

May 17, 2016

The regular Town Board meeting of the Town of Stony Creek was held on May 17, 2016. Supervisor Frank Thomas called the meeting to order at 7:02 PM with members present:  
Councilwoman Doreen Ryan  
Councilman John Thomas  
Councilman Carl Thomas  
Attorney James Cooper  
Absent: Councilman Nathan Thomas

April 20, 2016 minutes; correction:  
Page 151 insert one hundred million.

A motion was made by Councilwoman Ryan seconded by Councilman Carl Thomas to accept the April 20, 2016 minutes with this correction. All in favor, motion carried.

074-16. A resolution was made by Councilman John Thomas seconded by Councilwoman Ryan to pay the General Fund bills in the amount of \$7,494.76. Roll call vote, all in favor.

075-16. A resolution was made by Councilwoman Ryan seconded by Councilman Carl Thomas to pay the Highway Fund bills in the amount of \$16,084.66. Roll call vote, all in favor.

Town Clerk Report:

Conservation license	\$ 3.04
Birth copy	10.00
Marriage copy	10.00
Fax	1.00
Copies	<u>4.50</u>
Total Town Clerk fees	\$28.54
Dog licenses	<u>15.00</u>
Total town revenues to Supervisor	\$43.54
NYS Ag and Markets	3.00
NYS Environmental Conservation	<u>51.96</u>
Total disbursed	\$98.50

Correspondence:

Tonya Hathway-permission to use the park pavilion on May 31, 2016 for the Annual Family Get-together.

Karyn Calo-permission to use the town hall on June 2, 2016 for a Princess House Party.

Cindy Cameron, Town Historian-permission to use the town hall on June 17, 2016 for a Historical Presentation.

Tony Lomenzo Pastor, of Stony Creek Community Church-Permission to use the park pavilion July 18th-July 22<sup>nd</sup> for their Community Bible School.

Karyn Calo, Stony Creek Free Library-Permission to use the park pavilion on Sept. 11, 2016 for the Library Fall Fest.

Stony Creek Vol. Fire Co.-permission to use the town park on Sept 18<sup>th</sup> with a rain date of Sept. 25, 2016 for their 7<sup>th</sup> Annual Car Show.

Karyn Calo Stony Creek Free Library- permission to use the town hall on November 5, 2016 for a Library Fundraiser.

Cindy Cameron, Town Historian- requesting \$500.00 of bed tax moneys for the 4<sup>th</sup> Annual "Ranches, Rodeos, and Wranglers Weekend" to be held on July 22-24, 2016 also a resolution to mention 90 years plus of the Dude Ranch Era as part of our Cultural Heritage and Saturday July 23 as part of National Day of the Cowboy.

Stony Creek Fire Co.-requesting \$5800.00 in bed tax money for their 7<sup>th</sup> Annual Car Show.

Stony Creek Chamber-requesting up to \$12,000.00 in support of the annual Stony Creek Mountain Days Festival also requesting up to \$5600.00 of bed tax money in support of the 2016 Lumberjack Competition.

Brandon J. Thomas-resigning his position of Assessor.

Supervisor Thomas reported that Kay Clarke requested to use the town park on August 20<sup>th</sup> From 12:00-5:00 PM.

A motion was made by Councilman Carl Thomas seconded by Councilwoman Ryan authorizing the following to use the town park/pavilion:

Tonya Hathway-permission to use the park pavilion on May 31, 2016 for the Annual Family Get-together.

Tony Lomenzo Pastor, of Stony Creek Community Church-Permission to use the park pavilion July 18<sup>th</sup>-July 22<sup>nd</sup> for their Community Bible School.

Karyn Calo, Stony Creek Free Library-Permission to use the park pavilion on Sept. 11, 2016 for the Library Fall Fest.

Stony Creek Vol. Fire Co.-permission to use the town park on Sept 18<sup>th</sup> with a rain date of Sept. 25, 2016 for their 7<sup>th</sup> Annual Car Show.

Kay Clarke-use of the town park August 20<sup>th</sup> from 12:00-5:00 PM. All in favor, motion carried.

A motion was made by Councilwoman Ryan seconded by Councilman John Thomas authorizing the following to use the town hall:

Karyn Calo-permission to use the town hall on June 2, 2016 for a Princess House Party.

Cindy Cameron, Town Historian-permission to use the town hall on June 17, 2016 for a Historical Presentation.

