

November 18, 2014

The regular Town Board meeting of the Town of Stony Creek was held on November 18, 2014. Supervisor Frank Thomas called the meeting to order at 7:02 PM with members present:

Councilman Nathan Thomas
Councilwoman Doreen Ryan
Councilman John Thomas
Councilman Carl Thomas
Attorney James Cooper

October 21, 2014 minutes; corrections

Councilman Carl Thomas asked that the following corrections be made.

Page 233 take out some standing with saying, insert the same standard which says.

After position take out period.

Page 234 take out for insert at.

A motion was made by Councilman Nathan Thomas seconded by Councilwoman Ryan to accept the October 21, 2014 minutes with these corrections. All in favor, motion carried.

November 12, 2014 minutes; corrections;

Councilman Carl Thomas asked that the following corrections be made:

Page 245 Councilman Carl Thomas stated the minutes are supposed to reflect what goes on at the meetings, actual things, it's not edited right or are they edited. Supervisor Thomas stated they are the clerk's minutes, it's up to the clerk. Attorney Cooper stated edited as to, for instance the Town Clerk e-mails him the minutes and he makes corrections to typo error or if context is screwed up but he doesn't add anything that didn't happen or take away anything that didn't happen. Councilman Carl Thomas stated his question is are they supposed to reflect the actual record or are they edited record. He has a specific reason for asking that. Attorney Cooper stated edited in what sense? That the clerk isn't entitled to, it's obviously not a verbatim transcript of every word that's spoken, so in that sense it's edited in that sense. She gets the just of the Councilman/woman's remarks when they make them. They are supposed to be accurate and then when you approve them. If you feel that there not correct then that's your chance to make changes and see if the board agrees with you.

Councilman Carl Thomas stated ok and what he is getting at is in the, when it was opened up to the floor, Carol LaGrasse wanted to make some comments on that and she wanted to comment specifically on the hair brained scheme that Carl Thomas had opposed to adjusting assessors salary's and went on to reduce the salary of the Chairman and the budget and Councilman Carl Thomas thought that the hair brained scheme kind of being left out, he doesn't know if it should be because he kind of referred to that later on.

Supervisor Thomas stated if that took place and you want it in there now's the time to do it, that's why we approve them. The Town Clerk stated she scans the letters and puts it in the minutes, but if there are corrections now is the time to do it. Councilman Carl Thomas stated her letter is fine, it's when she asked about it, and she wanted to address the hair brain scheme that he proposed. Supervisor Thomas stated so you want that part put in.

Councilman Carl Thomas stated yes he does. Supervisor Thomas stated that's why we approve them as long as it took place, we don't want to make stuff up.

Page 251 Take out things and insert training.

Page 254 Carol LaGrasse shouted out that's a lie and then stated he has never called her house and Councilman Carl Thomas asked how she got into this discussion and asked if Peter didn't have a phone in his office at the town hall. Supervisor Thomas asked what the second part was. Councilman Carl Thomas stated Carol had said that he hadn't called her house and Councilman Carl Thomas said doesn't Peter have another phone he can use in the town hall, doesn't he have one in the office.

A motion was made by Councilwoman Ryan seconded by Councilman John Thomas to accept the November 12, 2014 minutes with these corrections. All in favor, motion carried.

115-14. A resolution was made by Councilman Carl Thomas seconded by Councilwoman Ryan to pay the General Fund bills in the amount of \$9,875.38. Roll call vote, all in favor.

116-14. A resolution was made by Councilwoman Ryan seconded by Councilman John Thomas to pay the Highway Fund bills in the amount of \$16,007.34. Roll call vote, all in favor

117-11. A resolution was made by Councilman Carl Thomas seconded by Councilwoman Ryan to pay the Fire Fund bill in the amount of \$2,011.57.

Discussion: Councilman Nathan Thomas asked if this was for Workers Comp. Supervisor Thomas stated no it is a charge back on taxes from the county. It was a total of \$3513.04, there was a bill in the General Fund and Highway. It had to do with the exemptions from last year. Councilman John Thomas had a question about the letter the Attorney Cooper gave the board on conflicts. The reason he is asking is it's obvious he is on the fire co. he is the Chief and Trustee there. Is it appropriate for him to be voting on fire co. matters? He's reading what he has here and that is his question? Councilwoman Ryan stated she is also in the fire dept. along with Councilman Nathan Thomas.

