

1 **REGULAR MEETING, TOWN OF DANUBE, AUGUST 15, 2007**

2
3 **A regular meeting of the Town Board of the Town of Danube, County of Herkimer**
4 **and State of New York was held at the Town Hall, 438 Creek Road, Little Falls, NY**
5 **on the 15th day of August 2007.**
6

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

13 **ABSENT:** Allan G. Edmunds ---- Councilman
14 Lee Ann Stock ---- Councilwoman
15
16

17 **Supervisor Welden called the meeting to order at 7:00 pm with the Pledge of**
18 **Allegiance.**
19

20 **The board started going over abstracts and warrants.**
21

22 **Councilwoman Stock arrived at 7:05 pm.**
23

24 **Warrants**

25 **RESOLUTION # 90**

26 **PAY ABSTRACTS FOR MONTH**

27 **On a motion made by Councilwoman Jodway, seconded by Councilwoman Stock,**
28 **the following resolution was**
29

30 **ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway**
31 **Nays 0**
32

33 **Be it hereby resolved that the town board members audit both the general and**
34 **highway warrants and abstracts for the month and approve for payment #'s 0801**
35 **through 0816 (\$2625.42) for general warrants and #'s 0801 through 0816 and #'s**
36 **(\$10218.83) for highway warrants, including #0809 for \$2349.23 that was not**
37 **approved in July.**
38

39 **HIGHWAY REPORT**

40 **Highway Superintendent Pross started by asking if there were any questions about**
41 **his report. Jodway asked why the town rented an excavator and if there was a rent**
42 **lease agreement to go with it. Pross said that there was. Welden asked if it was an**
43 **agreement in writing. Pross said that the agreement was faxed directly to the**
44 **insurance company and then he got the agreement separately. Pross told the board**
45 **he could get them a copy of the fax if they wanted to see it. Lasher then asked Pross**
46 **and the board what all of the nonsense was about not having insurance or an**
47 **agreement. Pross stated that the machine was insured the day the town got it. Pross**
48 **explained that another town did use the machine and they insured it separately**

49 from the Town of Danube, Pross further explained the process that he had insured
50 the machine for only the time that Danube was using it not when other town's used
51 it. Welden stated that he was confused because he didn't see how 2 towns could
52 insure the same piece of equipment at the same time. The board then discussed
53 transferring money into highway.

54
55 **RESOLUTION # 91**

56 **FEMA MONEY**

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

59
60 **ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway**
61 **Nays 0**

62
63 **Resolved that FEMA money as it is used will be transferred into Highway 1 and**
64 **then checks will be written out of Highway 1 for the projects completed on the**
65 **FEMA agreements.**

66
67 **RESOLUTION # 92**

68 **TRANSFER OF FUNDS IN HIGHWAY 1**

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

71
72 **ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway**
73 **Nays 0**

74
75 **Resolved to transfer \$11,776.32 form the "Agency" FEMA Account into Highway 1.**
76

77 **Pross then asked the board where they wanted the \$24,000 of chips money spent.**
78 **Pross proposed the slurring of Finks Basin, Lovers Leap and the Lane Roads.**
79 **Pross said his second choice would be to oil and stone Bush Road and Graudon and**
80 **Frog City Roads. Pross then said that 2 other roads that would be in the most need**
81 **of it would be West Cramer Road and Schall's Hollow Road. Pross said that it**
82 **could be done for about \$28,305 and mentioned that if you took the machinery**
83 **money out of there it would be right around \$24,000. Welden said that the slurry**
84 **agreement was \$25,932 and the oil and stone agreement was \$28,305 and there was**
85 **still \$92,000, which should be enough to do both jobs. Jodway then asked if Pross**
86 **had prices to do the shoulders on the Basin Road. Lasher then mentioned to Pross**
87 **that he would like to see Pross use a heavier stone like #1 stone and not 1A stone as**
88 **the smaller stone doesn't hold the oil as well when you oil and stone. Pross said he**
89 **would use 1's but stated he was using an universal stone which was bigger than the**
90 **1A's but he would swap it out if that was what the board wanted. Welden then**
91 **asked about contracting someone to do the shoulders on Finks Basin Road**
92 **reminding Pross of the 2 quotes he had given the board. Pross said the quotes were**
93 **old and would have to be updated. Jodway said the shoulders are really bad and**
94 **she couldn't see slurring the road with out doing the shoulders also.**

95
96 **RESOLUTION # 93**

97 **ALTERNATE HIGHWAY AGREEMENT**

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

100
101 **ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway**
102 **Nays 0**
103

104 **Resolved to approve the “alternate agreement” for \$28,305 as submitted, noting that**
105 **this will be a single shot treatment with #1 stone using funds from highway 1 or 1A.**
106

