

PUBLIC HEARING, TOWN BOARD MEETING, TOWN OF LITTLE FALLS, NOVEMBER 10, 2015-2016 BUDGET

A public hearing of the Little Falls Town Board was held on November 10, 2014 at the town hall commencing at 7:00 p.m. on the town's 2016 budget with the following members present:

Present:           Supervisor Brian Marhaver  
                      Councilman Allan Beadle  
                      Councilman Kirk Schwasnick  
                      Councilman William Klock  
                      Councilman Eric Gehring

Others Present: Sandra Regan, Town Clerk; Donald Cotton, Highway Superintendent; Nicholas Macri, Town Attorney; Phil Green, Codes Enforcer; Charles Oldick, Town Justice; East Herkimer Sno-Riders Snowmobile Club President, Jesse Davis and four other members.

-Notice of the hearing was published on 11/20/2015 in the Evening Times Newspaper.

-Supervisor Marhaver called the hearing to order stating that the 2016 budget was presented to the board and has been reviewed and is ready for adoption.

-Supervisor Marhaver stated that the proposed budget is under the tax cap and read the budget figures as follows:

Appropriations	\$880,600.00
Less Estimated Revenues	\$512,257.00
Less Unexpected Fund Balance	\$ 75,000.00
Amount to be Raised by Tax	\$293,343.00

-Supervisor Marhaver stated that the budget is just under the tax cap and that the 2016 budget calls for an approximate \$.03 per thousand tax increase.

-Supervisor Marhaver questioned if there were any comments for or against the budget. There were no comments.

-All those desiring to be heard, having been heard, the hearing adjourned at 7:05 p.m.

Respectfully submitted,

Sandra Regan, Town Clerk

REGULAR TOWN BOARD MEETING, TOWN OF LITTLE FALLS, NOVEMBER 10, 2015

A regular meeting of the Little Falls Town Board was held on November 10, 2015 at the town hall, commencing at 7:06 p.m. with the following members present:

Present: Supervisor Brian Marhaver  
Councilman Allan Beadle  
Councilman Kirk Schwasnick  
Councilman William Klock  
Councilman Eric Gehring

Others Present: Sandra Regan, Town Clerk; Donald Cotton, Highway Superintendent; Nicholas Macri, Town Attorney; Phil Green, Codes Enforcer; Charles Oldick, Town Justice; East Herkimer Sno-Riders Snowmobile Club President, Jesse Davis and four other members.

-Supervisor Marhaver called the meeting to order directing the Clerk to call the roll.

RESOLUTION #69

Minute Approval

On motion of Councilman Beadle, seconded by Councilman Schwasnick, the following resolution was ADOPTED-vote:

Ayes-Supervisor Marhaver; Councilmen Beadle, Schwasnick, Klock, Gehring  
Noes-0

RESOLVED that the minutes of the previous month's meeting, as submitted by the clerk, hereby be approved.

-Privilege of the floor was granted to those present.

-East Herkimer Sno-Riders Snow Mobile Club President, Jesse Davis, addressed the board and stated that the club's reason for being at the meeting was to let the board know that a town official had a private person do a demolition on his property. Mr. Davis stated that the town official had obtained a residential demo permit, but used a contractor, which takes him off the residential permit.

Mr. Davis stated that this town official is not following the law and we think he should be removed from office.

Mr. Davis stated that they are following the laws and they think he should too.

The town board questioned Codes Enforcer Green if he had given instructions on demolition.

Codes Enforcer Green stated that he had received a call to get a demolition permit and that he did explain the options involved in doing a demolition on your own or with a contractor. Codes Enforcer Green stated that the permit he issued says "Only owner can demo. Must be treated as hazardous materials."

Mr. Davis stated that they were concerned about the possible health risks associated with any hazardous materials that could be there and that they want this matter addressed.

Councilman Beadle stated that at this time, it is only hearsay on whether or not a contractor or anyone else was involved.

Attorney Macri stated that there are a lot of aspects in this matter and requested that the board enter into an executive session to discuss this matter. The board agreed.

Mr. Davis stated that their property is only feet away from that building and they are concerned about the safety of the demolition materials.

