

1 **REGULAR MEETING, TOWN OF DANUBE, MAY 10, 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 10th day of May 2006.**
6

7 **PRESENT:** Charles Welden ---- Supervisor
8 Allan G. Edmunds ---- Councilman
9 Lee Ann Stock ---- Councilwoman
10 James Lasher ---- Councilman
11 Patricia Jodway ---- Councilwoman
12 Mary Herringshaw ---- Clerk
13 Leonard Pross ---- Superintendent of Highways
14 Brian Haak ---- Attorney
15

16 **ABSENT:**
17

18 Supervisor Welden called the meeting to order at 7:09 p.m., followed by the Pledge
19 of Allegiance to the flag.
20

21 **PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS**
22

23 **At 7:11 p.m. Supervisor Welden opened the floor to public comment.**
24

25 **Resident Michael Weiner spoke first stating that it had been 3 years since he**
26 **complained about the pipes in his backyard and since there was no resolution he**
27 **was giving the board his complaint in writing. Weiner said he would like something**
28 **done with the pipe as he can't do anything with his driveway. The board told**
29 **Weiner that nothing would be done until the survey was completed.**
30

31 **Blair Fraiser was the next to speak. Fraiser had a couple questions the first about**
32 **dog control officer Kathy Hysack. Fraiser wanted to know why she wasn't allowed**
33 **to use a town vehicle to pick up stray dogs. Lasher said she had that option but it**
34 **was more convenient to use her own vehicle and get paid for mileage. Frasier said**
35 **he was concerned that one of her kids might get sick from a diseased dog and then**
36 **both her and the board would be charged with child neglect. Frasier also**
37 **recommended her having boots and gloves. Lasher said the board was presently**
38 **looking into a hitch for Hysack's car and they would get her anything she needs or**
39 **wants to help her with her job. Welden told Frasier that Hysack is covered under**
40 **the town insurance policy if anything was to happen while she was working.**
41 **Frasier also wanted to know when the planning board met and how to get hold of**
42 **them. Welden said they meet on an on call basis, not on a regular basis. Welden**
43 **suggested Frasier give them a call if he had an issue.**
44

45 **7:28 Public Comment was closed.**

46 **RESOLUTION # 54**

47 **APPROVAL OF AGENDA**

48 On a motion made by Councilman Edmunds, seconded by Councilwoman Jodway,
49 the following resolution was

50 ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway
51 Nays 0
52

53 Resolved that the agenda for the meeting be approved.
54

55 **RESOLUTION # 55**

56 **APPROVAL OF MINUTES**

57 On a motion made by Councilwoman Jodway, seconded by Councilman Lasher, the
58 following resolution was

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

62 Resolved that the minutes from April 12, 2006 be approved after amending line
63 #108 to state that 'Stock said to have no code officer when property is being bought
64 in the town to subdivide and build would be bad' & 'Stock said that Steve
65 LaCoppola has done his job well by serving the needs of the community'.
66

67 **RESOLUTION # 56**

68 **APPROVAL OF MINUTES**

69 On a motion made by Councilwoman Stock, seconded by Councilwoman Jodway,
70 the following resolution was

71 ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway
72 Nays 0
73

74 Resolved that the minutes from April 19 & 24, 2006 be approved as submitted.
75

76 **REPORT OF TOWN OFFICIALS**
77

78 **ASSESSOR REPORT**

79 Welden reported that data collection is being worked on. Welden also stated the
80 Board of Assessment Review will meet on May 25, 2006 from 2-4 and 7-9 at the
81 town hall.
82

83 **CODES REPORT**

84 **RESOLUTION # 57**

85 **APPOINTMENT OF PATRICK KELLY**

86 On a motion made by Councilman Edmunds, seconded by Councilman Lasher, the
87 following resolution was

88 ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway
89 Nays 0
90

91 Resolved to appoint Patrick Kelly as code enforcer effective immediately. Both he
92 and Steve LaCoppola will serve until May 31st.
93
94
95

96 **TOWN JUSTICE**

97 The monthly report for April stated that the court received 123 new tickets, closed
98 134 tickets and there were 2933 tickets outstanding. Welden then mentioned that
99 the board would be looking for a new Town Judge, as a new job would be taking
100 Horender out of town 5 days a week. Jodway then asked Welden what the status
101 was on the three outstanding tickets for the dogs. Jodway said they are three tickets
102 in limbo and nothing is being done about them. Haak said that the dog control
103 officer can request the judge to issue an arrest warrant and then the state police
104 would pick them up to appear before the judge. Haak said the judge has to decide if
105 he wants to issue the warrant or not, but by the parties involved not showing up
106 they are in effect showing the court what they think of the legal system.

