

July 20, 2010

The regular Town Board meeting of the Town of Stony Creek was held on July 20, 2010.

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

June 15, 2010 Minutes:

Correction; page 220 change Desenio to Scott Messineo.

A motion was made by Councilman Ross seconded by Councilman Gill to accept the June 15<sup>th</sup>, 2010 minutes with this correction. All in favor, motion carried.

June 23, 2010 Minutes:

A motion was made by Councilman Ross seconded by Councilman Liebl to accept the June 23<sup>rd</sup>, 2010 minutes. All in favor, motion carried.

084-10. A resolution was made by Councilman Ross seconded by Councilman Gill to pay the General Fund bills in the amount of \$9768.31. Roll call vote, all in favor.

085-10. A resolution was made by Councilman Liebl seconded by Councilman Aldrich to pay the Highway Fund bills in the amount of \$10,624.09.

Discussion: Councilman Aldrich stated when reviewing the bills there was quite a bit of discussion. Most of it was the bridgework expense and Neil answered them and this should be noted. Supt. Bradley stated you keep seeing Home Depot on there, He buys from Home Depot because it's cheaper. They have a whole stack of 2x10's and 2x12's in the garage and will be using them as needed if a bridge needs them. Roll call vote, all in favor.

Town Clerk Report:

Conservation License	<u>\$ .28</u>
Total Town Clerk Fee	.28
Dog Licenses	<u>26.78</u>
Total Town revenues to Supervisor	27.06
County Treasurer for dog licenses	8.22
NYS Ag. and Markets	3.00
NYS Dept of EnCon	<u>4.72</u>
Total disbursed	\$43.00

Correspondence:

Dog control log –June 2010

50+ Seniors Club-permission to use the town pavilion Sept. 13<sup>th</sup> for their annual picnic.

Gabrielle Isaacs-permission to use the town pavilion July 24<sup>th</sup> for a Birthday Party.

Jill Diamond, Stony Creek Free Library- receiving a check and thanking the Board for their continued support.

Tavern 16, Inc.-renewing their liquor license.

A motion was made by Councilman Ross seconded by Councilman Gill authorizing the 50+Senior Club to use the town pavilion on Sept 13<sup>th</sup>, 2010 for their annual picnic and Gabrielle Isaacs permission to use the town pavilion on July 24<sup>th</sup>, 2010 for a Birthday Party. All in favor, motion carried.

Old Business:

Lifeguard- Supervisor Thomas reported the girl that was interested had taken another job and we are without a lifeguard. The search continues. He doesn't know if the Board would want to advertise. Councilman Ross stated it is getting late in the year. Supervisor Thomas stated yes, but will keep looking and if anyone knows of anyone, they have to be CPR and Waterfront certified. Councilman Aldrich asked if there was signage down there, lifeguard not on duty, so it is taken care of legally. Supervisor Thomas stated yes. Councilman Aldrich stated that is all we can do.

Supervisor Thomas stated last month we implemented the Purchase Order Policy and so far so good. It seems to be ok. These bills were mixed together some that had them some that didn't. Maybe next month it will be more consistent.

National Grid- Supervisor Thomas mentioned that National Grid had a program to do with lighting. He called them and they sent out a person from Rise Engineering, Ken Daves. He is a Lighting Specialist and he did an audit of the town hall and of the highway garage. He made a copy of the highway garage and gave copies to the town board. He didn't make copies of the town hall because his detail didn't look, what they offered didn't make to much sense to him. The program they have funds up to 70% of the cost to put in better equipment to save electricity. Being that the town hall is such a new building, it's about 10 years old. He estimated the cost of the job at the town hall in the amount of \$4553.00. The towns contribution would be \$3800.00 and National Grid \$753.00 and would have taken us 142 months for the payback, based on his collection. He figured 12 years is a little bit to long but maybe we can implement some of the things he has in his audit possibility. On the highway garage he proposes to change the lighting in the highway garage, right now we have the mercury vapor lights, he estimates that he can, by changing the lights he can save 12,681 kilowatt hours, annual savings in dollars of \$1410.00 and estimates the cost of the job \$7159.92. Prevailing wage is \$949.88, the town's contribution would be \$3862.66 and National Grids contribution would be \$3297.26. If the town is interested in doing this if we make a lump sum payment we get an additional 15% off which would made the price \$3425.74, however he has \$370.00 for rental of a scissors lift for 5 days. That will put it back up.