Karyn Calo Stony Creek Free Library- permission to use the town hall on November 5, 2016 for a Library Fundraiser. All in favor, motion carried.

Supervisor Thomas stated he is sorry to see Brandon Thomas resign as Assessor, but he respects this. Councilman John Thomas stated he is hoping in a year or two to get vacation time from his new job so he will be able to pick it up again.

Old business:

Local Law No. 1 and 2 of 2016 regarding changes from 2 to 4 year Term of Office for Town Clerk and Highway Superintendent. The Local Laws were given to the Town Board for review. Supervisor Thomas reported that this will take effect January 1, 2018 if passed by the voters. The Board has to introduce them by resolution and have a public hearing. After the public hearing the Board enacts them, or not, and then they go on the ballot.

076-16. A resolution was made by Councilwoman Ryan seconded by Councilman Carl Thomas to introduce Local Law#1of 2016, changing the term of Office for the Town Clerk from 2 to 4 year terms and Local Law #2 of 2016, changing the term of Office for the Highway Superintendent from 2 to 4 year terms and scheduling the public hearing on June 21, 2016 at 7:15 PM. Roll call vote, all in favor.

Attorney Cooper stated the Town Clerk needs to publish it in the newspaper and after the public hearing s called the Town Board and public have the chance to comment on it, then you have to vote, preferably on each one, to enact them or not, then it goes to Mandatory Referendum. Attorney Cooper stated he checked with the Board of Election and they said the last day to get it on the ballot is September 1<sup>st</sup>.

Highway; loader:

Supervisor Thomas stated last month there was a discussion on the loader that the town is leasing. It's the 624K, the lease started on February 11, 2013, it ends on March 11, 2018. It was five payments. Three payments are done. The total lease was \$112,235.00 after the trade of the 1986 Caterpillar. The payoff on May 11, 2016 was \$47,514.63. The payoff as of June 11, 2016 it will be \$47,645.30. If we complete the lease term we would have paid the whole \$123,763.65. \$11528.65 would be interest at 3.30%. If we were to pay this off on June 11, 2016, the two lease payments, we would save \$1860.84 in interest. There is no penalty but the interest accrues each month. Councilman Carl Thomas asked what the balance is that is owed. Supervisor Thomas stated as of June 11, 2016 it would be \$47,645.30. If we go the full term it will be \$49,505.06. It's \$24,752.33 each year we pay. Councilman Carl Thomas asked if we were looking to replace it. Supervisor Thomas stated he hopes it would last quite a while, we could probably trade the old one in. We are looking at trucks, a tandem and pickup. The payoff of the loader is to free up money to make a payment on the truck. Councilman Carl Thomas stated we don't have to do those both at once. Supervisor Thomas agreed. Councilman Carl Thomas stated we would do a tandem truck one year and a pickup the next year. Supervisor Thomas stated he thought we'd pay cash for the pickup truck, pay it out right and probably the tandem truck they would finance. Councilman Carl Thomas stated we aren't going to do it all at the same time? Supervisor Thomas stated no he wouldn't think so. Councilman Carl Thomas stated over the next couple years? Supervisor Thomas stated probably.

Supervisor Thomas stated the Highway Fund Balance is around \$200,000.00. Supt. Bradley stated \$206,000.00. Supervisor Thomas stated we could pay off the loader and probably buy a pickup. Then you would have the payment available at the first of the year. Councilman John Thomas stated it sounds like a good way to go.

Councilman Carl Thomas asked if it is necessary to buy a pick up this year.

