

REGULAR MEETING, TOWN BOARD, TOWN OF LITTLE FALLS, DECEMBER 14, 2021

A Regular meeting of the Town Board, Town of Little Falls was held on December 14, 2021 at the town hall commencing at 7:00 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; Codes Enforcer, Phil Green; County Legislator, Peter Campione; Tax Collector Katie Sagatis; Deputy Tax Collector, John Sagatis; Planning Board Member, Emily Pelzer; Town residents Kelly and Emily Gehring, Anthony Viscomi.

-Meeting recessed at 7:02 p.m. to hold a small reception to recognize and thank Councilman Gehring, Tax Collector Sagatis and Deputy Tax Collector Sagatis for their service to the town.

-Meeting resumed at 7:20 p.m.

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

RESOLUTION #88

Minute Approval

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

-Clerk Regan reported that the wording for resolution #79, dated October 26, 2021 needed to be revised to match the specific wording in the BAN for the 2019 Mack truck.

RESOLUTION #89 (Revision to Resolution #79, dated October 26, 2021)

Approval of Wording Revision to October 26, 2021 Resolution #79 For BAN Renewal For The 2019 Mack Truck

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

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

WHEREAS, the BAN renewal for the 2019 Mack Truck was approved prior to having the official BAN renewal documents from Adirondack Bank, and

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(Resolution #89-cont.)

WHEREAS, after having received the official BAN renewal documents from Adirondack Bank the wording for such needed to be revised to match the wording on Adirondack Bank's BAN Renewal Resolution,

BE IT RESOLVED that wording for Resolution #79, dated October 26, 2021 hereby be revised to read as follows:

RESOLVED, that the Town Supervisor is hereby directed to pay \$1,932.00 interest due on Ban Anticipation Note 1 of 2018, dated December 11, 2018, held by Adirondack Bank together with a principal payment of \$40,000.00, which Note was issued in the amount of \$200,000.00 in anticipation of the sale of serial bonds for the purpose of purchasing the following listed equipment: 2019 Mack Granite 42 FR All Wheel Drive 4x4 together with Plow Hitch with Dual Wing Towers and HYD's and Heavy Duty Self Contained Hopper Type Spreader and to renew said Note in the amount of \$80,000.00 with Adirondack Bank for a period of one (1) year, and that the said Renewal Note in the amount of \$80,000.00 will bear interest at a rate not exceeding One and Seventy Five Hundredths (1.75%) per annum payable at maturity.

-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 Comp Alliance did an inspection of the town garage and no violations were found and a letter was received that there are no recommendations to report.

-That he had submitted the budget to the county and the tax rate will be \$5.54 per thousand, that the general/highway fund rate is \$4.46 per thousand and the fire district rate is \$1.08.

-That he reported the tax cap and levy information to the state comptroller office as required, that the \$726.00 budget overage from two years ago wasn't put into the budget so there's still a credit for that from the state that can be used in next year's 2023 budget.

RESOLUTION #90

Supervisor Monthly Financial Report

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

-Assessor Report: None

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-Codes Officer Report:

Attorney Macri stated that there is a letter from Judge Stone to appear with Codes Enforcer Green regarding Hillside. Attorney Macri stated that the property looks much better than it has in the past.

Attorney Macri stated that he will be unable to make the court date and asked Codes Enforcer Green if he still wanted to pursue this matter. Codes Enforcer Green stated that there's still some stuff that needs to be cleaned up but that the owner is doing a nice job so far.

Attorney Macri stated that he will write a letter to Codes Enforcer Green giving him a court date and will tell the court that the town board wants the remainder cleaned up after which they will resolve the case.

-Town Attorney Report: Nothing at this time

-Town Justice Report:

Supervisor Casler reported:

-That he received the Justice deposit for the month of November.

-That in regards to the new Justice Elect, he was unable to attend training due to his work but plans on attending training when it's offered in the spring. Supervisor Casler stated that he's been in contact with the Office of Court Administration and that Justice Stone needs to be re-appointed until the Justice Elect has the proper training to take over the bench.

Attorney Macri stated that keeping Justice Stone in office is a good opportunity for the new judge to sit with an experienced judge, will assist with the transitions of cases, and will probably be better training than you could get elsewhere. There were no objections to the re-appointment of Justice Stone.

RESOLUTION #91

Re-Appointment of Justice Stone

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

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

RESOLVED that Justice Jeffrey Stone hereby re-appointed as Town Justice effective January 1, 2022 to the Board's pleasure.

-Councilman Soules abstained from voting due to his relationship to Justice Elect Mitchell Soules Jr.

-Supervisor Casler stated that once everything is set, the court dates may change from Tuesday to Monday, but that this will be decided at a later date.

