

REGULAR BOARD MEETING  
February 12, 2013

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

PRESENT: Town Supervisor Charles Whitson, Jr., Deputy Supervisor Samuel A. Grimone, Councilperson Donald Amell, Councilperson Jennifer Fuller  
Town Clerk Davina Thurston, Highway Superintendant Roger Oliver,  
Code Enforcement Officer Robert Drosdowich, Supervisor's Clerk  
Connie Willette

GUESTS: Sandy Hayes, Carol Techman, Bucky Willette, JP O'Neil, and Chris  
Knight from the Adirondack Daily Enterprise

Notice was sent to the Adirondack Daily Enterprise regarding this meeting.

Town Supervisor Charles Whitson, Jr. called the board meeting to order at 6:37 p.m.

Sandy Hayes led the Pledge of Allegiance.

MINUTES

A motion was made by Deputy Supervisor Grimone and seconded by Councilperson Fuller to accept the Special Board Meeting Minutes of January 31, 2013. All were in favor. Motion carried.

SUPERVISORS MONTHLY REPORT

Supervisor Whitson reviewed the Supervisor's Monthly Reports for January 2013. A motion was made by Deputy Supervisor Grimone to accept the Supervisors Report. Motion was seconded by Councilperson Amell. All were in favor. Motion carried.

PAYMENT OF MONTHLY BILLS

Councilperson Amell made a motion to accept payment of the monthly bills. Councilperson Fuller seconded the motion. All were in favor. Motion carried.

**RESOLUTION 17 OF 2013 - BOND ANTICIPATION NOTE**

**RESOLUTION DATED  
THE 12<sup>TH</sup> DAY OF FEBRUARY, 2013,  
FOR THE ISSUANCE, SALE AND RENEWAL 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 \$86,897 INCIDENT TO THE PURCHASE OF A 2010/2011 JOHN DEERE  
544K WHEEL LOADER AND ACCESSORIES**

This resolution was offered by Deputy Supervisor Grimone who moved its adoption:

**WHEREAS**, the Town Board of the Town of St. Armand, Essex County, New York did on the 7<sup>th</sup> day of January, 2011 duly adopt 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 \$86,897 for the purchase of a 2010/2011 John Deere 544K Wheel Loader and Accessories; and

**WHEREAS**, on the 22<sup>nd</sup> day of February, 2012 the Town of St. Armand paid the sum of \$28,966 reducing the principle amount of the indebtedness to \$57,931; and

**WHEREAS**, the Town of St. Armand did on the 22<sup>nd</sup> day of February, 2012 issue a second Bond Anticipation Note in the amount of \$57,931 to NBT Bank, NA; and

**WHEREAS**, the Town of St. Armand is desirous of paying the sum of \$28,966 together with existing interest on the current \$57,931 indebtedness leaving a principle indebtedness of \$28,965; and

**WHEREAS**, the Town of St. Armand now desires to issue and sell a Bond Anticipation Note Renewal (3) in the amount of \$28,965;

**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 \$28,965 shall be issued by the 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 \$28,965 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 THE PURCHASE OF A 2010/2011 JOHN DEERE 544K WHEEL LOADER AND ACCESSORIES DATED JANUARY 7, 2011**" 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 \$86,897 for the purchase of a 2010/2011 John Deere 544K Wheel Loader and Accessories; and

**Section 2.** That said note shall be dated the 22nd day of February, 2013, 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 irrevocably 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 prior to maturity, or renewed as provided by the Local Finance Law of the State of New York.

**Section 5.** The said Bond Anticipation Note is not 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 obligations 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 was passed by a 2/3 majority and shall take effect immediately.

This motion was duly seconded by Councilperson Fuller.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

Supervisor, Charles Whitson, Jr	AYE
Samuel Grimone, Deputy Supervisor	AYE
Donald Amell, Councilperson	AYE
Earl Dakin, Jr., Councilperson	EXCUSED
Jennifer L. Fuller, Councilperson	AYE

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Davina M. Thurston  
Town Clerk

DATED: February 12, 2013

## **RESOLUTION 18 OF 2013 – MAINTENANCE OF ESSEX COUNTY ROADS**

This resolution was offered by Councilperson Amell who moved its adoption:

WHEREAS, A Resolution of the St. Armand Town Board authorizes the Supervisor, Charles Whitson, Jr., to enter into a contract with the Essex County Public Works for the purpose of maintenance of County Roads from January 1, 2013 to December 31, 2013. See Contract No. DPW13-0104, for actual costs.