107
108 **DOG CONTROL OFFICER**

109 Dog Control Officer Hysack did provide Supervisor Welden with a report to
110 distribute at the meeting for the Month of March. Pross handed out different
111 options for cargo carriers that the town could purchase for Hysack so that she
112 doesn't run into a dog getting sick in her vehicle again.

113
114 **TOWN CLERK**

115 Supervisor Welden accepted the monthly report submitted from Clerk Herringshaw
116 for the month of April 2006. Herringshaw then handed out papers and materials
117 that she brought back with her from the town clerk conference she attended.

118
119 **CEMETERY BOARD**

120 Rick Mosher, cemetery board president, submitted a report that said the cemetery
121 clean up date is set for this Saturday with everyone meeting at the Ostrander
122 Cemetery. The report also stated that David Teal would be putting flags on all of
123 the veteran's plots again. Welden said on a final comment he was writing a letter to
124 Clara Smith of St. Johnsville to thank her for the 2 Valley Forge American elm trees
125 that she donated to the town as part of a project she was doing.

126
127 **SUPERVISOR'S REPORT**

128 **RESOLUTION #58**

129 **SUPERVISOR'S MONTHLY REPORT (CORRECTED MARCH)**

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

132 **ADOPTED Ayes 5** Welden, Edmunds, Stock, Lasher, Jodway
133 **Nays 0**

134
135 Resolved to approve the March 2006 monthly report from Supervisor Welden as
136 amended.

137
138 **RESOLUTION #59**

139 **SUPERVISOR'S MONTHLY REPORT**

140 On a motion made by Councilwoman Jodway, seconded by Councilman Lasher, the
141 following resolution was

142 **ADOPTED Ayes 5** Welden, Edmunds, Stock, Lasher, Jodway
143 **Nays 0**

144
145 **Resolved to approve the April 2006 monthly report from Supervisor Welden.**
146

147
148 **HIGHWAY SUPERINTENDENT**

149 **Highway Superintendent Pross was present and did submit a report for the board to**
150 **go over. Pross asked the board if they made decision on rebuilding the motor of**
151 **fixing D1. Pross said he really would like an answer. Lasher said he would need a**
152 **lot of answers first because he won't sign a blank check, but said Pross had the rest**
153 **of the board that could answer. Pross said he wanted direction on what to do**
154 **because it needs a transmission. Welden said he had no clue which way to go on it.**
155 **Lasher agreed that the transmission should be fixed. Pross said transmission and**
156 **clutch. Pross then asked if there was a decision on shared services. Welden said the**
157 **board has the draft agreement from Haak. Haak said that he started with the**
158 **broadest agreement from the comptroller's office and would like specifics from the**
159 **board to make amendments to best fit the towns needs. Welden asked the board to**
160 **look at it more closely and to make any changes and/or suggestions and then he**
161 **would forward it to Haak so it would be ready for the next meeting.**
162

163 **Next there was a discussion about road agreements. The board asked Pross if he**
164 **could have someone come in and speak about re-surfacing procedures for roads**
165 **with them at the next board meeting in June. Pross said he would try.**
166

167 **Pross reported that CHIPS money would increase by \$2970.32 in 2005 for a total of**
168 **\$23210.32 for the town for 2006.**
169