RESOLUTION #70

Executive Session

On motion of Councilman Beadle, seconded by Councilman Klock, the following resolution was ADOPTED-vote:

Ayes-Supervisor Marhaver; Councilmen Beadle, Schwasnick, Klock, Gehring

Noes-0

RESOLVED that the Town Board hereby enter into an executive session to discuss personnel.

-Regular meeting recessed at 7:20 p.m.

-Executive session commenced at 7:20 p.m.

-Executive session ended at 7:35 p.m.

-Regular meeting resumed at 7:35 p.m.

-Supervisor Marhaver reported that no action was taken during the executive session, that the board has instructed him to talk with the town official to see what he wants to do.

Mr. Davis questioned if the town was going to contact the state.

Supervisor Marhaver responded no, that the board would let the town official decide what he wants to do, and that the town board will address this matter.

There were no more comments on this matter.

RESOLUTION #71

Supervisor Monthly Report

On motion of Councilman Beadle, seconded by Councilman Klock, the following resolution was ADOPTED-vote:

Ayes-Supervisor Marhaver; Councilmen Beadle, Schwasnick, Klock, Gehring

Noes-0

RESOLVED that the Supervisor's Monthly report, as submitted, hereby be approved and placed on file.

-Supervisor Marhaver motioned for the adoption of the town's 2016 budget.

RESOLUTION #72

Adoption of 2016 Budget

On motion of Councilman Beadle, seconded by Councilman Gehring, the following resolution was ADOPTED by roll call vote:

Supervisor Marhaver           Aye

Councilman Beadle           Aye

Councilman Schwasnick       Aye

Councilman Klock           Aye

Councilman Gehring           Aye

RESOLVED that the Town Budget for the Town of Little Falls, for the Year 2015, hereby be adopted, and be it further

RESOLVED that the Town Clerk deliver two certified copies to the Supervisor with all convenient speed.

The 2016 Budget totals are:

	<u>Appropriations</u>	<u>Estimated Revenues</u>	<u>Unexpended Balance</u>	<u>Amt to be</u>
<u>Raised</u>				
General	\$230,499.00	\$186,547.00	\$ 35,000.00	\$ 8,952.00
Highway	587,925.00	325,710.00	40,000.00	222,215.00
			Tax Levy	231,167.00
Fire Protection	62,176.00		Tax Levy	62,176.00
Totals	\$880,600.00	\$ 512,257.00	\$ 75,000.00	293,343.00
			Percent Increase	.59%

-Supervisor Marhaver reported that the town's equalization rate is 74%.

-Assessor Report: None

-Codes Enforcer Report: Nothing more at this time.

-Town Attorney Report:

Attorney Macri reported that he had looked over the Time Warner Cable Agreement and the only issue he can see that the board may have is with the 15 year term. The board was in agreement to approve the proposed contract as is and scheduled a public hearing to be held prior to next month's meeting.

### RESOLUTION #73

Acceptance of Time Warner Cable Proposed Contract and Scheduling of Public Hearing

On motion of Councilman Schwasnick, seconded by Councilman Beadle, the following resolution was ADOPTED by roll call vote:

Supervisor Marhaver	Aye
Councilman Beadle	Aye
Councilman Schwasnick	Aye
Councilman Klock	Aye
Councilman Gehring	Aye

RESOLVED that the Town Board, hereby accepts the proposed Time Warner Cable Franchise Agreement, as reviewed by the Town Attorney and,

BE IT FURTHER RESOLVED that the Town Board, hereby schedules a Public Hearing to be held on said agreement on December 8, 2015 at 7:00 p.m. at the town hall, and

BE IT FURTHER RESOLVED that the Town Clerk hereby be authorized to publish said notice in the Evening Times Newspaper at her discretion.

-Town Justice Report:

Justice Oldick reported that the new town signs have been installed.

REGULAR TOWN BOARD MEETING, TOWN OF LITTLE FALLS, NOVEMBER 10, 2015-  
CONT.

-Planning Board Report:

Clerk Regan reported that due to Election Day, there was no monthly meeting.

