

REGULAR MEETING, TOWN BOARD, TOWN OF LITTLE FALLS, FEBRUARY 13, 2024

A Regular meeting of the Town Board, Town of Little Falls was held on February 13, 2024 at the town hall commencing at 7:00 p.m. with the following members present:

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

Others Present: Town Clerk, Sandra Regan; Highway Superintendent, Donald Cotton; Town Attorney, Nicholas Macri; Phil Green, Codes Enforcer; Ken Schlag, Planning Board member; Barton & Loguidice Community Planner, Robert Murphy and Business Developer Manager, Jeremy Hughes.

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

-Privilege of the floor was granted to those present. There were no comments.

RESOLUTION #19

Minute Approval

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

Ayes-Supervisor Casler; Councilman Viscomi, Schwasnick, Sullivan, Soules
Noes-0

RESOLVED that the minutes of the January Public Hearing and Town Board meeting, as submitted by the clerk, hereby be approved

-Supervisor Casler stated that he had invited Barton & Loguidice to the meeting to discuss comprehensive planning, which he thinks the town needs; that other area municipalities have received grants and he thinks there are opportunities for the town to get funding for this.

- Barton & Loguidice's Community Planner, Robert Murphy, and Business Developer Manager, Jeremy Hughes, gave a presentation on their services, what a comprehensive plan is and the grant writing process.

Mr. Murphy stated that to be successful in grants pursuits, you need to start with a plan, a plan that lays out, through a public preservation process the vision for a community.

Mr. Murphy stated that a comprehensive plan is a vehicle for public involvement and it represents a statement on a community's preference for local policies and investments and it increases chances for funding. Mr. Murphy stated that comprehensive planning is not zoning itself, it's what a community does or does not want in certain areas; that zoning is the actual yes and no on what can and cannot be done in certain areas, which comes later in the process; that a comprehensive plan is never static, it's always meant to evolve over time, so the state recommends that a plan be revised every five to ten years.

Mr. Murphy stated that grant funding starts with a plan, a vision on what the community and town board wants and its priorities; that the cycle doesn't happen overnight, it takes time, one to six years depending on the project and how long it takes to go from your community vision to a funded completed project.

REGULAR MEETING, TOWN BOARD, TOWN OF LITTLE FALLS, FEBRUARY 13, 2024-
CONT.

Mr. Murphy stated that one of the things they do as consultants is to tie what the town wants to do with what is a similar priority in funding programs, then they bring it to the town board and see how much the town wants to invest in that pursuit for grant funding. Mr. Murphy stated that there are numerous funding programs and outlined some of the programs available.

Councilman Viscomi asked what the cost was to do a comprehensive plan. Mr. Murphy stated that for a town like Little Falls he'd say between \$50,000-\$60,000 for a total project cost, that it varies based on a number of things such as how many meetings you want to have.

Attorney Macri stated that if the town didn't receive the grant, they'd still have to pay for the grant to be written. Mr. Hughes stated they wouldn't move forward without the grant.

Attorney Macri stated that you still pay for the grant writing whether you're successful or not, that they don't award grants based on a neighboring municipality having received one, it's based on a point system, saying the City of Little Falls received one, has no bearing on another neighboring municipality getting one. Mr. Hughes stated that any community that doesn't have a plan will score well, that the town is the first community he's comes across that doesn't have a one; that chances are better for a community that doesn't have a plan rather than one who's updating a plan from ten years ago.

Mr. Hughes stated that they do charge for writing a grant, that he can't give a real figure on what they'd charge until they know exactly what they're writing one for, but typically, you apply for a grant and say we charge you \$3,000, if by chance you don't it, we'd go through a debrief, rewrite and resubmit it and we wouldn't charge the initial amount of \$3,000 again, but would charge, say \$500 for administrative costs, that they wouldn't leave the town holding the bag, that's not how they operate; they want the town to get the grant, he's not writing the grant to make money, he's writing the grant to get the job, that he wants to do the comprehensive plan and he's not looking to make a ton of money on the grant. Mr. Hughes stated that whatever price comes out of their mouths, you can't hold their feet to the fire because ultimately that decision is made above him.

Attorney Macri asked what the average cost of writing a grant was. Mr. Hughes stated it would be \$5,000 or under, that he didn't foresee it being higher than \$5,000.

Clerk Regan asked that if a grant was unsuccessful, do they just update it and keep resubmitting it. Mr. Murphy stated that they'd do a debrief with the funding agency, they'll find out where they fell short and how they can improve the application and they'll make those adjustments for next time.