This motion was duly seconded by Councilperson Fuller and adopted as follows:

Supervisor, Charles Whitson, Jr	AYE
Samuel Grimone, Deputy Supervisor	AYE
Donald Amell, Councilperson	AYE
Earl Dakin, Jr., Councilperson	EXCUSED
Jennifer L. Fuller, Councilperson	AYE

DATED: February 12, 2013

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 Davina M. Thurston  
 Town Clerk

**RESOLUTION 19 of 2013 - FIRE CONTRACT WITH BLOOMINGDALE  
 VOLUNTEER FIRE COMPANY, INC.**

Councilperson Amell, who moved its adoption, offered the following resolution.

WHEREAS A Resolution of the St. Armand Town Board authorizing Supervisor Charles Whitson, Jr. to sign the Fire Contract agreement with the Bloomingdale Volunteer Fire Company Inc.. Services begin January 1, 2013 to December 31, 2015.

WHEREAS the Town of St. Armand agrees to pay the sum of \$29,500.00 to the Bloomingdale Volunteer Fire Department, in addition, one half of the Workers Compensation Fee, of which the Town of Franklin will also pay one half of the Workers Compensation Fee, for each year. The amount paid on the Workers Compensation Fee will be the only variable amount for each year of said contract. A fee of \$7,000.00 for modifications for extraction equipment will also be paid during each year of this contract. The total amount to be paid by the Town of St. Armand for the year of 2013 is \$42,261.00. This amount is to be paid by February 20, 2013.

THEREFORE, LET IT BE RESOLVED, that Supervisor Whitson has permission from the Town of St. Armand Board, to enter said contract, retroactive to January 1, 2013.

Councilperson Fuller duly seconded this resolution, and adopted as follows:

Supervisor Charles Whitson, Jr.	AYE
Deputy Supervisor Samuel A. Grimone	AYE
Councilperson Earl J. Dakin, Jr.	AYE
Councilperson Donald Amell	EXCUSED
Councilperson Jennifer L. Fuller	AYE

Dated February 12, 2013

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 Davina M. Thurston  
 St. Armand Town Clerk

**RESOLUTION 20 OF 2013 – LEASE OF POLL SITE**

This resolution was offered by Councilperson Fuller who moved its adoption:

WHEREAS, A Resolution of the St. Armand Town Board authorizes the Supervisor, Charles Whitson, Jr., to enter into a contract with the Essex County Board of elections for the purpose of leasing the Town Hall as a Poll Site, in consideration of \$1.00 per election event, for the calendar year 2013.

This motion was duly seconded by Deputy Supervisor Grimone, and adopted as follows:

Supervisor, Charles Whitson, Jr	AYE
Samuel Grimone, Deputy Supervisor	AYE
Donald Amell, Councilperson	AYE
Earl Dakin, Jr., Councilperson	EXCUSED
Jennifer L. Fuller, Councilperson	AYE

DATED: February 12, 2013

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 Davina M. Thurston  
 Town Clerk

RESOLUTION 21 of 2013 – LAND SURVEYING SERVICES FOR SEWER PROJECT

Councilperson Amell who moved its adoption offered the following resolution.

WHEREAS, Architecture, Engineering and Land Surveying Northeast, PLLC – also known as AES Northeast, is the consultant providing Professional Services to the Town of St. Armand, and WHEREAS, AES Northeast has advised the Town of St. Armand of the need for a survey to be completed of the parcel owned by the Town, including mapping, monumentation and investigation of the easement affecting the pump station, and WHEREAS, due to ambiguity in the existing deed, additional surveying services may be necessary pending completing of this initial survey in order to complete a boundary line adjustment or subdivision, and WHEREAS, the Town’s chosen surveyor is Geomatics Land Surveying, which is a Women Owned Business Enterprise and meets New York State Environmental Facilities Corporation Subcontracting Goals, and WHEREAS, the Services Specified will be performed by March 29, 2013, and WHEREAS, payments shall be made in accordance with the Cost Reimbursement Payment Method of the term of this Agreement, along with hourly rates listed under the Appendix of the agreement, and the total estimated fee for the services is two-thousand four hundred dollars (\$2,400.00), and WHEREAS, the Consultant designates Todd C. Hodgson, PE, as the person who will be responsible for coordinating the services rendered by Geomatics for this Project, NOW, THEREFORE, LET IT BE RESOLVED, that Supervisor Whitson has permission from the Town of St. Armand Board, to enter said contract, dated and signed by AES Northeast on February 11, 2013.

