

1 **REGULAR MEETING, TOWN OF DANUBE, JANUARY 16, 2007**

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 16th day of January 2007.**
6

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

13 **ABSENT:** Lee Ann Stock ---- Councilwoman
14 Leonard Pross ---- Superintendent of Highways
15

16 **Supervisor Welden called the meeting to order at 6:00 P.M. with the Pledge of**
17 **Allegiance.**
18

19 **Welden explained that there were supposed to be 4 interviews held (each allotted 15**
20 **minutes), for the position of Code Enforcement Official but only 2 of the 4 possible**
21 **interviewees had responded to the invitations.**
22

23 **6:01 Councilwoman Stock Arrived.**
24

25 **RESOLUTION # 14**

26 **EXECUTIVE SESSION BEGINS**

27 **On a motion made by Councilman Edmunds, seconded by Councilwoman Jodway,**
28 **the following resolution was**

29 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
30 **Nays 0**
31

32 **Resolved that the board would enter into executive session at 6:14 for interviews.**
33

34 **RESOLUTION # 15**

35 **EXECUTIVE SESSION ENDS**

36 **On a motion made by Councilwoman Jodway, seconded by Councilman Edmunds,**
37 **the following resolution was**

38 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
39 **Nays 0**
40

41 **Resolved that the board would enter back into regular session at 7:29 pm.**
42

43 **Welden then suggested Auditing the Bills at a later time in the meeting since**
44 **Highway Superintendent Pross wasn't at the meeting to answer any questions about**
45 **the bills anyways.**
46

47 **Welden also said that since the Agenda hadn't been approved yet he would like to at**
48 **under 'Other' – Grant Application.**

49
50 **PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS**
51

52 At 7:32 p.m. Supervisor Welden opened the floor to public comment, after
53 announcing that the board had agreed at the last meeting that this is the only time
54 during the meeting where public comment would take place and not at any other
55 time.
56

57 Resident Barb LeRoy was the first to speak asking what it costs the town to have an
58 outside assessor, as the town hasn't had a town resident filling the position in two
59 years. Welden explained that it is considerably more to have the county do it but
60 when Bruce Keeney retired they needed someone to fill the position and there was
61 no one trained in the town. LeRoy again asked if it was cheaper to have our own
62 assessor in the town. Welden said yes it would be considerably less and it made
63 sense to him to have our own. LeRoy then volunteered for the position. Welden
64 said it would be a disaster to move into the position right now – at least until the
65 revaluation is done. Jodway suggested LeRoy work along with the county assessor.
66 Welden said that would work but he would have to sooth the county first. Lasher
67 asked what the position would pay LeRoy. Welden said he would have to look into
68 it but they could see now that they could have paid Keeney double. Welden then
69 suggested LeRoy go onto the ORPS website in Albany and see look over the
70 information that is available about the position – including courses and training that
71 is mandatory. Jodway asked LeRoy if she would object to training. LeRoy said no
72 but she wanted to talk to Keeney first. The board then made it clear that from the
73 first day that they hired the county for the position they always wanted it to come
74 back to the town. Welden said this discussion took longer than the 5 minutes
75 allowed but it was important.
76

77 Resident Mary Ann Alosio was the next to speak. Alosio questions what the election
78 mandate was on her tax bill. Welden explained that it was to pay the election
79 inspectors. Welden then reviewed that the county took over all aspects of the
80 election process and this is how they came up with the money to pay all of the
81 inspectors. Alosio said she was surprised to see it on the tax bill. Welden agreed he
82 was also.
83

84 **7:53 Public Comment was closed.**
85

86 Supervisor Welden then reminded everyone that after public comment is closed
87 there would be no more public input during the meeting.
88

