

1 **REGULAR MEETING, TOWN OF DANUBE, MARCH 8, 2006**

2
3 **A regular meeting of the Town Board of the Town of Danube, County of**
4 **Herkimer and the State of New York was held at the Town Hall, 438 Creek Road,**
5 **Little Falls, NY on 8th day of March 2006.**
6

7 **PRESENT:** Charles Welden ---- Supervisor
8 Allan G. Edmunds ---- Councilman
9 James Lasher ---- Councilman
10 Patricia Jodway ---- Councilwoman
11 Mary Herringshaw ---- Clerk
12 Leonard Pross ---- Superintendent of Highways
13

14 **ABSENT:** Lee Ann Stock ---- Councilwoman
15

16 Supervisor Welden called the meeting to order at 7:00 P.M. with a moment of
17 silence for both Anna Marko and Allan Cagwin followed by the Pledge of Allegiance
18 to the flag.
19

20 **PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS**
21

22 **At 7:04 p.m. Supervisor Welden opened the floor to public comment.**
23

24 **Resident Michael Weiner spoke first about a car parked at the end of Lovers' Leap**
25 **Road on Saturday February 25 when he left the AARP class. Weiner said he called**
26 **Councilwoman Jodway because there were 3 more cars, at that point parked up**
27 **there, during a snow storm and he had to watch the plow truck back down the road**
28 **because they couldn't turn around. Weiner also stated that the truck went off the**
29 **road and almost hit his boat while backing down. Weiner also stated that he had**
30 **spoken with Dog Control Officer Hysack about the garbage and filth up on the hill**
31 **and wanted to know if Supervisor Welden could speak with Dr. Hannah about**
32 **going up there. Weiner reported has never seen any garbage picked up at Wendy's**
33 **house. Welden said that Code Officer LaCoppola was going up there to check on**
34 **buildings so he would have him check on the garbage.**
35

36 **Welden reported that Hysack did pick up one dog and wrote citations for a total of 3**
37 **dogs and they have to appear in court next Monday.**
38

39 **Councilwoman Jodway reported that she had taken a ride on Johnny Cake Road**
40 **and it is a big mess by the trailers and reported that on Bellinger Road it is worse.**
41 **Jodway requested that LaCoppola look at those properties also.**
42

43 **7:12 Public Comment was closed.**
44

45 **RESOLUTION # 37**
46 **EXECUTIVE SESSION**

47 **On a motion made by Councilwoman Jodway, seconded by Councilman Lasher, the**
48 **following resolution was**

49 **ADOPTED Ayes 4 Welden, Edmunds, Lasher, Jodway**
50 **Nays 0**

51
52 **Resolved to go into executive session at 7:12 pm to discuss personnel issues.**

53
54 **Councilwoman Stock arrived @ 7:17 p.m.**

55
56 **RESOLUTION # 38**

57 **END EXECUTIVE SESSION**

58 **On a motion made by Councilwoman Jodway, seconded by Supervisor Welden, the**
59 **following resolution was**

60 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
61 **Nays 0**

62
63 **Resolved to enter back into the regular board meeting at 7:48 pm.**

64
65 **RESOLUTION # 39**

66 **APPROVAL OF AGENDA**

67 **On a motion made by Councilman Edmunds, seconded by Councilwoman Stock, the**
68 **following resolution was**

69 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
70 **Nays 0**

71
72 **Resolved that the agenda for the meeting be approved.**

73
74 **RESOLUTION # 40**

75 **APPROVAL OF MINUTES**

76 **On a motion made by Councilman Lasher, seconded by Councilwoman Jodway, the**
77 **following resolution was**

78 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
79 **Nays 0**

80
81 **Resolved that the minutes from February 8, 2006 be approved as submitted.**

82
83 **RESOLUTION # 41**

84 **APPROVAL OF MINUTES**

85 **On a motion made by Councilwoman Stock, seconded by Councilman Edmunds, the**
86 **following resolution was**

87 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
88 **Nays 0**

89
90 **Resolved that the minutes from February 20, 2006 be approved as submitted.**

91
92 **REPORT OF TOWN OFFICIALS**

93
94 **ASSESSOR REPORT**

95 Supervisor Welden reported that the date for the B. A. R. would have to be changed
96 and there would have to be a public hearing and a local law would have to be
97 adopted in order to change it.

98
99 **CODES REPORT**

100 Supervisor Welden read a letter from the State of NY to the owner of the
101 Homestead Trailer Park requesting payment of back fines or a new operating
102 license wouldn't be issued. Code officer LaCoppola received a copy of the letter and
103 passed it out to the board.

104
105 **TOWN JUSTICE**

106 Justice Horender submitted a letter explaining that he would do his best to have the
107 phone log available for the town board when he submits his monthly court report.
108 The monthly report for February stated that the court received 93 new tickets,
109 closed 96 tickets and there were 2959 tickets outstanding.

110
111 **DOG CONTROL OFFICER**

112 Dog Control Officer Hysack did provide Supervisor Welden with a report to
113 distribute at the meeting for the Month of February and Welden reported that he
114 was unsuccessful in finding the January monthly report. Welden reported that
115 when Hysack took one dog to the humane society over the weekend it got sick in the
116 back of her vehicle. Councilman Lasher asked if the town could provide a trailer or
117 something like that so that Hysack or anyone in her vehicle wouldn't have to come
118 with anything like that especially if the dog was might be rabid. Resident Kim
119 Broderick mentioned the idea of giving Hysack a raise as her work will be
120 increasing with the passing of the new dog law. The board said they would look at
121 that in the future when going over the reports that Hysack submits. Welden also
122 mentioned that the justice clerk wondered if the town's attorney could be present at
123 court next Monday when residents had to appear for tickets they received because
124 of the dog law. Attorney Haak said he didn't think it would be necessary for him to
125 be there for a first appearance.

