

February 12, 2013

The regular Town Board meeting of the Town of Stony Creek was held on February 12, 2013. Supervisor Frank Thomas called the meeting to order at 7:01 PM with members present:

Councilman Harry Paul Gill  
Councilman John Thomas  
Councilman Nathan Thomas  
Councilwoman Doreen Ryan  
Attorney James Cooper

January 15, 2013 minutes:

A motion was made by Councilman Gill seconded by Councilwoman Ryan to accept the January 15, 2013 minutes. All in favor, motion carried.

January 22, 2013 minutes:

A motion was made by Councilman Gill seconded by Councilwoman Ryan to accept the January 22, 2013 minutes. All in favor, motion carried.

055-13. A resolution was made by Councilman Gill seconded by Councilman Nathan Thomas to pay the General Fund bills in the amount of \$10,930.95.

Discussion: Councilman John Thomas asked about the Phoenix Environmental Lab bill in the amount of \$1987.50, which is a water test for the landfill. He stated that it states quarterly. How often do we do them? Supervisor Thomas stated quarterly. Councilman John Thomas stated we do that four times a year. Supervisor Thomas stated yes also once a year they do a baseline and it runs about \$2000.00, usually its about \$1100.00. Councilman John Thomas asked when this discontinues or do we do it forever. Supervisor Thomas stated we've been doing this for about three years now. This will be discussed further into the meeting. He did talk to Mr. Suozzo about this to alleviate this situation. Roll call vote, all in favor.

056-13. A resolution was made by Councilwoman Ryan seconded by Councilman Gill to pay the Highway Fund bills in the amount of \$48,720.39.

Discussion: Councilwoman Ryan asked if the Bradley Septic bill in the amount of \$337.50 was for the tank pump out at the garage. Supervisor Thomas stated yes and will probably have to do it again. Councilman Gill stated during the winter months due to the salt and mud. Supervisor Thomas stated if we get away with doing it a couple times it wouldn't be bad. Supervisor Thomas stated the American Salt bill in the amount of \$25,549.49 was the big part of the bill. Roll call vote, all in favor.

Town Clerk report:

Conservation licenses	\$ 1.60
Certified Death Copy	10.00
Certified Marriage Copy	<u>10.00</u>
Total Town Clerk fees	21.60
Dog licenses	<u>85.00</u>
Total town revenues to Supervisor	106.60
NYS Ag & Markets	17.00

NYS Environmental Conservation     27.40  
Total disbursed                         \$151.00

Correspondence:

Cindy Cameron, Town Historian- requesting Occupancy Tax monies in the amount of \$500.00 for advertising and layout/design for a commemorative booklet for the Warren County Bicentennial history of Ranches, Rodeos and Wranglers.  
Warren County Board of Elections-disposing of the Lever Election Machines.  
Supt. Bradley-permission to post the roads.  
Supervisor Thomas reported he had a request from the Stony Creek Library to reschedule the concert, which was canceled due to the weather from February 8, 2013 to February 22, 2013.

A motion was made by Supervisor Thomas seconded by Councilwoman Ryan authorizing the Stony Creek Free Library to hold their reschedule concert in the town hall on February 22, 2013. All in favor, motion carried.

057-13. A resolution was made by Councilman Gill seconded by Councilwoman Ryan Authorizing the Superintendent of Highways to post the weight limit on town roads at his discretion as done in the past. Roll call vote, all in favor.

Voting machine:

Supervisor Thomas reported the town paid for the voting machine. We really don't have to decide tonight what we have to do with it. It's relatively new but its obsolete as far as the State and Federal Government is concerned. It's something to think about. It is quite heavy if the cost of metal goes up maybe it would be worth scraping.

The Town Board decided to keep the lever voting machine, which Warren County released to the Town of Stony Creek and will dispose of the lever voting machine at a later date.

Hadley-Luzerne Central School :

Paul Berry Superintendent and Tim Hilker Business Manager along with Joe Hanlon on the Board of Education were present to explain the tax levy and discuss budget issues that the town and school have in common. They gave the town board a hard copy of a slide presentation. They would like to have community input on the budget process, on the priorities, what the community would like to see done and get suggestions.

