

REGULAR MEETING, TOWN OF DANUBE, APRIL 11, 2007

A regular meeting of the Town Board of the Town of Danube, County of Herkimer and the State of New York was held at the Town Hall, 438 Creek Road, Little Falls, NY on 11th day of April 2007.

PRESENT: Charles Welden ---- Supervisor
Allan G. Edmunds ---- Councilman
Lee Ann Stock ---- Councilwoman
James Lasher ---- Councilman
Patricia Jodway ---- Councilwoman
Mary Herringshaw ---- Clerk

ABSENT: Leonard Pross ---- Superintendent of Highways

Supervisor Welden called the meeting to order at 7:00 P.M. with the Pledge of Allegiance.

RESOLUTION # 50

EXECUTIVE SESSION BEGINS

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

Resolved that the board would enter into executive session at 7:01 to discuss the resignation letter received by the town board.

RESOLUTION # 51

EXECUTIVE SESSION ENDS

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

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

Resolved that the board would enter back into regular session at 7:18 pm.

Welden then announced that the board had gone into executive session to discuss the resignation, effective immediately, of Justice Kimberly Broderick whose letter was received earlier that evening. It was noted that the Board had no alternative but to accept the resignation and move forward.

RESOLUTION # 52

APPROVAL OF AGENDA

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

49
50 Resolved that the agenda for the meeting be approved after moving the Highway
51 Superintendent's Report up in order to following the Auditing of the Bills.

52
53 **AUDIT BILLS**

54 **RESOLUTION # 53**

55 **PAY ABSTRACTS FOR MONTH**

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

58
59 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
60 **Nays 0**

61
62 Be it hereby resolved that the town board members audit both the general and
63 highway warrants and abstracts for the month and approve for payment #'s 0401
64 through 0417 (\$10,183.10) for general warrants and #'s 0401 through 0413
65 (\$9524.74) for highway warrants.

66
67 **HIGHWAY SUPERINTENDENT**

68 The board went over the report submitted by Superintendent Pross but couldn't get
69 answers to any details on the report because Pross wasn't present. One question
70 that Jodway wanted an answer to was she wanted to know who was left in charge
71 when Pross was on vacation last week. No one on the board new who if anyone was
72 left in charge while Pross was gone.

73
74 **PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS**

75 **8:05 p.m. Supervisor Welden opened the floor to public comment.**

76
77 Resident Michael Weiner was the first to speak. Weiner reported that the dogs are
78 out of hibernation up on the hill again. Weiner also passed around a picture (that
79 he printed off the town website) showing a whole crop of pot growing up on the hill.
80 Weiner then asked the status of a letter he submitted to the board on May 9, 2006 in
81 which no action had been taken yet. Weiner said he would like something done to
82 fix the culvert problem on his property and would like the topic put on the agenda.
83 Welden stated that the surveyor is doing the research work right now.

84
85 Resident Blair Frasier was the next to speak informing the board that he got
86 information from the Herkimer County Planning Board and there is no way that
87 residents in this town can afford engineered blue prints. Frasier said that the town
88 can relax on some of the regulations and Frasier asked the board to reconsider
89 putting that burden on the residents.

90
91 Code Official Lynch then stated that he had a print out of Article 19 that he would
92 leave in all of the board members mailboxes that explains what the state requires.

93
94 **8:23 Public Comment was closed.**

95
96 **RESOLUTION # 54**

97 **APPROVAL OF MINUTES**

98 **On a motion made by Councilman Edmunds, seconded by Councilman Lasher, the**
99 **following resolution was**

100 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
101 **Nays 0**

102
103 **Resolved that the minutes from March 14, 2007 be approved noting that Jodway**
104 **would have liked to seen something in the notes referring to the discussion on the**
105 **procedure of what happens when a highway employee gets sick in the truck.**
106 **Jodway was referring to highway employee Warner possibly having a heart attack**
107 **in one of the trucks and continuing to drive it back to the town garage jeopardizing**
108 **himself and anyone else that may have been on the road at the same time. Lasher**
109 **said he would like to have seen more information about the discussion of the truck**
110 **freezing up. Rick Mosher said on line 146 it stated that the checks from the**
111 **cemetery donations were turned over to Herringshaw and not Welden. Welden**
112 **turned them over to Herringshaw not Mosher.**