Supt Bradley asked what kind of lighting?

Supervisor Thomas stated florescent. Supt. Bradley stated strips? Supervisor Thomas stated he believes so.

Councilman Aldrich stated it looked like the 8-foot florescent lights, double.

Supt. Bradley stated does it say what the life expectancy bulbs are, he is going to replace it with equivalent aluminates. Supervisor Thomas stated he believes so. It will be checked before we let him do it. Attorney Cooper asked how long the mercury lights last. Supt. Bradley stated they last a long time but every two years he likes to change them they start getting dim. They clean all the lens every year. They recommend you change them after so many hours. It would save money if you shut them off in the day, we have tried that but it takes so long for them to come back on and you can't see anything. Supervisor Thomas stated he did say with the florescent you hit the switch and they come on. Supt. Bradley stated if you turn them on the first thing in the morning it's not bad but if you shut them off and turn them back on it takes 10 minutes to get them on. Supervisor Thomas stated so they end up being on all the time. Supt. Bradley stated yeah, we did that in the summer time we haven't been this summer, if they are out and going to be out all day they turn them off.

Attorney Cooper stated he recollects that last winter you were indicating there was a lot of condensation problems on the inside of the roof and dripping. Are these canoes of the florescent bulbs are they going to increase the air that the water will drip in to on the bulbs, Supt. Bradley stated it shouldn't where it's dripping is on the high partition and a spot in the very center.

Supervisor Thomas stated the only problem he has with it is the installation contractor shall permanently disable all lamps replaces pursuant to this agreement (make them unfit for reuse). He doesn't agree with that. Attorney Cooper stated it is like the Cash for Clunkers Program where they have to seize the engines up so that couldn't be sold somewhere else.

Councilman Aldrich stated that could be put off in the garage for future use. Supt. Bradley stated that's what they don't want. Supervisor Thomas stated we could sell them. Attorney Cooper stated they don't want that either. Supervisor Thomas stated we paid for them.

Councilman Aldrich stated the pay back would be a three-year deal. That is something to consider. Supervisor Thomas stated 33 months. Councilman Aldrich stated if the estimated job cost is a concrete cost, this is what it is going to cost, he thinks we can go with it. But if you get in one of these deals where it's going to end up with a cost plus then you going to end up paying dearly. Supervisor Thomas stated it doesn't say anything about cost plus and he was here and looked at it he is the one that came up with the estimates he knows what's there, he saw the building. If it will save us that much money, \$1400.00 a year he thinks we should probably do it. It will cost us about \$3795.74. Councilman Ross stated we might be able to rent the scissors cheaper then that. Phil Coletti has one for his business. Councilman Aldrich stated they (National Grid) probably has the one that booms up in the air with an extendable arm with a platform. Mr. Coletti's is electric but if you want to move it you have to let it back down and roll it even if you want to go a couple feet. What they are talking about here is one that has a telescopic boom and platform. Supt. Bradley stated if you rent Braley and Noxon gives you break on the cost. It's a really good deal.

Councilman Aldrich stated he would move a resolution to accept the proposal but he would like instead of estimated price, he would like the price is. Supervisor Thomas stated they have a contract, once he signs it that is all he is going to pay him. Councilman Aldrich stated as long as they understand where they're coming from. Where they are going to get their money. Another thing is to disconnect those lights and put them on the ground and we will take care of them from there. We have to take care of them anyway they don't need to disable them. Councilman Ross stated they might not take that out. Supervisor Thomas agreed. Supt. Bradley stated if you know the contractor he might not care.

086-10 A resolution was made by Councilman Aldrich seconded by Councilman Ross to accept the proposal from Rise Engineering through National Grid to replace the lighting in the Highway Garage for the lump sum payment of \$3425.74 and see if the town can find a scissor lift cheaper than \$370.00 but will approve the \$370.00 at this time. If we can't, if it's not a fix price, if they say it's more money he will tell him he will not sign it. It says the customer shall not pay more than the estimated cost shown on the report, if it's less they will make an adjustment. Roll call vote, all in favor.