Attorney Cooper stated, "probably not". A literal application of what this attorney says. He will get into this more in old business. Some of the issues aren't as clear cut as they might seem. What happens if you and Doreen disqualify yourself and you don't have a quorum? Councilman John Thomas stated that's his question, that's why he's asking now. Attorney Cooper stated he thinks you would have to put the payment of the bill over to the next month or and let's say there were three of you on the board that were in the fire co. Supervisor Thomas and Councilwoman Ryan stated there is. Attorney Cooper stated then he would guess you would say there is an appearance of a Conflict of Interest and it's unavoidable. The public is aware of this and you could suspend the meeting temporarily and ask if any members of the public have a comment or reservation and let them be heard before you take a vote on it. He doesn't see how else you can do it. Supervisor Thomas stated we have a motion and a second and asked if there was anyone from the public that has any comment. This is a Fire Protection bill in the amount of \$2011.57 for charge back from taxes from Warren County.

Carol LaGrasse stated she couldn't hear a word that was said until Attorney Cooper spoke, so what are you talking about.

Supervisor Thomas stated Conflict of Interest in paying the Fire Protection bills. Councilman Nathan Thomas stated due to the fact that there are three members on the board who are members in the fire dept.; himself, Councilman John Thomas and Councilwoman Doreen Ryan. The question is; it was bought up under old business under Attorney Cooper. The question was raised about recusing somebody from the board due to Conflict of Interest. So is it the Conflict of the Interest for the board members to act on the Fire Protection Districts action is the question we are raising to the public.

Carol LaGrasse asked if she could make a remark. That's been a question for many years and though the gale of legality of it, it was never clear to her personally and has no insight to add to it. It will be an interesting point now that there's statue veterans of the fire co on the board, we couldn't exactly have a vote with the majority turned out to be a Conflict of Interest. It would be a nice thing perhaps to have the Attorney look into.

Supervisor Thomas stated he thinks he has.

Attorney Cooper stated in this situation you could probably state that administrative bodies that concern themselves with these things would view this as a ministerial act, to pay a bill is not in the same classification as taking a vote on policy direction, so it's safer for the board since we can't have a quorum otherwise for the board members to honor the town's obligations by voting on paying a bill rather than for instance, another consideration of whether the fire co. should plow the library's parking area, that's horse of a different color but it's still a problem. He guesses we will just have to take it when problems come up. He can't say it's a blanket problem right now. The Board shouldn't be crippled however by the ethics, or the bills never get paid or no decision is ever made. He is sure the State didn't intend that.

Roll call vote, all in favor.

Town Clerk report:

Conservation licenses	\$ 83.19
Death Copies	20.00
Copies	<u>0.25</u>
Total Town Clerk fees	\$ 103.44
Dog licenses	<u>55.00</u>
Total Town Revenues to Supervisor	\$158.44
NYS Ag. and Markets	11.00
NYS Environmental Conservation	<u>\$1425.81</u>
Total disbursed	\$1595.25

Correspondence:

Dog Control report- October 2014

Thomas Cutler- asking to be reappointed to the Board of Assessment Review.

Anita Braman-resigning as Tax Collector due to health reasons.

Old Business:

Assessment; Town's Code of Ethics

Supervisor Thomas stated that he knows Attorney Cooper has spent some time looking at questions raised at the last board meeting about the Assessor's position and also about Conflict of Interest.

