

SPECIAL MEETING, TOWN OF LITTLE FALLS, FEBRUARY 10, 2015-CANAL TRAIL PRESENTATION

A Special meeting of the Little Falls Town Board was held on February 10, 2015 at the town hall, commencing at 6:30 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; Attorney Nicholas Macri, Town Attorney; Planning Board Members Tom Canastar, Elaine Cobb, Jesse Bucenec, Scott Todd; Planning Board Engineer Consult, George Bunk; NYS Canal Corporation Trail Director, John Dimura; County Legislator, Dennis Korce; Town residents, Rick Smith, David Schwasnick and James Stegich, approximately ten members from the East Herkimer Sno-Riders Snowmobile Club; Lora Lee Nobile, operator of Outskirts Bar & Grill.

-Supervisor Marhaver called the meeting.

-NYS Canal Corporation Trail Director, John Dimura, gave a presentation on the canal trail stating that the trail will be 360 miles when completed and that 280 miles is now complete. Mr. Dimura stated that the trail offers multiple uses from hiking and biking to cross-country skiing and that trail surfaces consist of stone dust, gravel and asphalt.

Mr. Dimura stated that the Little Falls section from Rte 167 to Amsterdam, the section from Herkimer/Mohawk to the Fort Herkimer Church and the section from Lock 18 to Rte 167 are complete.

Mr. Dimura stated that there are some issues involved in the town's portion by the Stegich property that would need backfill, fencing and railings; by the Schwasnick farm, backfill, embankments, railing, and gates for farm crossing; and that work would have to be done to a bridge in the area.

Mr. Dimura explained that a Consolidated Funding Application (CFA) will be available, and that details of this will be provided when they become available. Mr. Dimura explained that CFA funding can be utilized with in-house forces or by contract, adding, that considerable savings can be gained when using the in-house option. Mr. Dimura stated that if the town was to sponsor an application, the town is in a good position since the town's portion has already been designed and evaluated.

Mr. Dimura stated that there is a gap of about 60 miles left and the cost to complete this is estimated at five million dollars and that the estimated maintenance per mile is \$1,500.

Supervisor Marhaver questioned if it was a straight grant or a matching grant. Mr. Dimura stated that it is a 50% matching grant and that maintenance is the responsibility of the municipality.

Supervisor Marhaver stated that the town cannot afford this with the budget we have. Mr. Dimura stated that using the in-house option is more cost effective.

Supervisor Marhaver stated that the town doesn't have that kind of a budget nor do we have the manpower to do or to maintain this.

Supervisor Marhaver asked if the town's primary maintenance responsible was to mow it and asked who would fix the trail surface when needed.

Mr. Dimura stated that the town would be responsible to keep the trail mowed and fix the trail surface when needed, adding, that if asphalt was used, it usually lasts 20 years or so.

SPECIAL MEETING, TOWN OF LITTLE FALLS, FEBRUARY 10, 2015-CANAL TRAIL PRESENTATION-CONT.

Resident, David Schwasnick said that there is flooding in his area that could affect any surface, especially if there was a flooding like there's been.

Supervisor Marhaver stated that the town only has a three guy workforce and that they are too busy in the summer to mow it, adding, that the town could hire it done, but then you have the expenses involved with part-time laborers.

Mr. Dimura stated that the Canal Corporation in conjunction with the Office of Parks & Recreation might be programmed to maintain the trail.

Supervisor Marhaver asked what anyone thoughts were on this.

Councilman Schwasnick stated that he doesn't see why they can't jump around like they have in other areas and stay away from his and his cousin's farm, and why they can't use the old towpath.

Mr. Dimura stated that the old towpath is owned by National Grid, but there is a transportation reservation, which allows transportation on the trail, but utility and gas lines are a concern.

Legislator Korce questioned if the design could be relooked to perhaps satisfy everyone involved. Mr. Dimura stated that they could, but that the design they have is ready to go, as far as a grant submission.

Discussion was held on whether or not the town could deviate from the design once it's been submitted on the application. It was decided that this would have to be researched prior to any application submission.

Legislator Korce stated that the design is from 2006 and thinks perhaps the design needs to be revalued.

Mr. Dimura stated that being that the design is now 10 years old, it would probably be relooked at. Mr. Dimura was asked how this happens. Mr. Dimura stated that if the town was to pursue this, somebody would take our plans and work on them.

Supervisor Marhaver stated that due to a scheduled public hearing, this meeting has to end. Supervisor Marhaver thanked Mr. Dimura for his attendance and his presentation.

Legislator Korce stated that he has contact information if the board is interested in pursuing this matter.

There were no further comments.

-Supervisor Marhaver closed the meeting at 7:02 p.m.

