

REGULAR MEETING, TOWN OF REDFIELD, January 11, 2022

The regular monthly meeting of the Redfield Town Board was held on January 11, 2022 at the Redfield Municipal Building and via Zoom starting at 7:30pm. Roll call was taken and the following board members were present:

- Tanya Yerdon - Supervisor
- Carla Bauer - Councilwoman
- Elaine Yerdon - Councilwoman
- Corey Yerdon - Councilman
- Matthew Tompkins - Councilman

In addition, Susan Hough -Town Clerk, Russell Montieth -Highway Superintendent, Jane Jones, Michael Yerdon - Code Enforcement Officer and Tug Hill Commission - Angela Kimball

Pledge of the Allegiance was said.

Resolution 22-01

Motion was made by Carla Bauer and seconded by Matthew Tompkins that the General Fund Bills - Abstract #01 Vouchers 001-015, 028-034 Totaling \$ 11,157.81 and Light District #1 - Abstract #01 Vouchers 016 Totaling \$ 1,338.55

Be paid upon a quorum of signatures is met.

ADOPTED Ayes 5 T. Yerdon, E. Yerdon, C. Yerdon, C. Bauer, M. Tompkins
Nays 0

Resolution 22-02

Motion was made by Matthew Tompkins and seconded by Elaine Yerdon that the Highway Fund Bills - Abstract # 01 Vouchers 015,018-027 Totaling \$ 26,933.61

Be paid upon a quorum of signatures is met.

ADOPTED Ayes 5 T. Yerdon, E. Yerdon, C. Yerdon, C. Bauer, M. Tompkins
Nays 0

Resolution 22-03

Motion was made by Carla Bauer and seconded by Elaine Yerdon that the Supervisors Report and Payroll Sheets be accepted as presented upon receiving a quorum of initials on the sheets.

ADOPTED Ayes 5 T. Yerdon, E. Yerdon, C. Yerdon, C. Bauer, M. Tompkins
Nays 0

TOWN CLERK – SUSAN HOUGH

Resolution 22-04

Motion was made by Carla Bauer and seconded by Matthew Tompkins to authorized Supervisor Tanya Yerdon to sign the Williamson Law Books software contracts for Accounting and Payroll.

ADOPTED Ayes 5 T. Yerdon, E. Yerdon, C. Yerdon, C. Bauer, M. Tompkins
Nays 0

Resolution 21-05

Motion was made by Tanya Yerdon and seconded by Elaine Yerdon to rescind resolution 21-115 made on December 14, 2021 to appoint Brittany Willson as Sole Assessor from January 1, 2022 through September 20, 2025.

ADOPTED Ayes 5 T. Yerdon, E. Yerdon, C. Yerdon, C. Bauer, M. Tompkins
Nays 0

Supervisor Tanya Yerdon - we should be hearing from the State soon regarding the Assessor position. Brittany Willson - received an email today that she needs to be more specific on her hours as she stated it varies due to the size of Redfield. She will have to back track and see what we've done and how many hours she has, she honestly doesn't think the amount of hours she has will qualify her for this year. So we will just have to keep plugging away as we've been doing. Supervisor Tanya Yerdon - ok as long as everyone is on the same page, and you're willing to keep working with Jane, she will work with her too, is that the thoughts of the rest of the Board? CW E. Yerdon - yes, she continues to be the clerk. Supervisor Tanya Yerdon - Brittany can be the clerk but she is going to appoint Jane as clerk also because she has to sign the roll. This way Jane and Brittany can keep the information more up to date so we don't get so far behind like a year ago. The State suggested that she appoints Jane and Brittany as clerks to the supervisor. CW E. Yerdon - ok. Supervisor Tanya Yerdon - they won't let us appoint Jane as the Assessor because of the training hours and you heard Brittany that's what we have to work with right now. Jane are you still up for that? Jane Jones - Yes, she wants the Board to understand that they probably couldn't appoint her again as Assessor because she didn't take any continuing Ed last year, seeing as how I thought I was retiring two years ago there wasn't any reason for her to take continuing education. I am more than willing to work with Brittany as long as Tanya is comfortable signing the roll they put together. Supervisor Tanya Yerdon - as long as I have you, I don't have a problem signing it because I can ask you guys' questions. Jane - we've got to do what we can.

