

ORGANIZATIONAL MEETING, TOWN OF DANUBE, JANUARY 7, 2009

An organizational 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 7th day of January 2009.

Supervisor Welden called the meeting to order at 7:01 p.m. with the Pledge of Allegiance to the flag.

PRESENT: Charles Welden ---- Supervisor
James Lasher ---- Councilman
Patricia Jodway ---- Councilwoman
Lee Ann Stock ---- Councilwoman
Mary Herringshaw ---- Clerk
Joe Alberico ---- Highway Superintendent

ABSENT: Alicia Stock ---- Councilwoman

RESOLUTION #1

OFFICIAL DEPOSITORIES

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

ADOPTED Ayes 4 Welden, Lasher, Jodway, Stock
Nays 0

Resolved that Bank of America of Little Falls, and M&T of Little Falls, Adirondack Trust of Little Falls and Citizens Bank of Herkimer and NBT be designated official depositories for the Town of Danube for the year 2009.

RESOLUTION #2

OFFICIAL BONDS

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

ADOPTED Ayes 4 Welden, Lasher, Jodway, Stock
Nays 0

Resolved that Town Officials be bonded as listed.

| | |
|------------------------|-------------|
| Supervisor | \$16,000.00 |
| Tax Collector | \$49,000.00 |
| Town Clerk | \$10,000.00 |
| Town Justice | \$10,000.00 |
| Highway Superintendent | \$10,000.00 |
| Justice Clerk | \$10,000.00 |

RESOLUTION #3

OFFICIAL NEWSPAPER

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

ADOPTED Ayes 4 Welden, Lasher, Jodway, Stock
Nays 0

54
55 **Resolved that The Little Falls Evening Times be the official newspaper for the year**
56 **2009.**

57
58 **RESOLUTION #4**

59 **REGULAR MEETING**

60 **On a motion made by Councilwoman Stock, seconded by Supervisor Welden, the**
61 **following resolution was**

62 **ADOPTED Ayes 4 Welden, Lasher, Jodway, Stock**
63 **Nays 0**
64

65 **Resolved that the second Wednesday of each month at 7:00 p.m. be designated as**
66 **the regular meeting date for the Town of Danube Town Board for the year 2009.**
67

68 **FIRE WARDENS**

69 **After a discussion about the responsibilities and requirements that a fire warden**
70 **must take on for the year it was decided to table appointing fire wardens until more**
71 **information is gathered. A letter is going to be sent to the fire chief asking what**
72 **they require from fire wardens. The board decided to replace Leonard Pross with**
73 **the current Highway Superintendent Joe Alberico and they will look for a candidate**
74 **to replace Keith Cagwin. The other fire wardens for 2008 included: John Delnero,**
75 **Rick Mosher, Charles Welden, Daniel Downing and Richard Kapala.**
76

77 **Resolved that the following people be appointed as fire wardens for the Town of**
78 **Danube for the year 2008: Keith Cagwin, Richard Kapala, Daniel Downing,**
79 **Charles Welden, Rick Mosher, Leonard Pross and John Delnero.**
80

81 **RESOLUTION #5**

82 **INVESTMENTS**

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

85 **ADOPTED Ayes 4 Welden, Lasher, Jodway, Stock**
86 **Nays 0**
87

88 **Resolved that the Supervisor be authorized to invest certain funds in interest**
89 **bearing certificates of deposit, savings accounts or treasury bills until needed to pay**
90 **town obligations for the year 2009. Also the Supervisor is authorized to pay utility**
91 **bills and postage upon receipt and show those in the monthly warrants or**
92 **Supervisor's Report.**
93

94 **RESOLUTION #6**

95 **SALARIES, ELECTED OFFICIALS**

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

98 **ADOPTED Ayes 4 Welden, Lasher, Stock, Jodway**
99 **Nays 0**
100

101 **Resolved that the following salaries be fixed for the year 2009 as in the budget and**
102 **the legal notice in the newspaper. Supervisor: \$6250, Town Justice: \$7750,**
103 **Councilperson: \$2500 each, Town Clerk: \$4600, Tax Collector: \$2000 and Highway**
104 **Superintendent: \$28,550.**

105 **Also resolved that the following salaries be fixed for the year 2009 – One job**
106 **description with six steps for full-time, permanent employees ranging in pay from**

107 \$10.20 per hour at step 1 to \$14.97 per hour at step 6. Step 3 will be \$11.86 per
108 hour. Step 4 will be \$12.19 per hour. Step 5 will be \$13.07 per hour.

