

December 15, 2015

The regular Town Board meeting of the Town of Stony Creek was held on December 15th, 2015.

Supervisor Frank Thomas called the meeting to order at 7:01 PM with members present:

Councilman Nathan Thomas

Councilwoman Doreen Ryan

Councilman John Thomas

Councilman Carl Thomas

Attorney James Cooper

November 17th, 2015 minutes; corrections

Page 96 take out them, insert CRT's for free and pay additional for other electronics and they backed out.

Page 99 delete \$516.00 per \$1000.00.

Page 100 insert they are not anti-government.

A motion was made by Councilman Nathan Thomas seconded by Councilwoman Ryan to accept the November 17th, 2015 minutes with these corrections.

118-15. A resolution was made by Councilwoman Ryan seconded by Councilman Carl Thomas to pay the General Fund bills in the amount of \$10,065.27. Roll call vote, all in favor.

119-15. A resolution was made by Councilman Carl Thomas seconded by Councilman John Thomas to pay the Highway Fund bills in the amount of \$26,263.80. Roll call vote, all in favor.

Town Clerk report:

Conservation licenses	\$ 10.30
Death Copies	<u>\$110.00</u>
Total Town Clerk fees	\$120.30
Dog licenses	<u>\$ 65.00</u>
Total Town Revenues to Supervisor	\$185.30
NYS Ag and Markets	\$ 13.00
NYS Environmental Conservation	<u>\$228.70</u>
Total disbursed	\$427.00

Correspondence:

Dog log for October and November 2015.

Bonnie Bills-permission to use the town hall Saturday December 19th, 2015 for an Old Fashion Christmas Craft Sale.

Patrice Jarvis-Weber, Youth Planner-permission to use the town hall Saturday February 13th, 2016 with a snow date of February 20th for a Wildlife Education Program and Saturday March 19th, 2016 for a Build a Birdhouse Program.

Stony Creek Free Library-use of the town hall for a concert on Friday April 1, 2016.
Lotus Group of Companies-taxi services for Warren, Washington, Saratoga and Albany Counties and would like to have approval for starting a taxi service for the residents of Stony Creek.

A motion was made by Councilwoman Ryan seconded by Councilman Nathan Thomas authorizing Bonnie Bills to use the town hall Saturday December 19th, 2015 for an Old Fashion Christmas Craft Sale. All in favor, motion carried.

A motion was made by Councilman Nathan Thomas seconded by Councilwoman authorizing the following to use the town hall:

Patrice Jarvis-Weber, Youth Planner-permission to use the town hall Saturday February 13th, 2016 with a snow date of February 20th for a Wildlife Education Program and Saturday March 19th, 2016 for a Build a Birdhouse Program.

Stony Creek Free Library-use of the town hall for a concert on Friday April 1, 2016.

All in favor, motion carried.

Letter from Lotus Group:

Supervisor Thomas stated the town has no permits in place for taxi service, he can or have the clerk respond to their letter it will be a welcome service for the town. Councilman Carl Thomas stated we have other taxi's coming into town.

Old Business:

120-15. A resolution was made by Supervisor Thomas seconded by Councilwoman Ryan establishing a petty cash in the amount of \$100.00, for the purpose of making change when required in the performance of the Tax Collector's duty. Roll call vote, all in favor.

121-15. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas authorizing the Supervisor to sign the 2016 Senior Transport Agreement between the Town of Stony Creek and the Warren-Hamilton Counties Community Action Agency in the amount of \$5160.00 with \$1680.00 being reimbursed by the Office of the Aging.

Roll call vote, all in favor.

Sue Brooks, Boy Scout Leader will try to attend the January Board Meeting to update the Town Board on the basketball court, backstop and birdhouse projects.

Committee report:

Stony Creek Fire Co; Christmas Party:

Councilwoman Ryan stated the Stony Creek Fire co. Children's Christmas Party was a hit.

Supervisor Thomas stated he talked with Santa and he said it went very well.

Dean Farm Trails:

Supervisor Thomas reported the trails are pretty much complete, the actual trail part of them. The one thing it's lacking is the second wagon, that isn't quite finished. They are waiting for wheels, the main signs for the parking lot and there will probably be trail signs on the opposite side of the road, other than that it's pretty much finished.