113
114 **The town board then discussed the special meeting that was held on March 19th to**
115 **discuss the fuel situation with Rick Cote and the email that the board received about**
116 **break-ins in the town garage. Welden had received an email from Pross stating that**
117 **the 3rd break-in in a month had occurred and wanted to have a special meeting to**
118 **discuss it. The board wondered why Pross hadn't mentioned the break-ins 2 days**
119 **before at the regular meeting. Jodway stated her concern was that Pross didn't**
120 **even show up for the meeting he had requested. Stock said that when talking with**
121 **Pross it wasn't actually that someone broke in it was only that the lights were left on**
122 **in the meeting room and the door was left unlocked. The board agreed that there**
123 **should be an incident report on file each time something like this happens in the**
124 **garage. Jodway then mentioned that at the same meeting they found out a tow**
125 **chain was missing. Lasher then mentioned that he spoke with the state police about**
126 **the break-ins and they didn't know anything about the most recent one. They did**
127 **confirm that they knew about one a few weeks ago. Lasher then told the state police**
128 **that Pross reported to the board that he spoke with Trooper Jess whom the state**
129 **police said there weren't any troopers there with that name. The board agreed that**
130 **the town needed to do something about security and putting an alarm in especially**
131 **with everything they hear about that happens in other town barns.**

132
133 **RESOLUTION # 55**

134 **APPROVAL OF MINUTES**

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

137 **ADOPTED Ayes 5 Welden, Edmunds, Stock, Lasher, Jodway**
138 **Nays 0**

139
140 **Resolved that the minutes from March 19th be approved as submitted.**

141
142 **REPORT OF TOWN OFFICIALS**

143
144 **ASSESSOR REPORT**

Supervisor Welden mentioned that the closing of Creek road may cause a problem for some residents who will be traveling that road on grievance day.

CODES REPORT

Official Greg Lynch set the date of April 17th @ 7:00 pm to have an informational discussion with the board to go over the new law from NY State.

TOWN JUSTICE

Supervisor Welden noted that he received a check and a report for the month of March 2007 and that a copy was in the board's notebooks.

DOG CONTROL OFFICER

Dog Control Officer Hysack mentioned to the board that with the warmer weather upon us there would be more action concerning loose dogs and showed concern that last year she wrote tickets to two residents and nothing ever happened as a result of the tickets being issued. Lasher told Hysack that her job was to write the tickets and turn them into the court system and that is all she can do. Welden then asked the board if they had any suggestions on how Hysack should transport any dogs to the humane society. Welden told Hysack that temporarily she could use his truck. Lasher said the town should purchase a small trailer for just that purpose only. Hysack said she was not sure if she could use the trailer as she had tried several times unsuccessfully in the past.

TOWN CLERK

Supervisor Welden accepted the monthly report submitted from Clerk Herringshaw for the month of March 2007.

CEMETERY BOARD

Rick Mosher went over the report including the minutes from the annual meeting. Mosher stated that he would like the board to consider Dave Klus's advice of moving money into a more beneficial account. Mosher also reminded everyone of the cemetery clean up date on Saturday hoping for good weather.

SUPERVISOR'S REPORT

RESOLUTION # 56

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 March 2007 monthly report from Supervisor Welden.

OLD BUSINESS

17g. Welden discussed the Health Officer situation and Herringshaw mentioned she would make initial contact with the Sharma's to see if there was any interest there.

17h. Lasher reported that he found a couple of attorneys that deal in just municipal law. Welden stated they should write a letter to see if there was any interest.

17k.

RESOLUTION # 57

INCIDENT REPORT FORMS

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

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

Resolved that effective today the incident report forms would be used going forward to report any incident that happens in the town garage.

The board also agreed to post a sign in/out sheet in the entrance of the meeting room to make sure the door is locked after exiting.

NEW BUSINESS

19a. Welden reported that the conference he attended in Cooperstown on rural issues was a very good meeting and he would get some of the information together to hand out to the board.

19d. Stock mentioned that Tony Campione may be interested in getting rid of the water source behind Leo's and wondered if the town might be interested for fire purposes. Edmunds thought the board should look into it. Stock said she would get a price for the board.

At this point clerk Herringshaw read back all of the notes from minutes she took at the meeting.

On a motion made by Councilman Edmunds, seconded by Supervisor Welden, the meeting was adjourned at 10:09 P.M. Carried unanimously.

Mary Lou Herringshaw, Town Clerk