

**REGULAR MEETING, TOWN OF DANUBE, AUGUST 11, 2010**

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 11<sup>th</sup> day of August 2010.

Supervisor Welden called the meeting to order at 7:00 p.m. with the Pledge of Allegiance to the flag.

**PRESENT:** Charles Welden ---- Supervisor  
James Lasher ---- Councilman  
Patricia Jodway ---- Councilwoman  
Alicia Cook ---- Councilwoman  
Mary Herringshaw ---- Clerk  
Corey LaPorta ---- Highway Superintendent

**ABSENT:** Lee Ann Stock ---- Councilwoman

**RESOLUTION # 70**

**EXECUTIVE SESSION BEGINS**

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

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

Resolved to go into executive session at 7:02 to discuss a personnel issue.

**RESOLUTION # 71**

**EXECUTIVE SESSION ENDS**

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

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

Resolved to go back into regular session with no decisions being made at 7:28 pm.

**RESOLUTION # 72**

**APPROVAL OF AGENDA**

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

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

Resolved that the agenda for the meeting be approved after taking Patti Perkins off of the agenda as the proper procedure wasn't followed for submitting a request to be placed on the agenda for verification of receipt.

**RESOLUTION # 73**

**APPROVAL OF MINUTES**

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

**ADOPTED Ayes 4      Welden, Lasher, Jodway, Cook**  
**Nays 0**

Resolved that the minutes from July 13, 2010 be approved as submitted.

#### **REPORT OF TOWN OFFICIALS CODES REPORT**

Supervisor Welden notified the state that Lynch had resigned effective August 1, 2010. Herringshaw to write letter to state letting them know that the town would like to hand the enforcement of codes back over to the state. Jodway said she had been asking Lynch for years for a codes log and he never turned one over to the board. Welden will post something on the website as to who residents should contact for a building permit. Lasher suggested that Herringshaw notify the paper also so that the residents know. Jodway stated that there were 4 people that expressed interest in the open position but all of them lived outside the town and one of them was a relative of a board member which goes against the personnel policy in place.

#### **RESOLUTION # 74**

##### **TURN CODE ENFORCEMENT BACK OVER TO STATE**

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

**ADOPTED Ayes 4      Welden, Lasher, Jodway, Cook**  
**Nays 0**

Resolved that the town clerk send a letter to the state letting them know that going forward the town would like to turn the enforcement of codes back over to NY State.

#### **ASSESSOR REPORT**

Welden reported that the equalization rate for the year is at 97% the same as last year.

#### **DOG CONTROL OFFICER**

Welden stated that he didn't receive a report from Hysack for the month.

#### **TOWN CLERK**

Supervisor Welden accepted the monthly report submitted from Clerk Herringshaw for the month of July 2010.

#### **CEMETERY BOARD**

Mosher wasn't present to go over his report. Welden stated he wanted to transfer \$2000 from contractual A8810.4 into A8810.2 equipment for the cost of the mower.

#### **RESOLUTION # 75**

##### **TRANSFER OF MONIES**

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

**ADOPTED Ayes 4      Welden, Lasher, Jodway, Cook**

Nays 0

Resolved to transfer \$2000 from the contractual part of the cemetery budget and put it into the equipment part of the budget to cover the cost of the mower.

#### **PLANNING BOARD REPORT**

Welden stated that there is still an open position.

#### **TOWN JUSTICE**

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

#### **HIGHWAY SUPERINTENDENT'S REPORT**

LaPorta asked if there were any questions about his report. Lasher asked what LaPorta decided to do to lock up the gravel bed. LaPorta said he hadn't done anything yet but would like to purchase a gate. LaPorta would like to replace the bearings for the sander on D6 the cost would be \$1025 (for the in stock prices that LaPorta was given back in June).

#### **RESOLUTION # 76**

##### **FIX EXISTING SANDER**

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

**ADOPTED Ayes 4**

**Welden, Lasher, Jodway, Cook**

**Nays 0**

Resolved to approve LaPorta to fix the existing sander for the price of \$1025.00

LaPorta reported that the town will be getting the last load of salt that they contracted for. LaPorta also reported that they were roughly about 120 ton short of crusher run on Cronkite Road. LaPorta would like approval to get it from Rifenburg. Lasher said he didn't think the town approved oil and stoning the whole road like LaPorta said they were going to do after. Lasher suggested that LaPorta wait a year before they do that. LaPorta said they would need about 5 more ton of cold patch as well. Lasher said his concern was not to see the town waste any more money on the road on something that might not hold up. Lasher said he thought the men were told to get the whole road ready and then wait the year to make sure the road holds up then come back and oil and stone the following year, Lasher said there was a misunderstanding in the road agreements. LaPorta said they would still be under budget and they were going to go ahead and do it as it was in a signed road agreement. Lasher said you have to do what is necessary to fix the road but he is against oil and stoning at this time. Lasher said he would like to talk to Mark Warner and Pat Race about it, Lasher said they had gone over this with Warner. LaPorta said that West Fiery Hill was built up and the road work has been done but they would like to oil and stone that as well (the oil and stone wasn't in the agreement). LaPorta said they would let the road sit this year. LaPorta said he hasn't received any paperwork about 'chips' money but had made a few phone calls. LaPorta said that the town should be getting around \$90,000 that includes roll over money from 2008 and 2009. Lasher suggested taking care of Finks Basin Road drainage problem on both ends with chips money using a contractor and then they could also use some of it for black topping, that way the town is getting a lot of bang

for their buck. Lasher suggested LaPorta check into it. LaPorta said he would look into what the money can be used for.