Supt. Bradley stated there is 191,000 miles on the pickup and the box is held on by 2x4's that's bolted to the frame. Councilman John Thomas stated the rust is the big thing on that because you're either going to have to put some bucks into it to keep it so you can use it. Councilwoman Ryan stated gas motors don't last as long as diesel motors. Supt. Bradley stated right now everything is running good. He would just hate to see the motor go and have to pay \$5000.00 for a motor when you can put it toward a new truck. Supervisor Thomas asked Supt. Bradley if he had a price on a pickup. Supt. Bradley stated he did have prices, it was like \$33,000.00 for gas and \$38,000.00 for diesel. That's the way he spec it out. It's basically the same as the County, the County is a little bit cheaper. All the trucks went up this year by \$3000.00 because of the aluminum bodies. The cash incentives for towns was \$8000.00 last year and its only \$6000.00 this year. That's what they knock off the truck basically. You're looking at low \$30's. If your looking at diesel its \$5000.00 more. Diesel will get better mileage then gas for sure. Councilman Carl Thomas asked if he was looking at a one-ton. Supt. Bradley stated yes, a one-ton single wheel. Luzerne just brought one which was gas and that was \$33,000.00. Supt. Bradley stated he can get prices. It's the timeframe, did you want to do it this year or beginning of next year. He knows the tandem will be 2018 but just wants to nail down the pickup. Councilman Carl Thomas asked if Supt. Bradley changed his mind on the tandem because of the condition of it. Supt. Bradley stated he doesn't think it will last. It might last another five years it just cost money to run it that's all. He gets 10 miles to the gallon and a new truck will get a minimum 15 miles to the gallon, diesel will probably surpass that. Supt. Bradley will get prices and go from there. Supt. Bradley also stated he will need to rent an excavator and wants to get permission to do this. Supervisor Thomas asked the Board what they wanted to pay off the loader. After the payoff it will leave \$158,000.00 in the Fund Balance. Supt. Bradley stated you have to leave 10% in the Fund Balance. Supervisor Thomas stated you should have at least \$100,000.00, the money doesn't all come in at the first of the year and if you get a flood like last time.

077-16. A resolution was made by Councilman John Thomas seconded by Councilwoman Ryan authorizing the payoff on the John Deere 624K loader that was leased in 2013 in the amount of \$47,645.30. This will be paid out of the Highway Fund Balance. Roll call vote, all in favor.

Committee reports; Landfill:

Councilman John Thomas stated last year we discussed making concrete barriers for an extra dumpster for the one that keeps overflowing. The end needs to be extend out a little bit. That was a major problem last year. Supt. Bradley stated we are pretty close to the liner. Supervisor Thomas stated the maps will be checked out and asked if they want to extend to what's there.

Councilman John Thomas stated we can extend it so we can have space to get another container on the end of it that way you can dump off the end of it. Some weekends even if its empty, when everyone is cleaning in the Spring it's full before the weekends out. Then you stock pile it and it blows around and you have a bigger mess and it's a constant thing it's not something that happens every once in a while, it's the majority of the Summer.

Supervisor Thomas reported he will be meeting with people from DEC regarding Wilcox Lake Wild Forest Unit Management Plan. He thinks the main focus is Harrisburg Road pass Moosewood's Camp. DEC has been working on this plan since December 2006. The meeting will be at 1:00 PM tomorrow (May 18, 2016) at the town hall.

Supervisor Thomas reported he received a letter from the Attorney for the Town of Lake Luzerne, which is signed by Supervisor Merlino, Town of Lake Luzerne and Supervisor Wright, Town of Hadley. This has to do with the EMS situation. It is addressed to himself and it reads, "It has come to the attention of the officials of the Rockwell Falls Ambulance Service as well as the Towns of Hadley and Lake Luzerne that certain issues have arisen regarding provisions of emergency services to the Stony Creek residents. In addition to certain liability issues it appears that the number of ambulance runs to Stony Creek in recent years has had inaugurated negative financial impact on Rockwell Falls, which can no longer be sustained.

The purpose of this letter therefore is to initiate a discussion regarding how Rockwell Falls and the Towns of Stony Creek, Hadley and Lake Luzerne might work together to remedy this situation. It's believed whereby emergency services can be provided to Stony Creek residents in a manner which is both cost effective and insures the long term liability of the Rockwell Falls Ambulance Services. If you are interested in participating in such a discussion I would ask you to contact Luzerne Supervisor Gene Merlino at your earliest convenience.

I appreciate you taking the time to review this issue. If I can be of further information or assist in anyway please do not hesitate to contact me. Very truly yours, Robert Regan, Luzerne Town Attorney".

Supervisor Thomas stated he did contact Mr. Merlino and told him we could get together and talk about it. The letter did include some cost, but they really haven't proposed it. He doesn't know what exactly they are looking for. Councilwoman Ryan stated she talked to Peter about this, he was saying \$1400.00 for an ALS call. Supervisor Thomas stated yes, that's what it shows in here. Supervisor Thomas told Mr. Merlino a few times to propose something to the town of what they want. But until they do he isn't going to hand over money. He is willing to talk to them about it and bring it back to the board, whatever they are looking for. He did think the Board should be aware of it. Councilwoman Ryan stated most ALS agencies bill. She thinks this is double dipping and Stony Creek doesn't charge.

