

February 15, 2011

The regular Town Board meeting of the Town of Stony Creek was held on February 15, 2011. Supervisor Thomas called the meeting to order at 7:01 PM with members present:

Councilman Dale Aldrich  
Councilman Stanley Ross  
Councilman William Liebl  
Councilman Harry Paul Gill  
Attorney James Cooper

January 18, 2011

A motion was made by Councilman Ross seconded by Councilman Aldrich to accept the January 18, 2011. All in favor, motion carried.

051-11 A resolution was made by Councilman Ross seconded by Councilman Gill to pay the General Fund bills in the amount of \$11,834.10.

Discussion: Councilman Liebl asked about the Overhead Door bill. Supervisor Thomas stated there was a broken spring on one door and had a problem with another door on the garage.

Roll call vote, all in favor.

052-11. A resolution was made by Councilman Liebl seconded by Councilman Ross to pay the Highway Fund bills in the amount of \$38,259.69.

Discussion: Councilman Aldrich stated he had questions on the following bills but Supt. Bradley isn't here:

Farrell Oil bill, it wasn't itemized. It was here is a bill \$514.00 and listed as antifreeze, oil, but it wasn't broken down into an itemized bill for that amount of money.

The largest part of the Highway Fund bills was for the salt, which was \$21,665.15.

The Matco bill for \$119.00 that said lvg remover. Supervisor Thomas stated it was a 5 pc ½ in drive.

Two Power Plan bills for Nortrax which was pads for the backhoe that was for \$500.00, there was two or three things for \$402.00 he didn't know what that was, usually Supt. Bradley stops in and he clarifies it but he didn't stop tonight. Supervisor Thomas stated it says two steering bumpers were \$115.81, two lights \$82.38. Councilman Aldrich stated he didn't know what they were for. Roll call vote, all in favor.

Town Clerk Report:

Conservation license	1.60
Death copies	40.00
Genealogy search	<u>22.00</u>
Total Town Clerk fees	63.60
Dog Licenses	<u>35.00</u>
Total Town Revenues to Supervisor	98.60
NYS Ag & Markets	7.00
NYS Environmental Conservation	<u>27.40</u>
Total disbursed	133.00

Correspondence:

Dog control log for December 2010 and January 2011.

Al Williams-Thanking the Town Board for the gift on his retirement.

Cynthia Cameron, Historian-2010 activities

1000 Acres Golf Club-renewing their liquor license.

Stony Creek Free Library-permission to use the town hall on March 19, 2011 for the hosting a sled dog talk and demonstration also use of the town hall on March 18, 2011 for the winter coffeehouse series featuring "The Nellie's".

Adirondack Outkast permission to use the recreation field for a car show on June 18<sup>th</sup> with a rain date on the 19<sup>th</sup>, 2011.

Susan Harrington Town Clerk- permission to attend the NYS Town Clerk's Regional Meeting March 7<sup>th</sup>, 2011 at Fort William Henry in Lake George the cost is \$30.00 seminar fee includes lunch.

053-11. A resolution was made by Supervisor Thomas seconded by Councilman Gill authorizing the Town Clerk to attend the NYS Town Clerk's Regional Meeting in Lake George in the amount of \$30.00 for the seminar fee, which includes lunch. Roll call vote, all in favor.

A motion was made by Councilman Gill seconded by Councilman Liebl authorizing the Stony Creek Library to use the town hall on March 18<sup>th</sup> for the Winter Coffeehouse Series with "The Nellie's". and March 19<sup>th</sup> for the sled dog demonstration. All in favor, motion carried.

A motion was made by Councilman Ross seconded by Councilman Gill authorizing the Adirondack Outkast to use the recreation field on June 18<sup>th</sup> with a rain date of June 19<sup>th</sup> for a car show, proceeds go to the Juvenile Diabetics Foundation.

Old business:

No offers were made on the 1986 Ford L9000 tandem truck.

Supervisor Thomas stated that Auction International is an online auctioneer service for municipalities, businesses, and school district. What they do is put your items online for 14-21 days and people bid on it. After you get to look at the bids and you can reject any or all bids. If you decide to accept any bids there is a buyer's premium so the buyer pays the 10% premium. That's how they make their money. They say they will pay you within 15 days after you have accepted the bid and then you have to make arrangements for the buyer to pick up the merchandise. Councilman Aldrich stated it doesn't cost anything unless you sell it. Supervisor Thomas stated it doesn't cost us anything. Councilman Aldrich stated the buyer's premium would take care of the purchase. Attorney Cooper was asked to review the one page contract. Supervisor Thomas stated there was a reserved set at \$7000.00 for the truck and don't think we had one on the sander.

The board will come back to this after Attorney Cooper has reviewed it.

The Capital Improvement Agreement between the Town Board and Highway Superintendent we do this every year. This is what Supt. Bradley proposed. The only thing Supervisor Thomas is concerned about is the \$96,000.00, which is budgeted in the DA5112.2. Supervisor Thomas is not sure if Supt. Bradley is putting into account the purchase of the truck.

Supervisor Thomas gave the town board a breakdown of what he understands how we are going to pay for the truck.

If he wants to spend \$96,000.00 that's fine but he is not going to get it out of the DA5112.2 because \$27,813.00 is already spoken for. If he is going to spend that he will take it from somewhere else.

Councilman Aldrich stated this was part of the agreement in the beginning between him and the Board about the \$27,000.00 this was where it was going to be skimmed off the top.

Supervisor Thomas stated before we sign this we should be sure that Supt. Bradley didn't forget and we need to remind him. Councilman Aldrich agreed.

