

**Public Hearing on Local Law #1 of 2015, Town of Manheim, July 14, 2015 at 6:30pm**

**MEMBERS PRESENT**

Supervisor John Haughton  
Councilman Frederick Doerrer  
Councilman Peter Jaikin  
Councilman Kevin Snell

**OTHERS PRESENT**

Carl Stallman, Judy Majares  
Rodney Swartz

Supervisor Haughton called the meeting to order at 6:35PM., roll call was taken and the pledge of allegiance was recited. He read the following proposed Local Law #1 of 2015.

**LOCAL LAW NO. 1 of 2015**

**LOCAL LAW EXTENDING  
THE TERM OF OFFICE OF ELECTED OFFICERS**

**SECTION 1: TITLE**

This local law shall be known as the “Local Law Extending the Term of Office of Elected Officers” in the Town of Manheim, County of Herkimer, and State of New York.

**SECTION 2: PURPOSE**

The purpose of this local law is to extend the term of office for the Town Supervisor, Highway Superintendent and Town Clerk from two (2) years to four (4) years. The Town Board believes an extended term would bring greater continuity to these offices, and thus believes that the extended terms are in the public’s best interest. It is the intention of the Town Board to supersede Town Law §24 and any other conflicting provisions of Town Law with this local law.

**SECTION 3: AUTHORITY**

This local law is enacted pursuant to the Town’s authority under Section 10 (1) (ii) (a) and Section 23 (2) (e) of the Municipal Home Rule Law of the State of New York.

**SECTION 4: APPLICATION**

This local law shall extend the term of the Town Supervisor, Highway Superintendent and Town Clerk from two (2) years to four (4) years, such four (4) year terms shall commence as of the 1<sup>st</sup> day of January, 2016, and shall apply to the person elected to such office at the general election be held in November 2015, and to those elected thereafter.

**SECTION 5: EFFECTIVE DATE**

In accordance with the provisions of the Municipal Home Rule Law of the State of New York, this local law shall not become operative or effective unless and until it shall have been approved at the next general election held within the Town of Manheim by the affirmative vote of a majority of the qualified electors of the Town of Manheim voting upon the proposition.

This local law shall take effect, if approved as set forth above by the electors, upon the filing with the Office of the Secretary of State.

Discussion: those in attendance felt it is a good idea; that 2 years isn’t enough to learn the scope of work involved in the positions and the voters will have the final say anyway.

Supervisor Haughton asked for a motion and second on the following resolution.

**RESOLUTION NO. 24 of 2015**

**Dated: July 14, 2015**

**RESOLUTION ADOPTING LOCAL LAW NO. 1 of 2015**

**“LOCAL LAW EXTENDING  
THE TERM OF OFFICE OF ELECTED OFFICERS”**

MOTION made by Councilman Peter Jaikin, seconded by Councilman Frederick Doerr

**WHEREAS**, the terms for the Town Supervisor, Town Clerk and Highway Superintendent are currently two (2) years; and

**WHEREAS**, the Town Board believes an extended term would bring greater continuity to these offices, and thus believes that the extended terms are in the public’s best interest; and

**WHEREAS**, this Local Law would be subject to referendum at the November 2015 general election; and

**WHEREAS**, if the Local Law passes at the November 2015 general election the terms of office would be extended for the applicable officers with terms commencing on January 1, 2016; and

**WHEREAS**, a copy of Local Law No. 1 of 2015, a “Local Law Extending the Term of Office of Elected Officers” has been on the desks of the Town Board members for at least seven days, exclusive of Sundays; and

**WHEREAS**, a public notice was published and posted stating that a public hearing would be held on July 14, 2015 to consider Local Law No. 1 which would extend the terms of office for certain elected town officers; and

**WHEREAS**, a public hearing was held on July 14, 2014 on at least five days’ notice regarding the proposed adoption of Local Law No. 1 of 2015 which would extend the terms of office of certain elected town officers.

**NOW THEREFORE BE IT RESOLVED, that** the Town Board hereby adopts Local Law No. 1 of 2015, “Local Law Extending the Term of Office of Elected Officers” subject to referendum at the November 2015 general election.

Roll Call Vote:

John Haughton, Supervisor	Aye	X	Nay
Peter Jaikin, Councilmember	Aye	X	Nay
Frederick Doerr, Councilmember	Aye	X	Nay
Kevin Snell, Councilmember	Aye	X	Nay

IN WITNESS WHEREOF, I have affixed my name as secretary and clerk on this 14 day of July, 2015

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Marie Gressler, Town Clerk

**A Motion** was made by Councilman Snell and was seconded by Councilman Doerr to close the Public Hearing and open the regular meeting at 6:55pm. Ayes All

**Regular Board Meeting, Town of Manheim, July 14 at 6:55PM**

**A Motion** was made by Councilman Snell and was seconded by Councilman Doerr to approve the minutes of the June 9, 2015 regular board meeting. Ayes All