-Health Officer Report:

Supervisor Marhaver reported that the town is still looking for a health officer.

-Dog Control Officer Report:

Supervisor Marhaver reported that DCO Ortleib has acquired a sheriff's ID badge.

-Highway Superintendent Report: Nothing at this time.

-Town Clerk Report:

Clerk Regan reported that three fuel bids had been received.

-Sealed bids for the purchase of fuel were opened and read as follows:

Three Sealed bids for the purchase of Diesel Fuel & Gasoline were opened and read as follows:

1. Mirabito Fuel Group, Sidney, NY:

Normal Diesel Fuel	1.5736 gal.
Firm Differential	.0957 gal.
Winter Mix	1.6960 gal.
Firm Differential	.1307 gal.
Unleaded Gas	1.6506 gal.
Firm differential	0.4200 gal
  
2. Superior Plus, Canajoharie, NY:

Normal Diesel Fuel	1.6504 gal.
Firm Differential	.2000 gal.
Winter Mix	1.7200 gal.
Firm Differential	.2000 gal.
Unleaded Gas	1.5789 gal.
Firm differential	0.2500 gal
  
3. Harbor Point, Frankfort, NY

Normal Diesel Fuel	1.533 gal.
Firm Differential	. 22 gal
Winter Mix	1.567 gal.
Firm Differential	.022 gal.
Unleaded Gas	1.585 gal.
Firm differential	. 15 gal

-All bids received were accepted as submitted.

REGULAR MEETING, TOWN OF LITTLE FALLS, NOVEMBER 10, 2015-CONT.

RESOLUTION #74

Acceptance of Fuel Bids for 2016

On motion of Councilman Gehring, seconded by Councilman Klock, the following resolution was ADOPTED-vote:

Ayes-Supervisor Marhaver; Councilmen Beadle, Schwasnick, Klock, Gehring

Noes-0

RESOLVED that all sealed bids received for the purchase of Diesel Fuel and Regular Unleaded Gas, as submitted, hereby be accepted.

-Review on the bids was held and the board approved purchasing fuel for 2016.

RESOLUTION #75

Bid Award-Purchase of Diesel Fuel and Regular Unleaded Gasoline for 2016

On motion of Councilman Beadle, seconded by Councilman Klock, the following resolution was ADOPTED by roll call vote:

Supervisor Marhaver           Aye

Councilman Beadle            Aye

Councilman Schwasnick       Aye

Councilman Klock             Aye

Councilman Gehring          Aye

RESOLVED that the Town Board hereby awards the purchase of Diesel Fuel and Regular Unleaded Gasoline to the lowest responsible supplier, Harbor Point, Frankfort, NY for one year, from 01/01/16 to 12/31/16 as bid.

-Supervisor Marhaver reported that Susan Anaker will do the Town's survey at \$1,100.

-Meeting recessed at 8.03 p.m. to audit the bills.

-Meeting resumed at 8:16 p.m.

RESOLUTION #76

Payment of General Bills

On motion of Councilman Schwasnick, seconded by Councilman Klock, the following resolution was ADOPTED-vote:

Ayes- Supervisor Marhaver; Councilmen Beadle, Schwasnick, Klock

Noes-0

RESOLVED that the General Bills #100-109 in the amount of \$50,485.79 hereby be paid.

RESOLUTION #77

Payment of Highway Bills

On motion of Councilman Beadle, seconded by Councilman Schwasnick, the following resolution was ADOPTED-vote:

Ayes-Supervisor Marhaver; Councilmen Beadle, Schwasnick, Klock

Noes-0

RESOLVED that the Highway Bills, #147-168 in the amount of \$14,666.38 hereby be paid.

REGULAR MEETING, TOWN OF LITTLE FALLS, NOVEMBER 10, 2015-CONT.

-The next regular meeting will be held on December 8, 2015, immediately following the public hearing on the Time Warner Cable Franchise Agreement schedule for 7:00 p.m. at the town hall.

-Meeting adjourned at 8:15 p.m.-Councilmen Klock, Beadle

Respectfully submitted,

Sandra Regan, Town Clerk