

January 2nd, 2014 Organizational Meeting

4:00 PM Attorney Cooper administered the Oath of Office to the Town Clerk.
The Town Clerk administered the Oath of Office to Supervisor Frank E, Thomas and
Councilman Carl Thomas.

The Stony Creek Town Board Organizational Meeting was held on January 2nd, 2014.
Supervisor Frank Thomas called the meeting to order at 4:00 PM
with members present:
Councilman Nathan Thomas
Councilman Carl Thomas
Attorney James Cooper

Absent: Councilman John Thomas
Councilwoman Doreen Ryan

001-14. A resolution was made by Supervisor Thomas seconded by Councilman Nathan Thomas 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.

002-14. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas establishing the Stony Creek Town Hall, 52 Hadley Road, Stony Creek, NY 12878 as the Official Polling Place for the Year 2014. Roll call vote, all in favor.

003-14. A resolution was made by Councilman Carl Thomas seconded by Supervisor Thomas appointing Susan Harrington as Registrar of Vital Statistics for the year 2014 with an annual salary of \$500.00. Roll call vote, all in favor.

004-14. A resolution was made by Supervisor Thomas seconded by Councilman Nathan Thomas appointing Amy M. Harrington as Deputy Town Clerk for the year 2014 with no annual salary. Roll call vote, all in favor.

005-14. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas appointing Amy M. Harrington as Deputy Registrar of Vital Statistics for the year 2014 with no annual salary. Roll call vote, all in favor.

006-14. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas appointing Supervisor Frank E. Thomas as Budget Officer for the year 2014 with an annual salary of \$500.00. Roll call vote, all in favor.

007-14. A resolution was made by Councilman Carl Thomas seconded by Councilman Nathan Thomas appointing Cynthia Cameron as Town Historian for the year 2014 with an annual salary of \$450.00. Roll call vote, all in favor.

008-14. A resolution was made by Supervisor Thomas seconded by Councilman Carl Thomas appointing Maxine Zawartkay as Dog Control Officer for the year 2014 with an annual salary of \$4120.00 contingent upon receipt of monthly dog incident report log. Roll call vote, all in favor.

009-14. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas appointing James W. Cooper as Attorney to the Town for the year 2014 with an annual salary of \$8825.00. Roll call vote, all in favor.

010-14. A resolution was made by Supervisor Frank Thomas seconded by Councilman Carl Thomas appointing Nathan J. Thomas as Deputy Supervisor for the year 2014 with no annual salary. Roll call vote, all in favor.

011-14. A resolution was made by Councilman Carl Thomas seconded by Councilman Nathan Thomas appointing Ronda L.M.Thomas as the Supervisors Confidential Secretary / Bookkeeper for the year 2014 with an annual salary of \$23,191.00. Roll call vote, all in favor.

012-14. A resolution was made by Supervisor Thomas seconded by Councilman Nathan Thomas appointing Bryan Smead MD. as Town Health Officer for year 2014 with an annual salary of \$500.00. Roll call vote, all in favor.

013-14. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl 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

014-14. A resolution was made by Supervisor Thomas seconded by Councilman Carl Thomas authorizing the Town Justice to appoint a Court Clerk for the year 2014 with a pay rate of \$11.00 per hour. Roll call vote, all in favor.

015-14. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas to set the pay rate for the Recycling Center Coordinator substitutes, helper at \$9.98 an hour if head maintenance person fills in he will be paid his regular hourly rate. Roll call vote, all in favor.

016-14. A resolution was made by Councilman Nathan Thomas seconded by Supervisor Thomas setting the pay rate for laborer to help the maintenance person at \$9.98 an hour and give the Town Board a report of where and when person was used. Roll call vote, all in favor.

017-14. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas 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.

018-14. A resolution was made by Councilman Carl Thomas seconded by Councilman Nathan 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.

019-14. A resolution was made by Supervisor Thomas seconded by Councilman Carl Thomas designating TD Bank and Glens Falls National and Trust Co. Bank, as official depositories for town funds for the year 2014. Roll call vote, all in favor.

020-14. 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.