Resolution 21-06

Motion was made by Elaine Yerdon and seconded by Carla Bauer to authorize Supervisor Tanya Yerdon to hire/appoint Jane Jones and Brittany Willson as her Clerks to the Supervisor.

ADOPTED Ayes 5 T. Yerdon, E. Yerdon, C. Yerdon, C. Bauer, M. Tompkins
Nays 0

Resolution 21-07

Motion was made by Elaine Yerdon and seconded by Corey Yerdon to approve the November 4, 2021 regular meeting and the November 4, 2021 Public Hearing as presented.

ADOPTED Ayes 5 T. Yerdon, E. Yerdon, C. Yerdon, C. Bauer, M. Tompkins
Nays 0

Town Clerk - she will make a packet up for everyone with the material from tonight's meeting. There was discussion on other policies that Corey would need. She will make copies of some of the Local Laws and policies for Corey. Supervisor Tanya Yerdon - has been notified by NYMIR that they will be doing a webinar on the Harassment and Discrimination on January 19, Susan has the information for everyone. Does everyone have the letters, emails and comments regarding Joe Cesta -Indian Hills selling property, she sees that it's been previously discussed. Joe Cesta is now in the Zoom meeting. Supervisor Tanya Yerdon - she's been thinking about this - obviously the 200 feet of road frontage is on Indian Hills and not County Route 17, am I correct. Joe Cesta- Yes - he only has 100 feet road frontage on County Route 17, he would be giving them 140 road frontage on Indian Hills, so it wouldn't be continuous on the same road. Here's what he would like to point out, you have indicated that he would need a variance in affect to complete this transaction, it's a lot change, he's just making it three acres which is more compliant with the zoning in rural residential. During his research he hasn't found anything that says once you make a change to a property it has to conform to all the aspects of the zoning, it just says you can't make it less conforming on a grandfathered or prior non-conforming property. He did not read anywhere that you can't make it more conforming and that then it has to totally conforming, he doesn't see that in any State, County or Town's law. Supervisor Tanya Yerdon - she hasn't read up on everybody else's policies.

