

REGULAR MEETING – DECEMBER 9, 2008

The regular meeting of the Town Board of St. Armand was held on the above date at the Town Hall, Bloomingdale, NY.

PRESENT: Supervisor Joyce W. Morency, Deputy Supervisor, Charles Whitson, Jr. Councilmen Earl J. Dakin, Jr., Samuel Grimone, Thomas Jones, Town Clerk Cynthia A. Woodson.

EXCUSED: Highway Superintendent Roger Oliver

GUESTS: Sandy Hayes

Supervisor Morency called the meeting to order at 7: 00 P.M.

The Pledge of Allegiance was led by Councilman Jones.

RESOLUTION #74 – MINUTES

A motion was made by Councilman Grimone, and seconded by Councilman Dakin, to accept the Regular Town Board meeting minutes of November 12th. All were in favor. Motion carried.

RESOLUTION #75 – MONTHLY BILLS

GENERAL: Vouchers #257 - 277, Abstract #12	\$9,698.12
HIGHWAY: Vouchers #204 - 221, Abstract #12	\$6,156.13
WATER & SEWER: Vouchers #143 - 153, Abstract #12	\$2,320.01

A motion was made by Councilman Dakin, and seconded by Councilman Whitson, to accept and pay this month's bills. All were in favor. Motion carried.

RESOLUTION # 76– SUPERVISOR'S REPORT

RECEIPTS:	\$ 25,559.01
DISBURSEMENTS:	\$ 80,423.76
CHECKING BALANCES:	\$ 66,661.22
SAVINGS BALANCES:	\$ 375,235.33
CASH BALANCES:	\$ 441,896.55
WATER & SEWER BALANCE	\$ 45,027.36

A motion was made by Councilman Jones, and seconded by Councilman Grimone, to accept the Supervisor's Report, the Water & Sewer Report, and Financial Reports. All were in favor. Motion carried.

HIGHWAY UNIFORMS

Supervisor Morency stated that Phil Weidenheimer would like to continue using the uniforms provided by Coyne Textile Services for the Highway department. Supervisor Morency stated that the Town pays for half and the workers pay the other half of the costs.

RESOLUTION #77 – HIGHWAY UNIFORMS

Councilman Jones, who moved its adoption, offered the following resolution.

WHEREAS A Resolution of the Town Board of the Town of St. Armand has agreed to let part-time worker, Phil Weidenheimer, to continue using the uniforms provided by Coyne Textile Services.

This Resolution was duly unanimous by the Town Board, and adopted as follows:

Supervisor Joyce W. Morency	AYE
Deputy Supervisor Charles Whitson, Jr.	AYE
Councilman Earl J. Dakin, Jr.	AYE
Councilman Samuel Grimone	AYE
Councilman Thomas C. Jones	AYE

Dated: December 9, 2008

Cynthia A. Woodson
St. Armand Town Clerk

CORPORATE AUTHORIZATION – COMMUNITY BANK

Supervisor Morency stated that the Corporate Authorization Resolution for Community Bank has to be signed by her and Councilman Whitson; then signed and notarized by Cindy, Town Clerk.

RESOLUTION #78 – CORPORATE AUTHORIZATION

Councilman Grimone, who moved its adoption, offered the following resolution.

WHEREAS A Resolution of the Town Board of the Town of St. Armand accept Supervisor Morency and Councilman Whitson signatures for the corporate authorization at Community Bank.

This Resolution was duly seconded by Councilman Jones, and adopted as follows:

Supervisor Joyce W. Morency	AYE
Deputy Supervisor Charles Whitson, Jr.	AYE
Councilman Earl J. Dakin, Jr.	AYE
Councilman Samuel Grimone	AYE
Councilman Thomas C. Jones	AYE

Dated: December 9, 2008

Cynthia A. Woodson
St. Armand Town Clerk

MILEAGE

Supervisor Morency stated that beginning January 1, 2009 the IRS standard mileage rates will be 55 cents per mile.