Councilperson Fuller duly seconded this resolution, and adopted as follows:

Supervisor Charles Whitson, Jr.	AYE
Deputy Supervisor Samuel A. Grimone	AYE
Councilperson Earl J. Dakin, Jr.	ABSENT
Councilperson Donald Amell	AYE
Councilperson Jennifer L. Fuller	AYE

Dated February 12, 2013

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Davina M. Thurston  
St. Armand Town Clerk

HIGHWAY MONTHLY REPORT

Superintendent of Highways, Roger Oliver, informed the Board that the Highway Department’s Tandem Truck needed rear brake repairs and a new spare tire with rim. The brake pedals of the Loader truck are sticking, no warranty on brakes. The Loader also has a transmission leak that will be covered by warranty, and Roger is checking to see how much warranty remains on the Loader. The brake and transmission repairs will be made at the same time in the near future. Roger informed the Board of the need for a new, smaller plow truck to maintain hamlet streets. A smaller plow will also be more cost efficient than running a large plow where the bigger size is not necessary. Roger provided the Board with two estimates for them to review. Roger will get back to the Board with warranty information on both vehicles. Roger also informed the Board that he had spoken with Town Accountant Mike Kilroy regarding payments on the vehicles, Mike stated that it is more cost effective to have a three year payment on each vehicle, then when older vehicles need to be replaced they will be on a better payment rotation and not have to pay for several vehicles at the same time. Roger also stated that the estimates he provided were on State Contract. Supervisor Whitson informed the Board and Roger that the CHIPS money for blacktop this year is \$19,266.00.

BOARD OF ASSESSMENT REVIEW

Supervisor Whitson informed the Board that two people are needed on the Review Board. They need to complete the training so they are ready for the next meeting. He asked the Board if they knew of anyone who may be interested in this volunteer position. Deputy Supervisor asked Carol Techman if she would be interested. Carol expressed interest and will be in contact with Supervisor Whitson in the near future.

## TOWN INSURANCE

Supervisor Whitson informed the Board that he was working with Mr. Reyell of Ayers Insurance to update the Town's insurance policies and receive other quotes for insurance from other carriers. He will report back to the Board on their findings.

## TOWN CLERK'S REPORT

Town Clerk Davina Thurston provided the Board with a copy of the Town Clerk's Monthly Report.

## WATER AND SEWER CLERK'S MONTHLY REPORT

Davina Thurston gave the board the following information:

As of February 11, 2013:

Total collected from accounts from last quarter	\$20,600.71
Total billed as of last meter reading	\$45,162.16
Total outstanding bills	\$24,561.45
Total gallons of water used/billed during last quarter	2,934,960

## TAX COLLECTORS MONTHLY REPORT

As Nancy Heath was unavailable for the meeting, she provided the Board with the following information, as read to the Board by Davina Thurston:

Pursuant to section 27, subdivision D, of the Town Law, I hereby make the following statement of all fees and monies received by me from January 1, 2013 to January 31, 2013, in connection with my office excepting only such fees and monies the application and payment of which are otherwise provided by law.

Tax paid to Charles G. Whitson Jr, Supervisor, from January 1, 2013 to January 31, 2013 \$355,305.38.

Signed and swore to by Nancy M. Heath, Tax Collector, Town of St. Armand.

## WATER DEPARTMENT MONTHLY REPORT

Davina Thurston informed the Board that Jeff Cotter was very ill, but he had emailed in a new updated Emergency Response Plan for the Bloomingdale Water District. Each of the Board members received a copy of this draft to read. The Board will evaluate this plan and make any modifications, if necessary. Supervisor Whitson stated that the chart recorder estimates involve getting on top of the water tank, and as it is not a dire need, they would wait until spring to pursue further estimates for replacing the chart recorder.