They are focusing on shared services and also health insurance to reduce cost.

There is a website link set up [www.surveymonley.com/s/HLCSSBudgetinterest](http://www.surveymonley.com/s/HLCSSBudgetinterest). They have developed steps in the budget to change expenditures in contracts, health care, employer pension contributions and debt service. The changes in revenue are State Aid and the property tax levy.

The considerations for the 2013-14 budget are estimate expense increases \$822,017.00. Expense decreases \$64,535.00, State Aid increase \$229,159.00. Total budget increases are \$528,323.00. The Tax levy for 2013-14 is 1.00%, which equals \$100,324.00.

They would like to encourage resident to vote on May 21<sup>st</sup> and if there are any question they may call Mr. Hilker Business Manager at 518-696-2112 X138 or Mr. Berry, School Superintendent at 518-696-2378 X108.

Cindy Cameron, Town Historian was present to update the Town Board on the progress of the Warren County Bicentennial. The Warren County, New York, A Commemorative Bicentennial Magazines are out. Her plan is to put some in the library, store, Laundromat, The Inn and museum. There are two signature events. Every Town Historian put pictures and stories about their town in the magazine. There is some advertising in it, it is a free magazine and the Post Star printed it. A lot of time and effort went into it. They just got their Bicentennial Pins and Post Cards, The postcards will be at the Lake George Courthouse, they will have a cancellation. The pins will be available on the website along with the post cards. The money raised from the pins and post cards stay within the town so they can do something with the money also with the Post Star it's the same thing. In the future if we want to do another historical sign or want to do something with the town we can use it towards that.

They have a website [www.warrenny200.org](http://www.warrenny200.org). On there each Historian again bought pictures of their town. They are broke into different sections at the top there is Queensbury, Stony Creek, etc. so you can click through the pictures. At the bottom they put historical markers and monuments and you can upload pictures. They have a list of events throughout the county. They are working on a traveling exhibit. Each Historian has to put together 12 panels, pictures with wording underneath about what it is about. These exhibits are going to be traveling around the county. You can ask for these exhibits to come and with her event in August she will be doing Stony Creek, Lake Luzerne, Warrensburg and Thurman and it will show the different towns in the area. The other thing she has been working on is the Historical Timeline that will be at the Mountain Festival on August 2<sup>nd</sup> 3<sup>rd</sup> and 4<sup>th</sup>. Her event will be on August 3<sup>rd</sup> and 4<sup>th</sup>. The Historical Timeline will include John Bowman which she is having a person from the Wood Theater portray John Bowman, she is going to have Vikings, French and Indian re-enactors, Mountain Men, she will have someone portray George Bell who was a baseball player, and also she will have Scottish people. On the website they asked if the story of John Bowman, which is also in the magazine, could be put on the website so she is happy that this was picked to go on there. A few events coming up is:

March 12<sup>th</sup> there is a bell ringing throughout the county. Our church is going to be one of them; it's at 2:00. March 15<sup>th</sup> they also have Warren County Proclamation Day. This is something that will be held at the Warren County Supervisor's meeting. They will have a slide presentation. June 12<sup>th</sup> at 10:00 at the old courthouse they are going to have the State Dignitaries and Supervisors come, they are going to have a Bicentennial Address at that time they will be presenting the town markers, that's another project they are involved in. They are going to be putting ours on the town hall for the bicentennial. They will be doing cancellations and also there will be music, another event coming up is a Folk Music Concert that's in conjunction with the library on Sept. 7<sup>th</sup> from 2-4:00 at the Recreation Field. Other towns are doing a Memorial Day Parade. In Glens Falls they will have Civil War enactors. There's dinners, tours, garden tours just a lot of things so the website is something to check out. Attorney Cooper stated she did a real nice job with the booklet, Councilwoman Ryan agreed. Attorney Cooper stated her article was excellent. Supervisor Thomas stated it sounds like a lot of things going on. Mrs. Cameron stated she has been working on this for two years and they said she had to do this once every 100 years. Mrs. Cameron thanked the Board and Supervisor Thomas thanked her.

