

REGULAR MEETING, TOWN BOARD, TOWN OF LITTLE FALLS, NOVEMBER 16, 2021

A Regular meeting of the Town Board, Town of Little Falls was held immediately following the Public Hearing on the 2022 Preliminary Budget on November 16, 2021 at the town hall commencing at 7:05 p.m. with the following members present:

Present: Supervisor Dan Casler  
Councilman Mitchell Soules  
Councilman Kirk Schwasnick  
Councilman Kevin Sullivan  
Councilman Eric Gehring

Others Present: Town Clerk, Sandra Regan; Highway Superintendent, Donald Cotton; Attorney Nick Macri.

-Note: Date of meeting was moved from the 9<sup>th</sup> to the 16<sup>th</sup>. Notice of such was published in the Times Telegram Newspaper on November 5, 2021.

-Supervisor Casler called the meeting to order directing the clerk to call the roll.

RESOLUTION #81

Minute Approval

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

Ayes-Supervisor Casler; Councilmen Soules, Schwasnick, Sullivan, 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. There were no comments.

-Supervisor Monthly Report-

Supervisor Casler reported:

-That he distributed a Profit and Loss Statement as his monthly financial report for the board's review.

-That a letter was received from NBT Insurance Agency that NYMIR will be making changes to their cyber program and are willing to provide a quote for coverage.

-That discussion on ARPA funding can be tabled until next month.

RESOLUTION #82

Supervisor Monthly Financial Report

On motion of Councilman Sullivan, seconded by Councilman Schwasnick, the following resolution was ADOPTED:

Ayes-Supervisor Casler; Councilmen Soules, Schwasnick, Sullivan, Gehring  
Noes-0

RESOLVED that Supervisor's Profit and Loss Financial Report, as submitted, hereby be approved and placed on file.

REGULAR MEETING, TOWN BOARD, TOWN OF LITTLE FALLS, NOVEMBER 16, 2021-  
CONT.

-Assessor Report: None

-Codes Officer Report: None

-Town Attorney Report:

Attorney Macri reported:

-That in regards to the use of Marijuana, there's been a change to the NYS Labor Law, mostly due to CDL drivers. That there is a lot of restrictions that won't affect the town, but that for regular employees, you can't test them for marijuana any more. Attorney Macri stated that once he gets a handle on the new law he will review it with Superintendent Cotton.

-That in regards to the Cannabis Opt-out Law, he was just made aware that municipalities have the right to Opt-out. That it's his understanding if you opt-out, you won't get any of the tax monies, but if you opt-in, you get the tax monies. That you only have until December 31<sup>st</sup> to opt-out and that he will research this more and have more information at the next meeting.

Discussion was held on this matter with the board deciding to table this matter until next month's meeting to allow Attorney Macri time to research this matter further. No action was taken and this matter was tabled.

-That in regards to fuels bids, he has reviewed section 103 of the General Municipal Law and it says that when a municipality knows or can reasonably anticipate that the aggregate amount to be spent on the same or similar goods or services during a fiscal year will exceed \$20,000 you need to bid it out. That a municipality cannot avoid complying with the competitive bidding laws by artificially splitting contracts or entering into a series of contracts for less than the monetary threshold. Attorney Macri asked how much is spent on diesel fuel for a year.

The board added up the amount that was spent on diesel fuel so far this year, added 30% to that figure and anticipate the amount spent would be just under the \$20,000; therefore it was decided that they would not go through the bidding process for 2022.

Attorney Macri stated that if anyone questions this, your defense is that you spent x amount of dollars which was under the allowed amount, factored in 30% , and anticipate it being under the \$20,000.

-Supervisor Casler stated that he had some issues that need to be addressed. Under the advice of Attorney Macri the board moved to hold an executive session to discuss potential litigation.

RESOLUTION #83

Executive Session-Potential Litigation

On motion of Councilman Gehring, seconded by Councilman Sullivan, the following resolution was ADOPTED:

Ayes-Supervisor Casler; Councilmen Soules, Schwasnick, Sullivan, Gehring  
Noes-0

RESOLVED that the Town Board move to hold an executive session to discuss potential litigation.

-Meeting recessed at 7:35 p.m. to hold an executive session

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

-Executive session ends at 8:07 p.m.

-Regular meeting resumes at 8:07 p.m.

REGULAR MEETING, TOWN BOARD, TOWN OF LITTLE FALLS, NOVEMBER 16, 2021-  
CONT.

-Attorney Macri reported that no action was taken during the executive session.