109
110 Also resolved that the following salaries be fixed for the year 2009 - Overtime (only
111 for full-time employees) at 1.5 times the hourly rate.

112
113 Also resolved that the dog control officer salary be fixed for the year 2009 - \$1500.00
114 per year to be paid on a Monthly basis. The Codes Enforcement Official to be
115 \$3000.00 per year to be paid on a Monthly basis. The Labor Rate (General &
116 Highway) \$8.00 per hour (with no overtime available). The RMO = \$600.00 and
117 Reg. Vital Statistics = \$500.00 (part of the town clerk's salary). The Temporary
118 Clerk to the Justice \$7,500.00 per year.

119
120 RESOLUTION #7

121 **ATTORNEY**

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

124 **ADOPTED**

125 Ayes 4 Welden, Lasher, Jodway, Stock
126 Nays 0

127
128 Resolved that the position of "Attorney for the Town" continue.

129
130 RESOLUTION #8

131 **APPOINTMENTS**

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

134 **ADOPTED**

135 Ayes 4 Welden, Lasher, Jodway, Stock
136 Nays 0

137
138 Resolved that the following appointments for the year 2009 for the Town of Danube:

139 Mary Lou Herringshaw – Registrar of Vital Statistics & RMO
140 Linda Welden – Town Historian
141 Kathleen Hysack – Dog Control Officer
142 Greg Lynch – Codes Enforcement Official
143 ? – Official Cleaner
144

145 The board also discussed that they will have to appoint two more members to the
146 planning board at a future meeting.

147
148 RESOLUTION #9

149 **RULES of PROCEDURE**

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

152 **ADOPTED**

153 Ayes 4 Welden, Lasher, Jodway, Stock
154 Nays 0

155
156 Resolved to study Jodway's sample of the Rules of Procedure for meetings and
157 discuss and pass with any changes at the meeting in February.

158
159 RESOLUTION #10

OFFICIAL FORMS

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

ADOPTED Ayes 4 Welden, Lasher, Jodway, Stock
Nays 0

Resolved to adopt the conference/training request form, the DCO report format, Codes report format for 2009.

RESOLUTION #11

OFFICIAL CALENDAR

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

ADOPTED Ayes 4 Welden, Lasher, Jodway, Stock
Nays 0

Resolved to adopt the Calendar for Payrolls, Meetings, Bills for 2009.

RESOLUTION #12

MILEAGE REIMBURSEMENT RATE

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

ADOPTED
Ayes 4 Welden, Lasher, Jodway, Stock
Nays 0

Resolved to set the mileage reimbursement rate at the NYS rate for 2009, as the state rate changes the towns will also.

With no further business, on a motion made by Councilwoman Stock, seconded by Supervisor Welden, the meeting was adjourned at 8:02 p.m. Carried unanimously.

The board went right into the regular monthly board meeting at the conclusion of the organizational meeting. Attendance remained the same.

PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS

At 803 p.m. Supervisor Welden opened the floor to public comment.

Councilman Lasher asked the board to do what they had agreed on in January 2007 by sticking to the 5 minute time limit for anyone who wishes to address the board.

Lasher also stated that the topic at public comment should be something new.

Lasher then requested that if someone gets out of hand during a meeting that they be asked to settle down or to leave if they are that abruptive.

On a different matter Lasher reported that he did indeed take a walk up on the hill to see what was going on up there. Lasher also stopped and spoke with some of the neighbors. Lasher reported that there was not a bus up there any longer and there were only a few dogs around. Lasher suggested going forward that in problem areas around the town (like the dog problem in Finks Basin) that any local laws that pertain to said problems should be distributed to the residents in that area. Lasher suggested this course of action because some residents he spoke with didn't know there was a local leash law in effect.

8:14 Public Comment was closed.

