

April 18, 2017

The regular Town Board meeting of the Town of Stony Creek was held on April 18, 2017. The meeting was called to order at 7:02 PM by Supervisor Frank Thomas with members present:

Councilwoman Doreen Ryan

Councilman John Thomas

Councilman Carl Thomas

Counsel to the town: Matthew Fuller

Absent: Councilman Nathan Thomas

March 21, 2017 minutes:

A motion was made by Councilwoman Ryan seconded by Councilman Carl Thomas to accept the March 21, 2017 minutes. All in favor, motion carried.

061-17. A resolution was made by Councilwoman Ryan seconded by Councilman John Thomas to pay the General Fund bills in the amount of \$8,533.86. Roll call vote, all in favor.

062-17. A resolution was made by Councilman Carl Thomas seconded by Councilwoman Ryan to pay the Highway Fund bills in the amount of \$11,930.53. Roll call vote, all in favor.

Town Clerk report:

Conservation license	\$ 1.66
Birth Copies	20.00
Fax	1.00
Genealogy search	20.00
Marriage License	17.50
Copies	<u>4.50</u>
Total Town Clerk fees	\$ 64.66
Dog Licenses	<u>10.00</u>
Total Town Revenues to Supervisor	\$ 74.66
NYS Ag and Markets	2.00
NYS Department of Health	22.50
NYS Department of EnCon	<u>28.34</u>
Total Disbursed	\$127.50

Correspondence:

Dog Control Log-March 2017.

Karyn Calo, President Stony Creek Library- permission to run the food concession and 50/50 raffle during the Summer 2017 Music in the Park also two request for Occupancy Bed Tax money, \$2600.00 to cover the 2017 Winter Concert Series from January to April and \$550.00 to promote the Photography Show on May 19<sup>th</sup>.

Ronald Bordeaux-permission to use the town hall May 5<sup>th</sup> to set up and May 6<sup>th</sup> for a Birthday Party from 10:00 AM-4:00 PM.

Seniors 50 Plus Club-permission to use the town hall on May 17<sup>th</sup> from 1:00-3:30 PM for a crafting of Greeting Cards also permission to use the town hall on May 22<sup>nd</sup> from 9AM-4PM for an AARP Defensive Driving Course.

Cindy Cameron-permission to use the park pavilion or the town hall (weather permitting) on July 8<sup>th</sup> from 10:00 AM -8:00 PM for a Family Reunion.

A motion was made by Councilwoman Ryan seconded by Councilman John Thomas authorizing the following:

Ronald Bordeaux permission to use the town hall May 5<sup>th</sup> to set up and May 6<sup>th</sup> for a Birthday Party from 10:00AM-4:00 PM.

Seniors 50 Plus Club permission to use the town hall on May 17<sup>th</sup> from 1:00-3:30 PM for a Crafting of Greeting Cards also permission to use the town hall on May 22<sup>nd</sup> from 9AM-4PM for an AARP Defensive Driving Course.

Cindy Cameron permission to use the park pavilion or the town hall (weather permitting) on July 8<sup>th</sup> from 10:00 AM -8:00 PM for a Family Reunion. All in favor, motion carried.

HLCS 2017-18 Annual Budget:

