

REGULAR TOWN BOARD MEETING, TOWN OF LITTLE FALLS, AUGUST 12, 2014

A regular meeting of the Little Falls Town Board was held on August 12, 2014 at the town hall commencing at 7:00 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; George Bunk, Consulting Engineer; Phil Green, Codes Enforcer; Charles Oldick, Town Justice; Tom Canastar, Planning Board Chairman; Town resident, Tom Sherman.

-Supervisor Marhaver called the meeting to order.

RESOLUTION #58

Minute Approval

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 minutes of June and July's month's meetings, as submitted by the clerk, hereby be approved.

-Supervisor Marhaver reported:

-that he has submitted his monthly report and budget report for review

-that the bill for the new fuel tanks has been received and that a certificate for correct disposal of the old tanks has been received

-that the strip of property located on Shellsbush Road has been mowed and taken care of

RESOLUTION #59

Supervisor Monthly Report

On motion of Councilman Beadle, seconded by Councilman Gehring, 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.

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-Codes Enforcer Report:

Codes Enforcer Green reported that all is going well.

-Privilege of the floor was granted to those present.

-Justice Oldick stated that there is a problem again with barking dogs in his neighborhood and that the Dog Control Officer has spoken with the owners and that he has advised the neighbors to write down the times that the dogs are barking.

Justice Oldick reported that there has also been complaints from the neighborhood regarding a property owner, not cutting his grass. Justice Oldick stated that the place is an eyesore and if everyone else has to mow their lawn, this guy should also have to.

Supervisor Marhaver stated that he would have Codes Enforcer Green address this matter.

-Justice Report:

Supervisor Marhaver reported that \$10,000 had been collected by the court and \$3,000 of that is for the town.

Justice Oldick reported that they have been very busy and that he would possibly like to get a cell phone to be able to answer court calls.

Supervisor Marhaver stated that he thinks the answering machine in the hall should be shut off and possibly combine some of the lines which would free up a line for a cell phone for the Justice. Supervisor told Justice Oldick to look into cell service packages for the board to consider. Justice Oldick stated that he would do so.

This matter was tabled.

-Attorney Report:

Attorney Macri reported that a draft of a proposed maintenance law had been forwarded to the clerk for review.

Clerk Regan stated that the law looked good and that she could have it ready for a public hearing prior to next month's meeting. The board agreed.

RESOLUTION #60

Change of Date For September Town Board Meeting

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

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

Noes-0

RESOLVED that due to Primary Day, the Town Board hereby changes the date of the September Town Board meeting from September 9th to September 10th, and

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(Resolution #60-Cont.)

BE IT FURTHER RESOLVED that the Town Clerk hereby be directed to publish notice of such date change in the Evening Times Newspaper at her discretion.

RESOLUTION #61

Scheduling of Public Hearing on Proposed Local Law #1, Property Maintenance Law

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

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

RESOLVED that the Town Board hereby schedules a Public Hearing to be held on Proposed Local Law #1-14, a Property Maintenance Law, on September 10th at 7:00 p.m. at the town hall and

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

-Dog Control Officer Report: None

-Planning Board Report:

Chairman Canastar reported:

-that Iberdrola will be installing vegetation screening at the substation.

-that the planning board is working on a site plan review with the owner's of Chris's Collision.

-that he had forwarded a formal letter to the Supervisor Marhaver for the board's review requesting that the board consider contracting with Consulting Engineer, George Bunk, for assistance with the site plan law and future site plan reviews, stating that Mr. Bunk is present to explain his proposal to assist the town and planning board with the site plan review law and future site plan reviews.

-Consulting Engineer, George Bunk, addressed the board regarding his contract for services to assist the town planning board with its site plan review law and future site plan reviews.

Supervisor Marhaver stated that there was some confusion about the cost of his services and asked Mr. Bunk to explain his proposal.

Mr. Bunk stated that at this point, the planning board is looking for assistance with the Site Plan law they have been working on. Mr. Bunk stated that his fee is \$100 an hour and to give the town board a budgetary figure to work with he capped the cost at the \$2,000 figure, stating that it should cost no more than that figure, adding, that he will meet with the planning board to see what they want him to do.

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In regards to future review of site plans, Mr. Bunk and Chairman Canastar explained that not all projects will need his service. He will work only on those projects that the planning board seeks his assistance with.

Chairman Canastar stated that the planning board is looking to use his consulting services for the large and involved projects, not the small mom and pop projects.

Clerk Regan addressed the board, stating, that what they are looking at right now is two different issues. One is for Mr. Bunk to assist with the site Plan Law itself and the other is for future site plan reviews. Clerk Regan stated that as secretary of the planning board and re-iterating what she has heard members of the planning board say, they need assistance with the law. They do not have the legal knowledge that is needed for the law and in regards to future projects, they are worried about liability and feel they are not qualified to approve certain projects for lack of engineering knowledge. Clerk Regan stated that the planning board has already worked on the law for a year and as it is right now, it will take them several more months to complete their work on the law. This law needs to be done, having Mr. Bunk work on the law will speed the process of getting it done. Clerk Regan stated that she is in favor of contracting with Mr. Bunk and hopes the board approves the proposal.

Discussion was held on the costs involved with having a consultant. Chairman Canastar explained that applicant's will pay to have a site plan review which will help with the cost, adding that the planning board will be working on setting up a fee schedule. Chairman Canastar stated that an escrow account can be set up for this purpose.

Supervisor Marhaver questioned how this can be done. Attorney Macri stated that it is easy to do and that he is more than willing to help with this.

Supervisor Marhaver stated that although there is was not money budgeted for this type of expense, he can transfer \$2,000 which will at least get things moving,

After discussion the board agreed to transfer the \$2,000 to be used for work on the law and authorized Supervisor Marhaver to sign the contract.

RESOLUTION #62
Fund Transfer

On motion of Supervisor Marhaver, 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

RESOLVED that \$2,000.00 hereby transferred from the Interfund account #9901.9 to the Planning Board Contractual Expense Account #8020.4 to be used for Engineering Consulting Services for the Town's Site Plan Review Law and,

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CONT.

(Resolution #63-cont.)

BE IT FURTHER RESOLVED that the Town Supervisor hereby be authorized to sign a contract for Engineering Consulting Services as presented by George Bunk, Consulting Engineer.

-Clerk Regan will forward a signed copy of the contract to Mr. Bunk.

-Highway Superintendent Report:

Highway Superintendent Cotton reported that nothing is going on other than the fuel tanks have been installed.

Supervisor Marhaver stated that the monitoring system will be up and running shortly.

-Town Clerk Report:

Clerk Regan reported that a letter of appreciation had been received from the Environthon thanking the town for their donation.

-Meeting recessed at 7:43 to audit the bills.

-Meeting resumed at 7:58

RESOLUTION #63

Payment of General Bills

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

Ayes- Supervisor Marhaver; Councilmen Beadle, Schwasnick, Klock

Noes-0

RESOLVED that the General Bills #118-135 in the amount of \$31,059.41 hereby be paid.

RESOLUTION #64

Payment of Highway 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 Highway Bills, #108-120 in the amount of \$70,112.78 hereby be paid.

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CONT.

-The next regular meeting will be held on September 10, immediately following the public hearing on Local Law #1-14 scheduled for 7:00 p.m. at the town hall.

-Meeting adjourned at 7:59 p.m.-Councilmen Klock, Beadle

Respectfully submitted,

Sandra Regan, Town Clerk