-Health Officer Report: None

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-Dog Control Officer Report: None

-Highway Superintendent Report: Nothing at this time

-Town Clerk Report:

Clerk Regan reported:

-That a letter had been received from Herkimer County Soil & Water Conservation regarding the Environthon donation. Clerk Regan stated that this is the only thing the town donates to and that the town has been giving a \$100.00 donation for years. The board approved.

-That she's given the lawn mowing bills to Assessor Meeker and the Spring Cleanup notices to Tax Collector Sagatis.

-That notice was received from Nexamp and reviewed by Attorney Macri that there has been a name change to their irrevocable standby letter of credit and that Attorney Macri has informed her nothing needs to be done.

-That there is a vacancy on the Board of Assessment and Review due to the resignation of Neil Bandel, that Frank Mendl has offered to take the position but Supervisor Casler says there may be a conflict of interest being he is on the school board.

Supervisor Casler stated he had contacted School Superintendent Levatino who contacted the Syracuse School Council who said it's not illegal but wouldn't recommend he serve on the Board of Assessment and Review while still on the School Board.

Attorney Macri was asked his opinion on this and stated that there is an Appearance of Propriety Rule, but it's a very vague rule and the only thing he can think of why he couldn't serve on the board. Attorney Macri will look into this. This matter was tabled.

-Supervisor Casler reported that he received a letter of resignation from the Planning Board from Emily Pelzer. The board accepted the resignation.

RESOLUTION #92

Acceptance of Resignation-Emily Pelzer From Planning Board

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

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

Noes-0

Resolved that the Town Board hereby accepts the resignation of Emily Pelzer from the Planning Board due to being elected Town Tax Collector, effective December 31, 2021.

-Planning Board Report:

Clerk Regan reported that the Planning Board had met on December 7<sup>th</sup> via zoom to declare themselves lead agency for the ARC Event Center, that she did not attend the meeting because she was unable to connect to the meeting; therefore she had nothing to report and was waiting for a report from Chairwoman Cobb on the specifics of the meeting.

-Supervisor Casler reported that he received a letter from Justice Elect Mitchell Soules Jr. stating that he understands and agrees to not receive payment as Justice until he completes his training and assumes his judicial duties.

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-Supervisor Casler stated that the new tax collector will need a room for her office because she is uncomfortable having such at her home and that she will need a computer and printer.

Discussion was held on this matter with the board authorizing Supervisor Casler to spend up to \$1,200 for any equipment needed and the setup for such.

RESOLUTION #93

Supervisor Authorization to Spend Funds For Equipment and Setup Needed For Tax Collector Office

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

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

Resolved that the Town Supervisor and Newly Elected Tax Collector hereby be authorized to spend up to \$1,200.00 on equipment and setup as needed for Tax Collector's Office.

-Supervisor Casler asked the board for authorization to get a EZPass for use by the highway department. The board authorized such.

RESOLUTION #94

Supervisor Authorization to Obtain EZPass

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

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

Resolved that the Town Supervisor hereby be authorized to obtain two EZPass' for use by the Highway Department.

RESOLUTION #95

Environthon Donation

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

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

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(Resolution #95-cont.)

Resolved that the Town Supervisor hereby be authorized to make a \$100.00 to the Herkimer County Environthon.

-County Legislator, Peter Campione, reported that taxes are going down again this year and that in regards to a mask mandate, the county will accommodate the governor, but will not be arresting anybody for not letting people wear a mask.

-Meeting recessed at 8:12 p.m. to audit the bills.

-Meeting resumed at 8:25 p.m.

RESOLUTION #96

Payment of General Bills

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

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

Noes-0

RESOLVED that the General Bills #126-144, in the amount of \$8,021.20 hereby be paid.

RESOLUTION #97

Payment of Highway Bills

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

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

Noes-0

RESOLVED that the Highway Bills #176-188, in the amount of \$13,258.27 hereby be paid.

RESOLUTION #98

Approval To Forgo Fuel Bids and Purchase Diesel and Gasoline Through Buell Fuels

On motion of Supervisor Casler, seconded by Councilman Soules, the following resolution was ADOPTED by roll call vote:

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

WHEREAS the Town Board reasonably anticipates purchasing less than \$20,000 in diesel fuel and less than \$20,000 in gasoline for the year 2022,

BE IT RESOLVED that the Town Board hereby forgoes the bidding process for diesel and gasoline fuel for the year 2022, and

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(Resolution # 98-cont.)

BE IT FURTHER RESOLVED that the Town Board approves the purchase of diesel fuel and gasoline from Buell Fuels for the year 2022.

-The next regular meeting will be held on January 11, 2022 at the town hall at 7:00 p.m.

-Meeting adjourned at 8:27 p.m.-Councilmen Gehring, Soules

Respectfully submitted,  
Sandra Regan, Town Clerk