213
214 **RESOLUTION # 13**

215 **PAY ABSTRACTS FOR MONTH**

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

218
219 **ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway**
220 **Nays 0**
221

222 **Be it hereby resolved that the town board members audit both the general and**
223 **highway warrants and abstracts for the month and approve for payment #'s 0101**
224 **through 0114 (\$11,640.27) for general warrants and #'s 0101 through 0106**
225 **(\$6065.57) for highway warrants.**
226

227 **REPORT OF TOWN OFFICIALS**

228 **CODES REPORT**

229 **Greg Lynch asked the board if they had any questions about his report. Lynch then**
230 **reported that he spoke with Jim Filipski who agreed to clean up everything that the**
231 **board wanted removed from the Tarbox property. Lynch suggested the board send**
232 **a letter stating that the board would like everything removed from the town.**
233

234 **RESOLUTION # 14**

235 **PAY FOR CODES JACKET AND LETTERING**

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

238
239 **ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway**
240 **Nays 0**
241

242 **Be it hereby resolved that the board approve reimbursement to Lynch for the codes**
243 **jacket and lettering that was purchased for him to provide identification as a code**
244 **official for the town.**
245

246 **HIGHWAY SUPERINTENDENT'S REPORT**

247 **Welden started out by asking Alberico about the county drilling that went on by the**
248 **bridge with equipment that blocked the roadway in an ice storm. Welden was**
249 **concerned that highway employee Darrin Fisher couldn't get by with the truck to**
250 **sand the roads. Welden wanted to know if the county notified Alberico in advance.**
251 **Alberico said the county did not contact him but the issue was resolved and they got**
252 **done what they had to do.**
253

254 **Alberico went over his report and asked if there were any questions. Alberico**
255 **explained that the town may need more salt before the season ends and was asking**
256 **for preapproval to purchase some as needed. Alberico then requested approval to**
257 **get a new rim for D6. Alberico then went over the sander quote that the board**
258 **requested him to get. Lasher asked Alberico to look into a heavier gage steel and**
259 **get another quote.**
260
261
262
263
264
265

RESOLUTION # 15

PLOW FRAME

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

ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway
Nays 0

Resolved to pre approve the purchase of 3 additional loads of salt as needed, in addition to the previous three loads that were approved for purchase on December 10, 2008.

RESOLUTION # 16

TIRE RIM FOR D6

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

ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway
Nays 0

Resolved approval for Alberico to purchase the rim for D6 for \$225.

RESOLUTION # 17

APPROVAL OF AGENDA

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

ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway
Nays 0

Resolved that the agenda for the meeting be approved.

RESOLUTION # 18

APPROVAL OF MINUTES

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

ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway
Nays 0

Resolved that the minutes from December 10, 2008 be approved as submitted.

ASSESSOR REPORT

Supervisor Welden reminded the board that the new contract will come in Feb.

TOWN JUSTICE

Welden asked if there were any questions about the report submitted.

DOG CONTROL OFFICER

Welden asked if there were any questions about the report submitted.

TOWN CLERK

Supervisor Welden accepted the monthly report submitted from Clerk Herringshaw for the month of December 2008.

CEMETERY BOARD

Welden reminded everyone that the annual meeting would be February 10, 2009 at 7:00 p.m.

PLANNING BOARD REPORT

Welden stated there was nothing to report.

SUPERVISOR'S REPORT

RESOLUTION # 19

SUPERVISOR'S MONTHLY REPORT

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

ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway
Nays 0

Resolved to approve the December 2008 monthly report from Supervisor Welden.

OLD BUSINESS

There was nothing new to discuss.

NEW BUSINESS

There was nothing new to discuss.

RESOLUTION # 20

EXECUTIVE SESSION BEGINS

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

ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway
Nays 0

Resolved that the board would enter into executive session at 9:24 p.m. for a legal matter.

RESOLUTION # 21

EXECUTIVE SESSION ENDS

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

ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway
Nays 0

Resolved that the board would enter back into regular session at 9:38 p.m.

On a motion made by Supervisor Welden, seconded by Councilwoman Jodway, the meeting was adjourned at 9:51 P.M. Carried unanimously.

Mary Lou Herringshaw, Town Clerk

REGULAR MONTHLY MEETING, TOWN OF DANUBE, FEBRUARY 11, 2009

A regular monthly 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 February 2009.