## SEWER PROJECT UPDATE

Supervisor Whitson informed the Board of the steps that are being taken going forward with the Sewer Project. The Board had been in receipt of two letters from AES regarding the project. Charlie informed the Board of events that are up-coming, including a survey of the sewer user's for income purposes to be able to obtain further grant funding for the project.

## CODE ENFORCEMENT OFFICER'S MONTHLY REPORT

Robert thanked the Board for the new laser printer.

Code Enforcement Officer Robert Drosdowich stated that he had collected no money for the month of January 2013. Robert also informed the Board that he would need \$240.00 to attend the 2013 Codes Conference, and \$30.00 to pay for Northern Adirondack Code Enforcement Association dues.

Robert informed the Board that two clocks on the Clock Tower are now working correctly. He expects to be able to complete repairs on the third clock in the spring. Robert stated that 27 two-pronged light bulbs are needed for the Clock Tower. The Board agreed to purchase these new bulbs.

Robert informed the Board that he has been in contact with Ira Weinberg and the issues at his apartment building are being addressed. Two households have moved out of the problem apartments, and Mr. Weinberg has been informed that he may not rent them until renovations have taken place. Mr. Weinberg has agreed to these terms with Robert.

Robert informed the Board that he had received a letter from the APA regarding the Town Garage Project. Stuart and Tracy Darrah have asked that the debris from the Garage be deposited on their land.

#### UPDATED EMERGENCY RESPONSE PLAN

Davina Thurston informed the Board that the second draft of the Emergency Response Plan has been completed. Councilperson Amell suggested giving Tim Woodruff of the Bloomingdale Fire Department a copy of this for his input. The Board will review this plan and will discuss it at the next meeting.

#### HIGHWAY PERSONNEL POLICY

Davina Thurston informed the Board that the second draft of the Highway Personnel Policy and Highway Manual has been completed. The Board will review both of these and will discuss it at the next meeting.

#### FIRE PROOF ROOM

Davina Thurston asked the Board to consider finishing the Fire Proof Room that is upstairs. The room is nearly complete, but needs a fire-proof door and finish work on the door frame. After discussion, it was agreed to look into an estimate for electricity for upstairs and to finish the fire-proof room to store historical documents.

#### BEE HUSBANDRY TAX BREAK

Davina Thurston informed the Board that she had worked with Charli Lewis in Essex County and found that there is already in existence an agricultural tax break for bee keeping. Deputy Supervisor Grimone asked that she research a tax break for individuals who keep bees residentially. Davina stated that she would continue to investigate the issue and provide more information at the next regular board meeting.

#### WEB SITE

Davina Thurston informed the Board that Rainbow Graphics has purchased the domain name "townofstarmand.com" for our website. Davina is working with Hilary and hopes to have the website on-line within the next month or so.

#### FIRE ARMS SIGN FOR JUDGE

Discussion ensued regarding the request by Judge Swinyer for a "no firearms" sign to be posted inside the Town Hall. After discussion, it was agreed that Supervisor Whitson would speak to the town attorney regarding issuing an ordinance in order to enforce the signage.

#### NEW HIGHWAY GARAGE

Supervisor Whitson asked the Board to move forward with plans for the new garage. After discussion, it was agreed that a Special Board Meeting will be called on February 28<sup>th</sup> at 6:30 p.m. to move forward with this project.

#### AMA ANNEXATION

Discussion ensued regarding AMA annexation. The Board agreed that the Town of St. Armand should consider having a public hearing regarding the issue. Supervisor Whitson stated that he would speak to the town attorney, and would inform the Board of his findings.

PUBLIC DISCUSSION

Discussion ensued regarding several issues and questions. The topics that were verbalized included the Sewer Project, Town Garage Project, Fire-Proof Room, electric installation for upstairs of the Town Hall Building, needed office space, electric hot water heater to use during summer hours, poor radiator circulation, Water and Sewer Bonds, and AMA Annexation.

Deputy Supervisor Grimone made a motion to adjourn the meeting, Councilperson Fuller seconded the motion. All agreed. Motion carried. Meeting adjourned at 8:19 p.m.

I, Davina M. Thurston, Town Clerk for the Town of St. Armand, do hereby certify that the above is a true and correct transcript of the Board meeting minutes held on the above-referenced date.

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Davina M. Thurston  
St. Armand Town Clerk