**A Motion** was made by Councilman Jaikin and was seconded by Councilman Doerr to approve the minutes of the July 7, 2015 Special Board meeting. Ayes All

**A Motion** was made by Councilman Snell and was seconded by Councilman Doerr to approve Abstract #7 of 2015 as audited. Ayes All

**A Motion** was made by Councilman Doerr and was seconded by Councilman Jaikin to approve Payrolls #12, 13 & 14 of 2015 as audited. Ayes All

**A Motion** was made by Councilman Jaikin and was seconded by Councilman Doerrer to accept the Supervisors report for May 2015. Ayes All

**A Motion** was made by Councilman Doerrer and was seconded by Councilman Snell to accept the Clerks report for June 2015. Ayes All

Supervisor Houghton said it was an honor and privilege to have served with Councilman Larry Austin and that he will be greatly missed. For years Rodney Swartz has said that if ever a board seat became vacant he would be interested in serving.

**A Motion** was made by Councilman Jaikin and was seconded by Councilman Doerrer to appoint Rodney Swartz to fill the board vacancy until December 31, 2015. Ayes All

Mr. Swartz will actually have to win in November's general election to fill the unexpired term created by Councilman Austin's death. Mr. Swartz was sworn into office by the Clerk.

#### **PUBLIC COMMENT PERIOD**

None

#### **SUPERINTENDENT'S REPORT**

Carl reported that he has been helping Paul Nagle survey the dam; they've had to cut some trees to shoot the lines.

He's moved the steep part of the dam and has the spillway yet to do.

The tractor for mowing the road sides broke down and Tracey's took it back to their shop to fix.

Carl's getting prices for cng pickup trucks and will keep the board informed.

Councilman Swartz asked to meet with Carl to look over the fleet and discuss highway operations and dam maintenance requirements.

#### **OLD BUSINESS**

Fire District: Supervisor received the retainer agreement from Attorney Ayers to represent the town in the process.

#### **RESOLUTION NO. 25 of 2015**

**Dated: July 14, 2015**

#### **RESOLUTION FOR TOWN TO RETAIN THE AYERS LAW FIRM, PLLC WITH REGARD TO THE PROPOSED CREATION OF A JOINT FIRE DISTRICT INVOLVING THE TOWN OF MANHEIM, TOWN OF OPPENHEIM, AND THE VILLAGE OF DOLGEVILLE.**

MOTION made by Councilman Frederick Doerrer, seconded by Councilman Peter Jaikin

**WHEREAS**, the Town Board of the Town of Manheim is desirous of exploring the benefits to the Town which may result from the formation of a Joint Fire District with the Town of Oppenheim and the Village of Dolgeville; and,

**WHEREAS**, the Town Board of the Town of Manheim has determined that it would be in the best interest of the Town to obtain legal representation in connection with studying the feasibility of such a Joint Fire District and to guide the Town through the legal procedures required in connection with the formation of a Joint Fire District,

**Now Therefore**, the Town Board of the Town of Manheim authorizes and directs the Town Supervisor, John Houghton, to enter into an agreement with The Ayers Law Firm, PLLC, as set forth in the attached retainer agreement, to represent the Town and assist with developing an RFP for a narrowly focused feasibility study to be performed by qualified consultants, and thereafter to provide legal assistance in connection with the formation of the Joint Fire District if the decision is made to do so.

Roll Call Vote:

John Houghton, Supervisor

Aye X    Nay

Peter Jaikin, Councilmember	Aye	X	Nay
Frederick Doerrer, Councilmember	Aye	X	Nay
Kevin Snell, Councilmember	Aye	X	Nay
Rodney Swartz, Councilmember	Aye	X	Nay

IN WITNESS WHEREOF, I have affixed my name as secretary and clerk on this 14 day of July, 2015

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Marie Gressler, Town Clerk

#### **NEW BUSINESS**

Board members were given updated Budget appropriations and revenues for 2015 along with some suggestions for 2016 and asked to review them and contact Marie or Supervisor Haughton with any questions or suggestions.

DCO Randall received a Satisfactory 365 rating on his yearly state inspection.

There will be a "Telecommunications Study" informational meeting July 28<sup>th</sup> at SUNY Utica: Supervisor Haughton plans to attend because quite a few residents have asked him about the lack of high speed internet service in the town.

The death of Councilman Austin has resulted in a vacancy on the Justice auditing committee.

**A Motion** was made by Councilman Jaikin and was seconded by Councilman Snell to appoint Supervisor Haughton to the vacancy on the Justice Auditing committee. Ayes All

#### **CORRESPONDENCE**

The Little Falls Times and Herkimer Telegram newspapers are merging and will become the Times Telegram.

**A Motion** was made to adjourn at 8:12 P.M. by Councilman Doerrer and seconded by Councilman Snell. Ayes All

Respectfully Submitted,

Marie Gressler,  
Town Clerk