

REGULAR MEETING, TOWN BOARD, TOWN OF LITTLE FALLS, OCTOBER 10, 2023

A regular meeting of the Town Board, Town of Little Falls was held on October 10, 2023 at the town hall commencing immediately following the public hearing on Local Law #2-2023 at 7:06 p.m. with the following members present:

Present: Supervisor Dan Casler  
Councilman Anthony Viscomi  
Councilman Kirk Schwasnick  
Councilman Mitch Soules

Absent: Councilman Kevin Sullivan

Others Present: Town Clerk, Sandra Regan; Highway Superintendent, Donald Cotton; Codes Enforcer, Phil Green; Amy Bladek, Tax Collector; Peter Campione, Herkimer County Legislator.

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

RESOLUTION #74

Minute Approval

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

Ayes-Supervisor Casler; Councilmen Viscomi, Schwasnick, Soules

Noes-0

RESOLVED that the minutes of the previous month's meeting, as submitted by the clerk, hereby be approved subject to the words "infrastructure repairs" being added to September's Fund Transfer, Resolution #73.

-Privilege of the floor was granted to those present.

-Tax Collector Amy Bladek stated she was present to generate a conversation on the possibility of the town having a pay on line service for tax payers to pay their town taxes. Tax Collector Bladek explained that there's an option for residents to pay their town taxes on line through a program called municipAY; that it's a free service for any municipality to use. You pay to have the taxes put on a platform, which is where the money comes in. That she called customer service and received a quote to have the town's taxes put on a platform so the tax payers could use MuniPAY to pay their taxes and it would be \$1,500 annually to put it on Tax Look Up Net.

Supervisor Casler stated that it's not something to jump into right now but something to consider. Discussion was held on this matter and no decision was made.

-Legislator Campione reported that the county is working on the budget and that last year the IDA had purchased the Russell Farm property, located across from the truck stop on Higby Hill and has secured a 122 bed motel with a popular chain.

-Supervisor Monthly Report:

Supervisor Casler reported:

-That he has submitted his monthly financial report for the board's review.

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-That he called the LaBerge group regarding engineering services and is waiting for an engagement letter which he'll review with Attorney Macri, and that he's requesting board permission to engage the engineering services of LaBerge to oversee the town's interest in the ARC Herkimer project.

-That he received a follow-up call from the Union regarding the long time disability benefit for the highway department employees that was being negotiated and he's waiting for a proposal for such.

-That he hasn't heard back from the City on the Fire Contract.

-Assessor Report: None

-Codes Enforcer Report: Tabled until he's present.

-Town Attorney Report: None

-Town Justice Report:

Supervisor Casler reported that he received the Justice deposit for July, August and September.

-Planning Board Report:

Clerk Regan reported the planning board did not meet, therefore there's no report.

-Health Officer Report: None

-Dog Control Officer Report: None

Councilman Soules stated that apparently the Dog Control Officer has been getting phone calls and he's not following through again.

-Highway Superintendent Report: Nothing

-Codes Enforcer Report:

Codes Enforcer Green reported that permits are still coming in, he's has a couple of yearly inspections to do, and Mr. Daniels has to appear in court in another two weeks.

-Town Clerk Report:

Clerk Regan reported:

-That the website is under construction.

-That she needs to purchase a letter folder for the tax collector.

-That she needs permission to have the spring cleanup flyers put in the town's tax bills.

-That the Humane Society Contract needs to be approved.

-The Tax Override Law needs adoption.

-Elaine Cobb needs to be reappointed to the Planning Board.

-That a letter of appreciation should be sent to James Malone for his service on the Board of Assessment & Review.

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RESOLUTION #75

Town Clerk and Highway Superintendent Authorization to Have Spring Cleanup Flyer Mailed with Tax Bills and Town Clerk Authorization to Purchase Paper Folding Machine

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

Ayes-Supervisor Casler; Councilmen Viscomi, Schwasnick, Soules  
Noes-0

RESOLVED that the Town Clerk and Highway Superintendent are hereby authorized to make up Spring Cleanup flyers at their discretion and deliver them to the Tax Collector to be inserted in the January 2024 tax bills, and

BE IT FURTHER RESOLVED that the Town Clerk hereby be authorized to purchase a paper folding machine.

RESOLUTION #76

Supervisor Authorization To Sign Herkimer County Humane Society Sheltering Agreement

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

Supervisor Casler	Aye
Councilman Viscomi	Aye
Councilman Schwasnick	Aye
Councilman Soules	Aye

RESOLVED that the Town Supervisor hereby be authorized to sign the Herkimer County Humane Society Sheltering Agreement.

