

January 17, 2012 Regular Meeting

The Regular Town Board meeting of the Town of Stony Creek was held on January 17, 2012.

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

Councilman Harry Paul Gill

Councilman Nathan Thomas

Councilwoman Doreen Ryan

Attorney James Cooper

Absent: Councilman William Liebl

December 20, 2011 minutes:

A motion was made by Councilman Nathan Thomas seconded by Councilwoman Ryan to accept the December 20, 2011 minutes. All in favor, motion carried.

January 3, 2012 minutes:

Page 130 change Councilman Aldrich to Dale Aldrich

A motion was made by Councilman Gill seconded by Councilwoman Ryan to accept the January 3, 2012 minutes with this correction. All in favor, motion carried.

035-12. A resolution was made by Councilman Gill seconded by Councilwoman Ryan to pay the General Fund December Final bills in the amount of \$6084.54. Roll call vote, all in favor.

036-12. A resolution was made by Councilman Gill seconded by Councilman Nathan Thomas to pay the Highway Fund December Final bills in the amount of \$2102.98. Roll call vote, all in favor.

037-12. A resolution was made by Supervisor Thomas seconded by Councilwoman Ryan to pay the January 2012 General Fund bills in the amount of \$23,692.71.

Discussion: Supervisor Thomas stated that \$18,000.00 is for Workers Compensation.

Roll call vote, all in favor.

038-12. A resolution was made by Councilman Gill seconded by Councilwoman Ryan to pay the January 2012 Highway Fund bills in the amount of \$31,252.68.

Discussion: Supervisor Thomas stated that \$20,399.24 is for Workers Compensation.

Roll call vote, all in favor.

039-12. A resolution was made by Councilman Gill seconded by Councilwoman Ryan to pay the January 2012 Fire Fund bills in the amount of \$3450.85. Roll call vote, all in favor.

Town Clerk report:	
Death Copies	\$50.00
Fax	<u>2.00</u>
Total Town Clerk Fees	\$52.00
Dog Licenses	<u>10.00</u>
Total Town Revenues to Supervisor	\$62.00
NYS Ag and Markets	<u>2.00</u>
Total Disbursed	\$64.00

Correspondence:

Dog Control Log for November and December 2011

Stony Creek Free Library-asking permission to use the town hall for the following dates and time: January 30th -Monday for a Building Committee Meeting from 6-8:00 PM.

February 11th -Saturday for a Book and Bake Sale 9AM-2PM with setting up on February 10th.

April 13th -Friday for the 4th Winter Concert Series from 6-9:00 PM.

A motion was made by Councilman Gill seconded by Councilwoman Ryan authorizing the Stony Creek Free Library to use the town hall on the following dates and time:

January 30th -Monday for a Building Committee Meeting from 6-8:00 PM.

February 11th -Saturday for a Book and Bake Sale 9AM-2PM with setting up on February 10th.

April 13th -Friday for the 4th Winter Concert Series from 6-9:00 PM.

All in favor, motion carried.

Old business:

Landfill C&D proposal

Supervisor Thomas stated at the last meeting we briefly discussed C&D bids or proposals.

Councilman Gill said that Casella Waste would be interested in bidding and they offered a bid which was given to Supervisor Thomas a half hour ago. Supervisor Thomas gave copies to the town board. The proposal is for C&D pickup and Disposal for 2012 in the amount of \$149.00 per load for hauling and disposal is \$64.00 per ton.

Supervisor Thomas reported that Waste Management is \$132.05 per each hauling and disposal is \$69.00 per ton.

Supervisor Thomas stated in 2010 there was 64.57 tons. He rounded this off to 65 ton and did a breakdown of the following fees:

Disposal Fees for 65 ton: Waste Management: 65 ton times \$69.00 disposal = \$4485.00.

Casella Waste: 65 ton times \$64.00 disposal= \$4160.00.

Hauling for 21 trips: Waste Management 21 times \$132.05= \$2773.05

Casella Waste 21 times \$149.00= \$3129.00

Totals for Disposal: Waste Management: \$4485.00 Casella \$4160.00

Total for Hauling \$2773.05 \$3129.00

Totals \$7258.05 minus \$7289.00 = \$30.95

This makes Waste Management \$30.95 cheaper.

040-12. A resolution was by Councilman Nathan Thomas seconded by Supervisor Frank Thomas to accept Waste Management's proposal for 2012 as follows:
Hauling \$149.00 per load and Disposal \$64.00 per ton.
Roll call vote, Councilman Gill-Abstained, Councilman Nathan Thomas-Yes, Councilwoman Ryan-Yes, Supervisor Thomas-Yes.

