

January 15, 2013

The regular Town Board meeting of the Town of Stony Creek was held on January 15, 2013.

Supervisor Frank E. Thomas called the meeting to order at 7:00 PM with members present:

Councilwoman Doreen Ryan

Councilman Harry Paul Gill

Councilman John Thomas

Councilman Nathan Thomas

Attorney James Cooper

December 18, 2012 minutes:

A motion was made by Councilman Nathan Thomas seconded by Councilwoman Ryan to accept the December 18, 2012 minutes. All in favor, motion carried.

January 2, 2013 Organizational minutes:

Corrections: Resolution #'s 6 and 11 roll call vote, change Councilman Liebl to Councilman Thomas. A motion was made by Councilman Gill seconded by Councilwoman Ryan to accept the January 2, 2013 minutes with these corrections. All in favor, motion carried.

039-13. A resolution was made by Councilman Gill seconded by Councilman Nathan Thomas to pay the 2012 General Fund December Final bills in the amount of \$3563.32. Roll call vote, all in favor.

040-13. A resolution was made by Councilwoman Ryan seconded by Councilman Gill to pay the 2012 Highway Fund December Final bills in the amount of \$2556.01. Roll call vote, all in favor

041-13. A resolution was made by Councilman Nathan Thomas seconded by Councilwoman Ryan to pay the 2013 General Fund bills in the amount of \$22397.09. Councilman John Thomas questioned the Kelly's Plumbing and Heating bill, it mentioned on the bill that he done a cleaning. The pipe hasn't been off the furnace at the highway garage. He was at the highway garage this afternoon and that was never taken off. You have to take that off to clean the boiler. There is stuff built up between the top and the pipe and it hasn't been taken off to be cleaned and it really needs it, that's why the black is blowing up around the end. Councilman John Thomas stated he assumes he knows how to do it, if not we should probably find somebody else, but it's still blowing black up around it. Supervisor Thomas stated he would look into it. He also stated they cleaned them all off and got a piece of metal for the side wall and spaced it out. Supervisor Thomas also stated the reason the General Bills are high is due to the Workers Compensation bill, which becomes due in January and that is in the amount of \$17,999.81. Roll call vote, all in favor.

042-13. A resolution was made by Councilwoman Ryan seconded by Councilman Gill to pay the 2013 Highway Fund bills in the amount of \$51,438.52.

Discussion: Supervisor Thomas stated the bills were high due to the Workers Compensation bill in the amount of \$23,189.00, the American Salt bill in the amount of \$12,473.49 and the Global Montello Group's Fuel bill in the amount of \$5279.70.

Supervisor Thomas stated the total for Workers Compensation for the town is \$41,188.81; this is \$10,000.00 less than last year. Roll call vote, all in favor.

043-13. A resolution was made by Councilman Gill seconded by Councilwoman Ryan to pay the 2013 Fire Fund bill in the amount of \$5184.16.

Discussion: Supervisor Thomas stated this bill is for Workers Compensation.

Town Clerk report

1 dog license	<u>\$5.00</u>
Total Town Clerk fees	\$5.00
Total Town Revenues to Supervisor	\$5.00
NYS Agriculture and Markets	<u>\$1.00</u>
Total Disbursed	\$6.00

Correspondence:

Lisa Bartow, Stony Creek Free Library- permission to use the town hall Friday January 25, 2013 from 6-9PM for the rescheduling of the concert that was canceled January 11th, 2013.

Eve Wenger, Stony Creek Free Library Trustee- Permission to use the town hall for a Book and Bake sale on Saturday March 9th from 9AM-2PM with setting up to be held on Friday March 8th, 2013.

Bonnie Thomas Wren-permission to use the town pavilion Sunday May 26th, 2013 for a family reunion.

Stony Creek Free Library- 2012 annual financial report.

Stony Creek Fire Co-2012 annual financial report.

A motion was made by Councilman Nathan Thomas seconded by Councilwoman Ryan authorizing the Stony Creek Free Library to use the town hall on Friday January 25th for the concert which was canceled on January 11, 2013 also to hold a Book and Bake Sale on March 9 with setting up on March 8th, 2013. All in favor, motion carried.