Attorney Cooper stated the Auction contract covers the bases, the town can be surcharged if the town asks these people to come and photograph it and write up a description as to it's condition up to \$30.00. They do expect the town to give a description and photograph they can use online sell it. Otherwise it is straight forward, it stays in effect for two years and we can cancel anytime after the initial period.

054-11. A resolution was made by Councilman Aldrich seconded by Councilman Ross authorizing Supervisor Thomas to enter into the agreement with Auction International and place the 1986 Ford L9000 Single Axle Highway Tandem Truck, plow, wing and sander and also a separate used stainless steel sander for a single axle truck on their website to auction these items. Roll call vote, all in favor.

Capital Improvement Agreement: this will be check with Supt. Bradley and signed next month by the Board members.

Committee reports:

New Business:

MEGA Program: Supervisor Thomas stated they have been around for a few years and it stands for Municipal Electric and Gas Alliance. Supervisor Thomas attended the Association of Counties meeting in Albany and they had a brief seminar about MEGA, and the cost of electricity. Basically what this alliance is, it started in Tompkins and Tioga Counties and they formed an alliance to pool their electricity loads and put it out to bid and then several other counties joined with them and now they are up to about 30 counties and a lot of towns, cities and villages and some businesses. Basically what they do is take the load everybody has and put it all together and put it out to bid and electrical suppliers bid on this, it is competitive bidding and then it is offered to each of the entities that sign up for it, nobody has to accept there bid. It is a way to get the cost of electricity down. He's not sure how often they put it out to bid if it's yearly or two, three years. His understanding is if we agree to sign up for this, then they will take our load and offer it to the current bid winner and they will send us an offer of what our electricity would cost per kilowatt hour.

Attorney Cooper asked if he was asking the town to support the counties interest or just the town by itself. Supervisor Thomas stated the town, the county already belongs to it.

Councilman Ross asked how many towns in the county. Supervisor Thomas stated he doesn't know if there are any. There might be one or two.

They set this up as a not-for-profit corporation, local development corporation. The Bi-laws were adopted in Oct 19<sup>th</sup>, 2001. They also have a list of Board Members who seem to be Former County Executives or Supervisors. It wouldn't cost anything to sign up and if the price is better than we are paying now, we would have to look at the contract and see what the contract is and for how long, it would be worth a shot.

Councilman Ross stated it doesn't cost anything to sign up, lets sign up and see what it's all about, it would be nice if we could save some money. Supervisor Thomas stated if we could knock the kilowatt-hours down it would definitely help.

055-11. A resolution was made by Councilman Ross seconded by Councilman Gill authorizing the Supervisor to complete the participation authorization in considering the procuring energy efficiency through the Municipal Electric and Gas Alliance, program of the NYS Association of Counties, with the understanding this is not a commitment or an obligation to contract for energy efficiency services until an offer and agreement is presented and accepted by the town board. Roll call vote, all in favor.

JNS Towners:

Supervisor Thomas stated, as you know we don't have cell service here in Stony Creek and he had seen this JnS Towers Co. advertised in the NYS Association of Towns magazine we get every couple months. He called one day and received some information on what they have and how they do it. Supervisor Thomas read the letter that was sent. It is a Municipal Tower Ownership Program. The biggest huddle would be the Adirondack Park Agency. There is another company called Independent Holding Towers in Latham, he believes they do basically the same thing. JnS has an interest in leasing municipal property to market to multiple carriers, reviews municipal property as an alternate to current applications, developing the town to replace water tanks purchasing existing and future towers and portfolios for a lump sum.

He thought it was something we should explore and if its possible to get a tower here and provide cell service at least to people here in the center of town, it probably wouldn't cover all the town and would probably generate revenue.

Councilman Gill suggested setting up a meeting with Kim McDonald and have her do a presentation. Supervisor Thomas stated he knows if it was located out here obviously there would be a tower there that would be 100 feet tall.

Attorney Cooper stated once you get over the 40 foot threshold for height the APA jurisdiction kicks in. The power co. have things called cows, which they build a fence around a generated facility and they call that the cow then they have an infrastructure that goes up to service the tower and he thinks the APA counts from the wheels under the cow to the top of the tower in their measurements. He doesn't think it would fly because you might end up with wetlands issue, but don't forget you own a little triangle of land up at Lens Lake by Mr. Johnson's that you could really cover the valley with a signal. That might be interesting to them but you have to get past the APA and Mr. Johnson. Supervisor Thomas stated yes, the APA is going to be the problem wherever we try to locate it.

Attorney Cooper stated here in the hamlet if you stayed under 40 feet he thinks they have very little jurisdiction to object to it, but then again you might not find a carrier that would want to make the investment for the number of people we could service here. Just some particular difficulties you may have.

Councilman Liebl stated in a way he feels the APA is depriving us of service here because of we are in the Adirondack Park.

Supervisor Thomas stated they have permitted quite a few of them but made some of them blend in. The thing to do is to explore it, put in an application and see what happens.

Supervisor Thomas will contact Kim McDonald and ask her to put on a presentation.

056-11. A resolution was made by Councilman Aldrich seconded by Supervisor Thomas authorizing the Superintendent of Highway to post the town roads at his discretion as in the past. Roll call vote, all in favor.

The Town Board reviewed the Stony Creek Fire Co. Service Award and signed off so the Fire Dept. can post it for 30 days.

From the floor:

John Thomas asked if the motor on the compactor could be looked into to make it a little bit quieter, He stated it disturbs his campers at his campground at 9:00 in the morning.

Councilman Aldrich stated the muffler may need to be repaired which isn't a big deal.

This will be checked into.

A motion was made by Councilman Ross seconded by Councilman Aldrich to adjourn the meeting at 7:56 PM. All in favor, motion carried.

Respectfully submitted,

Susan Harrington  
Town Clerk