NEW HIGHWAY TRUCK

Supervisor Morency has received two resolutions for the bond on the new truck from Dan Manning, Attorney for the Town. Letter from Dan Manning stated that the Resolution approves the borrowing of \$111,000 at a rate that must be less than 5% and gives full power and authority to execute a Bond Anticipation Note for these monies. The National Bank and Trust has given the Town a rate of 3.4% for one year. The Resolutions are as follows:

RESOLUTION #1 SERIAL BOND RESOLUTION TOWN OF ST. ARMAND, ESSEX COUNTY, NEW YORK RELATIVE TO A PURCHASE OF A NEW 2009 MACK GRANITE GU712 TURCK AND ACCESSORIES. DATED DECEMBER 9, 2008.

WHEREAS, the Town Board of the Town of St. Armand, Essex County, New York, has authorized the purchase of a 2009 Mack Granite GU712 Truck and Accessories for a total price of \$111,000.

WHEREAS, it will be necessary for the Town of St. Armand to raise funds in the amount of \$111,000 representing a portion of the cost of the purchase of said item from the proceeds of obligations (serial bonds) to be issued pursuant to the Local Finance Law of the State of New York; and

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The specific object or purpose for which said obligations are to be issued pursuant to this Resolution is to finance the purchase of a new 2009 Mack Granite GU712 Truck and Accessories.

Section 2. The maximum cost of such vehicle is the sum of \$170,201.39 and the plan for financing such cost is by issuance and sale of Serial Bonds of the Town of St. Armand not to exceed in the aggregate the sum of \$111,000 and the additional payment from Town funds in the amount of \$60,000.

Section 3. The following determinations are hereby made:

- a. The period of probable usefulness of said item is five (5) years.
- b. The subdivision of Paragraph A of Section 11.00 of the Local Finance Law which is applicable under the circumstances is subdivision 29.
- c. The proposed maturity of the obligations authorized by this Resolution shall not be in excess of five (5) years.

Section 4. That the Town of St. Armand shall issue its Serial Bonds in a sum not to exceed, in the aggregate, the sum of \$111,000 to finance the cost of said vehicle in accordance with the financial plan set forth above. Said Serial Bonds shall be date the 22nd day of December, 2008, and the power to fix and determine the exact date of such Serial Bonds is hereby delegated to the Supervisor.

Section 5. Said Bond shall be numbered 1 and shall be of the total aggregate not to exceed the sum of \$111,000 and shall mature in 2009.

The power to determine the date upon which said installments shall be due and payable and the exact terms form and content of said bonds is hereby delegated to the Supervisor. Said bonds shall be issued in registered form, without coupons. Payment of interest on said bonds shall be evidenced by a notation thereof on the bonds at the time of payment.

Section 6. The Supervisor is hereby delegated the power to prepare such bonds and to sell such bonds at private sale in accordance with the provisions of Section 63.00 of the Local Finance Law of the State of New York at not less than par and accrued interest and at such sale to fix the interest rate to be borne by such bonds. The Supervisor shall deliver such bonds to the purchaser thereof only against cash or certified or bank check. The proceeds of the sale of said bonds shall be deposited in a special account as required by Section 165.00 of the Local Finance Law. The powers delegated to the Supervisor by this Resolution shall be exercised in conformity with the provisions of the Local Finance Law.

Section 7. The full faith and credit of the Town of St. Armand are pledged to the payment of the principal of said bonds and the interest thereon when due.

Section 8. The Town of St. Armand reserves the right and power to itself to call in and redeem such bonds on any interest payment date prior to the date of their maturity provided, however, that any such redemption of installations remaining unpaid shall be made only in the inverse order of their maturity, or in equal proportionate amounts and shall be otherwise redeemed pursuant to the provisions of Section 53.00 of the Local Finance Law.

Section 9. That such Serial Bonds are a "Qualified tax exempt obligation" and that the Town of St. Armand shall take the necessary steps to qualify said Serial Bonds as a tax exempt obligation pursuant to the provisions of Section 265 of the Internal Revenue Code as amended, and said bonds shall bear on the face thereof the following notation "this

bond is hereby designated as a qualified tax exempt obligation” pursuant to the provisions of Section 265 of the Internal Revenue Code of 1986 as amended.