Supervisor Welden called the meeting to order at 7:01 p.m. with the Pledge of Allegiance to the flag.

| | | | |
|-----------------|------------------|------|------------------------|
| PRESENT: | Charles Welden | ---- | Supervisor |
| | James Lasher | ---- | Councilman |
| | Patricia Jodway | ---- | Councilwoman |
| | Lee Ann Stock | ---- | Councilwoman |
| | Mary Herringshaw | ---- | Clerk |
| | Joe Alberico | ---- | Highway Superintendent |

| | | | |
|----------------|-------------|------|--------------|
| ABSENT: | Alicia Cook | ---- | Councilwoman |
|----------------|-------------|------|--------------|

PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS

At 7:03 p.m. Supervisor Welden opened the floor to public comment.

There was no one present that wanted to speak during public comment.

7:04 Public Comment was closed.

The board then had a discussion about the agenda and the order in which abstracts should be taken care of. It was decided that since the notebooks were handed out prior to the meeting and all board members had a chance to look at the warrants and had no questions about them that they would move signing the abstracts until the end of the meeting.

**REPORT OF TOWN OFFICIALS
CODES REPORT**

Greg Lynch was not present but did provide a report for the board. The board discussed a letter that had to be written by the board about the continued concern of debris that was dumped in the town and its removal.

HIGHWAY SUPERINTENDENT'S REPORT

Alberico started out by mentioning to the board that there was a leak in the roof. Alberico asked the board if the board had a specific maintenance person that the town used in situations like this. Alberico stated the town didn't even have a ladder to go up and look at the roof.

**RESOLUTION # 22
EXTENSION LADDER**

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

| | |
|-----------------------|--------------------------------------|
| ADOPTED Ayes 4 | Welden, Stock, Lasher, Jodway |
| Nays 0 | |

424 **Resolved that Highway Superintendent Alberico go to Lowes and purchase an**
425 **OSHA approved fiberglass extension ladder.**

426
427 **Alberico then asked the board what the status was for the one way plow. Welden**
428 **said it was unchanged and asked the board if he should send a letter. The board**
429 **agreed that Welden should send the letter. Alberico then mentioned that he would**
430 **be attending a meeting in Albany March 10th and 11th that would be addressing**
431 **CHIPS Money.**

432
433 **Welden then mentioned that there would be a meeting on February 26th to discuss**
434 **the bridge replacement on Johnnycake Road @ 6:30 p.m., with Herkimer County**
435 **Highway Department.**

436
437 **Welden then addressed the letter from the county Re: Larry LaPorta's driveway**
438 **modifications.**

439
440 **Alberico then asked the board for direction on putting weight limits on town roads.**
441 **Lasher said that first Alberico would have to come up with time frames and then**
442 **have signs made. Alberico said he would talk with other towns and shop around for**
443 **signs.**

444
445 **RESOLUTION # 23**

446 **APPROVAL OF AGENDA**

447 **On a motion made by Supervisor Welden, seconded by Councilwoman Stock, the**
448 **following resolution was**

449 **ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway**
450 **Nays 0**

451
452 **Resolved that the agenda for the meeting be approved after moving Audit the Bills**
453 **down under New Business.**

454
455 **RESOLUTION # 24**

456 **APPROVAL OF MINUTES**

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

459 **ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway**
460 **Nays 0**

461
462 **Resolved that the minutes from December 30, 2008 be approved as submitted.**

463
464 **RESOLUTION # 25**

465 **APPROVAL OF MINUTES**

466 **On a motion made by Councilwoman Stock, seconded by Supervisor Welden, the**
467 **following resolution was**

468 **ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway**
469 **Nays 0**

470
471 **Resolved that the minutes from January 7, 2009 be approved after making note that**
472 **the cleaning person for the town is Colleen Horender.**

ASSESSOR REPORT

RESOLUTION # 26

CONTRACT CONTINUATION

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

ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway
Nays 0

Resolved that the town continue with the assessing contract with Herkimer County.

TOWN JUSTICE

Welden asked if there were any questions about the report submitted.

DOG CONTROL OFFICER

Welden asked if there were any questions about the report submitted.

TOWN CLERK

Supervisor Welden accepted the monthly report submitted from Clerk Herringshaw for the month of January 2009.