107 **Pross then said he would get new quotes for a contractor to do the shoulders on**
108 **Finks Basin Road. Pross also said he would come up with a solution for the water**
109 **problem by Dobrovolcs. Welden then mentioned that the contract agreements for**
110 **2008 are in the notebooks and told Pross that the board is looking for specifics on**
111 **what money he planned on spending in 2008 and on what roads at least as best as**
112 **Pross could try.**
113

114 **PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS**
115

116 **At 8.25 p.m. Supervisor Welden opened the floor to public comment.**
117

118 **Resident David Phillips was the first to speak asking the board why as a taxpayer he**
119 **had to sit for the first 1 and ½ hours of the board meeting before he was able to say**
120 **anything. Phillips said he wanted to know why Cronkhite Road is not fixed.**
121 **Phillips told the board they should be ashamed and reminded everyone that there**
122 **has been a problem up there since 2001 stating that you can’t put a band aid on the**
123 **problem and expect it to be fixed.**
124

125 **John Przestrzelski was the next resident to speak, stating that he had lived on**
126 **Cronkhite Road for 24 years and in those 24 years the board has done nothing to**
127 **help out the residents up there. Przestrzelski stated that the board could keep**
128 **tractor-trailers off the road also stating that there are some homes that are**
129 **deteriorating that don’t even have letters of occupancy. Przestrzelski then asked**
130 **about the code officer and wanted to know why those people weren’t thrown out.**
131 **Przestrzelski then explained that his pond is going to be contaminated by some of**
132 **the waste from neighbors and wanted to know who on the town board was going to**
133 **pay for it when it happened. Code Officer Greg Lynch did speak up telling**
134 **Przestrzelski that he would need a letter of complaint to go and investigate.**
135

136 **Resident Michael Weiner then stated that he had been coming to meetings for the**
137 **last 5 years and had lived on Lovers Leap Road for 29 years and he has witnessed**
138 **that nothing has ever been done right on his road. Weiner also wanted to know why**
139 **the code officer hadn’t done anything about the dogs up on the hill.**
140

141 **Mr. Phillips then spoke again apologizing for getting loud but stating that his road**
142 **was done wrong 4 years ago and nothing has been done to correct the problem.**
143 **Phillips stated that he didn’t have a complaint with the highway crew because they**
144 **always are working and doing their jobs but the problem comes from the top down**

145 blaming Welden. Phillips wanted Welden to give an answer on what was going to
146 be done on Cronkhite Road to fix the problem.

147
148 Resident Mary Ann Aloisio then spoke telling everyone that she had been coming to
149 meetings for several years and stated that it was exasperating to sit back and
150 watching the fact that nothing is being done and hasn't been done on the roads for
151 the last 5 years. Aloisio said the meetings are frustrating and Pross throws the
152 board under the bus instead of taking responsibility for the problems himself.

153
154 Resident Fran Aloisio spoke up next stating that Cronkhite Road wasn't ready in
155 the first place to be paved when the highway crew paved it and within one week
156 there were problems. Aloisio said the preliminary work that should have been done
157 never was, which was the same thing on Finks Basin Road. Aloisio said that the
158 problem at Dobrovolcs was that there was never a need for a culvert in the first
159 place. Aloisio said that all jobs done in the town have been botched. Aloisio did
160 state that in 40 years of living here he had to give credit to Bernie Mosher for
161 mowing the shoulders up by his house. Aloisio said Mosher took his time and did it
162 right instead of rushing in and doing it in an hour and a ½. Aloisio then brought up
163 the fact that the highway superintendent had gone through 3 transmissions in one
164 truck stating that everyone should remember what happened the last time it went.

165
166 Resident Loraine Dobrovolc was the next to speak stating it was unfortunate that
167 she had to send a letter to the paper and wanted to know what was going to be done
168 by her driveway. Dobrovolc expressed that it had to be fixed now.

169
170 Resident Harry Jouben spoke next asking the board how they could make promises
171 to these residents when Pross is short handed as it is with other responsibilities for
172 them. Jouben asked Pross if he felt it was possible to get all of the work done. Pross
173 said as long as he had a signed agreement then the work would be done. Welden
174 said the work would get done there just wouldn't be a promise on the exact date.

175
176 Resident Allan S. Edmunds of Finks Basin Road spoke next of some of the problems
177 that he has seen. Edmunds stated that the board goes on "drive arounds" with
178 Pross but then does nothing with that information. Edmunds also stated that if the
179 jobs are more than the highwaymen can handle then maybe the town should get a
180 few more men because every road in the town seems to have problems. Edmunds
181 said that there are so many projects that the town has to hire everything out or get
182 more men. Edmunds finished by stating that the board is asking too much of such a
183 small department.

184
185 9:18 p.m. Public Comment was closed.

