

July 19, 2011

The regular Town Board meeting of the Town of Stony Creek was held on July 19, 2011.

Supervisor Thomas called the meeting to order at 7:01 PM with member present:

Councilman Dale Aldrich

Councilman Stanley Ross

Councilman William Liebl

Attorney James Cooper

Absent: Councilman Harry Paul Gill

June 21, 2011 minutes:

A motion was made by Councilman Ross seconded by Councilman Aldrich to accept the June 21st, 2011 minutes. All in favor, motion carried.

092-11. A resolution was made by Councilman Liebl seconded by Councilman Ross to pay the General Fund bills in the amount of \$7,979.97.

Discussion:

Councilman Aldrich stated the Barton Mines bill in the amount of \$55.00 was for the youth group trips.

Joanne Adams, bus driver in the amount of \$212.50 was for the youth group transportation for two trips. Supervisor Thomas stated the Hadley-Luzerne provides the bus. We pay for the driver and the school will send a bill for the use of the bus.

West Payment Center, Thomson West in the amount of \$374.00. Supervisor Thomas stated these are packets for the law books, each year they send out packets for the law books for the Supervisor, Town Clerk and the Assessor. Attorney Cooper stated that Thomson West gobbled up most of the other Law Book Companies. Supervisor Thomas stated he feels that we are going to find something not so expensive. Attorney Cooper stated they have an online service that you can subscribe to, he pays \$140.00 a month and just gets the basics, Statues and Cases. He could have the salesman call and they may have a municipal rate just for Statues, you don't have Case Law. Supervisor Thomas stated yes, he will talk to him.

Roll call vote, all in favor.

093-11. A resolution was made by Councilman Liebl seconded by Councilman Aldrich to pay the Highway Fund bills in the amount of \$10,612.09.

Discussion:

Councilman Aldrich had two or three questions but Supt. Bradley isn't here tonight.

Councilman Aldrich asked about the AW Direct bill in the amount of \$334.70 for Warning and work lights. It wasn't marked for which machine or what for.

Lane Enterprise in the amount of \$2644.00 for 10 culverts 24 in. Diameter 20-foot length, was this Municipal Bid, State Contract? Supervisor Thomas stated he didn't know it could be State Contract.

Peckham Material in the amount of \$2577.34 light stone fill. Councilman Aldrich was wondering if that went to a certain job, or where it went. He know it probably went to the washout but he thinks that ought to be documented so if there is any chance of getting any money back that this stuff is well documented. Supervisor Thomas stated Supt. Bradley is aware of that. Roll call vote, all in favor.

Town Clerk Report:	
Conservation license	\$ 3.20
Dog enumeration	70.00
Copies	<u>0.50</u>
Total Town Clerk Fees	73.70
Dog Licenses	<u>190.00</u>
Total Town Revenues to Supervisor	263.70
NYS Ag and Markets	38.00
NYS Environmental Conservation	<u>54.80</u>
Total Disbursed	\$356.50

Correspondence:

Dog Control Log: for June 2011

50+ Senior Club-permission to use the Recreation field for their Annual Picnic.

Chamber of Commerce- permission to hold the Farmers Market on Tuesday night during the "Music in the Park" from 6-8 PM and also requesting Occupancy Funds in the amount of \$900.00 to cover the Lumberjack portion of the Mountain Festival.

A motion was made by Councilman Aldrich seconded by Councilman Liebl authorizing the 50+ Senior Club use of the park pavilion on September 1, 2011 for their Annual Picnic. All in favor, motion carried.

Old Business:

Committee reports:

Supervisor Thomas reported on July 11th and 12th a couple of people from FEMA, one from the State Emergency Management Office came to Stony Creek and Supt. Bradley, himself, County Highway Superintendent and the Deputy Superintendent toured the damage both on county roads and town roads for about 3½ hours. They had already been on tour of the county once a week ago. The county estimated 13 million dollars in damages total across the county. The gentleman that toured the first time came up with 2 million. So the county appealed and they sent three teams to Warren County on the 11th and 12th of July. One was here, one in Thurman and one was doing other towns in the county. The estimate that himself and Supt. Bradley had given the county was \$350,000.00 for the town damage and by the time they got done touring and looking at things the estimate went to about \$800,000.00. The total damage they come up with in Stony Creek for county and town roads was \$1,984,000.00. These are preliminary damage assessments. That was a week ago and haven't heard anything back and doesn't think anyone else has. Councilman Aldrich asked what the chances are getting a portion thereof. Supervisor Thomas stated if they do, there isn't enough to get a second Declaration by the President so they are trying to extend the Declaration that he did make to include May 28th and if that's the case then of eligible expenses that you can document you will get 75%. Then it depends on straight time or overtime they won't pay for regular straight time when the men are normally working.

John Fieldstadt asked if they don't approve that 75% where does the money come from. Supervisor Thomas stated the county borrowed two and a half million dollars the town has used pretty much all the money we have available, we do have a little bit left. Councilman Aldrich stated taxpayers. Supervisor Thomas stated we would have to gradually fix things over time. Councilman Aldrich stated until we build up the fund balance over a period of whatever. Supervisor Thomas stated on Vanauken Road there are a couple bridges, they aren't very big bridges, 8-10 feet wide, but they are scoured underneath the bridge, the sidewalls there is two feet of nothing.