Attorney Cooper stated like many times dealing with lawyers and the law, answers are squishy and unsatisfactory vague. There are some things here that are pretty clear cut and one of the first issues he was asked to research was how can the salary of an elected official be reduced. The answer is in the Municipal Home Rule Law Section 23 subdivision (2) (c). You can only reduce a salary of an elected officer during his term of office by local law subject to Mandatory Referendum. So it would be an expensive procedure for the town because basically you would have to get the election machines over here and conduct a vote that way. Supervisor Thomas stated if it's Mandatory yes. Attorney Cooper stated otherwise you could do it during the budget process, which answers another question. What would be the procedure to restructure the Board of Assessors? Again he answered this question a half a year or so ago. The State Law favors having a single Assessor because it's a one-way street if you enact a local law again subject to Mandatory Referendum because you're eliminating an elective office. If you do it you can't undo it. So once you've gone to an Appointed Assessor or reduce the Board of Assessors to one Assessor Elected, you can't go back to three. He has other supplemental things on that, that he will get into now. He called the Association of Town's, the Joint Commission on Public Ethics and spoke to a lawyer named Lori Mithen on the subject of recusal. Her attitude was that the board member obviously can't participate or vote on the decision but he doesn't have to remove himself from even the board or certainly not the room and can participate if it's generally opened to the public to discuss the pros and cons of the issue. Her opinion is the opposite of this other lawyer, Natasha Phillips who works for the Department of State and she's the one whose e-mail he handed out to the board. She didn't say in the e-mail but she said the official is supposed to leave the room or at least there is an opinion to that effect, because even their presence in the room could be deemed intimidating for the other board members, or the public might perceive it as a nudge, nudge, wink, wink kind of operation. Frankly he doesn't think too much of that opinion. He doesn't believe there's any sanction if you don't follow that opinion. So if the situation comes up and we don't have our own Code of Ethics, which we have, it hasn't addressed this. Supervisor Thomas stated no. Attorney Cooper stated we could address this in our Code of Ethics and say, you know it's either permissible for the board member to sit in place and be silent or you could say the board member has to leave the room. It's up to the town to decide what its level of comfort is with this requirement. That maybe something that can be put on the agenda for some point in the future. But like he says there are these two State Agencies and two different opinions running in opposite directions so they both would agree that an interest, vested interest in the outcome of the policy being discussed requires recusal. So he doesn't think there's any issue about that. This is where it gets confusing. He understands the board passed on Councilman Carl Thomas's suggestion about restricting the Board of Assessor's about getting financial incentives for training programs. Here we have two exactly opposite opinions, the Comptroller's Office has issued an opinion, which says there is no provisions in town law for fixing salaries of elected Assessors in different amounts except the Chairman's

salary, which can be the amount greater than the others and another Comptroller's opinion says an Assessor who has completed training may not have his salary fixed by local law in the amount greater than those still in training. Contrasted with that you have an opinion of the Counsel of the State Board of Equalization and Assessment and he says the town may enact a local law providing for salary increments to its members of the Board of Assessors who have successfully completed some of all of the training required by law. So to him those opinions of the respective counsel in different State Agencies are diametrically opposed to each other because you can't have somebody at a certain level of training receiving a salary lesser or more than his companion who hasn't obtained that level of training. That's what the Comptroller's Office says and the State Board of Equalization and Assessment says, "no that's permissible." Since it has become an academic issue apparently he won't indicate what course of action he suggest the town take but that's the result of his research. Finally noting Anita Braman's letter today. Town Law Section 36 says that the Town Board can appoint the Town Clerk to collect taxes by resolution, we don't have to go through a Local Law and Mandatory Referendum process. Here again apparently it's State Policy inconsistent with the other requirement of the Municipal Home Rule Law. If you're going to eliminate a public office you have to have a local law and referendum and here specifically is a general State Law that says you can do it by resolution. So his opinion is if that's the way you're going to proceed to replace the Collector by having the Clerk collect the taxes that you can do it by resolution. That's the result of his work.

Councilman John Thomas stated we don't really come up with a definite answer. Attorney Cooper stated with some of the issues yes, he thinks the way probably to handle the recusal thing is to tweek the Code of Ethics for the town and have what the sense of the Board is, what you want to do. His personal value system is, he doesn't think he would be intimidated by somebody sitting next to me who says, I recuse myself and I won't participate in it, but down in Albany they think it's a more sensitive subject or maybe the members of the board may think it's more sensitive and it would be more appropriate for that person to leave at least get up and go sit in the audience, that's you're call.

Councilman Carl Thomas stated he has a question, he can understand if you're talking specifics where you would be increasing the salary of your own people when you're looking at the Board as a unit and you're trying to restructure or get it functional. Would you still think it should be in that conversation or shouldn't be voting on that because you're doing something basically to improve town government? He says and he thinks it should be unfortunate if everybody have had their opinion. Attorney Cooper stated in specifically with regard to this issue your reconstructing Stony Creek's Assessors along the lines you have been discussing for some time he thinks Councilman John Thomas would have recused himself if his son is an Assessor.