A motion was made by Councilman Gill seconded by Councilwoman Ryan authorizing Bonnie Thomas Wren to use the town pavilion on Sunday May 26, 2013 for a Family Reunion. All in favor, motion carried.

Old business:

Officials Undertaking resolution:

Attorney Cooper stated he did look up the Public Officers Law and it was as Supervisor Thomas believed and that was the undertaking doesn't have to be issued every calendar year, just upon assuming office. If your taking office and taking an undertaking you shouldn't have to do it again until the office is renewed. Supervisor Thomas asked about Harold Hasting, Tom Fisher. Attorney Cooper stated if they are town officers and handling town assets they should be issued an undertaking. If their employment is from year to year by the pleasure of the board then it should be every year it seems to him. Supervisor Thomas stated it's not exactly the pleasure of the board you can't just up and fire them, we have the union.

Attorney Cooper stated lets just say they were issued an undertaking it would continue until their position is terminated if they were required to be re-certified every year by the board then they would have to be issued a new undertaking. But far from that it seems that they are continuing in their position just like an elected board member until that is interrupted then the initial undertaking should be adequate.

Highway equipment:

Loader: proposal to lease or purchase a new John Deere loader.

Supervisor Thomas stated the Board had a couple weeks to think about it and he is curious about what the board thinks about it, where we should go and if it's something we want to pursue or not. Councilman John Thomas stated it would at least make sense then you don't have the cost of the tires. Councilwoman Ryan stated you wouldn't have maintenance expenses. Councilman John Thomas stated cutting edges. It is a 1984, it just kind of makes sense to go with that and cut out the extra expenses. To him it makes sense to do it that way. Councilwoman Ryan stated you wouldn't have to worry about the emissions.

Supt. Bradley stated to reiterate you can terminate it at any point or keep it for the full five-years and it's the towns. Your not locked into anything. Supervisor Thomas stated so we can sell it back to Nortrax. Supt Bradley stated yes, we would just be out a loader. In two years when you do trade it in or sell it, if you want to go that route, the town will make about \$10-\$15,000.00 above what you paid for it, that's what they have been running he can't guarantee that but that is what they have been running and that's why towns do that. They use that money toward a new lease or you can keep it the full five-years. There is no difference in that then if you save money in five-years and then buy the loader. The price of the loader will go up or you pay the interest on the lease. It just makes sense to do it now. The lease is your not locked into anything, it's 3% and you can terminate it at anytime you want or keep it the full five-year. The lease is just another easy way of getting around the financing.

Councilman Nathan Thomas asked if this is something we budgeted for, he knows there is no cost this year. Is it something you can work in your budget? Supt. Bradley stated that is up to Supervisor Thomas he is the CFO. Supervisor Thomas stated we have \$25,000.00 in the Equipment. He thinks if we were to move forward on it, it would be his recommendation that we encumber that money and use that money to pay for it. He doesn't think we should agree to buy this and just leave the \$25,000.00 sitting there free and loose. DA5130.2 Machinery Equipment there is \$25,000.00 budgeted in there. Supervisor Thomas asked the Board if they want the gentleman from Nortrax to come up and talk to the Board. Supt. Bradley stated it would be Dave Mattison. He said he would be glad to come up. Councilman Nathan Thomas stated sure he would like to see the long, short contract on it, the contract as far as the lease agreement and so forth and talk to him on that. Supervisor Thomas asked if they want to wait until next board meeting or have a special meeting. Councilman John Thomas stated he would be available for a special meeting if that works for everybody. Supt. Bradley asked if he wanted a special meeting on that or just have a Highway Committee meeting during the day. Supervisor Thomas stated he thinks the whole Board should be there personally. Supt Bradley stated it could be during the day, it doesn't have to be at night, it could be anytime. Supervisor Thomas suggested setting up a time with Mr. Mattison. Supt. Bradley will have Mr. Mattison call Supervisor Thomas to set up a date and time. Supervisor Thomas stated it looks like something that's durable.