### Town of Warrensburg 200<sup>th</sup> Birthday

058-13. A resolution was made by Councilman Gill seconded by Councilwoman Ryan authorizing the Supervisor to prepare a Proclamation in honor of the Town of Warrensburg's 200<sup>th</sup> Birthday. Roll call vote, all in favor.

### Warren County 200<sup>th</sup> Birthday

059-13. A resolution was made by Councilman Gill seconded by Councilwoman Ryan authorizing the Supervisor to prepare a Proclamation in honor of Warren County's 200<sup>th</sup> Birthday. Roll call vote, all in favor.

### Old Business:

#### Highway; equipment:

Discussion of the payment of the John Deere 624K loader: Supervisor Thomas reported that at the January 22<sup>nd</sup> meeting the board voted to go into a Municipal Lease which is in essence to a Purchase Contract with Nortrax, related to John Deere. There were a couple of options. What they were talking about first was Option 2, which is we would trade the 1984 loader wait a year before we make the first payment. He suggested that maybe if we make the first payment this year it would be a little less, which turns out to be a little bit less. Option 1 was \$24,744.00 per year. Option 2 was \$23,942.00. A difference of over the five years, if we keep it five years it's \$4,100.00 and additional interest. Option 2 the longer time period the total interest is \$11,525.00 and the other option is \$7,425.00.

At that meeting we decided to discuss this tonight and make a decision.

Councilwoman Ryan asked how much money is in the Highway Fund balance. Supervisor Thomas stated in the Fund Balance is about \$40,000.00. The money for this payment is actually in the Equipment. The \$25,000.00 is budgeted in the Equipment .2. He doesn't mind saving the \$4,000.00 but if we decide not to do that it would be his recommendation that we encumber that money so that it would fall to Fund Balance at the end of the year to help fill the Fund Balance. Councilman Gill stated that what he is worried about is if you pay it ahead of time and something happens a truck breaks down or another storm the money wouldn't be there. Supervisor Thomas stated the storms didn't help us. Councilman Gill stated he is for saving money but doesn't want to see us behind the eight ball if something comes up. Supervisor Thomas stated it's like budgets these days it's going to keep getting tighter, the price of parts go up, diesel fuel goes up. He is good with either way but he thinks we need to hang on to the money. What he is trying to say is, we shouldn't leave it in the budget so that it could be spent because he is afraid it will be spent and he thinks it is going to be harder to build the Fund Balance back up. It is going to take years the way he sees it because everything is getting tighter. Councilman John Thomas asked when the next vehicle is coming due that will need to be replaced, depending on how much you want to keep in the Fund Balance and if you want to set aside for that. Supervisor Thomas stated its probably one of the trucks. The trucks are down the road at least five years. He thinks the oldest is 2002 other than that he thinks there is one 1990. Councilman Nathan Thomas stated 1993 he thinks. He also stated as far as the freak accident when we did our insurance this year we have full replacement, which we didn't have previously. On the truck side if there is an accident we don't have to worry about what we ended up with this time. Supervisor Thomas stated the other vehicle maybe a pickup, he isn't sure about the grader he thinks it is still functional.

Councilman John Thomas stated Supt. Bradley stated it was still in good shape and wouldn't be looking to replace that but he didn't say what he would be replacing next. Councilman Nathan Thomas stated he thinks the loader was really the thing coming up being it was a 1983, which was the main reason. Supervisor Thomas stated maybe in a couple years you may want to sell it back to Nortrax, if we need up with a new loader and basically pay nothing. Councilman John Thomas stated if that was what you were looking at doing then it probably would be wise not making a payment right now. If that is the way we are looking at going. Of course you won't know that for a couple years and see where the price of equipment goes. It might be a good idea, he is for saving money but in a couple years we might not be saving anything.

Supervisor Thomas stated then that sounds like the consensus that we will make the first payment of \$24,744.00 next year.

060-13. A resolution was made by Supervisor Thomas seconded by Councilman Nathan Thomas authorizing the payment of \$24,744.00 next year January 1<sup>st</sup>, 2014 for the new John Deere 624K loader.

Roll call vote, all in favor.