186
187 **RESOLUTION # 94**

188 **APPROVAL OF AGENDA**

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

191 **ADOPTED Ayes 4**

Welden, Stock, Lasher, Jodway

192 **Nays 0**

193
194 **Resolved that the agenda for the meeting be approved.**
195

196 **RESOLUTION # 95**

197 **APPROVAL OF MINUTES**

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

200 **ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway**
201 **Nays 0**
202

203 **Resolved that the minutes from July 11th be approved as submitted.**
204

205 **RESOLUTION # 96**

206 **APPROVAL OF MINUTES**

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

209 **ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway**
210 **Nays 0**
211

212 **Resolved that the minutes from July 18th be approved as submitted.**
213

214 **REPORT OF TOWN OFFICIALS**

215 **ASSESSOR REPORT**

216 **Welden reported that he took all of the information to Barb LeRoy but hadn't**
217 **heard anything back yet. Lasher suggested putting an ad in the paper to see if**
218 **anyone in the town was interested. The board agreed to have Welden put a notice in**
219 **the paper for the position of assessor with basic information about the position.**
220

221 **CODES REPORT**

222 **Code official Greg Lynch started out by stating that if there were a written**
223 **complaint he would address it. Lynch also stated that he was not a dog sitter but**
224 **did tell the board that if one of them wanted to walk up on the hill with him he**
225 **would be more than happy to go up there. Lynch reported that most residents that**
226 **he had talked to were receptive to taking the pool ladders out of the pools when they**
227 **weren't being used. Lynch also stated that the problem on Cramer Road was being**
228 **addressed and there was a citation to appear in court on September 10th.**
229

230 **RESOLUTION # 97**

231 **ATTENDANCE AT CODE CONFERENCE**

232 **On a motion made by Councilwoman Jodway, seconded by Supervisor Welden, the**
233 **following resolution was**
234

235 **ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway**
236 **Nays 0**
237

238 **Resolved to approve Code Official Lynch's attendance at the NYSBOC Albany**
239 **Conference on October 15-17, 2007 for in-service credits and training.**
240

241
242 **TOWN JUSTICE**
243 **RESOLUTION # 98**
244 **CLERK TO THE JUSTICE**

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

247
248 **ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway**
249 **Nays 0**
250

251 **Resolved approval for Town of Danube Justice Richard J. Petrie and Supervisor**
252 **Charles M. Welden to submit a Justice Court Assistance Program Grant application**
253 **to upgrade and improve the court facilities in the Town of Danube Justice Court.**
254 **The amount of the grant application will not exceed the guidelines established by the**
255 **State of New York Unified Court System and the Justice Court Assistance Plan.**
256

257 **TOWN CLERK**

258 **Supervisor Welden accepted the monthly report submitted from Clerk Herringshaw**
259 **for the month of July 2007.**
260

261 **CEMETERY BOARD**

262 **Jodway asked if there was any way to get Gerald Harrods name off of the IDS**
263 **account.**
264

265 **SUPERVISOR'S REPORT**

266 **RESOLUTION # 99**

267 **SUPERVISOR'S MONTHLY REPORT**

268 **On a motion made by Councilwoman Stock, seconded by Councilman Lasher, the**
269 **following resolution was**

270 **ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway**
271 **Nays 0**
272

273 **Resolved to approve the correction to June 2007 report and the July 2007 monthly**
274 **report from Supervisor Welden.**
275

276 **OLD BUSINESS**

277 **17b. Welden stated that he was going to drop an email to the woman whom emailed**
278 **him to see if she would come and speak with the board on the wind turbine law.**
279

280 **17e. Pross gave Welden lots of information about the highway turn-around**
281 **agreements and is waiting on Welden to get a few more things.**
282

283 **17i.**

284 **RESOLUTION # 100**

285 **HIRE ROY THOMSOM**

286 **On a motion made by Councilwoman Jodway, seconded by Supervisor Welden the**
287 **following resolution was**
288

**ADOPTED Ayes 4
Nays 0**

Welden, Stock, Lasher, Jodway

Resolved to hire Roy Thomson for a fee not to exceed \$500.00 to present a proposal for modifications to the meeting room and exterior of the building.

17k. Jodway reported that she spoke with Fire Chief Parese and will be setting up a meeting with both chiefs in the near future to discuss dry hydrants.

17m. Welden reported that the State Mandated Codes Law had been filed.

NEW BUSINESS

19a. Welden said there was a 27-page personnel policy that he would like the board to take a look at.

19b. Welden said he would be getting out the budget forms to each department.

19c. Stock mentioned that she had talked to Attorney Mastromoro about writing up a non-binding purchase offer for the purchase of the spring that Campione is selling. Lasher suggested having the fire chiefs look at the area first to see if they can even get the trucks in and out of the area because if they can't get in and out of there with the big trucks it wouldn't be of use to the town. Lasher also reminded the other board members to think about continued year round maintenance that would have to be adhered to by the highway department if the town did indeed agree to purchase the spring. Lasher finished by stating that before any more time is wasted they should make sure that the spring can be used by both fire companies.

On a motion made by Supervisor Welden, seconded by Councilwoman Stock, the meeting was adjourned at 10:37 P.M. Carried unanimously.

Mary Lou Herringshaw, Town Clerk