Supt. Beecher Baker was present to discuss the HL School Budget. Mr. Baker provided a worksheet on the budget fact and information on what they have and what they want to accomplish. Mr. Baker stated it is a relatively lean budget which has additions to it. It is a \$20,896,487.00 budget with a 2.13% growth from year to year and the reason for that is health ins. and salaries. The 2.13% growth equals a 1.65% Tax Levy. It was 1.71% increase but additional funds came in once the State Budget came in and it brought it down to 1.65%. They will use some funds from the Reserve and Fund Balance. They are adding a Phys. Ed. and Health Teacher. It will be the same person who is certified in both. On the Physical Education side they want to provide new curriculum Physical Education. He wants to have the opportunity to spilt up the girls and boys in high school. For so long since he's been there you had a boys and girls in a co-ed gym class and what that seems to do is inhibit the younger girls, the 9<sup>th</sup> grade girls that are in with senior boys and it inhibits their growth in athletics, in sports and in anticipation, because they are 14 year old girls with 18 year old boys. It inhibits the boys on their side from doing what they need to do because the girls are there. So they are trying to separate them and by hiring a new person they can do that, but this person would also be a Health Teacher, which comes naturally with the Phys. Ed curriculum and he wants to combat that opioid epidemic. That is a pet peeve of his which is most of the communities right now. It's a serious problem and an issue and they are going to bring someone in that has a real understanding of that and they can teach their kids. It's already a part of their curriculum in educating not only the youth in their school but also the parents as well.

What has happened over the last school year: The math score, Hadley-Luzerne was in the top 10 in NYS in Grade 3 test score improvement. Everyone's test scores went up in Grade 3 in NYS. But Hadley-Luzerne was in the top 10 of the State in their improvement. The reason behind that was some of the new reading system they have in place in the K2 to bring the kids into the fold. You will see that keep moving forward. That was Grade 3 last year, you will see Grade 4 continue to move because of the new reading system they put in place.

The SAT scores. Hadley Luzerne was rated 15 out of the 89 schools in the Capital District, which is a product of not only the kids and teachers they have but the courses they offer. It gets the kids to college and trade schools. Whatever they need to do to improve their test scores.

The Capital Project: In December it passed, they will be starting work this Summer specifically on asbestos removal in the main building on Lake Ave. the actual work itself won't be until the Summer of 2018. In the Fall they will be working on the ventilation system in the Junior and Senior High School. Their goal is to really have it completed in the Fall of 2019. The only thing they can see hanging out there is the office area, which they would like done by the Summer of 2018. They will also hire a Teacher's Assistant to follow and keep track of attendance and grades because graduation rate is a key piece. A portion went down in last year on their graduation rate, in a one year period of time and feels a real important piece of that is attendance. If they don't go to school they aren't going to graduate on time, they aren't going to pass.

They are going to have someone who is tracking attendance and grades and stays on top of it and stays on top of it with parents and communicates with parents to the upmost degree. They are trying to fill the gap where they are having trouble with those issues.

There is a Budget Hearing on Monday May 8<sup>th</sup> at 6:30 PM and the Budget vote will be Tuesday May 16<sup>th</sup> from Noon-8:00 PM.

Carol LaGrasse asked about the attendance. When does it take place and at what age group?

Supt. Baker stated as far as when they dropout? You can see it early on and he thinks the interventions need to take place in Junior High when it starts happening and thinks it starts happening in attendance, kids not showing up to school. It's difficult for parents. We think it's easy to get a 16 year old out of bed and off to school, when you have to go to work and your 16 year old doesn't want to get out of bed. That's not the easiest piece. They do understand that. But it starts in the Junior High when they see dropouts actually happen, rarely do they lose a Senior because it's there for them. There is a difference between dropout rate and graduation rate. He thinks the press does a terrible job explaining that.

A drop out drops out never to come back. Graduation Rate basically says when you start 9<sup>th</sup> grade you start on a clock. You have 4-years to graduate. So if you don't graduate in 4-years that's when the school district gets dinned. That came about with the "No Child Left Behind". It was a Federal initiative and it's really controlled by money like anything is. He has a pet peeve about graduation rate. His only philosophical piece of graduation rate is what difference does it really makes if the kids graduate in 4-years or 5-years. Some kids learn at different paces, some have situations that happened in their lives which keeps them from graduation on time. So there's a lot of different factors that go into that and if he can hold on to a kid he's happy. He doesn't care if they're 18 or 19 as long as they graduate. He finds it's interesting that colleges are under the same auspices. Supervisor Thomas asked about the 4 AP Courses and 4 College Courses. Supt. Baker stated the 4 college courses are Model for Organization States. It's a SUNY Plattsburg Course which is a Political Course. One Spanish, one French and one is precalculus. So one is math, two languages and one social studies class. The AP courses are AP Calculus, which is a math and AP English. Vo-Tech is also included in this.