Tug Hill Commission Angie Kimball - a pre-existing non-conforming lot of record - after a Zoning law has been passed, the lot then either has to comply with the existing Zoning that's in effect when the change is to be made or you have to have a variance, that's the way it works. Joe Cesta - he doesn't read that in any of the zoning laws you just said, you cannot make it less conforming, you can make a change that makes it less conforming with setbacks, his property has a structure that is already there. His setbacks are actually going to increase, he doesn't know if they're going to be in compliance with all the setbacks now, but this transaction is going to make him more compliant, although not totally. He would request that the Town Board let this transaction occur to increase the size of his property and then if he's going to make a change down the road let him get a variance and whatever you have to do with whatever changes he's going to do. He just wants some more property and Joe would like to sell him a couple acres and maybe buy the other piece next to him that's non-conforming and may fall in at any time. Supervisor Tanya Yerdon - she still believes - the Board can tell her if she's wrong, that you have to go through the variance because you are changing the lot line, as with everything that Angie just explained. Joe Cesta - he did not read any section of the zoning that says you have to get a variance to increase a lot size of a non-conforming property. Tug Hill Commission Angie Kimball - Joe anytime you make a change to a pre-existing lot of record that is not in compliance with the current zoning law that's in effect at that point in time when you make the change then you have to bring it into compliance, Matthew / Mike please correct me if I'm wrong. Code Enforcement Officer Mike Yerdon - you are correct. CM M. Tompkins - you're not. Joe Cesta - anywhere, can you tell me where in the zoning it says that. I mean ideally, yes, it would be great if he could give him an extract hundred foot of road frontage, and he is talking to the guy on the other side of him, Joe told him he's better off being complete compliance but it's not going to happen before my transaction, where's he going to pick up the extra hundred feet of road frontage on 17. So if that's the case, if you're telling me I need a variance to sell two acres and do a lot line change, I would ask you that under Section 274, the Town to approve with modifications or waive any submissions because it's a lot of paperwork to seek a variance and it's a lot of time constraint, realistically it's making things better up there it's making them more compliant. Supervisor Tanya Yerdon - we have a law in place, many people have gone through the variance process, but that's the law and that's how we will proceed. Joe Cesta - where does it say that because he hasn't read that anywhere, he's gone through the law looking for where it says that once you make a change it has to be completely in compliance, I don't see that anywhere. Supervisor Tanya Yerdon - tell me if I'm wrong, once you adopt zoning its part of the State requirements. Tug Hill Commission Angie Kimball - it's a state law, when the lot was created, it preexisted the zoning law so it's grandfathered (which she hates that term grandfather) because it was in existence prior to the zoning law. Now the Town of Redfield has adopted the zoning law and that states that any lot in the Town of Redfield is going to follow these rules the State law gives them the right to do that. Under the State planning and zoning statutes, which she can get for him. If you change a pre-existing lot of record which is non-compliant then it has to at that point follow the zoning law that's in effect at the time of the change, that's the States statute, that's the way it works. Joe Cesta- I guess it looks like I'm going to get burned, but if you would just give me the courtesy of letting me know when you find that section, I know it says that where it comes into play is if he's going to do an addition or change his structure but no the lot size, so if you could find that and maybe we'll all be educated, and if you're just making it bigger and more compliant. There is no variance required, and people can become more compliant without the barriers and down the road if he's going to change the structure than yeah sure he's got to get a variance. There was more discussion, Angie will find the statutes and send them to Joe. CW C. Bauer - we all understand what you (Joe) want you're wanting to do, but we still have to abide by the law. CM M. Tompkins - the Town Board doesn't have the authority to approve any lot changes that don't comply in total, with our subdivision and zoning laws, that's what the Board of Appeals is there for.

Joe Cesta- if I have to get a variance is it possible to waive some of the requirements that have to be met. CM C. Bauer - you have to meet all the requirements for the variance. Supervisor Tanya Yerdon - you have to go through the variance procedure, the Board cannot make any decisions until the variance procedure is done, then it comes back to the Board. Mike Yerdon - you want to add on to a non-conforming lot but still making it non-conforming with the change, the law states you are creating a new lot because you are increasing the size of the lot of record, if you are going to increase the lot of record size, it's going to meet the zoning requirements, it's pretty simple. There was more discussion. Supervisor Tanya Yerdon - the Board of Appeals is provided so you have the right to speak your side to them, then it comes to the Town Board, it's the steps that have to be followed. They will need all the information they can get to make an educated decision, maps, survey, etc. Joe Cesta - there are other non-conforming lots, structures in town that need to be considered. Supervisor Tanya Yerdon - the Town has spent thousands of dollars taking care of buildings over the last three years, we are doing our best to clean up the town. Joe Cesta signed out of the Zoom meeting around 8:40pm.

CODE ENFORCEMENT OFFICER - MICHAEL YERDON

Mike - total of 44 permits issued in 2021 with a total of \$ 5,036.00. He is registered for classes in April, they were cancelled last year so they are all paid for. He's taking classes this week, in February and March as a backup. Last year he had to do 30 hours of classes online. He hasn't received the State forms yet, Tanya sent him emails. He's working on a report for a structure fire on Cat Trail regarding a wood stove without a permit.

LEGISLATOR - MICHAEL YERDON

They had an early meeting last Thursday, everyone was sworn in. He got 100 KN95 masks for Redfield and 50 for the Fire Department.