Mr. Hughes stated that grant funding is great because it can save a lot of money, but it costs time. That if the town board wanted to proceed with a application it wouldn't likely be submitted until summer time when the grant floor opens, that you don't hear if you're successful until next November/December, after which time, you can start the comprehensive planning process.

Mr. Murphy was asked what the submission deadline was and if the town could make the deadline this year. Mr. Murphy stated that the submission deadline is usually the end of July; that the town could easily make the deadline; that they'd give the board a proposal to look over and would need at least month to do the application; that what they're seeing with the Smart Growth Program, is they want to see some public engagement before the application goes in, which could be as simple as holding a public meeting on the comprehensive plan; that they've also done online surveys before the application goes in; anyway you do it, they want to see that the public is engaged, this is why they need some lead time, they need to be able to incorporate this in the application; that ideally, mid Spring would be good to know if the town's going to proceed.

Supervisor Casler thanked Mr. Hughes and Mr. Murphy for attending the meeting.

REGULAR MEETING, TOWN BOARD, TOWN OF LITTLE FALLS, FEBRUARY 13, 2024-
CONT.

-Supervisor Casler asked if there were any comments from the floor. There were no comments.

-Supervisor Monthly Report:

Supervisor Casler reported:

-That he submitted his monthly financial report for review and has received pilot programs, sales tax revenues and snow removal payments.

-That he's spoken with Senator Gillibrand's office and Assemblyman Smullen and asked for support for the town's Bridge NY grant.

RESOLUTION #20

Supervisor Monthly Financial Report Approval

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

Ayes-Supervisor Casler; Councilmen Viscomi, Schwasnick, Sullivan

Noes-Councilman Soules

RESOLVED that the 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.

-Assessor Report-None

-Codes Enforcer Report:

Codes Enforcer Green reported that his yearly reports are done and he's doing some inspections.

Supervisor Casler asked if the town's fees should be increased for planning board site plan applications. Codes Enforcer Green stated he would get the Town of Schuyler's fees for the board to look at.

-Town Attorney Report:

Town Attorney Macri reported:

-That he received ARC Herkimer's escrow agreement and the \$20,000 escrow amount and advised Supervisor Casler to put the funds in a separate designated escrow account with a checkbook and to not have it as a line item on the budget. Supervisor Casler reported that he's initiated an opening of an account with Adirondack bank and there's a resolution that needs to be adopted before this can be done. The resolution was adopted later in the meeting.

-That he received Barton & Loguidice's engagement letter for engineering services for ARC Herkimer, which is okay in fairness and legality.

-That he received a signed decommissioning agreement from RIC for the Newville Solar Project, with the terms the board requested. Attorney Macri commended Supervisor Casler for his part in negotiating what the town wanted and suggested that Supervisor Casler direct Planning Board Chairwoman Cobb not to issue anything to RIC until the decommissioning funds are in the town's hands and that the project not be shovel ready until all funds are received.

-Town Justice Report:

Supervisor Casler reported that he received the Justice deposit for January.

REGULAR MEETING, TOWN BOARD, TOWN OF LITTLE FALLS, FEBRUARY 13, 2024-
CONT.

-Planning Board Report:

Planning Board Vice Chairman reported that the board had met and the same officers were re-appointed for this year.

-Dog Control Officer Report: None

-Health Officer Report: None

-Highway Superintendent Report: Nothing at this time.

-Town Clerk Report:

Clerk Regan report:

-That the Hazardous Mitigation Plan needs to be approved.

-That she has given Supervisor Casler a \$100 check she received from ARC Herkimer for their Site Plan Conference Application Fee.

-That she has prepared a resolution, that's been approved by Attorney Macri, for Supervisor authorization to open a \$20,000 escrow account for ARC Herkimer.

-That Dog Control Officer Foster has questioned if he could be paid monthly versus quarterly and that she may need to purchase violation tickets for the Dog Control Officer. The board decided to keep the Dog Control Officer's payments quarterly, as is.

RESOLUTION #21

Adoption of 2023 Town of Little Falls Herkimer County Hazard Mitigation Plan

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

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

WHEREAS the Town of Little Falls recognizes the threat that natural hazards pose to people and property within Town of Little Falls; and

WHEREAS the Town of Little Falls has prepared a multi-hazard mitigation plan, hereby known as the 2023 Town of Little Falls Herkimer County Hazard Mitigation Plan, in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS the Town of Little Falls identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the Town of Little Falls from the impacts of future hazards and disasters; and

WHEREAS adoption by the Little Falls Town Board demonstrates their commitment to hazard mitigation and achieving the goals outlined in the 2023 Town of Little Falls Herkimer County Hazard Mitigation Plan,

.