Committee reports:

Buildings; Highway Garage:

Councilman John Thomas stated Supt. Bradley mentioned to him about the amount of fuel burning in the highway garage. Councilman John Thomas got a copy of the plans from Supervisor Thomas today and stated that there would seem to him that there would be more insulation in the garage than what there is. As far as the plans it only saying it has R-19 in the ceiling and roof part. It really doesn't list an R-value, it says the number for the insulation and then says in parentheses 12-13. It might be R12; it doesn't say it's an R rating. Supervisor Thomas stated he would say it isn't any more than that. Councilman John Thomas talked with Dave Farrell and where he had to drill to put a switch in, he said there is a space on the wall part of it between the inside and outside of the metal, so there is a possibility of spraying foam like they did in the old building, drill holes and put it in. That is something that would have to be checked into. As far as the ceiling, it would be easy to foam between the beams then you have to cover it with something that's fire safe to meet codes. Supervisor Thomas stated maybe if we had an alternate way to heat or at least something. Councilman John Thomas stated in a residents, and he understands it isn't a residents it's a highway garage its not inhabitant. Any houses you build today just in the walls you have R-21, you have only R-19 in the whole ceiling. In a period of time there is a couple spots you can look outside. Attorney cooper asked Supt. Bradley if he was burning waste oil. Supt. Bradley stated no they don't generate enough to burn it unless we take it in, even at the dump you wouldn't have enough. He doesn't think it would warrant the cost of a furnace. Supervisor Thomas stated we can keep pursuing that idea. Councilman John Thomas will continue to check he knows they make foam with different codings on it, which can be put in the ceiling. There is space in between the beams it depends on the hangers that are available to hang from the top of the beam. He will check into it to see what is available but like he said as far as R-rating there isn't much there.

Buildings; Well:

Supervisor Thomas reported that Rosick Well Drilling did come and set up on the well and spent two and a half hours flushing the well out. They got quite a lot of sediment out of it. He thinks it is better time will tell. Supt. Bradley stated it is a lot better he's not sure about how clear but there is more water now, we were running out of water before. Supervisor Thomas stated the water pressure seems to be fine. Supt. Bradley stated yes allot better. Supervisor Thomas stated he thinks it will clear up, its clear now but not to where it should be. As he can see right now he thinks it is money well spent.

Buildings; Highway Tanks and Drains:

Supt. Bradley reported the tank is about $\frac{3}{4}$'s full at the highway garage this is due to the winter with the ice and snow melts going in the drains. He will let him know when the alarm goes off. Supervisor Thomas reported that the DEC's Order on Consent everything is taken care of except the interpretive signage at the Dean Farm Heritage Trails that was part of the negotiated agreement to mitigate part of the fine and hopefully by the end of this year that will be taken care of and if we stay out of trouble we will be in good shape.

New business:

Supervisor Thomas reported the Town Justice would like to enter into the agreement with nCourt Payment Services, which will allow online credit and debit card payments to the town court 24 hours a day 7 days a week. There will be no cost to the town for this service. Councilman Nathan Thomas asked if he would be still accepting checks. Supervisor Thomas stated yes.

044-13. A resolution was made by Councilman Gill seconded by Councilman John Thomas authorizing Warren F. Law, Town Justice to enter into the agreement with nCourt Payment Services, which will allow online credit and debit card payments to the Stony Creek Town Court 24 hours a day 7 days a week. There will be no cost to the town for this service.

Roll call vote, all in favor.

Procurement and Investment policies:

Supervisor Thomas reported that every year we have to review the Procure and Investment Policies, we don't have to approve them tonight. Supervisor Thomas reported he was informed by the Purchasing Agent at Warren County the Purchase Contracts for supplies or equipment the limit has been raised to \$20,000.00 and Public Works Contract has been raised to \$35,000.00 by the State. This is before the bid process. Supervisor Thomas stated we don't have to follow that but it makes sense. This will be tabled until the February 12, 2013 regular town board meeting so the Board members can have a chance to review this.

The investment policy is still the same as it has been for a number of years. We don't invest in much we use to invest in 30 day CD's but it's not really not worth the effort anymore. They don't pay anything anyways.