Respectfully submitted,
Sandra Regan, Town Clerk

PUBLIC HEARING, TOWN OF LITTLE FALLS, FEBRUARY 10, 2015-LOCAL LAW
#1-2015

A Public Hearing of the Little Falls Town Board was held on February 10, 2015 at the town hall, commencing at 7:02 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; Attorney Nicholas Macri, Town Attorney; Planning Board Members Tom Canastar, Elaine Cobb, Jesse Bucenec, Scott Todd; Planning Board Engineer Consultant, George Bunk; County Legislator, Dennis Korce; Town residents, Rick Smith, David Schwasnick and James Stegich, approximately ten members from the East Herkimer Sno-Riders Snowmobile Club; Lora Lee Nobile, operator of Outskirts Bar & Grill.

-Notice of the hearing was published in the Evening Times Newspaper on January 23, 2015.

-Supervisor Marhaver called the hearing to order.

-Planning Board Chairman Canastar, addressed those present, stating that the planning board had worked on revising the Site Plan Law for over a year and with the help of Consulting Engineer Bunk, has presented the revised law for consideration.

-Members of the snowmobile club questioned if there were copies of the law to look at. Clerk Regan responded that a copy was given to Mr. Davis and that she did have a couple of copies she could give out and would make more if needed.

-The snowmobile club questioned why a new law was being adopted and asked what was wrong with the old one.

-Planning Board Engineer Consultant, George Bunk, stated that he tried to make the law more functional, easier to work with, and believes it to be a good tool for the town to use.

-Planning Board Chairman Canastar stated that the planning board had also come up with an application and a checklist to be used in conjunction with the site plan law process.

-The snowmobile club asked for and was given copies of both the application and checklist.

-Snowmobile Club member, Dan Curney, stated that they didn't know about this until tonight and questioned what the process was and what the time frame was for this matter.

Clerk Regan stated that the notice was published in the Evening Times on January 23rd.

Attorney Macri stated that the proposed Law was presented to the board and this hearing was scheduled. After this hearing, the board can choose whether or not to adopt the law.

PUBLIC HEARING, TOWN OF LITTLE FALLS, FEBRUARY 10, 2015-LOCAL LAW-
CONT.

-The snowmobile club asked if all the changes are outlined.

Supervisor Marhaver stated they were not. Councilman Schwasnick stated that perhaps they should be.

The snowmobile club asked how they could know what changes were made. Clerk Regan stated that the old law is on the town's website for comparison.

-Snowmobile Club Member, Dan Curney, stated, although the notice was in the paper on the 23rd, they didn't find out about this until tonight and haven't had time to look over the law. Mr. Curney asked that the board consider giving them time to review the law before they adopt it.

-Supervisor Marhaver stated that the procedures were followed, everyone did what they were supposed to do, and the board can adopt the law tonight.

-Councilman Beadle stated that he doesn't see what the rush is, that he thinks this can wait another month, and feels that the club should be given time to review the law.

-Planning Board Chairwomen, Cobb, stated that the reason for the planning board wanting to have the Law adopted now, was to have it done by spring, when building activity begins.

-There were no more comments.

-All those desiring to be heard, having been heard, the hearing was closed at 7:12 p.m.

Respectfully submitted,
Sandra Regan

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

A regular meeting of the Little Falls Town Board was held on February 10, 2015 at the town hall, immediately following the public hearing on Local Law #1-2015, commencing at 7:12 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; Attorney Nicholas Macri, Town Attorney; Charles Oldick, Town Justice; Planning Board Members Tom Canastar, Elaine Cobb, Scott Todd; Planning Board Engineer Consultant, George Bunk; County Legislator, Dennis Korce; Town residents, Rick Smith and James Stegich; Lora Lee Nobile, operator of Outskirts Bar & Grill.

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

RESOLUTION #18

Minute Approval

On motion of Councilman Gehring, seconded by Councilman Beadle, 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 meetings, as submitted by the clerk, hereby be approved.

-Privilege of the floor was granted to those present.

-Laura Noble, operator of Outskirts Bar & Grill, addressed the Board stating that she intends to re-open the Old Shumaker Mountain lodge under the name outskirts Bar & Grill and asked the board for permission to open her business.

Clerk Regan stated that she had received Mrs. Noble's notice of her application for a liquor license and that the town board isn't the one that approves the license or the opening of the business. Clerk Regan stated that since Mrs. Nobile is opening a business, she needs to meet with the Planning Board, and having spoken to Mrs. Nobile on the phone about this, she and the Planning had expected her at last week's Planning Board meeting.

Supervisor Marhaver stated he had received a letter of intent from Mrs. Noble and that she doesn't have to do anything. Clerk Regan stated that she should meet with the Planning Board so there is a record that she's done so.

Clerk Regan explained that her responsibility, as Town Clerk, is to inform the board of any notice received of someone's intent to apply or renew a liquor license, which she had planned on doing later in the meeting. This gives the board notice that this is being proposed and allows the board to comment on such if they desire.

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

Supervisor Marhaver questioned if there was any comments from the board.

The board asked Mrs. Nobile if the lodge had been opened. Mrs. Nobile replied that it has not been open for a few months now. The board questioned if there was any new construction. Mrs. Nobile stated that there was none.

The board informed Mrs. Nobile that she should contact Codes Enforcer Green in case any inspections were needed, that had no problem with her opening the lodge, and that they wish her good luck.

