

MINUTES OF THE REGULAR BOARD MEET TOWNING OF THE TOWN BOARD OF THE TOWN OF THURMAN, NY HELD FEBRUARY 14, 2018 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL, NEW YORK, COMMENCING AT 6:30 PM.....

PRESENT: Mrs. Brenda Ackley, Councilwoman
Mrs. Joan Harris, Councilwoman
Mr. Douglas Needham, Councilman
Mrs. Gail Seaman, Councilwoman
Mrs. Cynthia Hyde, Supervisor

RECORDING SECRETARY: Susan E. Staples

The meeting commenced with the reading of the payments for claims.

The meeting was called to order at **7:38 pm**.

PLEDGE:

ROLL CALL:

MOMENT OF SILENCE: A moment of silence was observed for **Debbie Constantineau**.

STATEMENTS: The Supervisor started to read the following three statements into the record. She finished reading the statement from the Supervisor's Office, and started to read a statement from the Assessor's Office when she was interrupted by **Councilwoman Seaman**. She noted that she thought she should have been provided with written copies of these statements. She continued to talk while **Supervisor Hyde** read the statement. At this point the Supervisor said she had one more statement to read. **Councilwoman Seaman** said that she (the Supervisor) was done. The Supervisor then passed out copies of the statements to the Board and the audience. After asking if everyone had heard the Assessor's statement she read the Town Clerk's statement.

February 14, 2018

Cynthia R. Hyde
Town of Thurman Supervisor

P.O. Box 29
Athol, New York 12810
(518)623-9649 x 101

February 14, 2018

STATEMENT OF TOWN OF THURMAN SUPERVISOR

A town supervisor has certain responsibilities, all of which I have been fulfilling for the last year. Unfortunately, recent actions taken by the new town board have compromised my ability to continue to do so. Therefore, I wish to inform my fellow board members and the public of some of the newly imposed constraints and how this office will have to deal with them in an effort to continue to meet our legal obligations.

The supervisor's office has been severely compromised by the recent decision of Councilwoman Gail Seaman, Councilwoman Brenda Ackley and Councilman Doug Needham to lower the hourly rate and hours of the supervisor's confidential secretary even though the approved and funded town budget for the year 2018 appropriated the funds for a full time confidential secretary with benefits.

Due to this unnecessary decision to cut funds supporting this office and due to the undermining and dismantling nature of the many recent decisions by Councilwoman Gail Seaman, Councilwoman Brenda Ackley and Councilman Doug Needham I will not be able to comply with the following resolutions or parts of resolutions:

*Resolution # 4 2018 - Prepayment of utility bills, fuel and postage
only*

The supervisor's office will also prepay the following as they are not subject to approval and are contractual.

Blue Cross Blue Shield — Health — partially paid by employees CDPHP

Dental-paid for by employees

Aflac — paid for by employees

Empire — Vision-paid for by employees

NYSHIP — Retiree Health

Workers Comp — self insurance

Shelter point — disability

Federal taxes

State Taxes

Resolution # 12 Preparation & Presentation of reports to the board

The supervisor's office will prepare reports as directed by Town Law. The supervisor's office does not have time to make copies or scan copies of records and is not required by law to do so. Councilman Needham and Councilwoman Ackley have both been told that they may come to the town hall and look at any and all records. Due to the unnecessary cuts in support staff they must view records when the supervisor is available. They may not take the time of the supervisor's confidential secretary.

Due to the rude behavior of Councilwoman Seaman during the last visit she and her son made to the supervisors office and due to the fact that she or her son secretly audio

recorded our conversation and then posted the audio on social media along with a degrading statement, Mrs. Seaman will need to make arrangements with the town clerk's office to view records. Mrs. Seaman is not welcome in the supervisor's office.

Resolution # 14 Adjusting & Deleting positions

RE: Directive - Copies for board members of time cards and payroll summaries given weekly by their preferred method

The supervisor's office will prepare reports as directed by Town Law. The supervisor's office does not have time to make copies or scan copies of records, is not required by law to do so and is not required to fulfill board members demands to make deliveries of copies of records to board members by their preferred method.

Resolution # 16 Resolution Amending Bank Transfer policy

RE: Directive — Deliver copies of the confirmation of any bank transfers to each board member by their preferred method.

The supervisor's office will prepare reports as directed by Town Law. The supervisor's office does not have time to make copies or scan copies of records, is not required by law to do so and is not required to fulfill board members demands to make deliveries of copies of records to board members by their preferred method.

Resolution # 18 Resolution to Rescind Resolutions

In order to uphold the fiscal responsibilities of the supervisor's office and in order to be responsible to the public the supervisor's office cannot comply with rescinding the following resolutions approved by the prior board.

From 12/21/17

1. Budget adjustments approved by the 2017 town board per resolution #192-2017 will not be undone.
2. The 2017 town board approved separating the highway fund from the consolidated fund per resolution #193-2017. The highway fund was separated from the consolidated fund on 12/29/17 on the advice of the NYS Comptrollers Office and will not be undone
3. The intermunicipal agreement approved by the 2017 town board per resolution #189-2017 between Town of Warrensburg and Town of Thurman for use of their trained water district employees to service the Thurman water supply infrastructure has been made and signed and will stand.