Old Business:

13 Lanfear Property:

Attorney Fuller reported the NYS Comptroller's Office will be sending a release letter by the end of this week or by the end of next week.

Knowlhurst Church /Cemetery property:

Supervisor Thomas talked with Mr. Rayder. Their feelings at this time is they are going to transfer everything over to the Stony Creek Community Church and if there is any subdivision that needs to be done we will leave it up to them to do. They do have an attorney, Bill Fitzgerald. Mr. Rayder did indicate he would be contacting or has contacted the town's attorney. Attorney Fuller stated they did. Mr. Rayder also indicated that the deed the board was looking at is actually the deed to the cemetery but it was amended to include the Parsonage. Rather than create another deed Ernest White just added the Parsonage to that so it's the Parsonage and cemetery. Mr. Rayder doesn't know if there was a deed to the church but he did indicate that Pastor Tony Lomenzo did find some sort of deed to the church, it dates back to the 1870's. It sounds like they will have the transfer done by July. Supervisor Thomas stated he thinks they were concerned about getting mixed up into a subdivision with the APA and not have time enough to get it completed before the Pastor leaves, which will be the first part of July. Supervisor Thomas stated we will wait until then and probably will be dealing with Pastor Lomenzo and the Stony Creek Community Church. Supervisor Thomas stated at the last meeting he stated he doesn't think a subdivision splitting the cemetery from the church or parsonage would be a big job and wouldn't be hard to do.

Carol LaGrasse stated there is a Federal Law RLUPA (Religious Land Use and Institutionalized Persons Act of 2000). Where a Zoning Agency cannot interfere with anything to do with a church or disabled whatever type of people in a town where it would affect the function of their business or their ministry and they are powerful enough to stop Zoning Agencies where it would affect the church.

Highway truck:

Supt. Bradley stated he would like a direction or time frame on the new highway truck. It will take six to eight months to build it. It will or he can time it into next year. If the Board still wanted to do it. Supervisor Thomas asked if this is a new tandem. Supt. Bradley stated yes, he has the specs and stated it might be \$210,000.00 but the number is \$205,000.00. The county trucks are \$230,000.00-\$235,000.00. They are going with stainless boxes and calcium mixes. It's basically the same truck. There is a 4700 Series but we are going with the 4900 Series, which is a heavier truck. It's the same as the Western Star, it has a tub body so there are no ribs to catch the salt anywhere. Councilman John Thomas stated we talked about doing it this year. Supervisor Thomas stated so we could borrow the first of next year. Councilman John Thomas stated he thinks we talked about it earlier this year but it's been a while. Supt. Bradley stated it can be timed so it's into next year. There will be funds rolled over and should have a little more in Fund Balance to put toward it and the payment. Councilman John Thomas stated we should have a total of what it will be. Supervisor Thomas agreed.

Supt. Bradley stated we are definitely cheaper than the county, they have it better one way and we have it better the other way. It's basically the same thing but jumped to 12 foot plow and wing instead of 11 foot and a couple of minor little things. Attorney Fuller asked if it's State Contract or did he bid it out. Supt. Bradley stated it's an Oneida State Bid. We can get it off that and it's with Western Star in Queensbury. Attorney Fuller stated he is going through a little bit of an issue with them with the Town of Day right now. The bid specs they are using aren't the same as Oneida. Supt. Bradley stated he isn't using their bid it's just basically this this and this. If you want options its 15%. It's basically a list like you pick a car out. He isn't going by a specific, another towns bid. We are doing our own spec'ing it out and discounted prices on top of that. Attorney Fuller stated you can't do that, if your piggybank a bid you have to use the same specs they bid out. What Oneida does is they use a lot of options, say A-M, you can buy off that sheet, that's the piggybank, but the Queensbury Group is kind of putting things in and saying this is only \$4200.00 so this is under your procurement policy so we can do this. Supt. Bradley stated no you can't do that.