Section 10. The aforesaid Serial Bonds shall bear interest at a rate not to exceed 5.0% per annum and the power to fix the dates for the payment of said interest installments is hereby further delegated to the Supervisor. The principal amount of each of said bonds shall be in the sum of \$111,000.

Section 11. This Resolution shall take effect immediately.

MOTION BY: Councilman Samuel Grimone
SECONDED BY: Councilman Charles Whitson, Jr.

ROLL CALL:

Supervisor Morency	AYE
Councilman Whitson	AYE
Councilman Dakin	AYE
Councilman Grimone	AYE
Councilman Jones	AYE

Dated: December 9, 2008

Cynthia Woodson
Town Clerk
Town of St. Armand

RESOLUTION #2 BOND ANTICIPATION NOTE RESOLUTION DATED THE 9TH DAY OF DECEMBER, 2008. FOR THE ISSUANCE AND SALE OF A NOTE OF THE TOWN OF ST. ARMAND, ESSEX COUNTY, NEW YORK IN ANTICIPATION OF THE SALE OF SERIAL BONDS NOT TO EXCEED IN THE AGGREGATE THE SUM OF \$111,000 INCIDENT TO THE PURCHASE OF A 2009 MACK GRANITE GU712 TRUCK AND ACCESSORIES.

WHEREAS, the Town Board of the Town of St. Armand, Essex County, New York has on the 9th day of December, 2008 duly adopted a Resolution authorizing the issuance and sale of serial bonds of the Town of St. Armand in an amount not to exceed in the aggregate the sum of \$111,000 for the purchase of a 2009 Mack Granite GU712 Truck and Accessories and

WHEREAS, there is no Bond Anticipation Note outstanding which has been previously issued in anticipation of the issuance and sale of said Bonds; and

WHEREAS, the Town of St. Armand now desires to provide for the issuance and sale of a Note in anticipation of the issuance and sale of said Bonds; and

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of St. Armand, Essex County, New York, as follows:

Section 1. That a Bond Anticipation Note in the sum not to exceed \$111,000 shall be issued by Town of St. Armand, Essex County, New York in anticipation of the issuance and sale of serial bonds of the Town of St. Armand in an amount not to exceed, in the aggregate, the sum of \$111,000 heretofore authorized by Resolution duly adopted by the Town Board of the Town of St. Armand entitled “SERIAL BOND RESOLUTION TOWN OF ST. ARMAND, ESSEX COUNTY, NEW YORK RELATIVE TO A PURCHASE OF A NEW 2009 MACK GRANITE GU712 TRUCK AND ACCESSORIES DATED DECEMBER 9, 2008” authorizing the issuance and sale of serial bonds of the Town of St. Armand, Essex County, New York, in a sum not to exceed in the aggregate, the sum of \$111,000 for the purchase of a new 2009 Mack Granite GU712 Truck and Accessories; and

Section 2. That said note shall be dated the 22nd day of December, 2008, or at such later date as the Supervisor, by her execution thereof, may determine, will bear an interest rate

of no greater than 5.0% per annum payable at maturity; will be payable both as to principal and interest in lawful money of the United States of America at the office of the purchaser of said note, or at such other place as the Supervisor may determine; will be signed in the name of the Town of St. Armand by its Supervisor; and will be sealed with the seal of the Town.

Section 3. Said Bond Anticipation Note shall be such terms, form and content as may be prescribed by the Supervisor and the power to so prescribe the same is hereby delegated to the Supervisor.

Section 4. The full faith and credit of the Town of St. Armand, Essex County, New York, are hereby irrevocable pledged for the payment of the principal of and interest on said Bond Anticipation Note. Said Bond Anticipation Note shall be paid from the proceeds derived from the sale of said bonds or may be redeemed, in whole or in part, or renewed as provided by the Local Finance Law of the State of New York.

Section 5. The said Bond Anticipation Note is issued in anticipation of bonds for an assessable improvement.