Councilman Nathan Thomas stated in doing that do you want to take the \$25,000.00 that's in the vehicle fund at this time and put it into the Fund Balance. Supervisor Thomas stated we can encumber it as long as Supt. Bradley understands that we have encumbered it, that we are basically taking this money. Supervisor Thomas and Councilman Nathan Thomas stated and applying it towards the payment January 1<sup>st</sup>. Supervisor Thomas stated if we have a major catastrophe the money is still there and we will budget for it again next year.

Landfill:

Phoenix Environmental Lab; water testing and asking for a waiver.

Supervisor Thomas reported he met with Mr. Suozzo back when we first started with the drains and tanks and Mr. Suozzo talked with Dave Mt. Pleasant at DEC who is the person that has been receiving the results for the testing. Mr. Mt Pleasant has reviewed some of the results and Mr. MtPleasant told him that there is 3 to 4 possible post closure variances that can be granted to reduce the monitoring, testing of the wells. He will need to talk to a Radiologist in Ray Brook, Mr. Dale Becker to see what variances we should apply for and that's where that is. Mr. Suozzo stated once he talked with Mr. Mt Pleasant he would know how much work would be involved and what his fee would be. We are spending between \$5000.00-\$6,000.00 a year testing the wells and its his hope that we will get down to one test per year and \$1000.00-\$1500.00. We aren't going to get there unless we apply for a variance. The results he looked at he said there were nothing really major, not real toxic things. Supervisor Thomas stated he thinks our chances are good. As far as his fees Cedarwood and Tom Suozzo have been more then fair to the Town of Stony Creek for the petroleum tanks and the drains. He knows other towns have spent thousands of dollars on engineers. We spent maybe \$3000.00.

Procurement policy:

Page 1: Section 2. Contracts

- a) Purchase contracts- will be amended to: supplies or equipment, which will not exceed \$20,000.00.
- b) Public Works contract will be amended to; in excess of \$35,000.00 shall be formally bid pursuant to General Municipal Law Section 103. (Specifications, advertise, sealed bids)

061-13. A resolution was made by Councilwoman Ryan seconded by Councilman Nathan Thomas to adopt the Procurement Policy as amended:

Page 1: Section 2. Contracts

- a) Purchase contracts- will be amended to: supplies or equipment, which will not exceed \$20,000.00.
- b) Public Works contract will be amended to: in excess of \$35,000.00 shall be formally bid pursuant to General Municipal Law Section 103. (Specifications, advertise, sealed bids)

Roll call vote, all in favor.

Investment Policy:

No changes.

062-13. A resolution was made by Councilman Gill seconded by Councilwoman Ryan to adopt the Investment Policy. Roll call vote, all in favor.

Committee Reports:

Highway; Garage Insulation:

Councilman John Thomas stated he has been working on the insulation for the town highway garage. He talked with Charlie Wallace and asked him how does a building like that get low r-values. Mr. Wallace stated because it's a commercial building and as far as the county is concerned they are not occupied and they can get away with it. That's how it ended up like it did, the walls R-11 and bust R-19 in the ceiling. The Prodex that he has looked into is basically R15 guaranteed, it can go in the walls, we'll have to pull the panels off the walls, put it in the ceilings, put some wood strips up secure it up there. It comes with the tape. You can put it on the garage doors; they make kits for the garage doors. He didn't find anything bad about it in the reviews; he thinks it is worth giving it a shot.

Supervisor Thomas stated he read in it that it gets the R-value with having air space 6-8 in. air space. The more air space the more up to a point.

Councilman Nathan Thomas stated what he read on it basically they are basing the R-value off is the reflective; it's two layers of space blanket, two layers of aluminum foil with close cell on it, expansion in-between that's where that air space comes in so it has an area that reflects the heat back. Attorney Cooper asked if it acts like a vapor barrier. Councilman John Thomas stated it does have a vapor barrier on one side. One is like foil and the other side, basically its what is in the ceiling. When your looking at the highway garage now you see the white side, the reflective side is up.

It's basically the same product that's what's in the ceiling now. Attorney Cooper stated we had condensation problems in there before. Councilman John Thomas stated the condensation he looked it over and it's where there is a step up in the building where the height change is of the building, you have two steel beams, there is definitely air-flow there that's where the condensation is coming from. If we go with this product we actually correct that by wrapping right across underneath the beams and going up the side, wrap it up so you don't have the air-flow going up there at all. That should take care of it. There is a pretty good amount of water on a humid day, or real cold day.