RESOLUTION #77

Adoption of Local Law #2-2023 Overriding Tax Levy Limit

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

Supervisor Casler	Aye
Councilman Viscomi	Aye
Councilman Schwasnick	Aye
Councilman Soules	Aye

WHEREAS, notice was published in the Times Telegram and a public hearing was held on October 10, 2023 on Local Law #2-2023, and,

WHEREAS, there were no comments against the passage of Local Law #2-2023,

THEREFORE, BE IT RESOLVED that Local Law #2-2023 hereby be adopted as follows:

Town of Little Falls  
Local Law No. 2 of the year 2023.

A local law To Override the Tax Levy Limit Established in General Municipal Law 3-c

Be it enacted by the Town Board of the  
Town of Little Falls as follows:

BE IT ENACTED by the Town Board of the Town of Little Falls, County of Herkimer as follows:

**Section 1. Legislative Intent**

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Little Falls pursuant to General Municipal Law § 3-c, and to allow the Town of Little Falls to adopt a budget for the fiscal year 2024 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

**Section 2. Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax cap by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

**Section 3. Tax Levy Limit Override**

The Town Board of the Town of Little Falls, County of Herkimer is hereby authorized to adopt a budget for the fiscal year 2024 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law § 3-c.

**Section 4. Severability**

If any clause, sentence, paragraph, subdivision, or part of the Local Law or the application thereof to any person, firm or corporation, or circumstances, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of the Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective Date**

This local law shall take effect immediately upon filing with the Secretary of State.

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RESOLUTION #78

Re-Appointment, Elaine Cobb, Planning Board

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

Supervisor Casler	Aye
Councilman Viscomi	Aye
Councilman Schwasnick	Aye
Councilman Soules	Aye

RESOLVED that Elaine Cobb hereby be re-appointed to the Town Planning Board for a term of seven years, retroactive from July 1, 2023 through June 30, 2030.

RESOLUTION #79

Letter of Appreciation For Service-James Malone, Board of Assessment & Review

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

Supervisor Casler	Aye
Councilman Viscomi	Aye
Councilman Schwasnick	Aye
Councilman Soules	Aye

WHEREAS James Malone's term on the Town's Board of Assessment & Review is due to expire and he has submitted a letter informing the town that he will no longer be serving on said board,

BE IT RESOLVED that the Town Board directs the Town Clerk to send Mr. Malone a letter of appreciation for his service.

-Discussion was held on adopting a puppy mill law with the board deciding to drop this issue for now and revisit it if and when needed.

-Discussion was held on engaging Engineering Services for ARC Herkimer with the board deciding to table this matter until Attorney Macri has time to review this matter and he is present.

RESOLUTION #80

Supervisor Monthly Financial Report Approval

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

Ayes-Supervisor Casler; Councilmen Viscomi, Schwasnick  
Noes-Councilman Soules

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

-Councilman Soules stated he voted no on the Supervisor's Monthly Financial Report because it's incomplete.

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- Meeting Recessed at 8:07 p.m. to audit the bills.
- Meeting resumed at 8:14 p.m.

RESOLUTION #81

Payment of General Bills

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

Ayes- Supervisor Casler; Councilmen Viscomi, Schwasnick, Soules  
Noes-0

RESOLVED that the General Bills #116-119 in the amount of \$3,574.32 hereby be paid.

RESOLUTION #82

Payment of Highway Bills

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

Ayes-Supervisor Casler; Councilmen Viscomi, Schwasnick, Soules  
Noes-0

RESOLVED that the Highway Bills #121-127, in the amount of \$28,498.04 hereby be paid.

- The board reviewed the 2024 town budget and moved to approve it as the Preliminary Budget.

RESOLUTION #83

Adoption of 2024 Tentative Budget as 2024 Preliminary Budget and Scheduling of Public Hearing

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

Supervisor Casler	Aye
Councilman Viscomi	Aye
Councilman Schwasnick	Aye
Councilman Soules	Aye

BE IT RESOLVED that the Budget Officer's Tentative Budget for the calendar year of 2024 as presented, hereby be adopted as the 2024 Preliminary Budget and,

BE IT FURTHER RESOLVED that a public hearing on said budget hereby be scheduled for November 14, 2023 at 7:00 p.m., at the town hall, and

BE IT FURTHER RESOLVED that the Town Clerk is hereby directed to publish notice in the Times Telegram of the Public Hearing on the 2024 Preliminary Budget.

- The next regular meeting will be held on November 14, 2023 immediately following the public hearing on the 2024 Preliminary Budget scheduled for 7:00 p.m. at the town hall.

- Meeting adjourned at 9:04 p.m.-Councilmen Viscomi, Schwasnick

Respectfully submitted, Sandra Regan, Town Clerk