Attorney Fuller asked Supt. Bradley to send over the spec and they would work him through it. Supt. Bradley will take his word for it and will check in to. Attorney Fuller stated the Comptroller's Office is watching. Supt. Bradley stated either way he can spec it out its very simple it will take two seconds to check it out and can do it that way. Attorney Fuller stated he did the same thing in Ticonderoga. They had four or five changes from the Oneida bid and they said once you are under your procurement we can just do this. The Comptroller's Office said no you can't if you're going to use a piggybank bid. That's why Oneida Co. is really good at it because all those Highway Supt.'s they get together every year with the county and they say we are all thinking about buying this truck but I want this option and this and they put it all together at the county level and it's something that Warren County can do too. But they put it together and send it out so you don't have 15 different bids from municipalities, they have one. They send it out, get the responses back and you just pick ale crate. I'll take this truck, this chaise, this box. You're talking about this wing. But they have to be that spec. If you're changing like some people want a certain transmission, like the horsepower you start swapping that stuff in and out then you have changed that bid, it's no longer a piggy bank. What they did in Ticonderoga is pick the stuff on the specs they wanted, make the changes they wanted and just sent it out. Supt. Bradley stated he can put it in the paper for a week and go that route, so either way. Supt. Bradley is under the assumption that it's like everything comes with a base and that's what they spec'd out but if you want to add options you get a discount, 15% on every option you have. That's the bid he has always done, but he will defiantly find out more. Attorney Fuller stated yes because they are watching it closer. The piggybank law is about 3-4 years old, it was approx. in 2013 and they are starting to pick up on this. Like Henderson are on a lot of the bids for the boxes so they're watching these things. He's had discussions with them so he knows point blank that they are watching for them. Supt. Bradley stated either way he will call the State Comptroller and ask them. If Attorney Fuller finds out anything great the more information the better.

Supt. Bradley stated the base price is \$210,000.00 and it is somewhat of a State Contract. It's \$8000.00 more than they paid for the last truck. If you start this year you're probably going to save a couple thousand by January 1<sup>st</sup> because you already agreed to it.

There are a few things that can be done so it falls into next year. Attorney Fuller stated in terms of financing what would you do? How many years would you want to do it?

Supervisor Thomas stated he is thinking five years but might have to go more. Supt. Bradley stated it if was \$100,000.00 it wouldn't be bad, \$20,000.00 for five years. Attorney Fuller stated that rates are floating around, 2.17% is the lowest and 2.89% was the highest he has seen lately. Supt. Bradley stated 3.1% is the municipal lease where you wouldn't have to do anything you just get it but it's a point higher. Supervisor Thomas stated it depends on how much you want to put toward it. There is about \$131,000.00 in Fund Balance. Supt. Bradley stated you still need to have 10% in there. Supervisor Thomas stated the last time we spent \$100,000.00 on stone dust and the last truck we paid cash for after that we had that storm in 2011. We can apply some of the Fund Balance plus there's \$35,000.00 in the Highway Code. The pay loader was paid off last year. So we can apply that. Supervisor Thomas stated he doesn't know if we could do half but it would be close. Supt. Bradley stated there should be some left over at the end of the year too unless something big comes up. Councilman John Thomas stated if we don't do it he thinks it's going to catch up to us at some point. There's a couple of old trucks down there that are pretty worn out. Supt. Bradley stated it's nothing that will be death mental or hurt us now but it's like you have to go to a loader and you have a 1964 broom that kind of stuff.