170 **Pross then brought up the mower. Welden asked what they were going to do with it.**
171 **Pross said there were 2 choices: the highwaymen could install it themselves or the**
172 **town could hire someone to install it. Pross said he wanted it in the minutes that he**
173 **is opposed to having it sent somewhere to be installed. Pross said they would have**
174 **no idea what the cost would be to have it done somewhere else and his men could**
175 **put it on for nothing. Pross also said, as a taxpayer, he was opposed to spending**
176 **extra taxpayers money to have it trucked off somewhere. Welden then polled the**
177 **board to see what they thought. Stock and Edmunds thought they should keep it in**
178 **house and let the highway department install it. Jodway, Lasher and Welden all**
179 **thought it should be sent out.**
180

181 **RESOLUTION #60**

182 **MOWER ATTACHED AT CLINTON TRACTOR**

183 **On a motion made by Supervisor Welden, seconded by Councilman Lasher, the**
184 **following resolution was**

185 **ADOPTED Ayes 3**

Welden, Lasher, Jodway

186 **Nays 2**

Edmunds, Stock

187
188 **Resolved to approve sending the mower to Clinton Tractor, noting that Pross**
189 **opposes spending money as both the highway superintendent and a taxpayer,**
190 **having them pick it up to be installed.**
191

192 Pross was also granted permission to fix the transmission on D1, replacing the seal
193 on back of the crankshaft and to plastic gage the motor bearings.

194
195
196 **OLD BUSINESS**

197
198 **16b. Welden will see if retired achitect Roy Thompson from St. Johnsville can look**
199 **at the North Side Roof and Re-Alignment of Parking Progress.**

200
201 **16e. Welden will give Jodway the number of his contact at MCI to see if the new**
202 **line can be installed more quickly.**

203
204 **16g. The draft Highway Turn-Around Agreements will hopefully be ready at the**
205 **next meeting.**

206
207 **16h. Welden reported that the town got the first charge of \$303 for the quarterly**
208 **banking fees for government banking from Bank of America.**

209
210 **16i.**

211 **RESOLUTION #61**

212 **HIGHWAY CONTRACTS**

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

215 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
216 **Nays 0**

217
218 **Resolved to approve the two small highway agreements submitted by Pross and on**
219 **file with Herringshaw.**

220
221 **NEW BUSINESS**

222 **17c. Welden said there would be a change as to when payroll will be due. Welden is**
223 **now requesting that payroll be into Welden by the end of business on Tuesday, with**
224 **the checks still being distributed on Friday. This is to give time to resolve any**
225 **problems that may arise.**

226
227 **17d.**

228 **RESOLUTION #62**

229 **PROCUREMENT POLICY AMENDMENT SECTION #7**

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

232 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
233 **Nays 0**

234 **Resolved to adopt Haak's proposed amendment for the procurement policy to**
235 **reflect the change in #7 as follows: 7. All vendors providing the Town or any of its**
236 **officials or employees with a written/fax quotation or responding to a written**
237 **request for proposals or competitive bids shall include a written statement, signed**
238 **under penalty of perjury and notarized, that the vendor and any officer or employee**
239 **thereof has provided no gift or other item of value to any official or employee of the**

Town in excess of \$25.00, either individually or cumulatively, during the twelve (12) months immediately proceeding the date of the written/fax quotation or the date upon which such requests for proposals shall be received or such competitive bids opened. The vendor shall further certify in writing that the vendor and any officer or employee thereof shall not provide any gift or other item of value to any official or employee of the Town in excess of \$25.00, either individually or cumulatively, during the twelve (12) months immediately following the date of the written/fax quotation or the date upon which such requests for proposals or competitive bid shall be awarded. If the vendor is unable to so certify, the vendor must provide a detailed, itemized listing of all gifts or other items of value provided to all officials and employees of the Town.

18.

RESOLUTION #63

RETROACTIVE OSC TELECONFERENCE ATTENDANCE

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

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

Resolved to approve retroactive attendance of the entire board at the OSC Teleconference on Justice Court.

20. Warrants

RESOLUTION # 64

PAY ABSTRACTS FOR MONTH

On a motion made by Councilwoman Stock, 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 #'s 0501 through 0523 for general warrants and #'s 0501 through 0519 for highway warrants.

On a motion made by Councilman Edmunds, seconded by Supervisor Welden, the meeting was adjourned at 10:22 P.M. Carried unanimously.

Mary Lou Herringshaw, Town Clerk