He has been working with Cedarwood Engineering about a restroom facility. The town received a grant with the county's help to put in a bathroom at the trailhead. It's a 50/50 matching grant similar to the trail and he believes it was also for the enhancement to the parking lot.

Cedarwood did come up with three prices. Clivus Multrum. It's quite a fancy composting toilet. It has quite a fancy price tag on it also. WRS Outback unit, in Fort Collins, Colorado. It's an evaporative toilet. E-Loo. They all have various capacities and sizes. Between the both of them they agreed that the E-Loo was probably the most of what they needed. Supervisor Thomas gave the board a brochure of the toilet. Supervisor Thomas stated with that type of toilet you can buy just the toilet and build a small 8X6 building around it or they have a prefab building they put around it. It's an evaporative toilet, his understanding is there is a whirly vent on top that spins and evaporates the liquid and takes care of it. They made two options. The C-6 Model has 60 uses per day. Option one was with the prefab building. \$4,000.00 for the toilet, \$4,500.00 for the shipping, the building cost \$8,000.00, transport fees \$1,105.00, engineering was included and the minorities and women owned business movement fulfillment they put in \$6,000.00 for that. Total cost is \$23,575.00 for a complete ready to go unit. It doesn't include the floor. A cement floor will need to be poured.

Attorney Cooper stated when he was involved in the Adirondack Mountain Club Trails Program, they were looking to put a toilet at the Indian Falls location, which is back in pretty far, and they took a good look at it. One thing the town has to be on their guard about is Clivus Multrum and all the other ones is, and he didn't see anything in the brochure about it is, would it work in freezing conditions, that would be a real problem. He would be more inclined to go with the guy from Fort Collins than Texas for that reason. It is something to take a hard look before we plunge.

Councilman John Thomas stated this one operates off the heat, that's what makes the evaporate process. Supervisor Thomas stated part of the problem with Clivus Multrum is it needs daily or weekly maintenance. Councilman Carl Thomas asked if it would be a single stall, unisex. Are you going to have privacy? Supervisor Thomas stated it will be a single with a lock.

Carol LaGrasse asked how these odor evaporating things work when October starts.

Councilwoman Ryan stated the whirly on top may have something to do with it.

Carol LaGrasse stated she would question it and asked if anyone had one around here.

Councilman Nathan Thomas stated the Wild Center has one but doesn't know what brand. It's a composting type, he thinks it could be the E-Loo just from the pictures and what he has seen up there. Supervisor Thomas stated there is a manufacturing description that says the E-Loo treats waste through natural dehydration and evaporation. No water or electricity is needed for this system. If odors become present a solar-powered circulation fan can be installed.

The system separates liquid and solid waste and can dry the solid waste up to 5-10% of its original mass. The back of the unit must be placed in a location that receives adjacent sunlight and heat. The unit will have to be pumped out occasionally, usage dependent. Periodic cleaning will also be necessary. A hole roughly 8 foot in length and 4 foot wide, 3½ feet deep will be required for installation of the unit.

Supervisor Thomas stated the second option they have is like an 8X6 building. The same price for the toilet \$4000.00, \$525.00 for shipping. They figure the building cost \$8-\$10,000.00, there is no transport fees, engineering drawing \$2000.00, and minority of Women Owned business. Supervisor Thomas stated he thinks he can cut the price down on the construction of the building if we employ the temporary workers that we employed doing the trails. That would eliminate the \$6000.00 for the minority of Women Owned Business.

Councilman Carl Thomas stated it does say that it works down to one degree Fahrenheit low temperature so you could maybe put a heater pipe in there for interior.

Councilman Nathan Thomas stated what is the gallon of holds and how much use are the trails going to get in the Winter time. Supervisor Thomas stated it will get some, people do ski and snowshoe. He thinks they can cut the price considerable. It's probably nothing they will do before Spring anyhow. He wants to make the Board aware. If they get it done then maybe they will be able to put a second one in at the end of the trail.

Councilman John Thomas asked if they were going to meet the regulations of the self-contained unit with Warren County. Supervisor Thomas stated he thinks so because they have had conversations with Charlie Wallace, Administrator of Warren County Fire and Building Code.