HIGHWAY SUPERINTENDENT - RUSSELL MONTIETH

Russell - they survived the snow storm yesterday, they had three trucks going for twelve hours straight, 3am to midnight, come in late morning for their 8 hours off and keep things going, night crew did an excellent job main roads were more than passable and most of the Town roads were too. High Pressure Injection Pump on the Thursday night we had a problem with it, called Friday morning and DeLongs came up and were here until almost eight o'clock. There's a Stadium invoice for around \$ 4,000, we will have an \$ 800 credited for the core charge, the wiper motor went in the 2014 which was \$ 400 so we've already used up part of the credit. Supervisor Tanya Yerdon - Impressive - doesn't know how you can see to plow when it's like that, we couldn't ask for better bunch of people. He had Mitch and Skip plowing up North, then Mitch and Jimmy went up North Osceola Road - a tree had come down on the line, National Grid truck was stuck in the road just past County Route 47, wanted to get the power back on for them up there. During our downtime been going through trucks, cleaning and painting the breakroom, bathroom, shop work area and about three quarters of the main wall, moved stuff, getting things cleaned up, a little grumbling but a clean house is a happy house, it looks better when people come in, salesmen come in and say how nice it looks it's a reflection on me and them, thanks to the Town Board for giving them the resources to do this, he thinks it something they all should take pride in. He has the Oswego County Inter-Municipal Agreement - he had to sign this two years ago to purchase sand, it has rental of portable equipment, stationary equipment, ice control cost of sand is \$ 4.00 cubic yard using town/county owned pit, county doesn't own a pit on this end of the County so we will be paying \$ 6.00 cubic yard, it's the standard agreement, Kurt Oshelt signs 2 copies as well as Russell.

Resolution 22-08

Motion was made by Elaine Yerdon and seconded by Carla Bauer to authorize Highway Superintendent Russell Montieth to sign the Inter-Municipal Agreement with Oswego County.

ADOPTED Ayes 5 T. Yerdon, E. Yerdon, C. Yerdon, C. Bauer, M. Tompkins
Nays 0

JANE JONES

Jane - there are different senior exemptions - STAR, Lower Income & Disabled, last year there was an Executive Order that none of them had to apply for the exemptions if they had them the previous year, it was too difficult for the seniors to get around. The new Governor - low income seniors don't have to apply for the exemption if the Town Board passes a resolution. CM C. Yerdon - they would need to apply next year, this is to get them through this year. When does it need to be in? CW E. Yerdon - it needs to be passed we don't really have that many people.

Resolution 22-09

Motion was made by Tanya Yerdon and seconded by Corey Yerdon pursuant to NYS Governor's Executive Order No. 11.1 of 2021, therefore be it resolved that the Town of Redfield, Oswego County, State of New York, eliminates the renewal requirement for property tax exemptions 467 and 459c allowing partial tax exemption for Senior Citizens and Disabled Persons for the 2022 Town, County and School Assessment Roll.

ADOPTED Ayes 5 T. Yerdon, E. Yerdon, C. Yerdon, C. Bauer, M. Tompkins
Nays 0

Jane - the building permits are done and the sales are done on property cards, monthly sales, she will have Brittany come down to making a few changes, updating files, etc.

Supervisor Tanya Yerdon - she asked Clayton if he wanted to continue being the Dog Control Officer and he does.

TUG HILL COMMISSION – ANGELA KIMBALL

Angie -

REMINDER: Remote meetings have been authorized again by the Governor via a state law until January 15, 2022. The same qualifications have been added as existed under the Executive Order, namely that the public has the ability to join remotely, that the meeting be transcribed, and the transcription be available for 4 months after the meeting. If you have a Board meeting/public hearing that you need to hold via Zoom, contact Angie and she will get the meeting set up.

REMINDER: The Association of Towns of the State of New York (AOT) is holding its 2022 Annual Meeting & Training School from February 20 through 23, 2022 at the New York Marriott Marquis in New York, NY. Registration materials will be available at www.nytowns.org starting November 1. At this time, attendees will be required to show proof of vaccination and wear a mask in order to attend the event. Also, AOT is providing short fact sheets and videos about pertinent town topics, called Town Teas. Several have been completed so far including: OML and Virtual Meetings, Transitions in Office, Highway Fund, Quorums and Voting Requirements, Capital Planning, Amendments to OML and Door to Door Sales. Visit

https://members.nytowns.org/Towns/Common/Town_Tea.aspx to access the documents.