126
127 **TOWN CLERK**

128 Supervisor Welden accepted the monthly report submitted from Clerk Herringshaw
129 for the month of February 2006. Clerk Herringshaw reported she would not be
130 holding office hours on Tuesday March 14th as she would be out of town on
131 business.

132
133 **CEMETERY BOARD**

134 Rick Mosher, cemetery board president, reported that the yearly meeting went well.
135 Mosher reported that Jackie Gehring wants the town to take the cemetery over.
136 Mosher said there is a trust fund but there is no legal right of way yet. Mosher said
137 he has a meeting set up with Norman Mastromoro and George Demeree, who said
138 he is willing to give a legal right of way. Mosher said they are writing a resolution to

139 have the money that comes in for lots go into a CD. Mosher said the cemetery clean
140 up date is set for April 22nd with the rain date set for May 16th.

141
142 **SUPERVISOR'S REPORT**

143 **RESOLUTION #42**

144 **SUPERVISOR'S MONTHLY REPORT**

145 On a motion made by Councilman Edmunds, seconded by Councilwoman Jodway,
146 the following resolution was

147 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
148 **Nays 0**

149
150 Resolved to approve the February 2006 monthly report from Supervisor Welden.

151
152 **HIGHWAY SUPERINTENDENT**

153 Highway Superintendent Pross was present and did submit a report for the board to
154 go over. Pross went over the items for consideration asking the board if there had
155 been a decision on the shared services agreement between municipalities. Attorney
156 Haak said there would need to be a formal agreement. Haak said he would draft a
157 sample for the council's consideration. Pross also asked about the dead end turn
158 around agreements. Haak said he was working on it and it should be ready by the
159 next meeting. Pross then asked the board what the decision was on D-1. Pross
160 wanted to know what they could do with it. Pross stated that it was also in need of a
161 new transmission as it is popping out of gear. Pross stated that the total to get
162 everything done would be around \$15,000. Pross said he would like to put money
163 into that truck and then replace the 76 Mack, with the future plans being to replace
164 D-3. Pross said to replace D-3 would be somewhere around \$200,000. Pross said he
165 would like to plan on doing something with it this summer. Lasher said they would
166 have to decide first if they were going to keep the truck. Welden pointed out that an
167 advantage to the older trucks is that they can still be repaired "in house" which is
168 not the case with the newer computer-controlled trucks. Pross also said he would
169 like a computer for the highway department. Councilwoman Jodway then brought
170 up the topic of town plow trucks being emergency vehicles. Jodway told Pross she
171 looked into it and they aren't emergency vehicles. Jodway also mentioned that
172 Pross could have had the cars towed away that were parked out on the end of
173 Lovers' Leap Road during the snowstorm. Haak said if you are going to have cars
174 towed away you should have a resolution in place that states vehicles will be towed
175 at owners expense. Also stating that the troopers would have to run the plate to see
176 to whom the vehicle belonged. Pross asked who pays the tow bill, the highway fund
177 or the general fund. Haak said he would look into it. Pross finished by stating that
178 he was waiting on a decision for shared services and pricing so that he could finish
179 up the highway agreements.

180
181 **OLD BUSINESS**

182 16a. Welden read a letter from Snyder Engineering and Land Surveying L.L.P.
183 about the work to be done on Lovers' Leap Road. Welden also asked the board if

they had any feeling on having The Lane Road also done while they were up there. Edmunds, Jodway and Lasher were all in agreement with that.

16e. The board had a discussion on the possibilities of having a new phone line put in. Pross stated that he can't be online any morning after 8:30 a.m. when the Justice Clerk and Town Clerk are working because they are online. Lasher asked Pross what ever happened with Miller after Justice Horender had a talk with her about disturbing the men outback. Pross only stated that Horender had a talk with her. Herringshaw said she is only online Tuesday mornings for 5 minutes to check messages on the DEC computer unless she has to issue a license. Welden reported he would proceed with a new line for the town building.

16k. Haak reported that he had a call into the Town of Caroga to see different options concerning Adult Entertainment Regulations.

NEW BUSINESS

17c.

RESOLUTION #43

ATTORNEY CONTRACT

On a motion made by Councilman Edmunds, seconded by Councilwoman Stock, the following resolution was

ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway
Nays 0

Resolved to sign the contract with Brian R. Haak as attorney for the town.

20. Warrants

RESOLUTION # 44

PAY ABSTRACTS FOR MONTH

On a motion made by Supervisor Welden, seconded by Councilman Edmunds, the following resolution was

ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway
Nays 0

Be it hereby resolved that the town board members audit both the general and highway warrants and abstracts for the month and approve for payment claim #'s 0301 through 0321 for general warrants and claim #'s 0301 through 03015 for highway warrants.

On a motion made by Supervisor Welden, seconded by Councilwoman Stock, the meeting was adjourned at 10:30 P.M. Carried unanimously.

Mary Lou Herringshaw, Town Clerk