New Business:

Warren County Intermunicipal Agreement; vacuum excavator:

Supervisor Thomas stated this is a proposed Intermunicipal Agreement with Warren County Soil and Water and all the towns. Soil and Water received a grant from NYS Environmental Conservation. The grant was to buy a vacuum excavator and then to use this to clean out culverts and storm drains. Part of it is a three-year usage. Soil and Water has to keep track of who uses it and where things are cleaned in Warren County because it is a re-imbusement grant. Warren County put up the money to buy the excavator. Actually the county brought it so it belongs to the county and everyone has to be able to use it, that's what the Intermunicipal Agreement is about. It's about the town being part of the agreement so the town can use it. Warren County shall retain ownership. The District of each municipality included as party to this agreement shall have the rights to possess and use the vacuum excavator as provided. The agreement shall commerce on execution by all parties and shall automatically renew from year to year without the need of further agreement not withstanding before forgoing. Any party may decide to terminate participation in this agreement within 60 days written notice to all partners. The county may terminate this agreement with 120 days notice to all partners.

Scheduling of Use: The District or municipalities using the vacuum excavator shall be solely responsible for the transportation of the vacuum excavator to and from the project location.

The general storage location for Warren County for the vacuum excavator shall be the DPW building located in Warrensburg.

Use of the vacuum excavator shall be in accordance with the manufacture instructions and special instructions of the Warren County DPW or the District. The vacuum excavator shall be used only for the intended purpose. Unauthorized use of the vacuum excavator or use in accordance of this intended purpose of manufactured instructions or set special instructions shall result in repercussion of privileges to use the vacuum excavator at such times if any districts or municipalities are in possession of the vacuum excavator they shall properly store, secure and safeguard the vacuum excavator from damage or risk.

Request to Use the excavator shall be made in writing and delivered to the DPW Superintendent or his or her designee and we have to indemnify and hold harmless Warren County. If we were to damage it we will be responsible for the cost of the repair of all damage. Supervisor Thomas stated he believes they were going to set up a training instruction session to give everyone instructions on how to use it. Councilman Carl Thomas asked if there was a fee for this. Supervisor Thomas stated no, no fee.

122-15. A resolution was made by Councilman John Thomas seconded by Councilwoman Ryan to enter into an Intermunicipal Agreement with Warren County for the vacuum excavator. Roll call vote, all in favor.

Occupancy Bed Tax:

Stony Creek Historical request of Bed Tax funds in the amount of \$264.80 for a pamphlet regarding the Stony Creek Historical Association and the Francis Dean Heritage Trails.

123-15. A resolution was made by Councilman Carl Thomas seconded by Councilwoman Ryan authorizing the expenditure of Occupancy Bed Tax funds in the amount of \$264.80 to the Stony Creek Historical Association to be used to pay for 1000 copies of a pamphlet promoting the Stony Creek Historical Association and Francis Dean Heritage Trails. Roll call vote, all in favor.

Union Negotiations:

Supervisor Thomas reported a meeting will be held on Thursday at 10:00 AM. Councilwoman Ryan will be attending and Councilman John Thomas will check to see if he will be able to attend.

Highway; Road and Driveway signs:

Councilman Nathan Thomas stated that there was a discussion of road signs missing. Dunbar Road and Councilman Carl Thomas is missing Seth Mountain Road sign again. Councilman Nathan Thomas stated that Councilman Carl Thomas suggested maybe making a plywood sign to see if that would stay longer and also Warren County uses this cross street a lot with EMS and fire calls.

Councilwoman Ryan also asked about the houses or mailboxes being numbered for EMS.

Councilman John Thomas stated Peter LaGrasse was going to check into that. They had a call on Lottie Farm Road and there was no indication as to what the house number was.

Basically he was talking to Peter about where there is multiple houses on private roads, at some point getting a number associated with them so they will know how many houses and what the house number is and have this placed below the road sign or on the edge on the driveway.

Supervisor Thomas stated it would help if you had house numbers and number of houses.