#### Committee Report:

Recreation Field: Supervisor Thomas stated a new pole was placed at the recreation field and used the panel that was on the bandstand put two lights on the pole and outlets on the bottom. This does light up the back of the pavilion better.

#### Food Pantry:

The Stony Creek Pantry has been awarded a \$449.00 through Community Action Agency and North Eastern Food Bank, toward the purchase of a refrigerator to be placed in the basement.

#### Signs on Lens Lake

The sign 3/4HP motor is gone and Mr. Johnson informed him that someone was in there the other day trying to put a ski jet in and if they get hurt in there on them rocks and stuff and we don't have a sign up, where do we stand? Supervisor Thomas will get a sign made and be placed up there also VanDusen Road needs a sign. He also asked about replacing the sign on the spring on Roaring Branch Road, the camp across shot it full of holes. A sign will be replaced.

#### New Business:

Intermunicipal Agreement regarding the Local Waterfront Revitalization Program 2008 EPA Fund Act through Warren County and it has to do with the First Wilderness Corridor. This is an Intermunicipal Agreement between Warren County and the towns of Johnsbury, Chester, Lake Luzerne, Stony Creek, Thurman, Warrensburg, Hadley, Corinth and the Village of Corinth. This particular grant has to do with North Creek and not so much with the rest of us but we are all part of the Corridor and there is money in there for a website and marketing of the corridor and any promotion. Supervisor Thomas stated it would behoove the town to be part of it, we won't get a lot of benefit out of it but will get some. The Town Board reviewed the agreement.

#### Cell Phone:

Councilman Liebl asked if there was any discussion at the County about cell phone service. Supervisor Thomas stated there is discussion about broadband service. Warren, Washington and Hamilton County went in together for a need analysis study to pay for that. They completed the analysis of it and they applied for funding through the stimulus money that President Obama put in place and they are trying to get funding to put in a backbone of fiber optic cable through the three counties, should that funding come to be, and they get funded through the Federal Government, Stony Creek will be hooked with fiber optic cable with the Library and wouldn't be surprised with the town hall and the plan is to be able to use the broadband to get a higher speed internet service and also cell phone service with antenna's. That is a project two or three years away. The theory of this is it's being done by a non-profit organization part of Plattsburg University this fiber optic cable they put in is kind of like a main road in other words all your communication companies will be able to operate on this cable. Basically for the same fee so they won't be competing to get on this cable, they will all have access to it, they will be more inclined to fix the last mile of this cable for your house. That is where the problem comes in but with this they anticipate that there will be more communication companies that will be willing to do that because they will have access to the fiber optic so they will be willing to come into a small town like this and hook up forty or fifty people. The way it is now is each company has their own cable and there are all competitors so they won't let the other companies use it but this is supposed to be open to everybody. Councilman Ross stated owned by three counties. Supervisor Thomas stated yes it is CBN Connect is the name of the Organization. He thinks it will be owned like a 501C3 Non-profit organization. That is three to Five years and should in theory give cell phone service. Supervisor Thomas stated that the guy from Hickory Hill is trying to get a tower on Hickory Hill. That was three or four months ago.

#### Intermunicipal Agreement cont'd:

Councilman Ross asked if this is something he will have to sign. Supervisor Thomas stated yes the town will have to pass a resolution and he will have to sign it in order for it to be part of this particular grant funding the county has got. He believes we have already entered into intermunicipal agreement in the past having to do with another grant. We are part of this corridor and the county does and has received a considerable amount of money from the State for this corridor over the years.

Supervisor Thomas asked Attorney Cooper if he see any problem with it. Attorney Cooper stated he hasn't had a chance to study it. He looked quickly in the Town Law book and it says Intermunicipal Agreement have to be a term of no more than five years and this agreement says it will last as long as it takes to do the work. He assumes it could be done in five years in whatever they're proposing to do, the only concern he has is that there is, and he couldn't like he said submit it to close analysis, that there is not backbone liability that Stony Creek could be tacked for a share of expenses if it's not covered by grants. We don't want that. Attorney Cooper will review the document and will call Supervisor Thomas.