Councilman John Thomas stated you hope it last forever but it never does. Supt. Bradley stated they are pretty good at fixing stuff that probably shouldn't be fixed. Supervisor Thomas stated when we bought the last truck we figured in 2017 we would have to start. Supt. Bradley stated your pushing it into 2018 technically. It takes so long to build it, it's not like a three month deal it takes a while. Councilman John Thomas asked if he needs to check on the bid to make sure everything is in line. Supt. Bradley stated he will check all that and asked the board what they needed first, a price and spec sheet to prove it? He will call and find out exactly how that's supposed to work. There was a thing on piggybank bids as far as metal. There was a problem buying off that but it was a different situation he couldn't remember what they couldn't piggybank. Supt. Bradley will find out about the truck and do it right obviously. Attorney Fuller asked to let them know how much you want to borrow and they can get the bid resolution and that stuff going. This is getting the cart before the horse, generally we have to have a ballpark, put the bids out and have the bond stuff ready to go. So when you get them back you technically do have to have the money approved in order to execute the contract. Supt. Bradley stated it won't hurt anything to get the bids before the next meeting and then have an exact number. As far as putting the bids out, receiving them and we can reject them if we don't decide to do anything. Attorney Fuller stated yes. Supervisor Thomas stated he thinks we can get to \$90,000.00. \$100,000.00 maybe but it would be pushing it. He thinks we would have to borrow \$115,000.00 or \$120,000.00 and we are budgeting \$35,000.00. So we should cover a five-year time frame.

063-17. A resolution was made by Councilman John Thomas seconded by Councilman Carl Thomas to advertise for bids on a new 2017 tandem truck. Bids will be received until Tuesday May 16<sup>th</sup>, 2017 at 7:00 PM. The Town Board has the right to reject any or all bids. Roll call vote, all in favor.

#### CHIPS:

Supt. Bradley stated the CHIPS money went up. Supervisor Thomas stated it went up about another \$20,000.00. Supt. Bradley stated the section he plans on paving is in front of Simeon Braman's on States Road from the top down, they will grinding and paving that and if they have enough they will do a section on Roaring Branch Road from where they left off up to the Fodder Road. Supervisor Thomas asked if they were going to do blacktop. Supt. Bradley stated right now they are both giving him cost. The road did hold up pretty good it just bumpy but they are going to chip seal it. They are going to put a double chip seal, so they are giving \$15,000.00 worth of oil on the whole extra. Councilman John Thomas stated it makes a chatter when you drive up it spots. Supt. Bradley stated it's because the stone was so big, which they approved and that won't happen again. Councilwoman Ryan asked if that was the road Councilman John Thomas was on with the firetruck. Councilman John Tomas stated no that was a county road. That was the new blacktop on Harrisburg Road. They were up there because they had a call to pump out a basement. He told them at the meeting to stay on the road, don't get off the road and as you go up the road it looks like the blacktop was a wave. Supt. Bradley stated that's what he gets on the county about and tells Supervisor Thomas. It is a real pet peeve that when the county puts up there posted signs they don't enforce it. So you have all these heavy trucks running during the day and it keeps eating up the roads. That's huge. Supt. Bradley stated he called the county and asked if they were going to do something they said no. They should be enforcing that because that's money out of our pocket that's getting wasted. Councilman John Thomas stated it's the first time he has ever seen a road do that. It was sinking in maybe half or three-quarters on an inch and you could see the blacktop roll underneath the tires, it looked like a wave going through water. This was the new blacktop by Mrs. Clute's that the county put down. Supt. Bradley stated you have seen the patches the county put down on Warrensburg Road, that's why he is begging to reconsider on some prices, I don't know if we can get anything out of them but should ask them to up our price on plowing there roads. It's \$700.00 on the wing and \$700.00 on the plow. Councilwoman Ryan stated the way they patched it everybody knew it wasn't going to work. Supervisor Thomas stated the county is looking into contacting the paving. He thinks that's where they're going and the county will be paving only what they don't need the contactor to do. Supt. Bradley stated that some of the CHIPS money can go toward the truck also.