REGULAR MEETING, TOWN BOARD, TOWN OF LITTLE FALLS, FEBRUARY 13, 2024-
CONT.

(Resolution #21-cont.)

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD, TOWN OF LITTLE
FALLS THAT:

Section 1. In accordance with NYS General Municipal Law, the Town Board adopts the 2023
Town of Little Falls Herkimer County Hazard Mitigation Plan. This plan, approved by the
community, may be edited or amended after submission for review, but will not require the
community to re-adopt any further iterations. This only applies to this specific plan and does not
absolve the community from updating the plan in 5 years.

RESOLUTION #22

Supervisor Authorization To Set Up ARC Herkimer Escrow Account With Adirondack Bank

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

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

WHEREAS, the Town of Little Falls requires that ARC Herkimer provide funds in the amount
of \$20,000 to be used for any legal and engineering expenses incurred during the Town's
approval process of ARC Herkimer's Event Center, and

WHEREAS, the Town of Little Falls has received a \$20,000 check from ARC Herkimer for said
purposes, and

WHEREAS, the Town of Little Falls is required to set up an escrow account for the \$20,000
received from ARC Herkimer,

NOW THEREFORE BE IT RESOLVED that the Town Board, of the Town of Little Falls
hereby authorizes the Town Supervisor to set up an escrow account in the amount of \$20,000, as
received by ARC Herkimer, to be used for any legal and engineering expenses incurred during
the Town's approval process of ARC Herkimer's Event Center with Adirondack Bank.

-Attorney Macri advised Supervisor Casler to contact the Wladis Law Firm to begin negotiations
regarding an "in lieu of taxes agreement" with ARC Herkimer. Supervisor Casler stated he
would do so.

-Clerk Regan reported that Harold Comstock, who was recently re-appointed as Deputy
Registrar of Vital Statistics, no longer wants that position so he did not sign his oath cards;
therefore; the office is vacated; however, Linda Comstock, Registrar of Vital Statistics, would
like for Lisa Macri to be appointed as such. The board agreed to said appointment.

REGULAR MEETING, TOWN BOARD, TOWN OF LITTLE FALLS, FEBRUARY 13, 2024-
CONT.

RESOLUTION #23

Appointment-Lisa Macri, Deputy Registrar of Vital Statistics

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 Sullivan	Aye
Councilman Soules	Aye

Whereas, Harold Comstock, has declined his four-year re-appointment as Deputy Registrar of Vital Statistics creating a vacancy for said office,

BE IT RESOLVED that Lisa Macri hereby be appointed as Deputy Registrar of Vital Statistics, to fill said vacancy for a four-year term, retroactive from January 1, 2024 through December 31, 2027.

RESOLUTION #24

Supervisor Authorization to Sign Agreement With Barton & Loguidice For SEQR Review Services for ARC Herkimer Event Center Project

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 Sullivan	Aye
Councilman Soules	Aye

RESOLVED that the Town Supervisor, of the Town of Little Falls, is hereby authorized to sign an agreement with Barton & Loguidice, as presented and dated January 26, 2024, for review of the SEQR Part 2 and Part 3 for ARC Herkimer's event center project.

-Supervisor Casler motion for a executive session to be held to discuss an incident that occurred on town property.

RESOLUTION #25

Executive Session-Discussion on An Incident That Occurred Town Property

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

Ayes-Supervisor Casler; Councilman Viscomi, Schwasnick, Sullivan, Soules
Noes-0

RESOLVED that the Town Board enter into an executive session to discuss an incident that occurred on town property.

REGULAR MEETING, TOWN BOARD, TOWN OF LITTLE FALLS, FEBRUARY 13, 2024-
CONT.

- Regular meeting recessed at 8:20 p.m.
- Executive session commences at 8:20 p.m.
- Executive session ended at 8:40 p.m.
- Regular meeting resumed at 8:40 p.m.

- Supervisor Casler stated that no action was taken during the executive session.

- Meeting recessed at 8:40 p.m. to audit the bills.
- Meeting resumed at 8:45 p.m.

RESOLUTION #26

Payment of General Bills

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

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

RESOLVED that the General Bills # 10-23 in the amount of \$4,591.67 hereby be paid.

RESOLUTION #27

Payment of Highway Bills

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

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

RESOLVED that the Highway Bills #15-33, in the amount of \$51,914.40 hereby be paid.

- The next regular meeting will be held on March 12, 2024 at the town hall at 7:00 p.m.

- Meeting adjourned at 8:45 p.m.-Councilmen Soules, Schwasnick

Respectfully submitted,
Sandra Regan, Town Clerk