

June 21, 2016

The regular Town Board meeting of the Town of Stony Creek was held on June 21, 2016.

Supervisor Frank Thomas called the meeting to order at 7:00 PM with members present:

Councilman Nathan Thomas

Councilwoman Doreen Ryan

Councilman John Thomas

Councilman Carl Thomas

Attorney James Cooper

May 17, 2016 minutes:

A motion was made by Councilman Carl Thomas seconded by Councilwoman Ryan to accept the May 17, 2016 minutes. All in favor, motion carried.

086-16. A resolution was made by Councilman Nathan Thomas seconded by Councilwoman Ryan to pay the General Fund bills in the amount of \$9,226.21. Roll call vote, all in favor.

087-16. A resolution was made by Councilwoman Ryan seconded by Councilman Carl Thomas to pay the Highway Fund bills in the amount of \$33,861.67. Roll call vote, all in favor.

Town Clerk Report:

Conservation licenses	\$ 3.03
Marriage copy	10.00
Fax	5.00
Marriage License	17.50
Copies	<u>.25</u>
Total Town Clerk fees	\$ 35.78
Dog Licenses	<u>\$125.00</u>
Total Town Revenues to Supervisor	\$160.78
NYS Agriculture and Markets	\$ 25.00
NYS Department of Health	\$ 22.50
NYS Environmental Conservation	<u>\$ 51.97</u>
Total disbursed	\$260.25

Correspondence:

Dog Control Log-May 2016

Stony Creek Free Library- permission to use the Dean Farm Trail System for a Plein Air Art Show on July 30<sup>th</sup> with a rain date of July 31<sup>st</sup>, 2016. Also seeking \$800.00 of Occupancy Tax money for the Plein Air Show expenses, Art Educator \$200.00, a Naturalist that will identify wild herbs \$200.00, purchase a tent \$150.00, advertising \$150.00 and snacks and refreshments \$100.00.

Stony Creek Community Church-permission to use the park pavilion June 26<sup>th</sup> 2016 for a church event.

Rebecca Gallant-permission to use the park pavilion June 26, 2016 for a Graduation Party.  
Cindy Cameron-permission to use the town hall July 7, 2016 for a Princess Party.  
Jessica Carson-permission to use the park pavilion July 9, 2016 for a Birthday Party. Pending a Certificate of Insurance due to having a bounce house at the party.  
Elizabeth Smith and Sylvia Perna-permission to use the park pavilion July 16, 2016 for a Birthday Party.  
Ronda Thomas-permission to use the town hall July 20, 2016 for a party.  
Barbara Baker-permission to use the park pavilion July 25, 2016 for a Graduation Party.  
Ronda Thomas-permission to use the town hall October 7, 2016 for a party.

A motion was made by Councilwoman Ryan seconded by Councilman John Thomas authorizing the following:

Stony Creek Community Church-permission to use the park pavilion June 26<sup>th</sup> 2016 for a church event.

Rebecca Gallant-permission to use the park pavilion June 26, 2016 for a Graduation Party.  
Jessica Carson-permission to use the park pavilion July 9, 2016 for a Birthday Party. Pending a Certificate of Insurance due to having a bounce house at the party.  
Elizabeth Smith and Sylvia Perna-permission to use the park pavilion July 16, 2016 for a Birthday Party.  
Barbara Baker-permission to use the park pavilion July 25, 2016 for a Graduation Party. All in favor, motion carried.

A motion was made by Councilman Carl Thomas seconded by Councilwoman Ryan authorizing the following:

Cindy Cameron-permission to use the town hall July 7, 2016 for a Princess Party.  
Ronda Thomas-permission to use the town hall July 20, 2016 for a party.  
Ronda Thomas-permission to use the town hall October 7, 2016 for a party. All in favor, motion carried.

Old Business:

7:09 PM Supervisor Thomas opened the Public Hearings on Local Law #1 changing the term of Office for the Town Clerk from 2 to 4 year terms and Local Law #2 of 2016 changing the term of Office for the Highway Superintendent from 2 to 4 year terms.

No written correspondence were received.