CEMETERY BOARD

Rick Mosher was present and went over his report. Mosher told the board that he had a talk with Norman and they are moving forward with the Houpt enlargement. Mosher said the annual cemetery board meeting was last night and they got a lot accomplished. Mosher said he would like to get an ad in the paper for a grounds person and would fire it off to Herringshaw to put in The Evening Times. Mosher said he would work with Alberico in the spring on sign placements. Mosher also told the town board that the cemetery board would like to increase its board members to 5 from 3. It would be an increase of 2 additional people and would need to be down by town law. Mosher asked direction on how to move forward with that. Mosher then mentioned that the spring cleaning date for the cemeteries was set for April 18, 2009 with a rain date of April 25, 2009. Mosher said he would get something to Herringshaw to put in the paper.

PLANNING BOARD REPORT

Welden stated there was nothing to report.

SUPERVISOR'S REPORT

RESOLUTION # 27

SUPERVISOR'S MONTHLY REPORT

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

ADOPTED Ayes 4 Welden, Stock, Lasher, Jodway
Nays 0

Resolved to approve the January 2009 monthly report from Supervisor Welden.

OLD BUSINESS

17h. Welden asked the board to look over the personnel policy and asked if everyone could be ready for discussion after the meeting on February 26th with the county. The board agreed they could stay after the bridge meeting to discuss the personnel policy.

NEW BUSINESS

18b. Welden told the board that there would be a meeting with the insurance company on February 17th @ 11:00 a.m. to discuss the Notice of Claim – Weiner.

18d. Herringshaw mentioned that she had asked Kim Horender if she would be one of the deputy town clerks for the town and Horender said she would. Herringshaw told the board that she wouldn't be present at the April monthly meeting and would like permission to have Horender attend the March meeting as deputy taking notes at the meeting to get her ready for the April meeting. The board agreed it was a good idea.

RESOLUTION # 28

PAY ABSTRACTS FOR MONTH

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

ADOPTED Ayes 4 Welden, 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 0201 through 0217 (\$3684.50) for general warrants and #'s 0201 through 0218 (\$18429.50) for highway warrants.

On a motion made by Councilwoman Jodway, seconded by Councilman Lasher, the meeting was adjourned at 9:14 P.M. Carried unanimously.

Mary Lou Herringshaw, Town Clerk

SPECIAL MEETING/Highway, TOWN OF DANUBE, February 26, 2009

A special meeting of the Town Board of the Town of Danube, County of Herkimer and State of New York was held at the Town Hall, 438 Creek Road, Little Falls, NY on the 26th day of February 2009.

PRESENT: Charles M. Welden ---- Supervisor
James L. Lasher ---- Councilman
Patricia Jodway ---- Councilwoman

ABSENT: Lee Ann Stock ---- Councilwoman
Alicia B. Cook ---- Councilwoman

ALSO PRESENT: Herkimer County Highway Superintendent Jay Ewanyk
Danube Highway Superintendent Joe Alberico

Supervisor Welden called the Special Meeting to order at 6:30 PM with the Pledge of Allegiance.

The town board listened and watched the presentation by Jay Ewanyk regarding the replacement of a bridge Johnnycake Road-CR 136 that will occur this summer, 2009. He explained that the bids came in much lower than the \$500,000 that was expected and that it had been let for \$300,000. He expects that the project could take as little as 4 weeks, start to finish, due to the extensive use of pre-cast materials. The company that got the bid is Bell Contracting of Poland, NY. Bell is the same company that did the first bridge on Creek Road in 2007.

Councilwoman Stock arrived at 7:00 PM.

The Board then turned its attention to the revised bench and meeting room plans from Roy Thomson, Bridge Street Architect, St. Johnsville. The plans for finishing the Courtroom/Meeting Room Bench were modified only slightly and it was agreed to ask Peter Aloisio, the contractor who had done the carpentry work on last year's meeting room work, for a price to complete this work. It was also agreed to contact Joe Polnak's assistant for a quote on the electrical work that needs to be done on and in the bench concurrent with the carpentry work. Electrician Polnak has had a health setback, but his assistant Dan Beacraft will continue to do the work. It is expected that the work will be approved at the next regular meeting, March 11, 2009, providing the price quotes are acceptable to the Board.

The Board briefly reviewed the proposed personnel policy. Councilman Lasher said that there was one minor change in wording that he would like to have considered and he would get it to Supervisor Welden so that the whole Board could consider it.

Following this discussion there was a considerable discussion with Joe Alberico, the Town Highway Superintendent regarding the progress being made in the Highway Department. It was agreed that things are going in the right direction.

Mary Lou Herringshaw, Town Clerk
Based on notes provided by Supervisor Welden