Section 6. The Supervisor of the Town of St. Armand is hereby authorized to sell such Bond Anticipation Note at private sale at not less than par and accrued interest at a rate not exceeding the rate above specified and the Supervisor is authorized to deliver said Bond Anticipation Note to the purchase upon payment of the purchase price and accrued interest as above specified. The receipt of the Supervisor shall be a full acquittance of the purchaser who shall not be required to see to the application of the purchase money.

Section 7. The Town of St. Armand reserves the right to call and redeem this note at any time prior to maturity upon payment of the principal thereof together with accrued interest.

Section 8. That said Bond Anticipation Note will be a “qualified tax exempt obligation” pursuant to the appropriate provisions of the Internal Revenue Code as amended and said Note shall bear on the face thereof the following notation: “This Note has been designated by the issuer as a qualified tax exempt obligation” pursuant to the provisions of Section 265 of the Internal Revenue Code of 1986 as amended.

Section 9. This Resolution shall take effect immediately.

MOTION BY: Councilman Thomas C. Jones

SECONDED BY: Councilman Samuel Grimone

ROLL CALL:

Supervisor Morency AYE

Councilman Whitson AYE

Councilman Dakin AYE

Councilman Grimone AYE

Councilman Jones AYE

Dated: December 9, 2008

Cynthia Woodson
Town Clerk
Town of St. Armand

Councilman Dakin asked if the 3.4% could change next year. Supervisor Morency stated that she will find out if the 3.4% is for the two years. Councilman Grimone stated that it didn't look like it was part of the contract. It may be an adjustable rate but not above 5%, it could change next year.

STOP SIGN AT INTERSECTION

Supervisor Morency stated there was field investigation of the STOP sign at the intersection. Mr. Kennedy, Regional Traffic Engineer did the work and it was determined that relocation of the right side STOP sign will be moved approximately 20 feet for eastbound Route 3 motorists to the south.

TRUDEAU ROAD/TREES BLOCKAGE

Supervisor Morency received complaint about the view being blocked by trees when entering Trudeau Road from Bloomingdale and from Saranac Lake. The owner of the house on the corner had planted trees and wants to keep them until next spring. George Paye went up to inspect the area and found that the trees are in the State’s right of way and will need to be taken down. They will be taken out next spring, and the State will plant smaller trees higher up on the bank for her.

NY SNOW AND ICE CONTRACT

Supervisor Morency stated that she has received a check for \$90,148.94 as part of the Snow and Ice contract.

ROCKLEDGE

The Town Board members have received a thank-you letter from the residents at Rockledge for their help with Sunmount housing.

WINTER SKATING

Supervisor Morency said that Doug Hazelton will do the rink again this year. Gail Bombard will do all the supervising for the skaters.

YOUTH BUILDING

Supervisor Morency stated that after the flooding at the building, Scottsdale Insurance sent an adjuster to investigate the damage to the building. The damage totals \$596.75. The amount of damage is under the \$1,000 deductible.

HEALTH INSURANCE

Supervisor Morency stated that town workers who have health insurance with the town met with Tisha from Burman Insurance about the new policy for 2009. The annual rates for 2008 total \$74,634.48. The new rates for 2009 will total \$67,753.74 with Excellus BCBS Blue Healthy Choice A insurance plan. Councilman Grimone asked that maybe there could be a \$2,500 slush fund to help out with the co-pays for hospital stays; since the new plan does require a \$200 to \$450 co-pay. Supervisor Morency said that she will check it out of a fringe benefit fund. Supervisor Morency stated that she was approached by Keith Bordeau about a buy-out plan for the health insurance.

RESOLUTION #79 – NEW HEALTH INSURANCE POLICY

Councilman Grimone, who moved its adoption, offered the following resolution.

WHEREAS A Resolution of the Town Board of the Town of St. Armand to accept the new health insurance Excellus BCBS Blue Health Choice A for town workers.