087-10. A resolution was made by Councilman Ross seconded by Councilman Gill to enter into the Intermunicipal Agreement between Warren County and the Town of Stony Creek concerning Local Waterfront Revitalization Program 2008 EPA Fund Act. Contingent upon the Attorneys review of the document. Roll call vote, all in favor.

Bed Tax Fund request:

Supervisor Thomas stated the Stony Creek Family Campground submitted a bed tax request. They are asking for \$1600.00 for their website design and marketing. They attached a copy of the invoice from Mannix Marketing, Inc. in Glens Falls. They are saying 90% of their business comes through their website. They are saving \$900.00 a year under the grandfather price of \$2550.00. Councilman Ross asked if this comes under the letter of what we can use the tax fund for or is this private business asking the town to support their website. Supervisor Thomas stated he thinks it both actually. He thinks it is a private business asking for us to support the website but he thinks this comes under the occupancy tax. Attorney Cooper stated we have done it before with other businesses he not call them to mind but they wanted money for brochures to support there business it's about the same thing only one is analog one is digital. Supervisor Thomas stated he thinks we can fund again if we want to he doesn't think we should keep doing this every year. He thinks it one thing to create a website, it's another to maintain it. He doesn't think the occupancy tax is intended for maintaining the website.

Attorney Cooper asked if any of the rentals for these travel trailers or whoever stays there do the collect Occupancy tax for those? Supervisor Thomas stated he doesn't believe so. It's only bed and breakfast and hotels and motels. It doesn't cover campgrounds. Attorney Cooper stated they would have a stronger argument if it was partly their money.

Councilman Aldrich stated we took tax money for their brochures and stuff for their campground and John Thomas's and different ones this is altogether different deal so he thinks if this starts here we will be getting more of it.

Supervisor Thomas stated like he said he can fund it once but wouldn't fund it again. It's one thing to create a website and to keep paying to maintain it, it's not. That's his understanding of what the money is about.

Councilman Aldrich stated the other businesses in town can use the town website.

Supervisor Thomas stated they can use the chamber website, if your member of the chamber they have a link to get to their website. Councilman Aldrich stated the chamber would get more hits on it then just an individual he would assume. Supervisor Thomas agreed.

Mr. Reisinger asked if you give them these funds can you stipulate that they have links on the website to the town, are they required to tie in together if you say ok your going to give them this money or are they going to take the money and go in there own little world. Supervisor Thomas stated yes we could stipulate it. They maybe already they probably aren't with the town but are with the chamber.

Supt. Bradley stated couldn't the Inn or Tavern 16 advertise to get more people in come in town to their bar. If they wanted to put out brochures they could ask the town for money. So where do you draw the line. Councilman Ross stated he thinks most of the brochures were put in the information things on the Northway. Supervisor Thomas stated this to draw tourist.

Supt. Bradley stated is it to draw tourist or residency. Supervisor Thomas stated tourist, visitors. Councilman Ross stated he doesn't have a problem doing it but he guarantees every other business in town is going to come here wanting you to do their website too.

Councilman Aldrich stated this might be time to consider partial funding of it. If we did 50% then they would have to do 50%. Then maybe that would be more of an incentive. He is all for promoting business but he thinks could snowball into something we're not seeing down the road. Supervisor Thomas stated he would be willing to fund the website the design and setup but once it's done they need to take care of it.

088-10. A resolution was made by Supervisor Thomas seconded by Councilman Aldrich authorizing the expenditure of \$800.00 of Bed Tax monies to the Stony Creek Campground 18 Grist Mill Road, Stony Creek, NY for website design and Internet marketing. With the stipulation that there be a link made to the Stony Creek Chamber of Commerce and the Town of Stony Creek. Roll call vote, all in favor.

Supervisor Thomas stated he received a contact from the Glens Falls Animal Hospital. He believes we did a contract with four or five months ago. A letter from John O'Connor, Veterinary stated during a recent inspection from the NYS Dept. of Agriculture and Markets the department recommended improving new contracts with the towns regarding the boarding of seized animals other towns State Code. The department felt the existing contract lacks detail, enclosed are two copies of the revised contracts to replace the contracts signed this year.

One copy is to be forwarded to Glens Falls Animal Hospital, one copy for the records.