From the floor: Carol LaGrasse stated she would like to speak on the support of the change of time to serve from two to four years. She has ran for office and knows that you spend a large portion of your time campaigning when you run every two years and she thinks the four years is a good change.

Supervisor Thomas left the public hearing opened.

4<sup>th</sup> of July Town-Wide Celebration:

The setup will be the same as last year. The postcards have been mailed out.

Committee reports:

Landfill; tires:

Councilman John Thomas stated he did contact Warren Tire. They are required to take them but for a fee. He told Councilman John Thomas it was generally \$15.00 for a truck tire, like a truck tire that's narrow. \$20.00 for the wide and a tractor tire can run \$100.00 apiece. They are required to recycle them but at a cost. Supervisor Thomas stated that Mr. Fisher has been throwing them in the C&D trailer. Most of the truck tires are gone, the tractor tires would have to be cut. Councilman Carl Thomas stated there was an ad in the The Sun paper. There is a place out of Hoosick Falls. He did call for the tire pickup and thinks for the grader tires or bigger tires it would be about \$45.00 a tire. It's half of what Councilman John Thomas was talking about.

EMS:

Supervisor Thomas stated he talked to Supervisor Merlino of Lake Luzerne about the EMS situation. Mr. Merlino did convey to him that they are looking for money. He did tell Supervisor Merlino to make him a proposal and we can talk about it. He told Supervisor Merlino that he wasn't just going to give him money. Mr. Merlino said he was going to contact the EMS squad and would get back to him but he hasn't yet.

NYS DEC; Harrisburg Road:

Supervisor Thomas reported that Councilwoman Ryan, Supt. Bradley, Assessor LaGrasse and himself was at a meeting with DEC about the Wilcox Road. They were easy to talk to. They weren't giving the town a hard time about anything. When it got all said and done he thinks basically they would like to see the town actually work the road from the Moosewood Property further in to Wilcox, to the first extension bridge. What's happening is people are going outside to miss the mud holes and making the road wider and wider and they want it to be a one lane road. Councilman John Thomas asked if they determined where the end of the road actually was. Supervisor Thomas stated not really, he thinks the town stuck to its guns and said it was to the county line. He doesn't know how well they can defend that. Councilman John Thomas asked if it's the county line, what town that would be. Supervisor Thomas stated Town of Wells, Councilman John Thomas stated Town of Hope? They would never come over and work it. Supervisor Thomas stated probably not. Supervisor Thomas stated he thinks it drops down in the Town of Hope. Councilman John Thomas asked how much work is involved to get it. Supervisor Thomas stated he didn't know but would imagine quite a bit. Supt. Bradley stated it does need a lot of work, it can be done if you did a little at a time. If you do it in one big shot it will hurt us. Councilman John Thomas stated if you start with the mud holes and trees. Supt. Bradley agreed.

Supervisor Thomas stated he knows probably not everybody is in favor of it. Some people like their 4-wheeling. If we can gain access in there it works for him.

Councilman Carl Thomas asked if we would pick up mileage. Supt. Bradley stated yes you would. Councilwoman Ryan stated you also pick up State Land. Councilman John Thomas asked if there was a turnaround in there. Supt. Bradley stated it's like a three-point turn.

Supervisor Thomas stated they did propose to build a parking area at the end of this. Councilman John Thomas stated so we end up with a better turn around area. Supervisor Thomas stated it's says approximately .6 miles to Moosewood boundary.

Councilman Nathan Thomas stated he knows Cedar River Road goes through State Land, that DEC has put allowance in for mud gates. Is it something to work with DEC to put a mud gate on so in the Spring there're not tearing the road out? He knows gating a road is argumentative but like Cedar River Road to get snowmobile season until DEC see fit, they put a mud gate up and you're not in there tearing up the road being its part of the Land Preserve. Supervisor Thomas stated that wasn't discussed, it might be durable. Supt. Bradley stated if the town built the road you wouldn't need mud gates. Councilman Nathan Thomas stated you wouldn't have mud then. Supt. Bradley stated there wouldn't be mud going in the whole thing. Councilman John Thomas asked if he had a culvert to put in there or basically build. Supt. Bradley stated they would raise the road up as much as DEC allows you to do. Attorney Cooper stated it's not so much the height but the width. Supt. Bradley stated height too. Attorney Cooper stated why because they say you are filling wetlands. Supt. Bradley stated it's not wetlands, your filling it up and causing water to go somewhere else. He thinks you're allowed to raise it two inches. Attorney Cooper stated we ran into on the height of Lens Lake Road, where the water was flowing over from Lens Lake and had to raise the height of the road so the water would go the way nature intended and they didn't like that. Supt. Bradley stated he thinks you're allowed to raise it 2 inches.