Councilman Liebl stated he liked the way the Supt. Bradley and the Highway Crew did the L'Episcopo Road, they eliminated three bridges up there by putting the creek down on the left side of the road. He asked if we had to get a permit for that. Supervisor Thomas stated if we didn't we should have. Councilman Aldrich stated it was washed out. Councilman Liebl stated it was the proper thing to do.

Councilman Aldrich stated it's good if there is a possibility to get something because right now it is all out of pocket expense.

Dean Farm trails:

APA permit: Supervisor Thomas reported they sent back a response with 5-6 questions they had. We are in the process of responding to them and they are going to do an on site visit on August 3rd, 2011 at 11:00 AM, Colleen Parker, she is the Specialist for this project and also a wetlands person is suppose to visit.

Town Website:

Supervisor Thomas stated if you look on this you will find two videos, one on square dancing and lumbering that the Lake of Locks prepared.

New Business:

Chamber of Commerce request: Farmers Market

094-11. A resolution was made by supervisor Thomas seconded by Councilman Liebl authorizing the Chamber of Commerce to set up a Farmers Market on Tuesday nights "Music in the Park". Roll call vote, all in favor.

Chamber of Commerce Occupancy Tax request:

095-11. A resolution was made by Councilman Liebl seconded by Councilman Aldrich authorizing the expenditure of \$900.00 of Bed Tax monies to the Stony Creek Chamber of Commerce to be used for the Lumberjack portion of the Mountain Festival on August 6th, 2011. Roll call vote, all in favor.

Tires dumped on White Road:

Supervisor Thomas stated they are not on town property. He has had several people complain to him about this. It's on White Road where the barn use to be. Someone took it upon themselves to his estimate to be about 100 tires there. He noticed it on July 5th.

He called the NYS Dept. of Environmental Conservation and one of their people came over and took a look at it and basically told him it was up to the landowner to clean them up and they weren't going to investigate it because there isn't much they could do to investigate it.

Councilman Liebl stated yes there is, they can take serial numbers off them tires and they can find out where they were brought. Every tire has a serial number and they can find out where and who bought them. But they don't want to do that.

Supervisor Thomas reported that Supt. Bradley called the Sheriff's Dept. So they are both aware of it. He called Mr. Schultz who owns the property and Mr. Schultz tried to tell him that the town owns 50 feet on each side of the road. Supervisor Thomas disagreed with him on that.

Supervisor Thomas stated he told him he would bring it up at the Board meeting and see if there was anything that the town could do for him and Mr. Schultz did indicate if not he would try to get someone to do it for him.

Councilman Liebl stated his comment on that would be he would like to push the Sheriff's Dept or State Police to investigate the serial numbers on the tires and find out who they belong to.

Councilman Aldrich stated not being on town property he doesn't see where they can force that issue.

Councilman Liebl stated no but Mr. Schultz could, he could be aware of this and he can do this.

Councilman Aldrich stated we can help Mr. Schultz as a neighborly jester of expediting or making phone calls or something like that but as far as he has to make the formal compliant because it's on his property. We don't want to turn our back on him but it's between him the State Police and whoever to resolve this situation.

Councilman Liebl stated they could have come from Thurman, Johnsburg, Warrensburg, not necessarily Stony Creek. The Board agreed.

Patrick Zawartkay stated on all the newer tires you'd see an oval stamp on the side, there will be a four-digit code (example 1204 it would be 12th week of 2004) the tire was manufactured. If you look at tires and instead of being a 255- 70R15 it's just a D model they are an extremely old tire that don't have that code on the side that would be a good indication that it did not come from a garage or something that they were sold from someone's stock pile from 15-20 years that just got dumped.

John Fieldstadt stated you could offer assists instead of neighborly fashion. There was somebody in the last couple months in the Stony Creek area that advertised on Craigslist looking for somebody to clean up a bunch of old tires on their property and get rid of them and he is curious did someone take him up on that offer to pick them up drive down a side road and dump them off. Councilman Aldrich stated someone had tires to be picked up. John Fieldstadt stated yes on Craigslist. He stated he may be able to track down the original ad in order to help the people out, to help him pursue it.

Attorney Cooper stated he would like to disclose that he represented Mr. Schultz when he sold his two parcels, he hasn't called him on this problem but if he does he will tell him his first obligation is to the town. Just for the purposes of addressing people of the conspiratorial mindset he wanted to get that out on the record.

096-11. A resolution was made by Councilman Ross seconded by Councilman Aldrich authorizing the following budget transfer:

Debit DA5140.4 Miscellaneous Brush and Weeds in the amount of \$2342.71.

Credit DA5130.4 Machinery Contractual \$2342.71. Roll call vote, all in favor.

From the floor:

A motion was made by Councilman Aldrich seconded by Councilman Ross to adjourn the meeting 7:36 PM. All in favor, motion carried

Respectfully submitted,

Susan Harrington
Town Clerk