89 **RESOLUTION # 16**

90 **APPROVAL OF AGENDA**

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

93 **ADOPTED Ayes 5** Welden, Edmunds, Stock, Lasher, Jodway
94 **Nays 0**
95

96 **Resolved that the agenda for the meeting be approved.**

97
98 **RESOLUTION # 17**

99 **REGULAR MEETING START TIME**

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

102 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
103 **Nays 0**

104
105 **Resolved that the starting time for the regular monthly meetings be set at 7:00 pm.**
106

107 **RESOLUTION # 18**

108 **AUDIT OF BILLS ON THE AGENDA**

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

111 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
112 **Nays 0**
113

114 **Resolved that the auditing of the bills will take place following the roll call at the**
115 **regular monthly meetings going forward.**
116

117 **RESOLUTION # 19**

118 **HIGHWAY SUPERINTENDENT'S REPORT**

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

121 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
122 **Nays 0**
123

124 **Resolved to move the Highway Superintendent's report after the bills are approved**
125 **and before public comment takes place on the agenda.**
126

127 **RESOLUTION # 20**

128 **APPROVAL OF MINUTES**

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

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

134 **Resolved that the minutes from December 13, 2006 be approved as submitted.**
135 **Councilman Lasher mentioned that he would be referring back to these minutes**
136 **later in the evening when the board talks about the electrical inspection.**
137

138 **RESOLUTION # 21**

139 **APPROVAL OF MINUTES**

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

142 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
143 **Nays 0**
144

145 Resolved that the minutes from December 28, 2006 be approved after Councilman
146 Lasher made mention that he didn't think he told the town clerk to shut up, Lasher
147 said he would never say something like that. Lasher also said that if he did say
148 something like that then he would apologize but he knows he never said it. Lasher
149 said the easiest way to handle of all the minutes was to discuss them at once and
150 suggested that Herringshaw read a description of the minutes at the end of the
151 meeting so that there would be no problems. Lasher said if Herringshaw has to
152 leave early then someone else would have to take over at that time. Lasher then
153 question Herringshaw about her husband being in Iraq at that time. Herringshaw
154 said he wasn't there yet. Lasher said I thought that was why the board was having
155 shorter meetings so that Herringshaw could get home to be with the kids by 9:30.
156 Herringshaw replied that yes her husband was going overseas and reminded Lasher
157 of their conversation in which Herringshaw said that she should not have used her
158 husbands leaving the country as a reason to get out of the meetings early as there
159 was no reason to have 4 or 5 hour meetings in a township of 1100 people because if
160 we stuck right to business we could easily be out of meetings in a couple of hours.
161 Lasher did remember that conversation. Lasher then brought up the minutes from
162 January 2nd 2007. Lasher says he doesn't recall any part of the conversation on line
163 45. Lasher remembers all of the conversation before and after, the comment
164 Herringshaw made about 'his buddy' but doesn't recall that statement. Lasher
165 asked the rest of the board if they remember it. Welden said he remembered the
166 part where Herringshaw said 'j.... c.....' but that is all. Jodway said she honestly
167 doesn't remember. Stock just said that there were a lot of conversations going on at
168 the same time. Resident Fran Alosio spoke up then and said that he and a lot of
169 other people are dissatisfied and if Herringshaw ever addressed him he would have
170 remembered.

171 172 **RESOLUTION # 22**

173 **APPROVAL OF MINUTES**

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

176 **ADOPTED Ayes 5**

Welden, Edmunds, Stock, Lasher, Jodway

177 **Nays 0**

178
179 Resolved that the minutes from January 2, 2007 be approved after making the
180 notations above.

181 182 **REPORT OF TOWN OFFICIALS**

183 184 **ASSESSOR REPORT**

185 Supervisor Welden said they needed to add another person to the Board of
186 Assessment Review as Kevin Lasher didn't live in the town anymore. Welden also
187 stated that Denise Reska requested the BAR date be set for May 29th because she
188 does so many towns, Welden said the board would have to do another law. Welden
189 also said he would set up a meeting with Reska, Mary Ann Barbuto and the
190 residents before the impact notices went out.