#### Committee Reports:

Councilwoman Ryan asked if we were doing an afternoon parade for Memorial Day. Supervisor Thomas stated yes, the same time as last year, he believes it was 3:00 PM but will check to make sure. If anyone knows of anyone that would like to speak let him know.

#### Deal Farm Trails:

Supervisor Thomas stated he contacted a sign company, Seashore Specs., for the main sign for the Dean Trails. It needs to have a main sign. The Town will have to pay the full shot because the State won't pay for it unless we meet their specifications and doesn't think our sign would meet that.

#### Tower for First Responders and Sheriff's Dept.

Supervisor Thomas reported he is expecting a MOU (Memorandum of Understanding) from the county. They want to build a tower behind the town hall for the police and First Responders. He talked with Supt. Bradley about moving the diesel tank down in the yard. He thinks getting it away from the town hall would be a positive thing and that would give them more room to establish what they have to do. They are talking about the tower being about 60 feet tall. A lot of people are going to be wondering why we don't have cell service on top of it but it's not going to be that type of structure that will be able to hold microwave or cell panels. Councilman John Thomas asked if it was grant. Supervisor Thomas stated they just were notified they got a grant. The county started out funding it themselves. They did Warrensburg and Luzerne and then they got some dormitory funds through Senator Little and then this other grant just came in. There is four or five locations that they are planning on doing. One is in Thurman and the others are around the area. It should help the communications and maybe if they communicate we can actually have sheriff deputies in town. Supt. Bradley asked about putting the highway antenna on it. Supervisor Thomas stated he could talk to them about it. The tower isn't strong enough for the cell panels. They are about as big as the panels in a ceiling and you get them too high and the wind would get a hold of them so you would need a good size tower to hold them. Councilman John Thomas asked if he knew how long it would take. Supervisor Thomas stated that they are talking about hiring a vendor to organize it and put it together, doing the permitting.

#### New Business:

064-17. A resolution was made by Councilwoman Ryan seconded by Councilman Carl Thomas Authorizing the expenditure of Occupancy Bed Tax funds to the Stony Creek Free Library for the Winter Concerts held in January to April of 2017, not to exceed \$2600.00 also the expenditure of \$550.00 of Occupancy Bed Tax funds for the upcoming Photography Show to be held on May 19<sup>th</sup>, 2017. Roll call vote, all in favor.

A motion was made by Councilwoman Ryan seconded by Supervisor Thomas authorizing the Stony Creek Library to hold their Concession Stand and the 50/50 raffle during the Tuesday night "Music in the Park". All in favor, motion carried.

065-17. A resolution was made by Councilwoman Ryan seconded by Councilman John Thomas authorizing the following budget transfer:

Debit Fund Balance in the amount of \$500.00.

Credit A6310.4 Community Action Contractual Expense in the amount of \$500.00.

Roll call vote, all in favor.

066-17. A resolution was made by Supervisor Thomas seconded by Councilwoman Ryan authorizing the following budget transfer:  
Debit Fund Balance in the amount of \$16,539.73.  
Credit A6410.4 Publicity Contractual Expense in the amount of \$16,539.73. Roll call vote, all in favor.

067-17. A resolution was made by Councilwoman Ryan seconded by Councilman Carl Thomas authorizing the following budget transfer:  
Debit A6410.4 Publicity Contractual Expense in the amount of \$482.27.  
Credit A7180.4 Special Recreation Contractual Expense in the amount of \$482.27.  
Roll call vote, all in favor.

068-17. A resolution was made by Councilman John Thomas seconded by Councilwoman Ryan authorizing the following budget transfer:  
Debit DA5142.4 Snow Removal Contractual Expense in the amount of \$167.29  
Credit DA5142.4.2.20 Salt Control in the amount of \$167.29. Roll call vote, all in favor.

From the floor:

A motion was made by Councilwoman Ryan seconded by Councilman Carl Thomas to adjourn the meeting at 8:12 PM. All in favor, motion carried.

Respectfully submitted,

Susan Harrington  
Town Clerk