021-14. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas authorizing the Town Officials to attend the Association of Towns Annual Meeting in New York City February 16th-19th, 2014. Roll call vote, all in favor.

Designating the Official Voting Delegate and Alternate Delegate for the Association of Towns Annual Meeting in NYC February 16th-19th, 2014. Peter LaGrasse stated he would not be attending. Supervisor Thomas isn't sure if he is going. This will be tabled until the January 21st Town Board meeting to see if anyone will be attending the annual meeting.

022-14. A resolution was made by Councilman Carl Thomas seconded by Supervisor Thomas 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.

023-14. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas designating the Glens Falls Post-Star as the official newspaper with legal notices to be put in the Adirondack Journal when time permits. Roll call vote, all in favor.

024-14. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas appointing Peter J. LaGrasse, Chairman of the Board of Assessors for the year 2014, with an annual salary of \$10,400.00. Roll call vote, all in favor.

025-14. A resolution was made by Supervisor Thomas seconded by Councilman Carl Thomas establishing the mileage reimbursement rate at .56¢ per mile effective January 1, 2014. Roll call vote, all in favor.

Fire Protection Contract Resolution:

Discussion: Councilman Carl Thomas stated on the wording itself, because of everything going on with the emergency units around the country, if we put Basic Emergency Medical Services, would that put us in better standing, because they are pushing this ALS and that has got Thurman in trouble and a lot of small communities in trouble. Councilman Nathan Thomas stated basically the Stony Creek Fire is only a basic ambulance. NYS hasn't certified them to the ALS level, so that's not an issue.

Councilman Carl Thomas stated its not today but to him to put something in there that the town has a contract that's saying this is what we're expecting we're not necessarily, you don't have to provide the Advanced Life Support and therefore. Supervisor Thomas stated he isn't sure the town wants to do that, why would the town want to do that?

Councilman Carl Thomas stated you might wind up like Thurman or Warrensburg because you will lose your ambulance service if you don't have enough calls unless you support them financially and Stony Creek doesn't have the calls that is required from what he understands, that's why your having this thing with Luzerne and Warrensburg right now. In case they do ALS. He knows they have a couple picks but he thinks its something to think about.

Supervisor Thomas stated he thinks the agreements with Luzerne and Warrensburg are between the fire dept. It's not between the town. He doesn't know, are you proposing we contract with Luzerne and Warrensburg also? Councilman Carl Thomas stated no he is not. He is trying to say we want to make sure that we have Basic Medical Services.

Supervisor Thomas stated he doesn't think that's the town's call.

Councilman Carl Thomas stated this is a contract with this fire co. for our protection and any emergency services isn't it?

Supervisor Thomas stated yes and they provide it as far as he knows and if they need ALS they get Warrensburg or Luzerne. Councilman Carl Thomas stated they are doing that now.

Peter LaGrasse stated he agrees with Carl that it would clarify what they are contracted for. You see a patient, a member of the public in Stony Creek that gets ALS service is still for it. so they could possibly say we're being taxed for this service and we are also being billed by Lake Luzerne or Warrensburg for the same thing. He would say that would help clarify it by, we have a contract to provide Basic Life Support Services at that level and not Advanced Life Support.

Supervisor Thomas stated what happens if someone needs ALS, its up to the town to contract with Luzerne and Warrensburg to provide that, is that what you're trying to tell him?

Peter LaGrasse stated if it goes that way. Of course that's another story if the reasoning goes in that direction. He doesn't know maybe Attorney Cooper could clarify it. Mr. LaGrasse stated he doesn't see that.

Supervisor Thomas stated if you put "Basic" in there then that lets the fire co. off. As far as there concerned they only have to provide Basic Life Support. Mr. LaGrasse stated right. Supervisor Thomas stated so if anyone needs Advanced Life Support now the fire co. doesn't have to deal with Luzerne or Warrensburg, then its back to the town.

Councilman Nathan Thomas stated it would be more for the fire dept. to come to the town if they want to renegotiate their contract as far as wording and legalities of the contract.

Supervisor Thomas stated he doesn't see why the town would want to give up ALS that's being provided with agreements with Luzerne and Warrensburg by the fire co on their own.