Councilman John Thomas stated evidently there needs to be negotiations going on. What they actually get paid for and what they actually bill for. Supervisor Thomas stated Medicaid doesn't pay anywhere here this. Councilman John Thomas had has this discussion with quite a few agencies. We're talking \$89.00 per trip. There is no agency that's going to make a profit.

Supervisor Thomas stated we will see what they have in mind and make them put it in writing. Councilman John Thomas stated when the county dispatches it's supposed to be set up so Luzerne covers Hadley Road to the four corners and Warrensburg covers the rest of it because they have two or three ambulances, but it doesn't always get dispatched out that way.

#### Consolidated Funding Application:

Supervisor Thomas reported that round 6 is getting started. The applications are due July 29<sup>th</sup>. This is funding from the State and it's through the Economic Development Counsel.

If there is anything we might want to try to apply for we need to figure out what that might be. Councilman John Thomas asked what it covers. Supervisor Thomas stated quite a lot of stuff. He thinks there main goal is to create jobs and a lot of things have been funded through this.

Again the one thing he would think about is water and sewer. Start looking at that here in town because that's a ticking time bomb for the town in his opinion. He thinks the sooner the town starts looking at it and studies it, sees what option there are the better off we would be.

Councilwoman Ryan asked if this would be for the hamlet of the town. Supervisor Thomas stated yes. He thinks there is a prospect of somebody that might own a house that might have a problem with their septic and if the authorities get involved they are going to find out they don't have room for a septic, they may not have room for a well. So now they will be paying taxes on a property that basically they can't live in. He thinks it's kind of a ticking time bomb.

Councilman John Thomas stated they already had that situation at the library. They can't get a well on their property within the wetlands and neighboring septic's.

Carol LaGrasse asked if the library ever had a sanitary facility a few years back, she understood that it didn't. Supervisor Thomas stated probably not originally, maybe not. Mrs. LaGrasse stated the church had a little bathroom but no one used it. You shouldn't have used it because it wasn't of capacity, the ground water table was too high.

Supervisor Thomas stated the regulations have changed a lot in the last 10 years. Mrs. LaGrasse stated she understands what regulations are, she was just curious if they did have a sanitary system at the library until very very recently. Supervisor Thomas stated he did work on it quite a few years ago and there was a bathroom there then. Councilman John Thomas stated before they put the addition on there was a bathroom. Cindy Cameron stated that Jeff, Walt and Bill worked on the library and there was a bathroom there.

#### Highway: Rent excavator:

Supt. Bradley needs to rent an excavator, He needs to put a big culvert in at Glassbrook at some point and do some ditching. He won't be able to put it in with what they have. This can be taken out of CHIPS. It's \$4500.00 a month, \$1500.00 a week. If you rent it for three weeks you usually get the fourth week free.

Supervisor Thomas asked if Supt. Bradley met with DEC. regarding the creek. Supt. Bradley stated he is supposed to meet with them tomorrow about the same time they/re meeting here. They are supposed to call, they did say about 1:00 PM.

Supervisor Thomas stated it's down near Tannery Lane. You can see where the creek is beating into the bank and Supt. Bradley was talking to Soil and Water about it and they contacted DEC. The intent is to get into the creek.

Supt. Bradley stated he told them they might be able to do it from the bank, dig out a pad and they will drop down in to it and then they can reach everything. Supervisor Thomas stated probably build it up with rock. Jim Lieberum talked about some kind of structure that could be built to slow the water down or divert it back. Councilman John Thomas stated they won't let you get in the brook with it? Supt. Bradley stated they probably would but if you can avoid it they don't want you in there. He thinks they will let them, it would be easier to get in the brook. Councilman John Thomas stated time wise it would be quicker and easier. The county did it when they were doing the corner. Supervisor Thomas stated they will let you in the creek as long as the machine is clean and doesn't have hydraulic leaks. Supt. Bradley stated they like to do it in the Fall. Supt. Bradley told them he would do whatever they tell him to do.

078-16 A resolution was made by Supervisor Thomas seconded by Councilman John Thomas authorizing the Supt. of Highways to rent an excavator for one month not to exceed \$4500.00. Roll call vote, all in favor.