Supervisor Thomas stated he thought it was a cordial conversation anyways. It's kind of up to the Board on what we do or don't do. Councilman John Thomas stated it seemed to him if you have time to do it, a little here and there it's worth it.

Attorney Cooper asked how much more money would you get for this 1¾ miles. Supt. Bradley stated he isn't sure how much they give the town per mile, it's a single lane road. Councilman John Thomas stated it's an improvement to State Land, so we can up that. Assessor LaGrasse stated if you want he can figure it. But it has to be figured and we are talking to the second bridge. What his research on this is showing, maps that are showing it's a jeep trail, snowmobile trail all the way through to Hope Falls. There's also another trail that goes around Wilcox Lake, but that's though State Land itself, whereas this is basically at one time probably was a town highway. So in other words it's a road you can drive on and the state says no we don't want you to drive on the road, the road going to Wilcox is obviously not a town highway. He thinks it's much more important to establish the Harrisburg Road as far as you can legally do it without a problem. He will come up with numbers.

Attorney Cooper stated whatever agreement you come to it ought to be memorialized in a formal way so 20 years down the road, the next Town Board isn't ambiguous of what our rights were. We need something with their signature on it that the Town Clerk can file away. A consent order or something like that. Supervisor Thomas stated they are going to want the town to get a permit before we do anything.

Assessor LaGrasse stated what was disturbing was they were requesting to close the road for certain uses. He can see mud season. Supervisor Thomas stated in the meantime we will consider that and will probably talk to the people, Christine Saline and Ben Thomas from DEC.

Attorney Cooper stated this is in conjunction with the Unit Management Plan with Wilcox Lake Wild Forest, so it would have to ultimately be approved by the APA. At least that's our assurance that one State identity is not talking out of hand.

Councilman Carl Thomas stated if you have a permit you also have something to go back to also.

Supervisor Thomas stated he thinks it's a temporary revocable permit is what they will issue.

Councilman Carl Thomas stated that's for the work you do but it documents that you have the right to do it.

#### EMS:

Supervisor Thomas reported that at the Warren County Safety Meeting, the discussion came up and the Chair of the Committee and Brian LaFlure thought about the County doing something pertaining to EMS. They didn't really have any specific proposals. One thing was maybe a consortium of some sort that if different squads wanted to join it they could if they didn't they wouldn't have to. But that was just an idea. He thinks there is interest there at least in the towns outside of Queensbury and Glens Falls.

Councilman John Thomas stated they came up with a good idea about two years ago that suggest a couple county owned cars, basically fly cars is what it is with ALS in them, stationed up in this area in different spots so they could respond to wherever they needed to be, Johnsbury,

Warrensburg, Stony Creek, Hague. That was a good idea but of course you have Queensbury and the ones that are already paying. The cost, spread it over each town, there isn't very much interest in Queensbury and Glens Falls because they pretty much pay for it, they already have it.

Supervisor Thomas stated his feeling on that, and he told them, is fine the rest of us will do what we have to do. Councilman Nathan Thomas stated the biggest problem now is lack of

manpower. The nearest school is Cobleskill or Albany. NYS finally jumped on the bandwagon for National Registry. So that is part of your course and with this you can work anywhere in the US. National Registry classes are EMS of 120 hours or two-year college degree. So it's not good for hometown EMS anywhere. The fire system works good but the problem with that is you get a fly car in the area that responds to the scene and no ambulance responds, you have the factor which was discussed in length at a couple of the county meetings.

Councilman John Thomas stated this needs to be discussed at the County. Stony Creek never had a problem going to Luzerne or Warrensburg or anywhere they had to go because one hand washed the other. Supervisor Thomas agreed, that's what it's going to have to come to. The County has to bring everyone together at least the ones who want to play.