Councilman Nathan Thomas stated through the Mutual Aid Program.

Councilman Carl Thomas stated the thing is the town wants to provide Emergency Medical Services and what we don't want to get into where we have to provide the ALS Services, they are available now, that's the backup. Supervisor Thomas stated that's not up to the town or fire dept. The ALS is determined by the dispatch. When they make the call they determine if it's ALS, it's not up to the town whether a call is ALS or Basic, or the fire co. either.

Councilman Nathan Thomas stated Warren County has an Enhanced 911 so whenever you call in the dispatcher is the one who determines what's going on.

Councilman Carl Thomas stated he understands that. All he is saying is this contract is between the town and fire dept. it just clarifies it to him that's all.

Supervisor Thomas stated he thinks it lets the fire co. off the hook as far as ALS and if that's the case it will cost the town more money. He has already had discussions about a year ago with the people in Luzerne and Hadley, they basically want money for coming up here.

Councilman Carl Thomas stated yes they do.

Supervisor Thomas stated so if we're only going to do Basic then we are going to run into a problem.

Councilman Carl Thomas stated we provide what we can provide and beyond that depending on the situation is whether they can respond to any calls, its only when they get there they can't do certain things, if its beyond there limitations and then you have to go with ALS.

Supervisor Thomas stated yes. He thinks the fire co is going to get better luck with getting ALS coverage then the Town of Stony Creek. We start negotiating it's going to cost the taxpayers of this town money.

Councilman Nathan Thomas stated the thing with Thurman is before Thurman folded Warrensburg came in and offered at a price and right now its just the fire co: They do the best it can and we're lucky enough to have them help us, for as if we say that we are only providing to a certain level and the State says you have to have the next level then the State is going to come back to the town and say gee Stony Creek why aren't you providing to this level and then that will open us up to Warrensburg or Luzerne coming in telling us here's a \$30, \$40or \$80,000.00 bill to the Town of Stony Creek for the purpose of providing this service.

Councilman Carl Thomas stated can they force the town to do that?

Councilman Nathan Thomas stated he doesn't have no idea. Councilman Carl Thomas stated he doesn't think they can.

Supervisor Thomas stated if somebody needs ALS and Luzerne and Warrensburg doesn't want to come up here they won't come up here. They aren't required to come up here.

Councilman Carl Thomas stated he is looking at it from the point of view, the cost to the town and the town contract between the town and the Volunteer Fire Co. if you want to go to ALS. He doesn't know if they're going to and he knows a lot of cases you need ALS Service. He's just saying, trying to do is keep it so we can provide at least Basic Services to this community and not be forced into ALS and he just thinks that "Basic" clarify's it and we're not looking for the Town or Fire Co. to provide beyond their limitations.

Supervisor Thomas stated he can't agree with that because that's going to put the town in a position where we'll have to negotiate with Luzerne or Warrensburg and pay money to get ALS. Councilman Carl Thomas asked why. Supervisor Thomas stated because your basically telling the fire co. that they don't have to provide ALS. If they don't have to provide it then they don't have to make no agreement with Luzerne or Warrensburg or anybody else to provide that service so now our folks here don't have ALS coverage. So if there is an ALS call and your department doesn't respond to it or can't respond and Luzerne or Warrensburg doesn't show up then it's back on the town and he doesn't think we are in a good position to negotiate with these folks, as is the fire co.

Councilman Carl Thomas stated he didn't realize that the town is responsible for providing medical services to all their residents.

Supervisor Thomas stated that's what this contracts about. If you don't want a contract with the fire co. then we can certainly talk about contracting with Luzerne. Councilman Carl Thomas stated that's not the idea. He just had a question.

Supervisor Thomas stated he thinks it will put the town in a bad position. Now if the fire co. comes to the town and says we can't do this, whoever wants money, that's a different story. But he doesn't think the town should go out seeking that and that's what we are going to do if we just say "Basic". He has talked with Luzerne and Hadley and they said they are looking for money right now and Warrensburg won't refuse money either.

Councilman Carl Thomas stated he knows Thurman has lost their medical support now and they are a small town. It was just an idea.