Financial Reports; Stony Creek Fire Co. and Stony Creek Free Library:

Supervisor Thomas reported we have contracts with them and ask that they submit a financial report each year. Supervisor Thomas asked if there were any questions regarding the annual financial reports from the Stony Creek Library or Stony Creek Fire Co.

No comments were made.

Budget Adjustments:

045-13. A resolution was made by Councilwoman Ryan seconded by Councilman Nathan Thomas authorizing the following budget adjustment:

Debit A9030.8 Social Security in the amount of \$3300.00.

Credit A9035.8 Medicare in the amount of \$3300.00.

Roll call vote, all in favor.

046-13. A resolution was made by Councilman Gill seconded by Councilwoman Ryan authorizing the following budget adjustment:

DA9030.8 Social Security in the amount of \$5000.00.

DA9035.8 Medicare in the amount of \$5000.00.

Roll call vote, all in favor.

047-13 A resolution was made by Councilman Nathan Thomas seconded by Councilwoman Ryan authorizing the following budget adjustment:
Debit A9010.8 State Retirement in the amount of \$10,195.02.
Credit Prepaid Expenses in the amount of \$10,195.02.
Roll call vote, all in favor.

048-13. A resolution was made by Councilman Gill seconded by Councilman John Thomas authorizing the following budget adjustment:
Debit DA9010.8 State Retirement in the amount of \$16,633.98.
Credit Prepaid expenses \$16,633.98.
Roll call vote, all in favor.

049-13. A resolution was made by Councilwoman Ryan seconded by Councilman Nathan Thomas authorizing the following budget adjustment:
Debit Fund Balance in the amount of \$33,911.18.
Credit A6410.4 Occupancy Tax in the amount of \$33,911.18. Roll call vote, all in favor.

050-13. A resolution was made by Councilman Gill seconded by Councilwoman Ryan authorizing the following budget adjustment:
Debit Fund balance in the amount of \$660.00.
Credit A6310.4 Community Action Administration in the amount of \$660.00. Roll call vote, all in favor.

051-13. A resolution was made by Councilwoman Ryan seconded by Councilman Gill authorizing the following budget adjustment:
Debit Fund Balance in the amount of \$1845.50.
Credit A7180.4 Special Rec. Facility Contractual in the amount of \$1845.50. Roll call vote, all in favor.

052-13 A resolution was made by Councilman Nathan Thomas seconded by Councilman Gill authorizing the following budget adjustment:
Debit DA5110.1 General Repairs Personal Services in the amount of \$5774.86.
Credit DA5110.4 General Repairs Contractual in the amount of \$1118.33.
Credit DA5130.4 Machinery Contractual in the amount of \$1437.68.
Credit DA9050.8 Unemployment in the amount of \$3218.85. Roll call vote, all in favor.

053-13. A resolution was made by Councilman Gill seconded by Councilman Nathan Thomas authorizing the following budget adjustment:
Debit A7110.4 Parks Contractual in the amount of \$523.32.
Debit A1620.4 Buildings Contractual in the amount of \$437.89.
Credit A 5132.4 Garage Contractual in the amount of \$943.83.
Credit A1410.4 Town Clerk Contractual in the amount of \$9.45.
A1330.4 Tax Collector Contractual in the amount of \$7.93.
Roll call vote, all in favor.

Supervisor Thomas reported he has 20 boxes, 1300 copies of the 2013 Warren County, New York a Commemorative Bicentennial Magazine that can be picked up at the town hall and he will distribute them to businesses in town.

The regular Town Board meeting will be held on the second Tuesday, February 12, 2013 at which time Settlement Day will also be held after the meeting.

Supervisor Thomas stated that Mr. Paul Berry the Supt. at Hadley Luzerne Central School will be present to discuss the school budget and the challenges of the school budget with the State Tax Cap.

Councilwoman Ryan stated that Library will be holding a Learn to Draw Class on Thursdays.

From the floor:

A motion was made by Councilman Gill seconded by Councilwoman Ryan to adjourn the meeting at 7:46 PM. All in favor, motion carried.

Respectfully submitted,

Susan Harrington
Town Clerk