191 **CODES REPORT**

Supervisor Welden reported that Pat Kelly was still handling things through the end of January and if the board appointed someone new then Pat would work with that person for a few weeks.

TOWN JUSTICE

Supervisor Welden mentioned that he received a check for \$20,000 for the month of December. Edmunds asked if the board got a report stating anything from the justice. Welden said if I don't reply to your question then you have your answer. Welden said the town hadn't gotten any invoices from Albany and when Welden called them he was told they didn't know who the comptroller is so they can't put a name on the bill and send it out. Welden said that leaves \$50,000 in the trust and agency account from last year from the justice that belongs to the state.

DOG CONTROL OFFICER

Jodway said she didn't recall seeing a bill from Hysack previously for the items lost. Jodway asked Herringshaw if she received a bill from Hysack for items lost do to the dog getting sick in her vehicle. Herringshaw said no. Lasher said he was the one who suggested getting Hysack's vehicle cleaned but never heard anything else about any of this other stuff. Welden asked the board if he should have Hysack fill out a voucher. All of the board said yes.

Jodway then referred back to the justice petty cash. Jodway wanted to know what ever happened to it. Welden said nothing and reported that Haak suggested turning the missing amount into the insurance company but Welden said the deductible is more than the missing amount. Welden said as far as the board is concerned it is still there – even though it isn't.

Welden then read the letter for the new town justice position. The board agreed that before they advertise the position they should find out when the training is so they can let people know up front what is required. Welden then pointed out the next two pages that were in the board members board books. Jodway then asked if the board decided when the justice letter would go out. Welden said no they were going to wait until they got the training schedule from the state.

TOWN CLERK

Supervisor Welden accepted the monthly report submitted from Clerk Herringshaw for the month of December 2006.

CEMETERY BOARD

Rick Mosher left a report for the board to go over. Mosher said the date for the yearly cemetery board meeting would be March 27th at 7:00 pm.

SUPERVISOR'S REPORT

RESOLUTION # 23

SUPERVISOR'S MONTHLY REPORT

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 approve the December 2006 monthly report from Supervisor Welden.

The board then had a discussion about scrap metal and Welden mentioned the handout on wind farms to bring windfalls to towns.

OLD BUSINESS

18a. Welden asked Lasher if he heard anything more from Duane. Lasher said no.

18b. Welden said the Wind Turbine Moratorium is now formally filed as law and now the board would have to start getting the law together.

18e. Highway turn-around agreements still were not complete. Welden said that Pross said he was waiting on Welden which Welden said wasn't the case. Welden explained that Haak recommended having a map with them when they went around to the properties and Pross had yet to get copies of the maps of where the turn - arrounds would be. Welden said he would see if Pross could make a map with copies.

18k. Electrical Inspection of Wiring in the Town Garage and Meeting Room was the next discussion the board had. Welden said the board now had Joe's notes and if things are a crisis then they should be taken care of. Jodway said she would like an estimate first. Welden said Joe couldn't give an estimate incase he gets into it and sees he needs more. Lasher then referred to the minutes from December 13th line 252. Lasher said Pross mentioned that he didn't know anything about Joe Polnak's inspection. Lasher said the board only knew about the problems because Pross mentioned it to them, and then when Lasher asked Pross about it on January 2nd Pross said he knew nothing about it. Lasher then said he asked Joe about an estimate and he also asked Joe about #4 on the report. Lasher pointed out to Joe that it had passed inspection. Lasher said Joe's reply was that the man must have turned his head and that is all Lasher has to go by. Lasher explained Joe couldn't give an estimate and would have to take it as it comes. Lasher said Joe would fix things and bill the town but Lasher didn't know what the cost would be. Lasher asked the board if he should call Joe to start fixing things. Welden said then the town is committed to paying for it and it has to be fixed.

RESOLUTION # 24

JOE POLNAK TO START WORK

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

ADOPTED Ayes 5

Welden, Edmunds, Stock, Lasher, Jodway

Nays 0

Resolved that Lasher contact Joe Polnak and have him start taking care of the problems on the list he submitted to the board.

