

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 July 17, 2024, at 5:00 p.m.

Present:

Supervisor Robert J. Meelan

Councilman Garry F. Colarusso

Councilwoman Donna E. Yando

Councilman Richard J. Maxam

Councilwoman Melanie L. O'Neil

Absent:

Attorney Anthony Hallak

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 an Amendment to the Zoning Ordinance for Hamlin Harkins, LTD. 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 July 17, 2024 at 5 pm at the Town of Kirkland Municipal Building, located at 3699 State Route 12B, Clinton, New York in regard to the Matter of the Application Requesting an Amendment to the Zoning Ordinance of the Town of Kirkland on behalf of Hamlin Harkins, LTD for premises situate at 3408 NY State Route 12B in the Town of Kirkland.

The Public Hearing will be held to hear all persons interested in the Application Requesting an Amendment to the Zoning Ordinance of the Town of Kirkland for premises situate at 3408 NY State Route 12B, Kirkland.

A copy of the Petition for Amendment to the Zoning Ordinance of the Town of Kirkland Application is available for inspection at the Office of the Kirkland Town Clerk, 100 N. Park Row, Clinton, NY, 13323.

Dated: June 11, 2024

By Order of the Town Board of
The Town of Kirkland
Oneida County, New York
Donna B. Maxam, Town Clerk

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

RESOLUTION #62

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 June 26, 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	Abstain
Councilman Richard J. Maxam	Aye
Councilwoman Melanie L. O’Neil	Aye

RESOLUTION #63

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

RESOLVED, that the Kirkland Town Board approve the Limberlost Escrow Agreement. (Filed in Town Clerk Minutes Book)

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	Aye
Councilwoman Melanie L. O’Neil	Aye

RESOLUTION #64

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

RESOLVED, that the Kirkland Town Board set a Public Hearing for the Clinton Tractor Zone Change to be held on August 12th.

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	Aye
Councilwoman Melanie L. O’Neil	Aye

RESOLUTION #65

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

RESOLVED, that the Kirkland Town Board approve the Reimbursement Resolution.

REIMBURSEMENT RESOLUTION

RE: Lease Purchase Agreement, dated as of 12/1/2023 (the "Agreement") between Community First National Bank ("Lessor") and Town of Kirkland ("Lessee").

I, the undersigned, the duly appointed, qualified and acting Clerk or Secretary of the above captioned Lessee do hereby certify this date JULY 17, 2024, at a duly called meeting of the Governing Body of the Lessee (as defined in the Agreement) held on JULY 17, 2024 the following resolution was introduced and adopted:

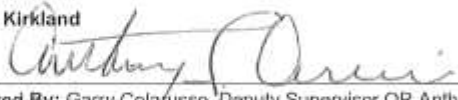
BE IT RESOLVED by the Governing Body of Lessee as follows:

Intent to Reimburse. Lessee reasonably intended to reimburse itself for the expenditure(s) made by Lessee as listed on Exhibit 1 attached hereto from the proceeds of the tax-exempt financing which is in the form of the above referenced Agreement.

Lessee hereby officially resolves it intended at the outset to finance the Project and/or Equipment purchased by Lessee and listed on Exhibit 1 with the proceeds from the above referenced Agreement. This Reimbursement Resolution is officially made by the Lessee with the intent of satisfying the requirements set forth in Treasury Regulations Section 1.150-2.

Adoption of Resolution. The signatures below from the designated individuals from the Governing Body of the Lessee evidence the adoption by the Governing Body of this resolution.

Town of Kirkland



Authorized By: Garry Colarusso, Deputy Supervisor OR Anthony Arcuri, Budget Director



Certified By: Donna Maxam, Town Clerk

**EXHIBIT 1
TO REIMBURSEMENT RESOLUTION**

RE: Lease Purchase Agreement, dated as of 12/1/2023 (the "Agreement") between Community First National Bank ("Lessor") and Town of Kirkland ("Lessee").

Description of Project and/or Equipment Purchased by Lessee:
One (1) New Volvo EWR130 Excavator with Rotary Mower

List of Expenditures and amount:

<u>Equipment Description</u>	<u>Vendor Paid</u>	<u>Cost of Equipment</u>	<u>Date Paid</u>
DIAMOND DERBYH	Stephens's Equip.	\$ 11,900 ⁰⁰	5/13/2024

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	Aye
Councilwoman Melanie L. O'Neil	Aye

GENERAL ORDER

Attorney Anthony Hallak – Absent
 Town Clerk Donna Maxam – No report
 Highway Supt. Jon Scott – has taken delivery of the 2 new trucks
 Norton Ave- the culverts have been placed, working on concrete and backfill
 Bridge NY – 2.4 million has been awarded to replace the Norton Ave bridge
 900,000 for Craig Rd bridge culvert

RESOLUTION #66

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

RESOLVED, that the Kirkland Town Board authorize Highway Superintendent Jon Scott to declare as surplus, two trucks to be sold on Auctions International:

2012 International VIN: 1HTMRAAN0CH086233

2012 Volvo VIN: 4V5KC9EH6CN559515

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	Aye
Councilwoman Melanie L. O'Neil	Aye

Police Dept. - Administrative Officer Occhipinti – Absent
Building and Grounds Liaison Councilwoman Yando – No report
Recreation Liaison Councilwoman O'Neil – Roller Derby to be held Saturday, July 20th, the next will be Sunday, August 11th. The midget wrestling went well, 500 attendees. Pickle ball materials have arrived
Seniors Liaison Councilwoman Yando – No report
Sewer Liaison Councilman Maxam – All good
SWOCO Liaison Councilman Maxam – Picnic was held

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

DISCUSSION

Councilman Colarusso said that there was to be a guest speaker: Samantha Francisco from Clean Energy – she was not able to attend as she is from Rome (tornado damage) and will schedule a meeting with Supervisor Meelan, Councilman Colarusso, Jon Scott and Patti Maxam. She has said that Kirkland is eligible for a \$10,000 grant, Councilman Colarusso has a list of eligible items that he will share with Parks/Rec Department and also the Highway Department.

Supervisor Meelan said a thank you was received from the KAC for allowing the Run & Walk.

Supervisor Meelan said a thank you was received from Kirkland Cemetery for helping them.

AUDIT BILLS

RESOLUTION #67

Upon motion by Councilwoman Yando, 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 -	98,730.80
B -	52,394.97
DA -	162,850.45
DB -	187,436.65
SS1 -	24,349.15
SS2 -	569.26
SS4 -	1,087.93
Cap Fund H –	3,230.00
SL1-	618.61
SL2 -	213.18
SL3-	118.44
SL4 -	629.14

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	Aye
Councilwoman Melanie L. O’Neil	Aye

RESOLUTION #68

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

RESOLVED, that the Public Hearing for an Amendment to the Zoning Ordinance for Hamlin Harkins LTD. be closed at 05:19 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	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 5:20 p.m.

Donna B. Maxam, Town Clerk