

REGULAR MEETING, TOWN BOARD, TOWN OF LITTLE FALLS, DECEMBER 12, 2023

A regular meeting of the Town Board, Town of Little Falls was held on December 12, 2023 at the town hall commencing at 6:00 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; Town Attorney, Nick Macri; Christopher Baiamonte, from The Wladis Law Firm; Greg Foster.

-Note: The Town Board decided at last month's meeting to move this meeting to 6:00 p.m.

-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 #90

Minute Approval

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

Ayes-Supervisor Casler; Councilmen Viscomi, Schwasnick, Soules

Noes-0

RESOLVED that the minutes of the previous month's meetings, as submitted by the clerk, hereby be approved.

-Codes Enforcer Report:

Codes Officer Green reported that 28 permits have been issued so far this year and that he will be working on and submitting his yearly report in January.

Attorney Macri requested authorization to hire a process server for a pending court matter. This request was approved.

RESOLUTION #91

Town Attorney Authorization to Hire a Process Server

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 Attorney Macri hereby be authorized to hire a process server for a pending town court matter.

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-Supervisor Casler stated that he had asked Greg Foster to attend the meeting to introduce himself to the board and that he had received a resume from Mr. Foster regarding the town's dog control officer position.

Mr. Foster introduced himself, outlined his experience and informed the board he'd be more than happy to be of service if needed.

-Supervisor Casler made a motion to enter into an executive session to discuss several contractual matters and Attorney Macri stated that a discussion needs to be held on a potential local law; that the reason it's going into executive session is it could cause possible litigation; therefore, it qualifies for an executive session.

RESOLUTION #92

Executive Session

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 Board hereby hold an executive session to discuss several contractual matters and a potential local law.

-Regular Meeting recessed at 6:25 p.m.

-Executive session commences at 6:25 p.m.

-Executive sessions ended at 7:15 p.m.

-Regular Meeting resumed at 7:15 p.m.

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

RESOLUTION #93

Supervisor Authorization To Sign Agreement With Wladis Law Firm Relative To The ARC Herkimer Project Establishing an Escrow Account For Legal and Engineering Services.

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

Ayes-Supervisor Casler; Councilmen Viscomi, Schwasnick, Soules

Noes-0

RESOLVED that the Town Supervisor hereby be authorized to sign an agreement with The Wladis Law Firm relative to the ARC Herkimer Project establishing an escrow account in the amount of \$20,000 for legal and engineering services with the understanding the Wladis Firm will not incur any billable hours until such time as Town Attorney Macri advises said escrow account is funded.

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RESOLUTION #94

Acceptance of Proposed Local Law #2023-3, Six Month Moratorium on Solar Energy Systems

On motion of Supervisor Casler, 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

RESOLVED that the Town Board, of the Town of Little Falls, hereby accepts proposed Local Law #3, as submitted by Town Attorney Macri, which calls for a six month moratorium on solar energy systems, allowing the Town Board to analyze and determine potential zoning regulations concerning this use.

RESOLUTION #95 (Number of Local Law changed from #2023-3 to #2024-1-See Res #1-2024)  
Scheduling Public Hearing, Local Law #2024-1, Six Month Moratorium on Solar Energy Systems and Clerk Authorization to Publish Notice of Such

On motion of Councilman Viscomi, 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

RESOLVED that the Town Board, of the Town of Little Falls, hereby schedules a public hearing on proposed Local Law #2024-1 to be held on January 9, 2024 at 7:00 p.m. at the town hall, and

BE IT FURTHER RESOLVED that the town clerk hereby be authorized to publish notice of said hearing in the Times Telegram at her discretion.

RESOLUTION #96

Supervisor Authorization To Sign Letter of Engagement With Barton & Loguidice Relative To The ARC Herkimer Project For Engineering Services Only.