287 18l. Welden stated that Pross had given him a sample discipline form. Welden said
288 he wouldn't consider using that particular one but would be interested in getting
289 something in place. Welden asked Jodway if she had one. Jodway said she would
290 look but would like to see the one that Pross gave to Welden. Welden said if anyone
291 else had one (asking Stock if her husband had one) he would like to see it for
292 guidelines.

293
294 Jodway then said off the subject she wanted to know if all of the town's equipment
295 had ever been inventoried with serial numbers (referring to both highway and all
296 other equipment). Jodway said she felt it was a good idea and should be done.
297 Edmunds said a video tape would also be a good idea of everything, not just
298 highway.

299
300 18m. Jodway then asked how the board felt about the seating arrangements.
301 Welden said he liked it because he could see and hear everyone. Jodway said it
302 works because she can hear everyone. Stock said she liked it.

303
304 18n. other: Grant Application – Welden explained it was a transcription grant and
305 would like the board's support to apply for the grant.

306
307 **RESOLUTION # 25**

308 **TRANSCRIPTION GRANT**

309 On a motion made by Councilwoman Jodway, seconded by Councilman Edmunds,
310 the following resolution was

311 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
312 **Nays 0**

313
314 Resolved that Supervisor Welden go ahead and apply for the state archive
315 transcription grant.

316
317
318 **NEW BUSINESS**

319 19a. Welden reported that he talked with Jamie Carter from St. Johnsville about
320 the dry hydrants and Carter is ready to go. Welden said he still had to talk to
321 Parese. Edmunds asked if Welden was going to set up a meeting. Welden said yes
322 and asked for a couple of dates. Welden said he wasn't sure if Rob would be able
323 to come at night. Welden was going to call them with both February 6th and 7th as
324 possible dates at 7:00 pm.

325
326 Lasher then asked about the OD. Welden said he hadn't even looked for his copies
327 yet. Herringshaw said she emailed them again last week and still hadn't gotten a
328 response. Lasher said he would check into it but would like to have something to
329 back him up when he talked with them.

330
331 Jodway then asked if there was a problem with the answering machine out here.
332 Jodway pointed out that there was a 75 cent call for *69 on the phone bill. Welden
333 said that is why they need another line pointing out that then there could be
334 mailboxes.

335
336 **20. Warrants**

337 **RESOLUTION # 26**

338 **PAY ABSTRACTS FOR MONTH**

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

341
342 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
343 **Nays 0**
344

345 **Be it hereby resolved that the town board members audit both the general and**
346 **highway warrants and abstracts for the month and approve for payment #'s 0101**
347 **through 0115 for general warrants and #'s 0101 through 0109 for highway**
348 **warrants.**

349
350 **At this point clerk Herringshaw read back all of the notes from minutes she took at**
351 **the meeting.**
352

353 **Jodway then mentioned that she would no longer be cleaning the town hall or**
354 **bathrooms and suggested the board hire someone to clean. Jodway said she was**
355 **using her own supplies and her own time and couldn't continue to do it. Both Stock**
356 **and Edmunds thanked her for doing it up to that point. Edmunds then asked if they**
357 **had someone to do it. Welden said the person he was talking about wanted to be**
358 **paid mileage to come to the garage. Welden said he thought Kathy Hysack might do**
359 **it.**
360

361 **Lasher then mentioned Joe's inspection again. Lasher said he wanted to be sure of**
362 **the board's decision on fixing or replacing the big long fluorescent lights. Stock**
363 **asked if he would advise the board with options and costs. Lasher said Joe wouldn't**
364 **know until he gets into it. Welden said just go with fixing what we have.**
365

366 **On a motion made by Councilwoman Jodway, seconded by Councilman Edmunds,**
367 **the meeting was adjourned at 10:09 P.M. Carried unanimously.**
368

369
370 **Mary Lou Herringshaw, Town Clerk**
371
372
373