Councilman John Thomas stated depending on what the County has them listed is what the numbers are. On most roads you can do that. Pine Tree Lane is a little tough unless you use that as your main road and gives house numbers but if it branches off it starts another number system. A lot of times they won't tell you it's on Pine Tree Lane, they use it as a cross street. Most of the time the squad and fire dept. knows but other agencies coming in for mutual aid makes it kind of tough to find out where you're going.

Carol LaGrasse stated that Peter met to be here but was unexpectedly delayed and she hears a lot of this things and sometimes he discusses it with her. All the roads you have talked about, that she is aware of, they do have number systems on them, on private road. The one that went out for Lottie Farm, that was wrong on part of the stature. They were already given the map of Lottie Farm Road with those numbers, but the family, even the families don't remember their numbers and sometimes you have families that don't want to be on the private road so it gets complicated. The whole system is there and it's all been communicated to the county it's all been put on the maps. Councilwoman Ryan stated they are saying to either have it on the mailbox or the house itself. Carol LaGrasse stated there are people who don't keep up with it. They maybe aged and not about to keep up with these things or they just really don't want to use those addresses. It's hard to deal with that but that's a system that has to be followed for emergency purposes. There are standards for that now and our town has all that set up and communicated to the County, corrected and recommunicated again. It's very thorough.

Councilman John Thomas stated somehow we have to clarify it and he has talked to Peter about it. Ledge brook Lane is an example. There are three separate residents off of that and there are no numbers near the driveways or the road. The county and town may have the numbers but they are not listed on the road or driveway. They are trying to get the numbers out by the road where the name of the road is. If they call mutual aid for a fire, sort of looking for the orange glow, they aren't going to know where the number is because the numbers aren't listed. They aren't going to know there is three separate residents on Ledge Brook Lane. Carol LaGrasse stated they have been communicated and they should also before each of the private roads there should be a road or a sign. On Warrensburg Road for Ledge Brook Road, if there is or not she hasn't noticed but that is the system. They are all numbered and if the person doesn't put a number on their house that's an issue, what are you going to do if they don't want a number on their house, the numbers have been communicated. Councilman John Thomas stated they are trying to get the numbers out by the road where the name of the road is. Supervisor Thomas stated it's more for people from Warrensburg and Luzerne EMS and fire.

Councilman Nathan Thomas stated yes it's more the outside agencies and more for the dispatchers too. Where he lives on Hill Road the house number is on the mailbox, so when they come to the mailbox the driveway isn't there it's down on another road, it's just confusing for response. Saratoga and Luzerne has it where if it's one road to another it gives the house numbers by the road.

Councilman John Thomas and Councilman Nathan Thomas stated that's what they want to do. They just want to add another line to the road sign that tells the house numbers on the street.

Councilman Nathan Thomas stated that Councilman John Thomas has the same problem with his rental houses on Hadley Road. When they call they have the house number and they dispatch Luzerne because of the mail district. House numbers and mails districts get confusing at times.

Councilman John Thomas stated when they get a call to Ledge Brook Lane or Seth Mountain Road the 911 is still a Warrensburg address so they aren't getting dispatched to those addresses or use them as cross streets but its still Warrensburg Road. Councilman Nathan Thomas stated the house all the way in is 268 Warrensburg Road and its actually Ledge Brook Lane but still the mailbox number and house numbers though 911 is 268 Warrensburg Road. Councilman John Thomas stated there is a lot of them like that. Councilman Nathan Thomas stated its not on being assigned a number or not using the number or not associating the number with 911 address and short of them going door to door and calling the county and saying I'm a member of the fire co. I'm going to call 911 in a minutes let's see what this comes up for, it's difficult to figure out until it's used. It's based off house numbers or whatever they're using. Mr. Burkhardt has a Warrensburg P.O. Box, who knows where 911 is going to ring out of his house. So if they are basing your houses off your PO Box number we have no idea where the 911 system is going to go. That's where the difficulty comes in.

Attorney Cooper asked if they considered when sending the dump tickets out to piggyback on it saying the emergency services, especially outside agencies, is having trouble finding these buildings and you're encouraged to put a number on your house. Councilman John Thomas stated the number on the house is where the issue is coming because the houses aren't visible from the road. Attorney Cooper stated you can say at the end of your driveway. Councilman Nathan Thomas stated due to HIPPA Laws, dispatchers no longer call and say respond to so and so's house because they can't put the name over the scanner.