Councilman John Thomas stated he talked to one of the guys from Hague who does inspections for Warren County and he says they hire, he said they have the tax base to do it, just to have one person on eight hours a day and they don't bill, it cost \$75,000.00 just for the Summer, and that's one person. If they bill they lose more money than that because they have to pay a company to bill because of all the codes and things they have to bill for and you can't do it in-house. There is no cheap way. The County would be the best way because it would spread it out more, especially for Stony Creek. Supervisor Thomas stated that and the Administrative stuff, consolidate it in one spot, which would save everybody money. It's not going to go away, and actually it's getting worse.

7:35PM Public Hearing:

Being no other comments Supervisor Thomas closed the public hearing on Local Law #1 and Local Law#2

088-16. A resolution was made by Councilwoman Ryan seconded by Councilman John Thomas to adopt a resolution subject to a Mandatory Referendum in the November 8<sup>th</sup>, 2016 General Election. The Resolution passed is as follows with text unchanged at the Public Hearing.

Local Law No.1 of the Year 2016 of the Town of Stony Creek, New York

**A LOCAL LAW TO CHANGE THE TERM OF OFFICE OF THE TOWN CLERK**

Text: Section 1: Purpose-Pursuant to authorization of Section 10 (1) (ii) (a) of the Municipal Home Rule Law the term of Office of Town Clerk shall be changed from two years to four years commencing January 1, 2018.

Section 2: Mandatory Referendum-At the General Election of November 2016, this Local Law shall be placed on the ballot as a Mandatory Referendum in such a way that the voters will have the opportunity to approve or disapprove the Local Law which changes the term of office from two to four years.

Section 3: Effective date- This local law if approved following Mandatory Referendum shall become effective immediately upon filing in the Office of the Secretary of State.

Roll call vote, all in favor.

089-16. A resolution was made by Councilman Carl Thomas seconded by Councilwoman Ryan to adopt a resolution subject to a Mandatory Referendum in the November 8<sup>th</sup>, 2016 General Election. The Resolution passed is as follows with text unchanged at the Public Hearing.

Local Law No. 2 of the year 2016 of the Town of Stony Creek, New York

**A LOCAL LAW TO CHANGE THE TERM OF OFFICE OF THE TOWN HIGHWAY SUPERINTENDENT**

Text: Section 1: Purpose-Pursuant to authorization of Section 10 (1) (ii) (a) of the Municipal Home Rule Law the term of Office of Town Highway Superintendent shall be changed from two years to four years commencing January 1, 2018.

Section 2: Mandatory Referendum-At the General Election of November 2016, this Local Law shall be placed on the ballot as a Mandatory Referendum in such a way that the voters will have the opportunity to approve or disapprove the Local Law which changes the term of office from two to four years.

Section 3: Effective date- This Local Law if approved following Mandatory Referendum shall become effective immediately upon filing in the Office of the Secretary of State.

Roll call vote, all in favor.

New business:  
Occupancy Bed Tax:

090-16. A resolution was made by Councilman Carl Thomas seconded by Councilwoman Ryan authorizing the expenditure of Occupancy Bed Tax Funds to the Stony Creek Free Library in the amount of \$800.00 for the Plein Air Show expenses, Art Educator \$200.00, a Naturalist that will identify wild herbs \$200.00, purchase a tent \$150.00, advertising \$150.00 and snacks and refreshments \$100.00. Roll call vote, all in favor.

Highway; New pickup truck:

Supervisor Thomas reported that Supt. Bradley gave him information he gathered specs for a gas and diesel 2016 and 2017 pickup trucks. Supt. Bradley stated you can't get a 2016 now they're 2017. If you put it out to bid someone may have a 2016. Supervisor Thomas stated so we are looking at 2017? Supt. Bradley stated more than likely. We can spec it out 2016 or 2017 and we may get lucky. Councilman John Thomas stated to see if they have leftovers. Supt. Bradley stated most dealers probably won't do that because they want you to order it unless they want to get rid of it. It takes 90 days to build it. They lose money if they take it off the lot. Supt. Bradley stated the difference he specked out is, he went with extended cab, different seat, and gas engine. Additional equipment has nothing to do with us. The plow we would do separate. The price concession last year was \$6000.00, this year it's \$8000.00. The seat is more money and the aluminum body is \$3000.00. You can't get away from that. Last year it was steel this year its aluminum. The diesel is considerable more money but would save it in fuel mileage.