Bed Tax requests:

079-16. A resolution was made by Councilwoman Ryan seconded by Councilman Carl Thomas authorizing the request from Cindy Cameron for the expenditure of occupancy bed tax funds in the amount of \$500.00 to be used toward the 4<sup>th</sup> Annual Ranches, Rodeos and Wranglers event to be held July 22<sup>nd</sup> – 24<sup>th</sup>, 2016 in and around Stony Creek, Hadley and Lake Luzerne area. Roll call vote, all in favor.

080-16. A resolution was made by Councilman Carl Thomas seconded by Supervisor Thomas authorizing the expenditure of bed tax funds to Stony Creek Fire Co. in the amount of \$5800.00 to be used for giveaways, trophies, prizes and advertising of the 7<sup>th</sup> Annual Car Show to be held on September 18<sup>th</sup>, 2016 with a rain date of September 25<sup>th</sup>, 2016. Proceeds will go toward the Children's Christmas Party, Christmas Eve for the Seniors, and Halloween. Councilman Carl Thomas-Yes, Councilman John Thomas (member of the fire co.)-Yes, Councilwoman Ryan abstained, due to she is putting it on, Supervisor Thomas-Yes.

081-16. A resolution was made by Councilwoman Ryan seconded by Councilman Carl Thomas authorizing the expenditure of bed tax monies to the Stony Creek Chamber of Commerce up to \$12,000.00 in support of the Annual Stony Creek Mountain Festival to be held on August 5-7 2016. Roll call vote, Councilman Carl Thomas-Yes, Councilman John Thomas (Member of the Chamber of Commerce)-Yes, Councilwoman Ryan-Yes, Supervisor Thomas (member of the Chamber of Commerce)-Yes.

082-16. A resolution was made by Councilwoman Ryan seconded by Councilman Carl Thomas authorizing the expenditure of bed tax monies up to the amount of \$5600.00 to the Stony Creek Chamber of Commerce in support of the Stony Creek Mountain Festival Lumberjack Competition. Roll call vote, Councilman Carl Thomas-Yes, Councilman John Thomas (Member of the Chamber of Commerce)-Yes, Councilwoman Ryan-Yes, Supervisor Thomas (member of the Chamber of Commerce)-Yes.

Third Annual 4<sup>th</sup> of July Town-wide picnic:

083-16 A resolution was made by Councilwoman Ryan seconded by Councilman John Thomas Authorizing the expenditure up to \$1500.00 for the Third Annual 4<sup>th</sup> of July picnic. Roll call vote, all in favor.

Budget transfers:

084-16. A resolution was made by Councilwoman Ryan seconded by Councilman John Thomas authorizing the following budget transfer:

Debit A1990.4 Contingent in the amount of \$715.10.

Credit A1910.1 in the amount of \$160.10.

Credit A7984.4 Other Culture (Library Grant) in the amount of \$555.00.

Roll call vote, all in favor.

085-16. A resolution was made by Councilman John Thomas seconded by Councilwoman Ryan authorizing the following budget transfer:

Debit A3897 State Aid Cultural in the amount of \$11,222.51.

Credit A7180.4 Special Recreation Contractual in the amount of \$8722.51.

Credit A7180.1 Special Recreation Personal Service in the amount of \$2500.00.

Roll call vote, all in favor.

Supervisor Thomas reported the Memorial Day Parade will be held on May 30<sup>th</sup>, 2016 at 3:00 PM.

From the floor:

Carol LaGrasse stated when she was manning the Mt. Days, one of the things that was asked of the Town Board was the insurance and you didn't mention anything in there about insurance. This is a liability item at the lumberjack show. Supervisor Thomas stated he knows the chamber has insurance. They can make that a stipulation.

Mrs. LaGrasse stated on the DEC meeting, she has appointments all ready for tomorrow. But is this an event where participation between the audience and DEC. Supervisor Thomas stated no, this is between himself, they asked that Supt. Bradley be there and thinks they asked Peter LaGrasse, Assessor to be there. Mrs. LaGrasse stated it's about the road. Supervisor Thomas stated yes he believes so.



Attorney Cooper stated that he would volunteer to be the speaker at the Memorial Day Ceremony on May 30<sup>th</sup>, 2016. Supervisor Thomas thanked him and stated it would be great.

A motion was made by Councilwoman Ryan seconded by Councilman Carl Thomas to adjourn the meeting at 8:03 PM. All in favor, motion carried.

Respectfully submitted,

Susan Harrington, RMC  
Town Clerk