The estimate Councilman John Thomas received is for the ceiling, walls and kits for the garage doors, it doesn't include labor.

Councilman John Thomas stated it's very simple stuff to put in and it didn't include if up on the beams, they make it so it fits right in-between the beams and tape it on. They claim you can tape it on but also recommends its space you open up big doors the wind or whatever, to put some wood strips up and attach it to the wood strips.

Councilwoman Ryan stated one new door should have a better R-rating. Supervisor Thomas stated yes it does.

Councilman Nathan Thomas stated he is talking about putting wood strips in the ceiling, if the doors open you get an air wash it will tear the whole ceiling down if you don't support it.

Supervisor Thomas asked if it would take it in the middle, it seems to him if you stretch it across and fastener it to the wood it seems over time its going to sag and if you get wind through there will it stand up to that. Councilman John Thomas stated it depends on how you do it, there is holes drilled in the bottom on the beams. It's basically like a C-channel to put the wooden strips length ways and put furring strips across and use fasteners to hook that to. On a windy day they have both doors open your going to get some pretty good draft. Supervisor Thomas stated he doesn't think it's a bad idea but thinks they need to pursue other forms of heat. We talked in the past about a coal burner or infrared heat to offset the fuel costs, that's something we can keep looking at. Supervisor Thomas stated Supt. Bradley was concerned about starting this, this time of year with having time to do it and trucks going in and out. Whereas if it was warmer you could open the doors and leave the trucks outside. Councilman John Thomas stated if we agreed to do this with the Prodex you wouldn't have to get it all to once. They could start taking the side panels off and put it in the walls. In between the storms they are slow and looking for something to do and they could do a section at a time it would go pretty quick. The walls will be easy because there is no wood to go in it; it's double sided tape and sticks right on.

Supervisor Thomas stated Councilman John Thomas's estimate is about \$6000.00 for materials except for the wood. Councilman John Thomas stated that's enough to do the ceiling all the walls and kits for the doors. Supervisor Thomas stated the product is called Prodex. Maybe this is something we should move forward with. He asked if a lot of places sell this or just one outfit. Councilman John Thomas stated they are mostly sold for commercial type outfits. Councilman Nathan Thomas stated as far as supply companies the Prodex Direct is an on-line website. He's not sure but could ask Curtis or Braley's or see who carries it locally. Councilman John Thomas stated you can buy it directly from the supplier, they will set you up directly with the seller, they give you what the shipping is and where its coming from. Supervisor Thomas asked the Town Board if they think they should move forward. Councilman Gill stated yes if it's going to help. Councilwoman Ryan stated it's been a problem for a while.

Councilman Gill asked if it would keep it cooler in the summer. Supervisor Thomas stated yes it should. Councilman Gill stated he would say go with it. Supervisor Thomas stated ok he will get some prices and more defiant price with Curtis or a supplier. We'll get it here and work with Supt. Bradley and see when they can work at it. Supervisor Thomas stated we will probably have to get a life. Councilman John Thomas stated yes when we do the ceiling we will need a lift; it would be the easy way to do it.

#### Landfill: Electronics:

Supervisor Thomas reported that 5153 lbs of electronics were collected last year. It was mostly TV's and computers and it's about 2½-3 tons. Councilman John Thomas asked if we dispose of this for free. Supervisor Thomas stated yes we have a company that comes every month or so, they provide the pallets and gaylores and they pick it up and take it away.

063-13. A resolution was made by Supervisor Thomas seconded by Councilman Gill to accept the Item One Agreement for the Expenditure of Highway moneys for the following:

1. General Repairs: \$66,000.00 shall be set aside to expend for primary work and general repairs upon 22 miles of town highways, including sluices, culverts and bridges having a span, of less than five feet and boardwalks or the renewals thereof.

2. Permanent Improvements:

- A. Murray/Lanfear leading to Lanfear towards Thurman a distance of 4 miles shall be expended not over the sum of \$90,000.00 type blacktop 21 feet width of traveled surface thickness 2 inches sub base blacktop
- B. Roaring Branch leading to States/Fodder distance of 2 miles shall be expended not over the sum of \$6000.00 type 2inch blacktop 21 width of traveled surface thickness 2 inches sub base blacktop.