Councilwoman Ryan stated also engine running time.

Councilman John Thomas asked if he would get a new plow for this. Supt. Bradley stated yes and suggested to sell the two pickups, (blazer and pickup) and move the red truck down to have a spare and use that money to buy a plow. Councilwoman Ryan stated the plow you have would work you just have to change things around. Supt. Bradley stated no it's totally, totally different, the wires, harness and frame mounts. Councilman John Thomas suggested keeping the plow for the red truck for plowing. He doesn't know how much a new plow would cost. Supt. Bradley stated \$4500.00. The biggest thing is the aluminum. Supervisor Thomas stated your thinking about a 2017. Supt. Bradley stated he would love it to be a 2016 if somebody had one but probably you're not going to get one. He would make the specs around a 2017 leftover 2016. Supervisor Thomas stated 2016-2017 is when they changed from steel to aluminum. Supt. Bradley stated yes. Supervisor Thomas stated the process you have here are, Supt. Bradley stated are from Warren Ford. If you bought a truck from them that is the best price you would get from them. It's basically a starting point for the Town Board. He did say when the specs for bids come out he will be looking at that. Supervisor Thomas stated it's up to the Board. Do you want to have him put it out to bid? Councilman Carl Thomas stated if you're going to bid on it, you should be looking into diesel to start with. Supervisor Thomas agreed. Councilman Carl Thomas stated it seems to be in part of what we were talking about last month. Supervisor Thomas stated if it's the consciences, spec out what you want.

Supt. Bradley stated it will be exactly what's on the paper, he will work with Warren Ford and write up the specs and not write it around Warren Ford but keep it. Supervisor Thomas stated how does this compare to the State Contract. Supt. Bradley stated there is no State Contract. It will be the same price as State Contract or cheaper because there is a percentage rate of how they do that. It would be the same if it was State Contract.

#### 4<sup>th</sup> Annual Ranches Rodeos and Wrangler Resolution:

091-16. A resolution was made by Councilwoman Ryan seconded by Councilman Nathan Thomas Town of Stony Creek Town Board June 21, 2016.

Resolution in celebration of the 4<sup>th</sup> Annual Ranches, Rodeos and Wranglers. Whereas, Dude Ranches have been for 90 plus years and continue to be a significant part of our Culture Heritage and Whereas, our local economy has benefited over the years not only from the operation of the ranches but from the many visitors they attract to the area and Whereas, the Wranglers and the Rodeos are what make a dude ranch a dude ranch, Therefore be it resolved, the Stony Creek Town Board happily supports the 4<sup>th</sup> Annual Ranches, Rodeos and Wranglers and celebrates Saturday July 23 as part of the National Day of the Cowboy, and Be it further resolved, we express a sincere thank you to Cindy Cameron and Pan Morin for their efforts in preserving and highlighting the Hay Days of the areas Dude Ranches and Wranglers. Roll call vote, all in favor.

From the floor:

Carol LaGrasse stated on Memorial Day in the park there was a most eloquent presentation by our Town Attorney James Cooper on the role of the United States and World Affairs countering all the misacquisitions and misconceptions that have become rather to common place about the role of the United States and eloquently describing history of the greatness of our country and its unselfishness participation in World Affairs.

Supervisor Thomas thanked Mrs. LaGrasse and agreed he did a great job.

Supervisor Thomas presented Town Attorney James Cooper with a plaque," Town of Stony Creek, NY presents to James W. Cooper in Appreciation and Recognition of his 23 years of Dedicated Service as Attorney to the Town of Stony Creek June 2016".

A motion was made by Councilman John Thomas seconded by Councilwoman Ryan to adjourn the meeting at 8:02 PM. all in favor, motion carried.

Respectfully submitted

Susan Harrington, RMC  
Town Clerk