REMINDER: The Association of Towns is offering their 2022 Newly Elected Officials Training School online ONLY January 6 and 7, 2022. All supervisors, town board members, fiscal personnel, and town clerks are encouraged to attend. There is a \$75 fee per member/non-member, payable in

advance of the program. This fee covers the cost of tuition and course materials. More information, including the registration form, is available at <http://www.nytowns.org/images/Documents/Training/2022%20Newly%20Elected%20Forms.pdf>.

REMINDER: Cornell Local Roads Program (CLRP) has some webinars scheduled for this winter including Roads & Streets Legal Issues, January 4th; Department Duties, January 11th; Worker Safety, January 25th; Culverts, February 1st; Finding, Retaining, and Motivating Employees, February 8th; Work Zone, February 15th; and Purchasing & Financing, February 22nd; Pavement Maintenance, March 1st; Surface and Subsurface Drainage, March 8th and Flagging, March 15th Visit the CLRP website for more session information and to register for any of the webinars at: <https://cals.cornell.edu/nysltap-local-roads>. The Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) and the Grants Program Directorate have issued a notice of the Financial Year 2021 Assistance to Firefighters (AFG) grants. The AFG grant program allows applications in three areas 1) Operations and Safety; 2) Vehicle Acquisition and 3) Regional Projects. Each of the activities has its own eligibility requirements so you will need to consult the grant documents at <https://www.fema.gov/media-collection/fy-2021-assistance-firefighters-grant-afg-application-guidance-materials> for more information. There is \$414,000,000 in funding available and there are anticipated to be 2,500 awards. Maximum grant award for applications in jurisdictions of various populations is available in the grant documents (for communities of less than 100,000 people the maximum is \$1,000,000). For more information on the AFG grant program visit the FEMA website the link of which is listed above. Deadline to apply for the FY2021 AFG grant program has been extended to 1/21/22 at 5 pm Eastern Time. The Great Lot Sportsman's Club will be hosting five guided snowshoeing trips this winter at their club at 4277 Osceola Road in West Leyden. Reservations are required. Participants are asked to meet at 9:45am at the Great Lot Sportsman's Club entrance; and the dates for 2022 are January 15, February 12, February 26, March 12, March 26. You can follow one of the guides or take a map and explore the many snow-covered trails on your own. Afterwards all will be treated to a hot lunch and refreshments at the clubhouse. The snowshoeing and lunch are FREE and open to all age groups! There are a limited numbers of snowshoes to borrow. For more information or to sign up please contact Guy Case @ (315) 378-7592, Andy Bailey @ (315) 225-3119 or Jim Ray @ (315) 225-1731. Visit www.thegreatlot.com and download a trail map. Quick Start Grants Available from the NYS Urban Forestry Council. Are you interested in becoming a Tree City USA? The Council offers a Quick Start grant of up to \$1,000 for communities that are not yet a Tree City USA but are working to become one starting with an inaugural tree planting celebration. Applications are due **February 10, 2022**. Learn more and apply for a Quick Start grant on the Council's website. **SAVE THE DATES:** -The January Tug Hill Commission meeting will January 24th via Zoom, if it is still allowed. The link for the meeting will be available on the Tug Hill Commission's website at <https://tughill.org/> and will be announced in the Tug Hill Times if the virtual option is available. You can also contact Angie for the meeting information as it becomes available. The public is welcome to attend this meeting.

-The date and location for the 2022 Local Government Conference have been verified. The Conference will be held on Tuesday April 19th and will be held at the Turning Stone Casino Event Center. Invitations will be out in the mail in January.

She's expecting that they will extend the Executive order for Zoom meetings. Angie discussed the possibility of the Town of Redfield joining the Cooperative Tug Hill Board of Appeals, you would need one person from the Town of Redfield and they would sit for example Osceola, Florence and Redfield. There was discussion, Jane Jones - thinks it's a great idea, CW E. Yerdon - advertise and no one answers the ad. The Board is in favor of joining the Cooperative Tug Hill Board of Appeals if possible.

SUPERVISOR - TANYA YERDON

The following appointments were made for 2022:

