

January 3<sup>rd</sup>, 2017 Organizational Meeting

The Stony Creek Town Board Organizational Meeting was held on January 3<sup>rd</sup>, 2017.  
Supervisor Frank Thomas called the meeting to order at 6:33 PM with members present:  
Councilman Nathan Thomas  
Councilwoman Doreen Ryan  
Councilman John Thomas  
Councilman Carl Thomas  
Counsel to the Town: Mary-Ellen Stockwell

001-17. A resolution was made by Councilman Nathan Thomas seconded by Councilwoman Ryan to hold the town board meetings every third Tuesday of each month at 7:00 p.m. with auditing of bills at 6:30 p.m. Roll call vote, all in favor.

002-17. A resolution was made by Councilwoman Ryan seconded by Councilman John Thomas establishing the Stony Creek Town Hall, 52 Hadley Road, Stony Creek, NY 12878 as the official polling place for the year 2017. Roll call vote, all in favor.

003-17. A resolution was made by Councilman Carl Thomas seconded by Councilwoman Ryan appointing Susan Harrington as Registrar of Vital Statistics for the year 2017 with an annual salary of \$600.00. Roll call vote, all in favor.

004-17. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas appointing Amy M. Harrington as Deputy Town Clerk for the year 2017 with no annual salary. Roll call vote, all in favor.

005-17. A resolution was made by Councilwoman Ryan seconded by Councilman Carl Thomas appointing Amy M. Harrington as Deputy Registrar of Vital Statistics for the year 2017 with no annual salary. Roll call vote, all in favor.

006-17. A resolution was made by Councilwoman Ryan seconded by Councilman John Thomas appointing Supervisor Frank E. Thomas as Budget Officer for the year 2017 with an annual salary of \$600.00. Roll call vote, Councilman Carl Thomas-yes, Councilman John Thomas-yes, Councilman Nathan Thomas-yes, Councilwoman Ryan-yes, Supervisor Thomas-abstained.

007-17. A resolution was made by Councilman Carl Thomas seconded by Councilman Nathan Thomas appointing Cynthia Cameron as Town Historian for the year 2017 with an annual salary of \$525.00. Roll call vote, all in favor.

008-17. A resolution was made by Councilwoman Ryan seconded by Councilman Carl Thomas appointing Maxine Zawarkay as Dog Control Officer for the year 2017 with an annual salary of \$4370.00, contingent upon receipt of monthly dog incident report log. Roll call vote, all in favor.

009-17. A resolution was made by Councilman Nathan Thomas seconded by Councilwoman Ryan appointing Meyer & Fuller, PLLC as Counsel to the Town for the year 2017. The fee Meyer & Fuller being the same as proposed back in September 2016, which is the minimum legal fee would be \$7500.00 for a year, which figures to \$150.00 per hour for about 50 hours of legal services for the year. If the town goes over the \$7500.00, it's \$165.00 per hour. It doesn't cover litigation that is totally separate. Roll call vote, all in favor

010-17. A resolution was made by Councilman Carl Thomas seconded by Supervisor Thomas appointing Nathan J. Thomas as Deputy Supervisor for the year 2017 with no annual salary. Roll call vote, all in favor.

011-17. A resolution was made by Councilwoman Ryan seconded by Councilman John Thomas appointing Ronda L.M.Thomas as the Supervisors Confidential Secretary/Bookkeeper for the year 2017 with an annual salary of \$24,611.00. Roll call vote, Councilman Carl Thomas-yes, Councilman John Thomas-yes, Councilman Nathan Thomas-yes, Councilwoman Ryan-yes, Supervisor Thomas-abstained.

012-17. A resolution was made by Councilman John Thomas seconded by Councilwoman Ryan appointing Bryan Smead MD. as Town Health Officer for year 2017 with an annual salary of \$500.00. Roll call vote, all in favor.

013-17. A resolution was made by Councilman Carl Thomas seconded by Councilman John Thomas authorizing the Superintendent of Highways to appoint a foreman who in turn will receive a \$35.00 stipend each pay period. Roll call vote, all in favor

014-17. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas authorizing the Town Justice to appoint a Court Clerk for the year 2017 with a pay rate of \$11.00 per hour. Roll call vote, all in favor.

015-17. A resolution was made by Councilwoman Ryan seconded by Councilman Carl Thomas to set the pay rate for the Recycling Center Coordinator substitute's helper at \$10.59 an hour, if head maintenance person fills in he will be paid his regular hourly rate. Roll call vote, all in favor.

016-17. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas setting the pay rate for laborer to help the maintenance person at \$10.59 an hour and give the Town Board a report of where and when person was used. Roll call vote, all in favor.

017-17. A resolution was made by Councilman Nathan Thomas seconded by Councilwoman Ryan authorizing the use of the Annual Financial Report to the State Comptroller in lieu of the Supervisors' Annual Report to the Stony Creek Town Board. Roll call vote, all in favor.

018-17. A resolution was made by Councilman Carl Thomas seconded by Councilman John Thomas authorizing the Supervisor to invest idle funds on behalf of the town per the town's Investment Policy. Roll call vote, all in favor.

019-17. A resolution was made by Councilwoman Ryan seconded by Councilman Nathan Thomas designating TD Bank and Glens Falls National and Trust Co. Bank, as official depositories for town funds for the year 2017. Roll call vote, all in favor.

020-17. A resolution was made by Councilman Carl Thomas seconded by Councilman Nathan Thomas authorizing the Supervisor to use a facsimile signature stamp in lieu of his personal signature on town checks. Roll call vote, all in favor.

021-17. A resolution was made by Supervisor Thomas seconded by Councilwoman Ryan authorizing the Town Officials to attend the Association of Towns Annual Meeting in New York City February 19<sup>th</sup> - 22<sup>nd</sup>, 2017. Roll call vote, all in favor.

022-17. A resolution was made by Councilwoman Ryan seconded by Councilman John Thomas designating Nathan J. Thomas, Councilman as the Official Voting Delegate and Peter J. LaGrasse, Assessor as the Alternate Delegate for the Association of Towns Annual Meeting in NYC February 19<sup>th</sup> - 22<sup>nd</sup>, 2017. Roll call vote, all in favor.

023-17. A resolution was made by Councilman Carl Thomas seconded by Councilwoman Ryan authorizing a cash advance in the amount of \$400.00 to Town Officials attending the Association of Towns Annual Meeting in New York City for qualifying expenses for those desiring such a cash advance. Receipts submitted upon return. Roll call vote, all in favor.

024-17. A resolution was made by Councilman Nathan Thomas seconded by Councilwoman Ryan designating the Glens Falls Post-Star as the official newspaper with legal notices to be put in the Adirondack Journal, The Sun when time permits. Roll call vote, all in favor.

025-17. A resolution was made by Councilwoman Ryan seconded by Councilman Carl Thomas appointing Peter J. LaGrasse, Chairman of the Board of Assessors for the year 2017, with an annual salary of \$10,930.00. Roll call vote, all in favor.

026-17. A resolution was made by Councilman Carl Thomas seconded by Councilman John Thomas establishing the mileage reimbursement rate at .53.5¢ per mile effective January 1, 2017. Roll call vote, all in favor.

027-17. A resolution was made by Supervisor Thomas seconded by Councilman Nathan Thomas authorizing the Supervisor to sign the contract with the Stony Creek Volunteer Fire Co. for Fire Protection and Emergency Medical Service for the year 2017 in the amount of \$92,000.00 and fueling of the Stony Creek Volunteer Fire Department's equipment at the town facility with the town being reimbursed the cost on a quarterly basis.

Discussion:

Attorney Mary-Ellen stated the Fire District Contract along with the Library and Historical Association Contract, she took a look at them and provided the Board with a packet of her purposed agreement and the current agreement the town has. Under the Fire Co. agreement she added protection language which she feels is beneficial to the town. It's up to the Board if they want to keep it in there or not, relative to coverage, insurance and things like that. Also according to Town Law it's required to hold a public hearing. Supervisor Thomas stated we did that at budget time.

Number 7 in the 2015 agreement they established a New Equipment Fund and on that contract it was \$17,000.00 out of the total amount, she didn't know if they wanted to keep it at that amount or wanted to change it or if it wasn't necessary for this agreement. Supervisor Thomas stated it's been the same. Attorney Mary Ellen stated, so keep it at \$17,000.00, it will be noted on Number 17 and we will modify that. Councilwoman Ryan stated the new account that was opened was for gear and that was like \$5000.00 a year. Attorney Mary Ellen will keep it at \$17,000.00, she will make that modification for the final draft.

Attorney Mary Ellen stated some of the language she added that wasn't in last year's agreement for example number 12 relative to insurance, she's not sure of the policy they have, so if you want to modify the resolution to authorize the Supervisor to sign upon final attorney approval then we can make changes, if necessary relative to that language if there are certain things you want to change. She thinks for protection purposes the municipality needed to have questions relative to the books. She knows many of the Board Members are also the on the fire dept. so if there is something that they do like or modify, she can do that as well.

Councilman John Thomas stated under number 10 the old contract basically the fire co has to show what they use the town funds for, the \$92,000.00. The way it's written "the complete accounting of its financial affairs". They also have a separate account for the firemen and a couple of other accounts. They would rather not have the public know about. They aren't hiding anything it's just easiest if they report to the town just what the town funds cover. Attorney Mary Ellen stated are used for. She took that language directly from the old agreement. It was number 8 and 9 of the prior agreement word for word so if there is something that needs to be modified for this new agreement we can put it in there, "The fire co shall supply to the town a complete accounting of its financial affairs, specifically related to monies provided by the town. Councilman John Thomas stated all they supply as for financial is the town contract part of it. Attorney Mary Ellen stated for example the money that is given to the fire district is put in to a separate account. Councilman John Thomas stated yes completely separate. Attorney Mary Ellen stated if that is acceptable to this Board, it's probably the history that's always been given, but if you want to limit the language so that does that, that's up to the Board.

Supervisor Thomas asked Councilman John Thomas if they have another account. Councilman John Thomas stated they have a penny collection which is basically their fundraisers. That's how they keep it separated. The only thing that goes in the General Fund is the \$92,000.00 and they pull out the \$17,000.00 for the Vehicle Replacement Fund. Otherwise it becomes a mess at tax time. Other than that that's the other two accounts they have.

Attorney Mary-Ellen stated paragraph 18 she included language, "That the fire co agrees to make all books and records of accounts available to the town", and which is again information sharing for purposes of the money giving to the district. If you want to limit the requirement of the fire district under Section 10 specifically to whatever they have to provide and make it available if they need to review under 18, that's up to the board.

Supervisor Thomas stated maybe a detailed account of the \$92,000.00 but the other money the town board or any town board should be aware of it. That its money that you have, not that you have to break it down on what you spend it on or anything.

Councilman John Thomas stated it would be two separate reports. Attorney Mary-Ellen stated what he is saying is the detailed financial for the town money is one and just a number for the other. Supervisor Thomas stated basically yes. Councilman John Thomas stated yes. Supervisor Thomas stated that way the Town Board knows what they're dealing with.

Attorney Mary-Ellen stated we could also leave it at the towns discretions so that it can be discussed, that is all the Board needs is a number that's fine, but if there are questions that come in and concerns at any point it can be discussed. If we are going to keep using this agreement and again if you want to authorize the Supervisor to sign these and she knows we won't meet again until the 17<sup>th</sup>, but if there are any changes we can always amend them at that time and would think the fire district and the town board would have to review these as well as authorizing it because it does look different then what last years was and that's fine she can mirror last year's agreement and go with that until the 17<sup>th</sup> and then look at this for modification purposes.

Councilman John Thomas stated on the first page last Whereas, As far as services of the town, it has library for snowplowing, which should be changed to the fire co.

Supervisor Thomas asked the Board if they want him to go ahead and sign it or wait and review it and then authorize it at he next meeting on the 17<sup>th</sup>. Councilman John Thomas stated there aren't any major changes. Supervisor Thomas stated he has it read all of it.

Attorney Mary-Ellen stated there are provisions in there like number 20. Notice of: "If there was ever an issue between the fire dept. and municipality to put them on notice", which means specifically in writing. Supervisor Thomas stated he will amend his resolution that they will adopt this contract as proposed and as to be corrected by the attorney tentative to January 17<sup>th</sup> board meeting. If there are any discrepancies or changes or find something they don't like they will amend it then. Councilman John Thomas stated he has to see what the umbrella coverage is on it. He isn't sure what the amounts are. Supervisor Thomas stated it's so we have a contract in place. If there is something they don't want in there we can take it out. Councilman John Thomas stated he doesn't think there is a three million dollar arrogant on the insurance. He will have to check and see. Supervisor Thomas stated he purposed that as an amendment to the resolution Councilman Nathan Thomas seconded it.

Resolution no. 027-16 shall read as:

027-16 A resolution was made by Supervisor Thomas seconded by Councilman Nathan Thomas authorizing the Supervisor to sign the contract with the Stony Creek Volunteer Fire Co. for Fire Protection and Emergency Medical Service for the year 2017 in the amount of \$92,000.00 and fueling of the Stony Creek Volunteer Fire Department's equipment at the town facility with the town being reimbursed the cost on a quarterly basis and to amend the resolution that they will adopt this contract as proposed and as to be corrected by the attorney tentative to January 17<sup>th</sup> Town Board meeting. If there are any discrepancies or changes or find something they don't like they will amend it then. Roll call vote, Councilman Carl Thomas-yes, Councilman John Thomas, Member of the Fire Co.-yes, Councilman Nathan Thomas, Member of the Fire Co.-yes, Councilwoman Ryan, Member of the Fire Co.-yes, Supervisor Thomas-yes. All in favor.

Attorney Mary-Ellen stated the Library and Historical Contract she also modified a little bit including some of the language. She left in the basic principals in the agreements relative to plowing and maintaining the premises. The one question she had was on the Historical on the prior agreement. The previous attorney noted it was a non-for-profit corporation, which she is sure it is but she couldn't find it on the Department of State, any records relative to that with an official address and she knows they are at 4 Murray Road. She recommends they have that on file. Supervisor Thomas stated he will look in to that.

Supervisor Thomas suggested the Town Board read over the contracts.

028-17. A resolution was made by Councilwoman Ryan seconded by Councilman Carl Thomas authorizing the Supervisor to sign the contract with the Stony Creek Free Library for library services to the Town of Stony Creek for the year 2017 in the amount of \$23,000.00. Roll call vote, all in favor.

029-17. A resolution was made by Councilman Nathan Thomas seconded by Councilwoman Ryan authorizing the Supervisor to sign the contract with the Stony Creek Historical Association to maintain museum services for the year 2017 in the amount of \$5,600.00. Roll call vote, Councilman Carl Thomas-yes, Councilman John Thomas-yes, Councilman Nathan Thomas-yes, Councilwoman Ryan-yes, Supervisor Thomas-abstained.

030-17. A resolution was made by Councilman Carl Thomas seconded by Councilman Nathan Thomas appointing Marcy Reisinger as Youth Director and Patrice Jarvis-Weber as Youth Planner for the year 2017 with a pay rate of \$13.00 per hour not to exceed 20 hours per week. Roll call vote, all in favor.

031-17. A resolution was made by Councilman Nathan Thomas seconded by Councilwoman Ryan setting the Monday before the monthly Town Board Meeting at 3:00 pm as the cut-off time for bills to be paid that month. Roll call vote, all in favor.

032-17. A resolution was made by Councilwoman Ryan seconded by Councilman Nathan Thomas designating Supervisor Thomas as the Town of Stony Creek's Representative on the Warren County Youth Bureau. Roll call vote, Councilman Carl Thomas-yes, Councilman John Thomas-yes, Councilman Nathan Thomas-yes, Councilwoman Ryan-yes, Supervisor Thomas-abstained.

Property at 13 Lanfear Road:

Supervisor Thomas stated in the pamphlet is a copy of the appraisal. It looks like it was well done. He has a call into Mike O'Reilly, he is anticipating next Tuesday that he would be available to do an inspection. Councilman John Thomas stated under where it was built it say 102, is that a misprint. Attorney Mary-Ellen will ask the appraiser to clarify that. We will also know that when they do the inspection. A lot of the information regarding the actual specifics would be found in the inspection. Supervisor Thomas stated he knows they have done renovations to it for a number of years, how extensive they were about it he doesn't know. As soon as he can get the gentleman situated and get him over here, get access to the building. Attorney Mary-Ellen stated she has a call into the Comptroller's Office, she is supposed to hear back from them this week. So under the section of the Finance Law we typically need the Comptroller's opinion for the BAN (Bond Anticipation Note) but because we are only borrowing the \$96,000.00 she is waiting to hear from them. They will only give an opinion over the phone an also if you wanted to move forward on that we can wait until the inspections done and then set up a public hearing for the 17<sup>th</sup> and the inspection goes ok then we can move forward with authorizing the Supervisor To go out for the BAN. If not we can always table it too. It's up to you how you want to handle that. Supervisor Thomas stated let's get the inspection done. Attorney Mary-Ellen stated we can wait until the 17<sup>th</sup> and then set up a Public Hearing for the next meeting.

A motion was made by Councilman Carl Thomas seconded by Councilman John Thomas to adjourn the meeting at 7:15 PM. All in favor, motion carried.

Respectfully submitted,

Susan Harrington, RMC  
Town Clerk