-Justice Report: None

-Planning Board Report:

Clerk Regan reported that the planning had met earlier tonight and approved the Wood's Auto Repair project and worked on parts of the SEQR for the ARC event center.

Clerk Regan reported that the board had met with ARC regarding their proposal to construct an event center, called the Kucerak Event Center, and that the board will be working on that in the coming months.

-Attorney Macri reported that there appears to be an open ticket for Dave Bowman and that Judge Stone wants to know as to whether or not the town wants to pursue this. Discussion was held on this matter. After discussion, the board directed Attorney Macri and Codes Enforcer Green to take care of this matter at their discretion.

-Health Officer Report: None

-Dog Control Officer Report: None

-Highway Superintendent Report: Nothing at this time

-Discussion was held on whether or not the Planning Board should work on a comprehensive plan. After discussion the board agreed that they needed a refresher on exactly what this and what's involved and decided to have Supervisor look into this. No action was taken and this matter was tabled.

-Town Clerk Report:

Clerk Regan reported:

-That she needs permission to have the spring clean up notices put in the tax bills. The board approved this.

-That there are two lawn mowing bills and asked the board what they wanted her to do with them. Discussion was held on this matter and Clerk Regan was directed to turn them into Assessor Meeker to be put on the property owner's tax bills.

-That the ARC Country Club has submitted an application to the Liquor Authority for a class change from seasonal to year-round.

RESOLUTION #84

Clerk Authorization to Have Spring Cleanup Mailed with Tax Bills

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

Ayes-Supervisor Casler; Councilmen Soules, Schwasnick, Sullivan, Gehring

Noes-0

RESOLVED that the Town Clerk hereby be authorized to make Spring Cleanup and general flyers and deliver them to the Tax Collector to be inserted in the January 2022 tax bills.

REGULAR MEETING, TOWN BOARD, TOWN OF LITTLE FALLS, NOVEMBER 16, 2021-  
CONT.

-Supervisor Casler stated that he has distributed copies of the 2022 budget for the board's review, outlined a couple of changes he had made, and motion for its adoption.

Clerk Regan questioned what the tax amount per \$1,000 was. Supervisor Casler stated that there will be a \$05.5 per cent increase per thousand, that he wasn't sure of the final amount to be raised by taxes per thousand but that Beth Sadlon would figure that out and he would report that figure when he receives it.

RESOLUTION #85

Adoption of Budget for 2022

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

Supervisor Casler	Aye
Councilman Soules	Aye
Councilman Sullivan	Aye
Councilman Schwasnick	Aye
Councilman Gehring	Aye

WHEREAS, notice was published and a public hearing was held on November 16, 2021 on the Town's 2022 Budget, and

WHEREAS, there were no comments against said budget,

BE IT RESOLVED that the Town Budget for the Town of Little Falls, for the Year 2022, hereby be adopted and,

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

The 2022 Budget Figures as presented are as follows:

	<u>Appropriations</u>	<u>Estimated Revenues</u>	<u>Unexpended Balance</u>	<u>Amount to be Raised</u>
General	\$ 251,011.00	\$223,116.35	\$ 27,894.65	\$ 0.00
Highway	\$ 686,740.78	\$326,300.00	\$ 89,174.35	\$271,266.43
				Tax Levy \$271,266.43
Fire Protection	\$ 69,808.68			Tax Levy \$ 69,808.68
Totals	\$1,007,560.46	\$549,416.35	\$117,069.00	\$341,075.11
			State Cap Allow	\$341,075.10
			State % Increase Allowed	2.00%
			Under Budget	\$ -0-

-Meeting recessed at 8:55 p.m. to audit the bills.

-Meeting resumed at 9:09 p.m.

REGULAR MEETING, TOWN BOARD, TOWN OF LITTLE FALLS, NOVEMBER 16, 2021-  
CONT.

RESOLUTION #86

Payment of General Bills

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

Ayes- Supervisor Casler; Councilmen Soules, Schwasnick, Sullivan, Gehring

Noes-0

RESOLVED that the General Bills #125-136, in the amount of \$4,957.84 hereby be paid.

RESOLUTION #87

Payment of Highway Bills

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

Ayes- Supervisor Casler; Councilmen Soules, Schwasnick, Sullivan, Gehring

Noes-0

RESOLVED that the Highway Bills #175-190, in the amount of \$15,459.24 hereby be paid.

-The next regular meeting will be held on December 14, 2021 at the town hall at 7:00 p.m.

-Meeting adjourned at 9:10 p.m.-Councilmen Soules, Casler

Respectfully submitted,  
Sandra Regan, Town Clerk