Councilman John Thomas stated he thinks he would have to recuse himself.

Councilman John Thomas stated would that be the compensation itself or would it be on the change of wages or amount or the total conversation as far as the compensation of the office changing the office of how it works. Attorney Cooper stated he thinks you would have to do it both ways that would be his opinion.

Councilman Nathan Thomas stated he found something under the Town Board powers, its Town Law Article 3-4 and it actually says for Town Board Members Powers. The town board fixes the salaries of all town employees and is not required that the town board member abstain for voting

when the board votes on fixing the salary of an employee who happens to be a spouse or would it be considered family. Attorney Cooper stated is this an opinion or is it statutory? He will have to look at it. This came up in the 1990's when Ronda (Supervisor Thomas's wife) was going to be Frank's (Supervisor) Confidential Secretary and they researched it at the time and decided it was not a conflict in the sense that it wasn't nihilism, in the since that is prohibited by State Statues. You have a town like this with 700 souls and a good number of these are children and not everybody has the skills and background necessary to do the job like that so at the time the board felt it wasn't an issue. The way it worked out he doesn't think there's any reason to change that position. Until he looks at this section he couldn't say whether that exempts Councilman John Thomas from recusing on issues relating to his son's salary as an Assessor. It may superficially, it does look like he is precluded he will give way to the law if the law is different. A lot of the stuff, he isn't talking about the recusal but the restructuring, changing of the elected officers probably should be done in the budget process because you can fold it in, a Mandatory Referendum, fold it in to the meeting where the public approves it and you don't have to do that if it's part of the budget just to eliminate the salary. Efficiently and thrift would indicate you try to do as much of this in the budget process as possible.

Committee reports:

Stony Creek Fire Co:

Councilwoman Ryan reported the Fire Co. will be having a Christmas Party December 20, 2014. Sign-up sheets are placed at the stony Creek Marketplace, post office and the library.

Veterans; Boy Scouts

Councilman Nathan Thomas reported he talked with Sue Brooks. She has two Boy Scouts that are ready for Eagle Scouts project. He believes one has met with Supervisor Thomas on the back stop at the rec. field and the other one is talking about possibly re-working the Veterans Memorial at the park. Hopefully we can work on that and point them in the right direction. Supervisor Thomas stated he met with Delbert Clements on Veterans Day and he is interested in replacing the back stop at the ball field at the town park. He hasn't put together the size and exactly what he wants to do. He told him when he got to that point to come back and see him and he is looking to raise some of the money and Supervisor Thomas told him the town would help with some of it. He wants to do it in the Spring.

Stony Creek Library:

Supervisor Thomas reported that at the public hearing he stated he hadn't received a Profit and Loss from the Library that's incorrect he does have a Profit and Loss from the Library from 2013.

ESF Property; Dean Farm Trails:

Supervisor Thomas reported he met with Robert Quinn from ESF Foundation and a gentleman, Bob Davis who is a forester. They were here and traveled around the property at the Dean Farm and looked at the trail system. They talked about that.

Supervisor Thomas required about possibly getting a second student intern to update the notebook that was done in 2008. He was favorable on that and it sounds like Mr. Davis will be taking over Mr. Quinn's responsibilities.

New Business:

118-14. A resolution was made by Supervisor Thomas seconded by Councilman John Thomas to re-appointed Thomas Cutler of 67 Hadley Road, P. O. Box 153 Stony Creek, NY 12878 on the Board of Assessment Review, his term will expire September 30, 2019. Roll call vote, all in favor.

Tax Collector:

Supervisor Thomas stated the letter was read, Anita Braman will resign at the end of this month. With that resignation we have the opportunity to do something because someone has to send the tax bills out by January 1st. Does anyone have any feeling about that? Attorney Cooper said we can by resolution move the duties to the Town Clerk if that's what the board desires.