Investment and Procurement policies:

Investment policy-no changes proposed.

Supervisor Thomas reported that no town funds have been invested. 2-3 years back we use to purchase 30-day CD's that was beneficial to the town but the interest rate now are so low it's not even worthwhile to do.

041-12. A resolution was made by Councilman Gill seconded by Councilwoman Ryan to accept the Investment policy with no changes made. Roll call vote, all in favor.

Procurement Policy-no changes proposed.

042-12. A resolution was made by Councilman Nathan Thomas seconded by Councilman Gill to accept the Procurement Policy with no changes made. Roll call vote, all in favor.

LaBerge GIS State Co-op Sharing:

Supervisor Thomas stated this is LaBerge Engineering's proposal to enter into an agreement with the State for GIS Co-op Sharing. The Board passed a resolution to enter into that contingent upon the attorneys review and since then the attorney came back with a letter that we should not enter into it.

Attorney Cooper stated he talked to John Borist. He explained the towns concerns to him and generally speaking his concerns with the agreement were, is it required that the town furnish data to the State according to the States criteria. There was no indication before him to what benefit the town would derive from this other then LaBerges statement that we would. It required the appointment of a coordinating officer in the town that would have to dig the data out and do data programming and with no indication that we would know how to do it the way they wanted us to. Also it made us liable for misuse of the data for commercial purposes with violation of patents, trademark or copyrights. He was concerned there was no structure in place for the town to encrypt that file so the access to it would be limited and if LaBerge was going to be using the data how could you control them and still be liable to somebody. We would get blindsided that way so these questions unanswered he wrote a letter to the town on November 16th indicating that he didn't think we should enter into the agreement. Supervisor Thomas gave him the name Mr. Borist, he spoke to him and asked if he could send him a copy of the letter which he did he said he would take it upstairs to counsel and have them call him, which they didn't. Mr. Borist did give him two names in Warren County that administer the program in the County one was in the City of Glens Falls and his name is Steve Gurzler the City Engineer and Sheri Norton who works in Warren County Planning. He spoke to Mr. Gurzler and he had his tech guy with him.

Attorney Cooper told him what his concerns were and asked how they used the data and he said they use it in connection of their sewer system. He said he or his tech was not aware of being asked to furnish data to the State. The tech suggested that if it would be used in such a way, for instance if the Dept of Transportation had identified street benches in the city that somebody for planning purposes might want to tap into their information as to where the street benches are or their useful life. Attorney Cooper assumes for a small town like we have here perhaps there would be some utility for identify infrastructure like culverts or something like that, but there again it would require somebody to do the inquires and nobody is getting paid the extra to do it and there is no reason why we would have to use the GIS system to keep track of things like that in there useful lives. His conversation concluded with him that A) he hasn't been convinced that it was any utility to Stony Creek and B) the other concerns weren't addressed.

It sounded like they signed on to the program but it hasn't been much value to them, it's just something they forgot about. It just isn't used. Sheri Norton called Attorney Cooper back and left a lengthy message, she generally favors the program but the one thing that jumped out at him is basically we can use her offices if we need something similar to this. She didn't indicate any problem with sharing data with us if we needed it. Back to the point where none of the concerns that he raised have been resolved as far as he is concerned unless LaBerge wants to come and make a presentation why this is essential to their work on the grant. He continues to recommend to the board that we not go with it because it just sounds like more trouble then it's worth. Potentially it would be more trouble then it's worth.

Committee Reports:

FEMA:

Supervisor Thomas reported that Supt. Bradley has completed the paperwork for FEMA and waiting for the lady to pick it up.

New Business:

Senior Meals:

Supervisor Thomas stated the County was consolidating their meal sites through their budget process and one of their meal sites eliminated was Luzerne and Supervisor Merlino is trying to keep his meal site going and has been after him about some seniors that might want a daily meal, lunch. He is sure there are a few. What Supervisor Merlino is offering is bringing it to the town hall but then obviously we would either have to find somebody to get it from the town hall to the people. Supervisor Thomas stated it has been talked about and if we can locate this people and put it together, it's there for the town. Councilman Gill suggested having Sandy Farrell who writes the Stony Creek News in the Adirondack Journal include this in her column. The biggest thing is if these folks can't pick it up at the town hall then we are going to have a volunteer to be here consistently to deliver it. Supervisor Merlino has put extensive work where the bowling ally was and they put in a commercial kitchen with the intent that that's what would be there and he thinks he wants to continue it if at all possible. He thinks he is looking for a few seniors up here to add to his numbers. Supervisor Thomas stated the Office of the Aging would reimburse up to 40¢. It's not 50¢.