Roll call vote, all in favor.

064-13. A resolution was made by Councilman Gill seconded by Councilwoman Ryan authorizing the Supervisor to sign the agreement with LARAC in the amount of \$1107.00. Roll call vote, all in favor.

#### Double H Ranch:

Supervisor Thomas reported the Double H Ranch would be holding their 4<sup>th</sup> year of Camp Challenge Ride. He would like permission to sign the letter he received so they can get the permit from the Department of Transportation. It is a fund-raiser for the programs that support the children and families that stay at the ranch in Luzerne. This be held on September 20<sup>th</sup>, 2013.

065-13. A resolution was made by Councilman Nathan Thomas seconded by Councilman Gill authorizing the Supervisor to sign the letter from Double H Ranch so they can get their permit from the NYS Department of Transportation for their 4<sup>th</sup> year of the Camp Challenge Ride to be held on September 20<sup>th</sup>, 2013. Roll call vote, all in favor.

066-13. A resolution was made by Councilman John Thomas seconded by Councilwoman Ryan authorizing the expenditure of Occupancy Bed Tax funds to Cynthia Cameron, Stony Creek Historian for the advertising and layout/design for a commemorative booklet to celebrate the long history of our Ranches, Rodeos and Wranglers during the celebration of the Warren County Bicentennial Year of 2013. Roll call vote, all in favor.

Supervisor Thomas reported that snowmobiles are riding on the town park and suggested signs be put up due to the equipment down there. Councilman Nathan Thomas suggested adding this to the big sign that is there and put signs on the Dean Homestead also.

067-13. A resolution was made by Councilman Gill seconded by Councilman Nathan Thomas that there will be no snowmobile riding on the John T. O'Neill Green Meadows Town Park aka the town field and also the Dean Farm Heritage trails. Roll call vote, all in favor.

From the floor:

Dale Aldrich asked how much it cost the town for salt for the year. Supervisor Thomas stated between \$65-70,000.00. Councilwoman Ryan stated he buys in to a contract.

Councilman John Thomas stated we use more then we use to. Councilman Gill stated we use to get a lot of snow and now we get ice.

A motion was made by Councilman Gill seconded by Councilman Nathan Thomas to adjourn the regular meeting at 8:46 PM. All in favor, motion carried.

## **SETTLEMENT DAY**

Supervisor Thomas opened the Settlement Day meeting at 8:46 PM.

068-11. A resolution was made by Councilwoman Ryan seconded by Councilman Gill The Stony Creek Town Board have audited the Town Justices documents and bank accounts for the year 2012 and found them to be in order. Roll call vote, all in favor.

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

A motion was made by Councilman John Thomas seconded by Councilwoman Ryan to adjourn the Settlement Day meeting at 9:04 PM. All in favor, motion carried.

Respectfully submitted,

Susan Harrington  
Town Clerk

**PROCLAMATION CELEBRATING WARREN COUNTY'S  
BICENTENNIAL**

**WHEREAS** *Warren County was created from Washington County, named in honor of General Joseph Warren, hero of the American Revolution, who died for the American cause at the Battle of Bunker Hill,*

**WHEREAS** *Warren County is celebrating its two hundredth anniversary of existence, on March 12, 2013 and throughout the remainder of the year 2013,*

**WHEREAS** *The growth of Warren County since it's organization has been steady and healthful, attracting early residents with abundant water power and vast valuable forests, securing a livelihood and a ready return for labor working at the numerous mills and tanneries that flourished,*

**WHEREAS** *Warren County's population has evolved and prospered from 9000 sturdy souls in 1820 to 66,000 in 2013, it remains the natural advantages of our lakes, forests and mountains that attracts thousands of visitors each year and provides the resources that fuels our economy today as it has in the past,*

**WHEREAS** *We are blessed to call Warren County our home, with the conveniences of modern life to the solitude and beauty not offered in other locations,*

**BE IT RESOLVED** *The Town of Stony Creek, being the newest town within the county, wishes Warren County a Happy Birthday on its Bicentennial and continued prosperity and success for many years ahead.*