Carol LaGrasse stated they contact the Assessor, who is the street address facilitator so they can have their electric hooked up but they don't put there address up.

Supervisor Thomas will stop by DPW tomorrow and order a Seth Mountain Rd. and Dunbar Rd. sign and get a couple other signs.

Supervisor Thomas stated the Postal Zone maybe a fight the Town Board may want to take on because he doesn't see why Stony Creek isn't one Postal Zone. He doesn't care if it's convenient for the Hadley Mail Person to drive up over Hadley Hill. They can stop delivering the mail and still drive up over Hadley Hill. He thinks it's something we should contact Congresswoman Stefanik about.

He does believe the town and county is losing sales tax money. It also causes problems with voting and thinks that's an issue the town should take up with them and have it changed. Councilman Nathan Thomas stated it also causes problems with auto and homeowners insurance rates. Supervisor Thomas will draft a letter to be sent to Congresswoman Stefanik.

124-15. a resolution was made by Councilwoman Ryan seconded by Councilman John Thomas authorizing the following budget transfer:

Debit A1990.4 Contingent in the amount of \$3787.99.

Credit A1620.1 Buildings Person Services in the amount of \$2351.69.

Credit A9030.8 Social Security in the amount of \$1226.30.

Credit A7989.4 Other Culture (Library Grant) in the amount of \$210.00.

Roll call vote, all in favor.

125-15. A resolution was made by Councilman John Thomas seconded by Councilman Nathan Thomas authorizing the following budget transfer:

Debit A7310.1 Youth Services in the amount of \$1000.00.

Credit A7310.4 Youth Contractual in the amount of \$1000.00.

Roll call vote, all in favor.

126-15. A resolution was made by Councilwoman Ryan seconded by Councilman Nathan Thomas authorizing the following budget transfer:

Debit Unfunded Balance in the amount of \$15789.99.

Credit A7180.1 Special Recreational Personal Services in the amount of \$12,143.98.

Credit A7180.4 Special Recreation Contractual in the amount of \$3646.01.

Roll call vote, all in favor.

127-15. A resolution was made by Councilman John Thomas seconded by Councilwoman Ryan authorizing the following budget transfer:

Debit DA5120.4 Bridges in the amount of \$6537.40.

Debit DA5140.4 Brush and Weeds in the amount of \$2058.49.

Debit DA5110.4 General Repairs in the amount of \$3614.22.

Credit DA5130.4 Machinery in the amount of \$12,210.11. Roll call vote, all in favor.

From the floor:

Carol LaGrasse stated she has been following the newspapers about the controversy of Paul Dusek and the Siemens Contract. She was very moved by the nastiness of it because he was being blamed for something that would have been engineer. She herself would ask for a proposal for large municipal industrials projects similar to this and did it for a life engineer. Lawyers worked on a contract for her and she had to understand a little bit about the mechanical engineering process and also the economic analysis was something the engineer would do rather than an attorney.

It had to be really malevolent to blame him for what went wrong on Siemen's and furthermore he put a clause in the contract that the price came in on the operation of it higher than the previous operational cost. Siemens agreed to make up the difference. He has done his job as a lawyer superbly by her looking on the outside reading the papers. The reason she is bring this up at this Town Board Meeting is because they took a vote of confidence and actually there were several Supervisors who voted no confidence and she thought that was so unprofessional and so mean spirited but "Our" Supervisor voted decently and would like to say Thank You. Supervisor Thomas thanked Carol and stated Paul Dusek is one of the finest individuals that he has had the privilege of being associated with. It's easy to look back ten-years and point fingers and that's all he will say.

Supervisor Thomas reported that the Organizational Meeting will be held on Saturday January 2nd at 10:00 AM.

NYS Association of Towns meeting will be held February 14th -17th, 2016 in New York City.

Supervisor Thomas wished everyone a Merry Christmas and Happy New Year.

A motion was made by Councilwoman Ryan seconded by Councilman John Thomas to adjourn the meeting at 8:12 PM. All in favor, motion carried.

Respectfully submitted,

Susan Harrington, RMC
Town Clerk