This Resolution was duly seconded by Councilman Dakin, and adopted as follows:

- | | |
|--|-----|
| Supervisor Joyce W. Morency | AYE |
| Deputy Supervisor Charles Whitson, Jr. | AYE |
| Councilman Earl J. Dakin, Jr. | AYE |
| Councilman Samuel Grimone | AYE |
| Councilman Thomas C. Jones | AYE |

Dated: December 9, 2008

Cynthia A. Woodson
St. Armand Town Clerk

RECORD MANAGEMENT

Supervisor Morency stated that there is \$5,000 for record management from the County. She has ordered two filing cabinets and several boxes of file folders. There is extra money left over and she contacted Dean Montroy to see if he would clean the ceilings upstairs, do repairs, and put fireproof sheets on the walls. Dean’s estimate is \$2,900.00. All records down in the basement will be brought upstairs to the top floor for storage. Supervisor Morency stated that there will be shelves put in also. Councilman Grimone asked if Dean would check the leak from the ceiling to determine if it is leaking from the roof or rafters. Councilman Whitson stated that the copper roof has a life time warranty; the leak may be at the dormers, or chimney.

RESOLUTION #80 – TOWN HALL TOP FLOOR

Councilman Grimone, who moved its adoption, offered the following resolution.

WHEREAS A Resolution of the Town Board of the Town of St. Armand to hire Dean Montroy to do any repairs and cleaning on the top floor for storing Town Records. His estimate is \$2,900.

This Resolution was duly seconded by Councilman Whitson, and adopted as follows:

Supervisor Joyce W. Morency	AYE
Deputy Supervisor Charles Whitson, Jr.	AYE
Councilman Earl J. Dakin, Jr.	AYE
Councilman Samuel Grimone	AYE
Councilman Thomas C. Jones	AYE

Dated: December 9, 2008

Cynthia A. Woodson
St. Armand Town Clerk

OLD BUSINESS

Councilman Dakin asked if the three generators have been serviced yet. Supervisor Morency stated no as she can’t get ahold of Mr. Besaw. Is there any progress on the property next door? Supervisor Morency stated that at this time no. He asked if there was any more news from Department of Environmental Conservation (D.E.C.) about the Sewer Plant. Supervisor Morency stated no, but that the Town did not receive any money from the Champlain Basin Grant.

Councilman Grimone asked if anything was done at the Kellum property. Supervisor Morency stated she has not heard anything or if Rick Heath did anything. She stated that Rick did receive a fax last week from some attorney for a building permit for tower and installation up at Trudeau. He was to sign off on the no zoning form. She called him and asked him to come to the office to discuss this; he never came to talk to her. This may have affected the Adirondack Park Agency’s permit for the cell tower in Bloomingdale at the water tower.

Councilman Grimone asked if anything has been done with the zoning. Sandy Hayes stated that he has not found out any answers as to the difference between zoning board and planning board. Supervisor Morency said she would ask Vic Putnam to come up and meet with the board. Sam asked if the Town is going to do anything with the outside wood boilers. Supervisor Morency said the board can review it again and next year makes a decision what to do.

VET FIELD

Supervisor Morency stated that Roger Oliver came in and said he saw young Rodger Willett using his snowmobile on the Vet's property. Supervisor Morency called the State Police and they went to Rodger's house about the incident. Rodger and another guy were using the snowmobile on the field. They came over to speak with the Supervisor and said they would fix it up next spring. She stated that they should go to the Judge.

Councilman Jones stated that they should go to the Judge and get it on record. Councilman Dakin stated that he inspected the area and did not see any ruts in the grass; they can fix any surface grass damage next year. Councilman Whitson stated that he also inspected the area and agreed with Councilman Dakin that there were no rut damage to the grass; only surface grass damage. Councilman Grimone stated that he wants to give him the benefit of the doubt; if he goes before the Judge he will have to pay court cost and a fine. He would rather see him fix it properly next year. Sandy Hayes stated that young Rodger Willett was doing circles down at the fire house and nearly ran into him as he was driving to Saranac Lake.

END OF MEETING

A motion was made by Councilman Jones, and seconded by Councilman Dakin to adjourn the meeting at 8:40 p.m.

I, Cynthia A. Woodson, Town Clerk for the Town of St. Armand, do hereby certify that the above is a true and correct transcript of the Regular Town Board meeting minutes held on the above referenced date.

Cynthia A. Woodson
St. Armand Town Clerk