026-14. 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 2014 in the amount of \$88,000.00 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.

Roll call vote, all in favor.

027-14. A resolution was made by Councilman Nathan Thomas seconded by Supervisor 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 2014 in the amount of \$21,000.00 Roll call vote, all in favor.

028-14. A resolution was made by Councilman Carl Thomas seconded by Councilman Nathan Thomas authorizing the Supervisor to sign the Contract with the Stony Creek Historical Association to maintain Museum Services for the year 2014 in the amount of \$5,000.00.

Roll call vote, all in favor.

029-14. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas appointing Cheyenne Moses as Youth Director for the year 2014 with a pay rate of \$10.50 per hour not to exceed 20 hours per week. Roll call vote, all in favor.

030-14. A resolution was made by Supervisor Thomas seconded by Councilman Nathan Thomas 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.

031-14. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas designating Cheyenne Moses the Town of Stony Creek's Representative of the Warren County Youth Bureau. Roll call vote, all in favor.

Supervisor Thomas gave the Town Board the list of the committees and which Councilperson will be on the committees for the year 2014.

032-14. A resolution was made by Supervisor Thomas seconded by Councilman Carl Thomas authorizing the following budget transfer:

Debit A1010.4 Town Board in the amount of \$17.39.

Credit A1330.4 Tax Collector in the amount of \$17.39. Roll call vote, all in favor.

033-14. A resolution was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas authorizing the following budget transfer:

Debit A10110.4 Town Board in the amount of \$621.94.

Credit A9030.8 Social Security in the amount of \$621.94. Roll call vote, all in favor.

034-14. A resolution was made by Supervisor Thomas seconded by Councilman Carl Thomas authorizing the following budget transfer:

Debit DA5120.1 Bridges in the amount of \$402.26.

Credit DA9030.8 Social Security in the amount of \$402.26. Roll call vote, all in favor.

Fire Co; Service Award.

Supervisor Thomas reported that Attorney Cooper has reviewed the Plan and Trust Documents from Penflex. The town opted to do a lump sum agreement rather than the people eligible for retirement drawing it for 10 years they can opt for a lump sum. This needs to be signed by the Town Board members.

Councilman Carl Thomas stated is this where they get so much per year of service and that is for only a 10-year period. Supervisor Thomas stated yes after they retire and if they don't want to wait until at the end of the 10 years they can get the whole thing at once. Councilman Nathan Thomas stated a lot of it is if people pass away it keeps the Estate open 10 years because it was over 10 years they wouldn't settle the Estate. This is a way to clarify that for them. Make it easy on the family.

Fire Co. EMS;

Supervisor Thomas stated they have had a couple discussions with the Chairman of the Board and a couple Supervisors. They are talking about getting together and discussing the whole EMS and see if there is anything the County can do some way. They understand it's difficult for the small towns to keep up with the expense. Councilman Nathan Thomas stated it's not just the smaller towns either. He knows Bay-Ridge EMS just got a six-month CON. There's normally a three-year contract with NYS, and because of their full response time to calls the REMAC Board said they are not going to reapprove you until you can prove you can run. That happened to Luzerne when they went to 24/7 paid staff because they had a bad call. The county finally said listen we are toning for 30 minutes hoping we're going to get an ambulance off the floor and you guys need to do something. Lock your doors or figure out how this is going to happen. Stony Creek is lucky enough now that we are taking ourselves off auto mutual aid because we are getting off the floor. Supervisor Thomas stated yes we are lucky. Councilman Nathan Thomas stated sure we need ALS at times it's a half hour to the hospital even 90% of the calls, for example a guy smashes his thumb out on the field and jogs to the house for help when he calls in on the Enhanced 911 the dispatcher calls in for difficulty breathing because the guys panting when he calls in on 911.

Well he doesn't need ALS it's a very BLS skill but because they are emergency dispatch the scenarios they use is if your panting on the phone your having difficulty breathing that's an ALS problem. As EMT's when we get on the scene we are allowed to down grade the call. If he gets there and he determines he is comfortable with the call and doesn't think you need ALS then its his decision.