Dale Aldrich suggested to bring the food here set up some tables and have them come and eat it. Supervisor Thomas stated yes they could do that. Mr. Aldrich stated instead of taking the dinner home have a little social time for the seniors.

Councilman Gill reported OSHA requires a mercury spill kit on site where electronics are stored. Supervisor Thomas will check into this.

Property and Casualty Insurance:

Supervisor Thomas stated every few years we go out to bid for the property and casualty insurance and it's been three years and have had two insurance companies that want to meet with him and thinks they want to bid on the towns insurance so he thinks we should put together the values, the bids and the levels of insurance we have and go out to bid with it soon. Maybe we can save a few dollars. The last time we did it we had three or four insurance co's bid on it. Rose and Kiernan is the town's current insurance provider. Cool Insurance and Upstate Insurance has contacted him and he is sure TD Insurance will bid also. The renewal date is May 7th.

043-12. A resolution was made by Councilman Gill seconded by Councilwoman Ryan authorizing the supervisor to put together a bid sheet and put this out to bid for insurance proposals. Roll call vote, all in favor.

Budget adjustments:

044-12. A resolution was made by Councilman Gill seconded by Councilwoman Ryan authorizing the following budget transfers:

Debit A9030.8 Social Security in the amount of \$3300.00.

Credit A9035.8 Medicare in the amount of \$3300.00.

Roll call vote, all in favor.

045-12. A resolution was made by Councilwoman Ryan seconded by Councilman Nathan Thomas authorizing the following budget transfer:

Debit DA9030.8 Social Security in the amount of \$5000.00.

Credit DA9035.8 in the amount of \$5000.00. Roll call vote, all in favor.

046-12. A resolution was made by Councilman Gill seconded by Councilwoman Ryan authorizing the following budget transfer:

Debit A9010.8 State Retirement in the amount of \$7821.02.

Credit Prepaid Expenses in the amount of \$7821.02. Roll call vote, all in favor

047-12. A resolution was made by Councilman Gill seconded by Councilwoman Ryan authorizing the following budget transfer:

Debit DA9010.8 State Retirement in the amount of \$12,760.86.

Credit Prepaid Expenses in the amount of \$12,760.86. Roll call vote, all in favor.

048-12. A resolution was made by Councilwoman Ryan seconded by Councilman Nathan Thomas authorizing the following budget transfer:

Debit Fund Balance in the amount of \$66,155.61.

Credit A6410.4 Occupancy Tax in the amount of \$66,155.61.

Roll call vote, all in favor.

049-12. A resolution was made by Councilwoman Ryan seconded by Councilman Gill authorizing the following budget transfer:

Debit DA9055.8 Disability Insurance in the amount of \$52.24.

Credit DA9040.8 Workers Compensation in the amount of \$52.24.

Roll call vote, all in favor.

050-12. A resolution was made by Councilman Gill seconded by Councilwoman Ryan authorizing the following budget transfer:

Debit DA5110.1 General Repairs in the amount of \$648.00.

Credit DA9050.8 Unemployment Insurance in the amount of \$648.00.

Roll call vote, all in favor.

Supervisor Thomas asked if any town board members were attending the Association of Towns meeting in February. No Board members will be attending.

From the floor:

A motion was made by Councilwoman Ryan seconded by Councilman Gill to adjourn the regular town board meeting at 7:41 PM. All in favor, motion carried.

SETTLEMENT DAY

Supervisor Thomas opened the Settlement Day meeting at 7:41 PM

051-12. A resolution was made by Councilwoman Ryan seconded by Councilman Nathan Thomas. The Stony Creek Town Board audited the Town Justices 2011 documents and bank accounts and the Stony Creek Town Board found to be in order. Roll call vote, all in favor.

The Town Board did an audit of the Town Official's books with the exception of the Tax Collector and found all records to be in order.

A motion was made by Councilman Nathan Thomas seconded by Councilwoman Ryan to adjourn the Settlement Day meeting at 7:53 PM. All in favor, motion carried.

A motion was made by Councilman Nathan Thomas seconded by Councilwoman Ryan to adjourn the meeting at 7:53 PM. All in favor, motion carried.

Respectfully submitted,

Susan Harrington
Town Clerk