#### **SUPERVISOR'S REPORT**

##### **RESOLUTION #77**

#### **SUPERVISOR'S MONTHLY REPORT**

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

**ADOPTED Ayes 4**

**Welden, Lasher, Jodway, Cook**

**Nays 0**

**Resolved to approve the July 2010 monthly report as submitted.**

#### **OLD BUSINESS**

**15h. Welden said he has 2 employees that haven't turned in the signed agreement stating they have received the policy. Welden stated he had written a letter to each of them stating that they only have to sign the letter stating they received the policy and nothing more but he still hadn't received anything. Welden asked LaPorta to mention it to the two men.**

**15j. Lasher said he will send a letter about the roof and gutter.**

**15k. Fran and Mary Ann Aloisio asked to be placed on the agenda for an update on any progress on the culvert problem. Mary Ann Aloisio stated she has outlined the history and she still believes it is a town problem not theirs and wants to know what the town is going to do. Fran Aloisio said LaPorta was supposed to look into it and wanted to be updated. Fran Aloisio said that he knows the town is liable for the water that comes on the property not them. LaPorta said they were willing to start at the top (inlet side) widen it and use rip rap. LaPorta would like to do both sides but Mrs. Aloisio would like to see a sketch first to see how it is going to look before they do work. Mr. Aloisio said he would like both sides done. Lasher said this should definitely slow the water down and cut back on the erosion. LaPorta asked the board if he needed to have anything written up and signed off on. Welden said to do a quick agreement and can be used with chips money.**

**15l. Welden included the information from the Town of Warren on their noise ordinance.**

#### **NEW BUSINESS**

**16a. Welden has not had any success getting in touch with Dick Comi. The Servidone's had requested to be put on the agenda but were not present at the meeting.**

**Welden reported that the state is done as of December 31, 2010 with handling dog licensing information. The responsibility is being turned over to each township.**

**Welden then went over the statement for the state retirement system.**

**At 9:18 p.m. Supervisor Welden opened the floor to public comment.**

**9:18 Public Comment was closed with nothing being discussed.**

**RESOLUTION # 78  
PAY ABSTRACTS FOR MONTH**

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

**ADOPTED Ayes 4                      Welden, Lasher, Jodway, Cook  
   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 0801 through 0810 (\$976.32) for general warrants and #'s 0801 through 0809 (\$12,971.32) for highway warrants.**

**On a motion made by Councilwoman Cook, seconded by Councilwoman Jodway, the meeting was adjourned at 10:13 P.M. Carried unanimously.**

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**Mary Lou Herringshaw, Town Clerk**

**SPECIAL MEETING, TOWN OF DANUBE, August 31, 2010**

**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 31st day of August 2010.**

**PRESENT: Charles M. Welden ---- Supervisor  
                 James L. Lasher ---- Councilman  
                 Patricia Jodway ---- Councilwoman  
                 Lee Ann Stock ---- Councilwoman  
ABSENT: Alicia B. Cook ---- Councilwoman**

**ALSO PRESENT: Norman Mastromoro, Esq.,**

**Supervisor Welden called the Special Meeting to order at 8:24 PM with the Pledge of Allegiance**

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

**ADOPTED Ayes 4                      Stock, Lasher, Jodway, Welden**

**Resolved to go into executive session to discuss specific personnel matters at 8:27 p.m.**

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

**ADOPTED Ayes 4                      Stock, Lasher, Jodway, Welden**

**Resolved to return to regular session with no action taken in the executive session at 10:55 p.m.**

Following this there was brief discussion as to how the job description for the position of Codes Enforcer might be modified in the future.

**RESOLUTION #79**

**CHANGE THE DATE OF REGULAR MEETING FOR SEPTEMBER 2010**

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

**ADOPTED Ayes 4**

**Welden, Stock, Lasher, Jodway**

**Nays 0**

Resolved that the date of the regular Town Board meeting for September be changed from September 8th to September 14th. (NOTE: The date was later changed to September 16th because Primary Election Day was on September 14th)

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

**ADOPTED Ayes 4**

**Welden, Stock, Lasher, Jodway**

**Nays 0**

Meeting was adjourned at 11:08 PM.

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