Councilman Carl Thomas stated all he is looking at is a lot of the people in our community they fall and need somebody to help them up. He thinks a lot of the emergency services, the doctors in-house are promoting this ALS, it's a money thing and he is trying to somehow if we can obtain that we have a basic system that's what we really need. They can always call Empire Ambulance or whoever if they need advance support.

Supervisor Thomas stated at this point he doesn't think we should shoot ourselves in the foot.

Councilman Carl Thomas stated it wasn't his intent. Supervisor Thomas stated if somebody starts reading the contract to be interrupted that way.

Councilman Carl Thomas stated if it says emergency services they can fix anything to it. That's why he was thinking if it said "Basic" we could at least get a crew on the scene. That's all he was thinking

Supervisor Thomas stated he doesn't know if "Basic" would be the right word because you have Basic and Advanced that could pretty much narrow it down to what you are going to do.

Attorney Cooper stated he suggest you wait until John Thomas comes to the meeting because there was quite a discussion about this some months ago and he is Chief of the Fire Co. and very knowledgeable about it. He was left with the impression that Stony Creek gives service in kind to Luzerne and Warrensburg by answering calls there that are some advantage to those communities that has saved them coming up here with there hand out, although there has been talk like that from what Supervisor Thomas said. It's pretty complicated and we don't have all the players to discuss it today. He suggests you hold off until John is here and he can be more helpful laying it all out for you.

Councilman Carl Thomas stated he hasn't talked with John. What he is looking at is what's going on in other communities; there was a place in Renessalar that had a big to do over it. It's closing in on us.

Supervisor Thomas stated yes it's a problem and we are very fortunate that we still have a unit that's together, a company that's still EMS. He stated there has been discussion within the Supervisor's getting together talking about it. Will it accomplish anything? He wouldn't guarantee that either. The small towns can't afford it. Some of these other town have more funds available to them and can afford to pay for this and maybe have the calls to help support it.

Councilman Nathan Thomas stated when North Warren locked their doors they called Empire and asked how much to put an ambulance up there and they figured \$365,000.00 a year, per ALS staffed ambulance. That's with ALS tech, EMT, ambulance and accessories. It's a phenomenal amount of money when you go to paid staff. Luzerne has a huge district and ended up setting up a tax district just for their ambulance and they raised everyone's assessment \$3-\$4.00 per \$1000.00 to pay for it. We don't have that base here. Supervisor Thomas stated that's why they get upset because the way they look at it they have one ambulance and when they are up here there's two towns paying for this and they get a little annoyed because we're not paying for it.

Councilman Carl Thomas stated he would hate to lose what we have.

Supervisor Thomas agreed.

Attorney Cooper asked if there was anyway you could integrate Senator Betty Little in these discussion that your going to have at the County level because for whatever reason, love him or hate him,

Governor Cuomo has paid a lot more attention to the Adirondacks then the last two or three Governors we had. He seems to understand that we don't have deep enough pockets to deal with the problems the same way other municipalities do. There's a possibility that maybe there's some help from the State that could be done for Forest Preserve Counties where our income is limited by the fact we have Forest Preserve Properties. He might be receptive to something like that. But you might have to get your State Representatives involved. It would be good to get ahead of this crisis because it's certainly moving on the horizon. Supervisor Thomas stated he is sure they are aware and familiar with it.

Mr. LaGrasse stated to comment on Attorney Cooper's statement, in the past he has understood that Senator Betty Little's position to be consolidate. She would even have the State, Town and County Highway Department as one. So if you raise an issue, could you do something to support an isolated squad, her answer would be to consolidate. Supervisor Thomas stated yes it probably would be, he wouldn't doubt it. Mr. LaGrasse stated which is not an answer.

Supervisor Thomas stated no its not and he thinks we will run into difficulties because these other towns are already paying and when we come out and say we need help he doesn't think they are all that anxious to help pay for it.

A motion was made by Councilman Nathan Thomas seconded by Councilman Carl Thomas to adjourn the meeting at 4:46 PM. All in favor, motion carried.

Respectfully submitted,

Susan Harrington
Town Clerk