwoman O'Neil, second by Councilman Maxam to enter in to executive session at 5:13. All in favor.

A motion was made by Councilwoman Yando, second by Councilman Maxam to come out of executive session at 5:48. All in Favor.

Deputy Supervisor Colarusso said that green waste from the Village is no longer accepted at the Town facility.

There being no further business to come before the Town Board, upon motion by Councilman Maxam, seconded by Councilwoman O'Neil, the meeting was adjourned at 5:51 p.m.

Donna B. Maxam, Town Clerk