Councilman Aldrich asked if the dollar amount is still the same.

Supervisor Thomas stated he believes so. Attorney Cooper was asked to review the contract. Councilman Aldrich stated if the dollar value is the same he doesn't see anything wrong with that. Attorney Cooper asked what the first contract version was. Supervisor Thomas stated it was about half a page. Attorney Cooper stated ok he can say without equivocation that this one is longer.

089-10. A resolution was made by Councilman Ross seconded by Councilman Gill entering into an Agreement between the Town of Stony Creek and Glens Falls Animal Hospital. Roll call vote, all in favor.

Supervisor Thomas stated the State is going to let the towns administer the dog licenses now? Town Clerk Harrington stated starting January 1<sup>st</sup>. Supervisor Thomas stated and we keep the money he believes. Town Clerk Harrington stated all but the \$3.00 the State wants that share for the unneutered and unspayed. They want the towns to do pay work, buying the tags, mailing the renewals.

Supt Bradley asked if the Board wanted to buy a truck. Councilman Ross stated he thought we were on a replacement program. Supt. Bradley stated we just brought one three years ago. If you're going by a 20-year replacement it's due. Supt. Bradley stated when did we buy one two years ago. Supervisor Thomas stated 2008. This truck is a 1990 and it has been patched. He's not saying it won't last but if you want to stay on your rotation, the oldest truck is a 1990. Our oldest truck is a 1986, which is our spare, but the one they regularly use is a 1990. So yes it's time to buy a new one if you want to go with that rotation. Supt. Bradley thinks you should buy it. He knows it is a lot of money but it is going to go up. If it goes up \$5000.00 you can't make \$5000.00 in a year if you going to buy a truck next year after January or when the contract is up. After January it will be \$5000.00 he would imagine. He doesn't know that for sure. Trucks have never gone down in price. It has always gone up. If you're planning on buying a truck we wouldn't have it until after January anyways. Councilman Ross stated it would make sense to stay on your rotation if you're on one and it's working.

At the last Board meeting Councilman Aldrich stated he wanted to pay cash. We can finance pretty cheap. It might be better to finance some of it or not he doesn't know what the limit is. It is a lot easier to pay cash. Right now we lack \$50,000.00 cash. Next year he is pretty sure that we will be getting \$25-25,000.00 in machinery, and more likely there will be more then \$25,000.00 left in the budget. It what the Board wants to do, he knows it is a big step.

Councilman Ross stated it you planning on staying in your rotation you need to start investigating.

Supt. Bradley stated he has given you all the prices. Once you say yes we are buying a truck he can start trimming the fat. It's going to be around \$200,000.00, the last truck was \$212,000.00. Another town just brought one basically the same truck we are specing out. Nothing extra ordinary, just a tandem, high hp and went with a power window on the drivers side that's was \$200.00 separate from the last truck. The rest is just the price of steel. The box is \$14,000.00 more, that's just sense we brought the last truck just the box itself is \$14,000.00 more. But we are going with a different box its \$14,000.00 cheaper. Stay with the same stuff we've been buying, cheapen it up. He will get some information probably by the end of the week, to find out when that is going up. Supervisor Thomas stated this is July so we will be on the hook for another month. This will be tabled until next month.

Virginia Lorrain asked how the Open House that was held last month went over. Supervisor Thomas stated fair. Mrs. Lorrain asked if there was anybody around. Supervisor Thomas stated there was about 40-50 people that stopped by the Chamber Booth, he believes the Library got quite a lot of people. He's not sure on the business, some got visitors some of them didn't. Mrs. Lorrain stated the Farmers Market isn't going over, she can tell you. Nobody has any vegetables to sell. Supervisor Thomas stated it is there on Tuesday's from 4-7 PM, if anyone has anything that would like to sell. There is goat cheese from the Nettle Meadows Goat Farm.

Supervisor Thomas stated on August 9<sup>th</sup> Casey Quinlin from the Attorney General's Office will be here at 10:00 AM to do a presentation about Internet Safety to the youth group.

A motion was made by Councilman Ross seconded by Councilman Aldrich to adjourn the meeting at 8:16 PM. All in favor, motion carried.

Respectfully submitted,

Susan Harrington  
Town Clerk