There were no further comments.

Mrs. Nobile thanked the board and left the meeting.

-There were no further comments from the floor.

-Supervisor Marhaver Reported:

-that he has submitted his monthly report for the board's review;

-that the county tax check has been received as well as one check from CHIPS

RESOLUTION #19

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

Noes-0

RESOLVED that the Supervisor's monthly report as submitted, hereby be approved.

-Supervisor Marhaver reported that review of his and Justice Oldick's 2014 records were submitted and audited by Councilman Klock and that Read's Financial will be doing a complete review of his books to make sure everything is being done correctly.

-Supervisor Marhaver reported that the County Supervisors and Legislators had met and discussed:

-Government Efficiency funding that will be available for 2017, 2018, and 2019, which will be competitive money grants;

-shared services for police service;

-extending water to Little Falls and Herkimer areas;

-extending broadband services to areas;

-extending gas line services to areas

Supervisor Marhaver stated that he more information will be coming on these matters.

-Supervisor Marhaver reported that he has received documents pertaining to the power line extension project.

-Assessor Report: None

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

-Codes Enforcer Report:

Clerk Regan reported that Codes Enforcer Green was unable to make tonight's meeting but wants it reported that his 2014 records have been turned into the state and are on time.

-Justice Report: None

-Planning Board Report:

Chairman Canastar reported that the planning board has discussed working on a comprehensive plan which would lead to zoning.

Supervisor Marhaver stated that the many people he has spoken don't want zoning in this town.

Chairman Canastar stated that he personally thinks zoning is the right way to go.

-Health Officer Report:

Supervisor Marhaver stated that he has spoken with Health Officer Piana, who has stated that he is going to resign as health officer, but that he hasn't formally done so yet and that Dr. Piana has asked if the town has found a replacement yet.

Discussion was held on asking residential physicians if they would be interested in the position. Supervisor Marhaver will look into what physicians are in the town.

-Supervisor Marhaver stated that in regards to passage of the Site Plan Law, the board accepts the law as proposed, and to allow the snowmobile club time to review the proposed law, tables any decision on its passage until next month's meeting.

-Supervisor Marhaver reported that the state's report on the town's website wasn't very good so, as recommended, he's had the budget, the town's procurement policy and the highway department's union contract added to the website.

-Dog Control Officer Report: None

-Highway Superintendent Report:

Highway Superintendent Cotton reported that Highway Employee Korce, had an accident with a plow. Employee Korce explained that it happened at the intersection of Rte 170 and Yellow Church Road, explaining that while he was clearing snow, the plow went off the side of the road into a ditch, which caused no damage to the side of the truck, but banged up the sand box a bit.

Highway Superintendent Cotton stated that while the plow was being towed out, some springs and parts broke.

The board questioned what the cost of the damage was. Superintendent stated that it's around \$4,400 and questioned if the board wants to pay this or turn it into insurance.

Discussion was held on this matter with the board deciding to have Supervisor Marhaver contact the insurance agent to see if this claim would raise the premium or not and to make a decision based on this finding.

-Town Clerk Report:

Clerk Regan stated that the issue of the liquor license application notice had already been addressed, that she had nothing else to report.

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

-Attorney Macri reported that he had received the deed for High School Road from Attorney Rose which needs to be signed by Supervisor Marhaver. Attorney Macri stated that the deed would be filed and a copy given to Clerk.

-Supervisor Marhaver reported that he had asked the School about slurring the road and was told that although it was talked about, it was never committed to, will most likely not be done, and apologize for the misunderstanding.

Supervisor Marhaver reported that the town will have to clean out a couple of culverts and will most likely have to buy a few speed limit signs.

-Justice Oldick entered the meeting and reported that he had nothing to report other than he has been busy and that his 2014 records are complete and have been audited by Councilman Klock and are ready for approval.

RESOLUTION #20

Approval & Audit of Town Supervisor and Town Justice End of Year Records

On motion of Councilman Gehring, 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

WHEREAS, Councilman Klock has examined the Records of the Town Supervisor and Town Justice, and have, to the best of his ability found them to be correct,

NOW THEREFORE BE IT RESOLVED that the Town Board does hereby accept as correct the reports and records of the Town Supervisor and Town Justice as presented.

-Meeting recessed at 7:45 p.m. to audit the bills.

-Meeting resumed at 8:01 p.m.

RESOLUTION #21

Payment of General Bills

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

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

RESOLVED that the General Bills #16-29 in the amount of \$2,663.43 hereby be paid.

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

RESOLUTION #22

Payment of Highway Bills

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

Ayes-Supervisor Marhaver; Councilmen Beadle, Schwasnick, Klock

Noes-0

RESOLVED that the Highway Bills, #21-36, in the amount of \$56,010.77, hereby be paid.

-The next regular meeting will be held on March 10, 2015 at 7:00 p.m. at the town hall.

-Meeting adjourned at 8:10 p.m.-Councilmen Schwasnick, Supervisor Marhaver

Respectfully submitted,
Sandra Regan, Town Clerk