Councilman John Thomas stated he doesn't think we have anyone else experienced enough to take over right now, she's been doing it for a long time now. Nobody else would be able to jump in and get it. Supervisor Thomas stated true. Councilman Nathan Thomas stated once we moved to the Town Clerk we don't go back to an elected. Supervisor Thomas stated he doesn't think so, he doesn't think we have that option. Attorney Cooper stated no he thinks it's a one-way street again, like with the one assessor. Councilwoman Ryan asked if it's something the Town Clerk wants to do. The Town Clerk stated yes. Councilman John Thomas stated once we appoint the Town Clerk you can't go back to elected. Attorney Cooper stated he has his doubts on that he will report back to the board next month but he guesses in light of all the other direction requirements and statues relating to assessments and this is in that vein that probably stays. Mr. Page stated just an idea with this all coming so sudden. We knew things were changing, shouldn't it be like posted in the newspaper that the position is available and see if somebody is responsible and wanting to do the job also. Supervisor Thomas stated that's an option but it's not required to be published. If the town board decides for it to go to the Town Clerk it's not required to be published,

Mrs. Cutler stated doesn't most of the towns have the clerk do it. Supervisor Thomas stated he thinks the majority of them do it. There are probably a few that don't.

Mr. Drake stated if the job is abolished, the Town Clerk gets compensated for the additional work. Supervisor Thomas stated he would think so, it's up to the board.

119-14. A resolution was made by Councilwoman Ryan seconded by Councilman Nathan Thomas to abolish the position of Elected Town Tax Collector

Whereas, the Town Board of the Town of Stony Creek wishes to abolish the Office of Tax Collector effective November 30th, 2014.

Whereas, the Town Board intends that the Town Clerk shall assume the powers and duties of the Tax Collector as of December 1, 2014 and now, Therefore, Be it resolved, that the Elected Office of Town Tax Collector is hereby abolished effective November 30, 2014, and

Be it further resolved, the Tax Collector shall, on November 30, 2014, turn over to the Town Clerk all documents and property in her possession related to the Office of Tax Collector, and, Be it further resolved, that the Town Clerk shall assume all responsibilities and powers of the Tax Collector upon the abolishment of the Office of Tax Collector.

Discussion: Councilman Carl Thomas stated we would have to set hours and things. Does that come down the line/road somewhere or does the Town Clerk set the hours?

Supervisor Thomas stated he would leave it to them first. If there's a problem then he thinks the board would set them. Councilman Carl Thomas stated in the conversation that would be decided later. Supervisor Thomas stated we can decide that after we vote to abolish it if that's what we decide. Councilman Carl Thomas stated he hates centralizing everything. In this area it's hard to find people interested in serving. Supervisor Thomas stated he thinks it would make it a little more convenient for people to pay their taxes. It's at the Town Hall, it's plowed out, taken care of and its handicap accessible. Councilman Carl Thomas stated you can set the place like that. The Town Board can set where their collected, have an office here at the town. Supervisor Thomas stated he isn't quite sure because we tried that with Anita and it didn't work out so well.

Mrs. Cutler stated it would be nice if it's here. Because everyone knows where the town hall is. Councilman Carl Thomas stated he would think the law would tell you what authority we have. Supervisor Thomas agreed and stated he would have to refer this to the attorney for sure. Councilman Carl Thomas stated he would like to find that out. Attorney Cooper stated there had been problems not indicating who's at fault for these problems about collecting the taxes, the tax revenue being forwarded to the Supervisor by the collector. Supervisor Thomas stated that has been a problem. Attorney Cooper stated if the Town Clerk was down the hall, Supervisor Thomas could get out of his chair and go ask, "Where's the dough". Roll call vote, Councilman Carl Thomas-abstained, Councilman John Thomas-yes, Councilman Nathan Thomas-yes, Councilwoman Ryan-yes, Supervisor Thomas-yes.

Budget transfers:

120-14. A resolution was made by Councilwoman Ryan seconded by Councilman Carl Thomas authorizing the following budget transfer:

Debit A1330.1 Tax Collector Personal Services in the amount of \$329.45

Credit A1410.4 Town Clerk Personal Services in the amount of \$329.45.

Roll call vote, all in favor.

121-14. A resolution was made by Supervisor Thomas seconded by Councilwoman Ryan authorizing the following budget transfer:

Debit A1330.4 Tax Collector Contractual in the amount of \$1310.42.

Credit A1410.4 Town Clerk Contractual in the amount of \$1310.42.

Roll call vote, all in favor.