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

RESOLVED that the Town Supervisor, of the Town of Little Falls, hereby be authorized to sign a letter of engagement with Barton & Loguidice for engineering services for the sole purpose of reviewing ARC Herkimer's project, limiting said services to engineering capacity only, and

BE IT FURTHER RESOLVED that said agreement is subject to Town Attorney Macri's review and approval of said agreement.

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-Attorney Macri stated that Supervisor Casler will contact RIC regarding the Newville Solar Project and try to negotiate the decommissioning and escrow agreement. Attorney Macri stated if RIC doesn't agree to what the town is seeking, that he will send them a letter, pursuant to the town's local law, that the town will be engaging in outside legal services.

-Supervisor Monthly Report:

Supervisor Casler reported:

-That he distributed copies of his monthly financial report for the board's review.

-That Robert Stapf was supposed to attend tonight's meeting to give a presentation on what the town needs to upgrade our computer system and have for cyber protection, but was unable to attend; that he's supposed to submit a proposal in the future.

-That notice was received from Excellus that dental insurance rates for next year will increase anywhere from \$1.00-\$4.00 per category.

-That the town's tax rate for 2024 is \$4.673597 for real property, \$1.106181 for fire protection, for a \$5.77 per thousand rate.

-That he had made a BAN payment on the loader and received a phone call from Adirondack Bank that they found the payment was short \$812.33 due to the extra interest that was still on the \$160,000 before he made the payment. Supervisor Casler stated that rather than redoing all the BAN paperwork, he paid the \$812.33 and would like board approval to cover that expense. This was approved.

-That he sent a letter to GPI requesting they re-apply for a Bridge NY grant for the Eatonville Road Bridge Project.

-That notice was received that the Humane Society received a satisfactory state report.

RESOLUTION #97

Supervisor Approval for Additional BAN Payment Made

On motion of Supervisor Casler, 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 Board hereby authorizes that an \$812.33 loader BAN payment be made to Adirondack Bank, retroactive to December 1<sup>st</sup>, to cover the additional increase in the interest that was due.

-Supervisor Casler stated that there was some unanticipated income and explained what funds the money is in. Discussion was held on this and no steps are needed.

RESOLUTION #98

Supervisor Monthly Financial Report Approval

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

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

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(Resolution #98-cont.)

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.

-Town Attorney Report: Nothing at this time.

-Justice Report:

Supervisor Casler reported that he had received the Justice deposit for November.

-Assessor Report: None

-Planning Board Report:

Clerk Regan reported that the Planning Board didn't meet this month; therefore there is no report.

-Health Officer Report: None

-Dog Control Officer Report: None

-Highway Superintendent Report: Nothing at this time.

-Town Clerk Report: Nothing at this time.

RESOLUTION #99

Approval of Highway Employees Union Agreement

On motion of Councilman Soules, 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, contract negotiations between the Town of Little Falls and the United Public Service Employees Union (UPSEU) have been held for the Town of Little Falls Highway Unit and,

WHEREAS, the Town of Little Falls and the UPSEU have reached an understanding on the terms of the agreement with the Town Highway Unit contract and have recommended its adoption and

WHEREAS, the Town Board of the Town of Little Falls have approved the agreement which runs from January 1, 2023 through December 31, 2026, now

THEREFORE, BE IT RESOLVED that the Town of Little Falls hereby approves said three (3) year agreement and authorizes the Town Supervisor to sign the contract.

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- Meeting recessed at 7:50 p.m. to audit the bills.
- Meeting resumed at 8:02 p.m.

RESOLUTION #100

Payment of General 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 General Bills #132-146 in the amount of \$5,909.04 hereby be paid.

RESOLUTION #101

Payment of Highway Bills

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

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

RESOLVED that the Highway Bills #141-154, in the amount of \$34,592.54 hereby be paid.

-The next regular meeting will be held on January 9, 2024 immediately following the Public Hearing on Local Law #3-2023 scheduled for 7:00 p.m.at the town hall.

-Meeting adjourned at 8:02 p.m.-Councilmen Viscomi, Soules

Respectfully submitted,  
Sandra Regan, Town Clerk