

REGULAR MEETING, TOWN OF DANUBE, SEPTEMBER 16, 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 16th day of September 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
Lee Ann Stock ---- Councilwoman
James Lasher ---- Councilman
Patricia Jodway ---- Councilwoman
Alicia Cook ---- Councilwoman
Kim Horender ---- Deputy Town Clerk
Corey LaPorta ---- Highway Superintendent

ABSENT: Mary Herringshaw ---- Clerk

RESOLUTION # 80

APPROVAL OF AGENDA

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

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

Resolved that the agenda for the meeting be approved after adding to #12 the Justice Court Grant Application.

RESOLUTION # 81

APPROVAL OF MINUTES

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

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

Resolved that the minutes from August 11 & August 31, 2010 be approved as submitted.

The board decided to go into executive session with the town's attorney.

RESOLUTION # 82

EXECUTIVE SESSION BEGINS

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

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

Resolved to go into executive session at 7:06 to discuss a personnel issue.

RESOLUTION # 83

EXECUTIVE SESSION ENDS

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

**ADOPTED Ayes 5
Nays 0**

Welden, Stock, Lasher, Jodway, Cook

Resolved to go back into regular session with no decisions being made at 8:49 pm.

REPORT OF TOWN OFFICIALS

CODES REPORT

Several people expressed an interest but none with experience or certification. There was a discussion regarding the former codes officer.

RESOLUTION # 84

LETTER TO FORMER CODE OFFICER

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

**ADOPTED Ayes 5
Nays 0**

Welden, Stock, Lasher, Jodway, Cook

Resolved to have Attorney Mastromoro send a letter to former code officer Gregory J. Lynch addressing the discrepancies in his mileage submissions from 2008 until the present time.

ASSESSOR REPORT

Supervisor Welden reported that the information that would be used to determine the Residential Assessment Ratio (RAR) have been received and they tended to be unfavorable because two of the three places in the data sold for considerably more than their assessed value.

DOG CONTROL OFFICER

Welden asked if there were any question about the reports (last month is included as well) submitted. Welden reported that he replenished the minutes on both the Tracphones for the dog control officer and the town justice.

TOWN CLERK

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

CEMETERY BOARD

Mosher wasn't present to go over his report and Welden asked if there were any questions.

PLANNING BOARD REPORT

There was a board discussion about a request for a road frontage variance presented to the planning board.

RESOLUTION # 85

LETTER TO CHAIRMAN OF PLANNING BOARD ADDRESSING VARIANCE REQUEST

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

**ADOPTED Ayes 5
Nays 0**

Welden, Stock, Lasher, Jodway, Cook

Resolved to have Attorney Mastromoro send a letter to Charlie Pueschel, Planning Board Chairman, addressing the variance request.

TOWN JUSTICE

Welden asked if there was any question on the report submitted.

Welden then explained to the board that there is a Unified Court System/JCAP Grant Program. Welden went on to explain that the deadline to apply online is October 31, 2010. The maximum amount of the grant is \$30,000. Welden wanted board approval to apply for another grant.

RESOLUTION # 86

JUSTICE GRANT

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

**ADOPTED Ayes 4
Nays 0**

Welden, Stock, Lasher, Cook

Abstain 1 Jodway

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

HIGHWAY SUPERINTENDENT'S REPORT

LaPorta asked if there were any questions about his report. LaPorta then discussed the water damage problems at the intersection of The Lane Road and Finks Basin Road. LaPorta said the problems were caused by alterations made to the ditches and culverts by resident Robert Sitterly. LaPorta said he was going to make Mr. Sitterly aware that he is responsible for the damage caused by the alterations that he made to the ditches and culverts and that it is his responsibility to restore them to the condition they were in before he made any alterations. LaPorta did say that the men and he were going to go up and attempt to clean out the Town of Danube's culvert on the Lane Road. Lasher did tell LaPorta that Back Break Acres has a pump that they rent along with other equipment that might come in handy if needed up there.

RESOLUTION #87

EQUIPMENT RENTAL

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

**ADOPTED Ayes 5
Nays 0**

Welden, Stock, Lasher, Jodway, Cook

Resolved to pre approve LaPorta renting equipment to clean the town's culvert under The Lane Road.

RESOLUTION # 88

OTSEGO IRON & METAL ESTIMATE

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

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

Resolved to approve and accept the estimate present to the board from LaPorta re: Otsego Iron & Metal for the parts for the snow plows that go on the trucks in the amount of \$2881.

LaPorta also reported that it will be possible to submit a request for 'CHIPS' funds for work done in preparing roads to be stoned and oiled.

SUPERVISOR'S REPORT

RESOLUTION # 89

SUPERVISOR'S MONTHLY REPORT

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

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

Resolved to approve the August 2010 monthly report as submitted.

At this point Marilynne and Ralph Servidone discussed their concerns at The Sprint Tower on Fall Hill. Among the concerns are the drainage which runs from the tower area onto their property, the monthly maintenance of the property by the tower company, and the proximity of their house to the tower and the radiation which the tower emits. Welden said he would contact Richard Comi regarding their concerns.

Welden then passed out an email he received from Fran and Mary Ann Aloisio regarding the drainage problem on their property.

OLD BUSINESS

15g. Welden said he received the fire contract from St. Johnsville (3 years, 3% per year) but they have not received anything from Little Falls.

NEW BUSINESS

16a. Trash dates for the fall are set for October 8th (from 8:00 a.m. – 3:00 p.m.) and October 9th (from 9:00 a.m. – 2:00 p.m.).

The dates for the budget workshops will be decided at the October 13th regular board meeting.

RESOLUTION # 90

FISCAL OVERSIGHT WORKSHOP CONFERENCE REQUEST

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

**ADOPTED Ayes 5
Nays 0**

Welden, Stock, Lasher, Jodway, Cook

Resolved to approve attendance at the Fiscal Oversight Workshop at SUNY IT, Marcy NY on September 29th @ 6:00 p.m.

Jodway then mentioned that the state is turning over 100% of dog licensing responsibility the towns.

At 11:20 p.m. Supervisor Welden opened the floor to public comment.

Resident Kathy Fuller spoke about the drainage problems on her property.

Public Comment was closed.

RESOLUTION # 91

PAY ABSTRACTS FOR MONTH

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

**ADOPTED Ayes 5
Nays 0**

Welden, Stock, Lasher, Jodway, Cook

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 0901 through 0915 (\$3180.37) for general warrants and #'s 0901 through 0916 (\$17,413.00) for highway warrants.

On a motion made by Councilwoman Cook, seconded by Councilwoman Stock, the meeting was adjourned at 11:24 P.M. Carried unanimously.

Kim Horender, Deputy Town Clerk