Youth Commission:

Councilman John Thomas stated he had had a couple of parents ask him about what's going on with the Youth Commission or if anything is going on with the youth commission right now. Councilwoman Ryan stated she talked with Marcy and she may be interested in doing it next year. Councilman Nathan Thomas stated he talked with Joann Mosher and she talked about doing something in December and Patrice Weber has an event for a Puppet Show at the Library. So as far as the afternoon program, the main censuses, anytime they tried one between sports and everything else, homework and dinner most kids don't seem to be interested in that after school program. Marcy even said a lot of times it ended up being her and her two kids. So she went home. Maybe if there are parents interested in the after school program we could look at it. Supervisor Thomas stated he hasn't heard anything going on. It is an appointed position each year. Councilman Nathan Thomas suggested putting a letter out for the appointed position for January's meeting. Supervisor Thomas stated he doesn't have much communication with Joann to be perfectly blunt about it. She doesn't stop by and talk to him or tell him what's going on. Councilman Nathan Thomas stated he doesn't either unless he gets a hold of her. Councilman John Thomas stated some of the just of the parents too, they didn't have any clue of what was happening. Councilman Nathan Thomas stated he would be willing to open it up in January for letters.

A motion was made by Councilman Nathan Thomas seconded by Councilwoman Ryan to accept Letters of Interest for the position of Youth Director. Letters will be received until December 16, 2014. Applicant will be appointed at the January Organizational Meeting. All in favor, motion carried.

Councilman Nathan Thomas stated back to the letter of recusal procedures for personal. For himself as far as fire co. business. He is a member of the fire co. he doesn't serve on the fire co. board, he doesn't hold a corporate office. So himself personally, he doesn't have anything to do with expenditure of funds for the fire co, so he doesn't find the need to personally recuse him from the fire co. procedure. Because once it leaves the board he has no control over the money. That's his personal thought on it. Councilwoman Ryan stated he's not a Trustee and she isn't a Trustee. Councilman Nathan Thomas stated that his feelings are everybody in town knew he was a firefighter/EMT when he ran for election and it's not like it's something new for him or for any of the board really. That has always been his thoughts when voting on fire co. issues. It's not a personal benefit to himself, it's to benefit the town for firefighting purposes or the rest of the firemen. So short of the service award points there is no personal benefit. As far as the service award points its equal enough for all members, it's not like being on the board and he gets a more reason for the service award points. Councilwoman Ryan stated its volunteer fire co, everybody does it. Councilman John Thomas stated there's no personal benefit for any of them. Attorney Cooper stated there's no financial benefits. Attorney Cooper stated we could also earmark this issue to modify it with the Town's Code of Ethics. Make a specific reference to issues relating to the fire co. in which a board member has no financial reason to gain or lose and allow you to vote under those circumstances.

Councilman John Thomas stated he would like to see what we have to do in them lines. To do it so there is no question afterwards. As far as the budget we get the same each year, increase in percentage is the same as the Library and Historical gets. He personally doesn't see a conflict everybody knows that we're all involved in the fire co. Any changes we need to make he would like seen written up in the first of the year if possible, get it done and over with. Supervisor Thomas stated it's always been an issue to some degree. He will get Attorney Cooper's help and see what they can come up with.

Bed Tax:

Councilman Carl Thomas stated there was an article in today's paper about bed tax at the county and it stated in there that all the small towns will be given an additional \$10,000.00 per year. Are they all at the same level or do they get different amounts depending on size. Supervisor Thomas stated the way it works everybody gets \$30,000.00. There is 1% that goes to the towns. So the remainder of the funds of the 1% is divided up by assessed value, same as property tax. Councilman Carl Thomas stated the way the article read is they all got \$30,000.00 and get an additional \$10,000.00. Supervisor Thomas stated that is the plan. The new plan would be to the smaller towns all but Queensbury, Lake George and Bolton would get \$10,000.00 more but there still is additional money in the 1% that would go, for example Queensbury probably gets close to \$15,000.00, Lake George \$100,000.00 instead of \$10,000.00. Bolton and Queensbury getting additional \$40,000.00.

Councilman Carl Thomas stated the Civic Center is going to be getting a portion of that too. Supervisor Thomas stated right 2½% for three years. Councilman Carl Thomas stated he didn't understand the way it read. Supervisor Thomas stated that's the plan and it will be voted on Friday.

Councilman John Thomas stated it sounds like the rules are changing as to how they can or where they can allocate the bed tax money to, like the Civic Center. Supervisor Thomas stated the county is going to make them account for it as far as events. They're going to have to promote events because that's what the money is for also when it was started the county wanted to collect money before it started spending money. So it collected a year and a half of years before it started spending any of it. There is a considerable amount of money that sits in the Fund Balance that's part of this plan. If it's done properly it should be spent down over a period of 5-8 years without going broke. That's the idea plus there's \$50,000.00 that will be set aside right now, it's proposed for the towns, like if a town has a grant that they need a match for or if they have a project that they want to do, they can go to the county and apply for it, you compete with the other towns. Plus there's \$100,000.00 set aside to help rehabilitate, what promotes the county that has problems like the fairgrounds and fish hatchery and Up-Yonder Farms.

Councilman Nathan Thomas stated during the budget he asked about the financials for the fire co. In their contract he is referring to is, they're supposed to do a report by Oct 1st of their interim financial report for the year 2014, he was wondering on that, it's supposed to help the Supervisor with the budget. Supervisor Thomas stated an interim report? Councilman Nathan Thomas was wondering if he received that. Supervisor Thomas stated no, the one he has is for 2013.

From the floor:

Carol LaGrasse stated she wanted to make an additional correction, this is hard to get in detail because she doesn't have a verbatim of everything that was said at the meetings, but the meeting before where Councilman Carl Thomas referred to her calling out in the meeting. One or two meetings before that the question had arisen where someone on the Town Board had asked Peter how much the other Assessors came in. Something like that and he said something to the effect that Brandon came in briefly at the beginning of the year. There wasn't much to it and when Carl spoke at the last meeting he made a point that Brandon was his Great-Nephew that came in to work as an Assessor, something to that effect. She can't remember the wording and he continued to call the Assessors, something like that. She looked back at Peter and Carl may not have looked back at Peter, but Peter shook his head left and right like he was saying no, no, no. So that meant he hadn't called Peter at the Office, She knows who calls at her house, so the alternative Carl was saying was Brandon called Peters house, well no one called at the house and she knows who calls at her house because she is the one whose always home. So that's the explanation, whatever the implications are she's not speaking to that.

Attorney Cooper stated that Mr. Page suggested advertising for the Collector of Taxes position. That is a luxury we don't have at this point of time because the present Collector didn't resign until this month and we have to collect taxes in January so the board really had to act tonight to get that process in motion. They didn't have time as he sees it to advertise for the skilled person for this position. He assumes that is the genesis of the reason why it was done tonight and your suggestion wasn't acted upon.

Mr. Page stated he understands it was all sudden he knows she's been ill for some time, just under short notice maybe there's some members of the community that didn't know about it and wanted to be here tonight. That's why he bought it up if it's out there as due process even with the youth administrator he would think that it would be the same rather than as he said earlier now it's not reversible to go back to that position and now it always will be the clerk's position. Attorney Cooper stated he's going to research that and report back to the Board by even if that were the case and somebody wanted the job bad enough they could run for Town Clerk.

Attorney Cooper wanted to comment as the Town Attorney for 21 years and over that course of time there have been a lot of meetings where the feelings ran high and there was great passion expressed and attitude and opinions, sometimes profanity used, but it never bothered him because that's kind of like democracy in the raw and thinks the founding fathers intended that people would bring their emotions to these things as well as their intellect and would have to be sorted out, the better ideas would prevail and it's not just a little town like Stony Creek. Culturally the Australians have a big democracy, but in their parliament they frequently use obscenities and insults in criticizing each other's opponent in other parties. He thinks it's something you have to accept if you're going to be coming to these meetings or be a board member. That there will be times when passion runs high and harsh words will be spoken.

Attorney Cooper asked if there will be a public ceremony with regard to the Dean Farm at some point. Like an official opening to get some people over here and make a big splash if we can.

Supervisor Thomas stated yes he was hoping last Fall but will probably be Spring.

Attorney Cooper asked how the ESF people liked our work. Supervisor Thomas stated very well they were very pleased.

Councilwoman Ryan stated there will be a Ham Dinner at the firehouse December 13. Last month was the Turkey Dinner and it was sold out in two hours.

A motion was made by Councilman John Thomas seconded by Councilman Nathan Thomas to adjourn the meeting at 8:10 PM all in favor, motion carried.

Respectfully submitted,

Susan Harrington, RMC
Town Clerk