From 12/28/17

1. The prior board accepted the quote from Colvin Computer consulting and approved the purchase and installation of computers, printer and server per resolution #204-2017. This decision was put into action in 2017, computers, server, printer and installation supplies were ordered and the installation is proceeding. This decision will not be undone.
2. The 2017 town board approved an advance of \$64,440.21 from the savings account to the highway fund per resolution #199-2017. This advance was made on 12/29/2017 and the funds used for the intended purpose as outlined in the resolution. This decision will not be undone.
3. Budget adjustments approved by the 2017 town board per resolution #208-2017 were made and will not be undone.
4. The prior board accepted the quote from G. A. Bove per resolution # 209-2017 and approved the purchase and installation of a new tank and relocating existing tanks. This decision was put into action in 2017 and the new tank and supplies ordered. The new tank has since been installed and

existing tanks have been moved supplying fuel to the new generator. This decision will not be undone.

5. The 2017 town board approved the purchase and installation of a surge protector per resolution #198 -2017. This decision was put into action in 2017. The surge protector was purchased and installed and will not be removed.

Resolution # 19 Resolution to return reserve funds

RE: Directive — return \$8,223.00 to reserve fund from A1440.4 Engineer

In order to uphold the fiscal responsibilities of the supervisor's office and in order to be responsible to the public the supervisor's office cannot comply with this resolution for the following reasons.

1. The town of Thurman does not have a legitimate reserve fund.
2. The \$8,223.00 paid to Fred Engelmann was taken out of the savings account.
3. A1440.4 Engineer is an appropriation (an estimate) not cash.
4. The NYS Comptroller's office was called and this resolution was read to them. They advised that cash cannot be put into a savings account from an appropriation because an appropriation is not cash it is an estimate.

Resolution # 20 Resolution to direct the supervisor regarding timely billing

RE: Directive — Provide list of subscriber's copies of billings, notice of each new service request, tentative dates for hookup and copies of cpe purchase paperwork, full inventory, CPE numbers of all whitespace equipment.

The supervisor's office will prepare reports as directed by Town Law. The supervisor's office does not have time to make copies of records or White Space billings or scan copies of records and is not required by law to do so. The supervisor is not the whitespace operator and does not keep track of tentative dates for hookup of new white space service. All Town of Thurman white space equipment was purchased by the prior town board prior to 2017. Any purchase paperwork, inventory, cpe numbers of all whitespace equipment all of which was purchased prior to 2017 should have been filed with the town clerk's office. As the previous town clerk serving from 2008 to 2015 I can vouch for the fact that none of these records were filed in the town clerk's office during my time as town clerk. No new equipment was purchased in 2017 except for a radio to replace the Combs Road Pole radio that wasn't working per Resolution # 140-2017

RESOLUTION TO PURCHASE RADIO FOR COMBS ROAD WHITESPACE POLE

The town board of the Town of Thurman approves the purchase of an Ubiquiti Networks Rocket M900 -us 900MHZ Rocket M900 2x2 MIMO and an Ethernet cable for the Combs Road Whitespace pole.

Resolution #24 resolution to correct advance to highway

RE: Directive - To hold a permissive referendum for \$64,440.21 advanced

to highway and for the supervisor to provide an itemization of what the

\$64,440.21 was spent on.

In order to uphold the fiscal responsibilities of the supervisor's office and in order to be responsible to the public the supervisor's office cannot comply with the preceding directive from resolution #24-2018 for the "following reasons

1. The advance to the highway from the savings account not a reserve fund was made based on the recommendations of the NYS Comptrollers Office and a permissive referendum was not necessary.

2. The supervisor's office will prepare reports as directed b' Town Law. Resolution #199-2017 below describes what the advance, funds were used for; this information is and has been available for some time on the Thurman Town Website.

Resolution # 199-2017

RESOLUTION TO APPROVE ADVANCE TO HIGHWAY FUN

The town board of the Town of Thurman approves advancing, funds from the town savings account 40237817 to the highway fund within the consolidated account 6290310081 in the amount of \$64,440.21 to cover state retirement and the final abstract. These funds will be paid back to the savings account from the highway fund in 2018.

TOWN OF THURMAN ASSESSORS OFFICE

TOWN OF THURMAN ASSESSORS OFFICE
POST OFFICE BOX 29
ATHOL, NEW YORK
12810-0029
PHONE 518-623-4593
Extension 106
[E-MAIL: thurmanassessors@verizon.net](mailto:thurmanassessors@verizon.net)
February 14, 2018

Thurman Town Board
Athol, NY 12810-0029

Dear Councilman Needham, Councilwoman Seaman and
Councilwoman Ackley:

I would like to comment on your regrettable
decision to eliminate the Assessor's Clerk position.

I wish that you had extended to me the courtesy of at least discussing this change prior to your vote.

Some of the things clerks assist with are: exemptions (at the time of this change, we had 200+ exemptions out, which must be verified as to eligibility and filed by March 1); recording of deeds, property splits or consolidations, building permits, etc. We have 140 active building permits, including several new homes, to be inventoried and added by March 1.

The clerk was available to respond to taxpayers' questions. She had 16 years of experience as an assessor as well as 2 and 1/2 years in Warren County Deeds and Records and 6 years as Thurman Town Clerk (26 years of service to the Town of Thurman), over 40+ years as Notary Public.

At the time of her dismissal, we had begun training with LUCA, in preparation for the next census. Accurate census figures determine aid to the Town, and since Thurman addresses are Warrensburg or Athol, this may lead to confusion and loss of funding.

Sincerely,

Thomas Birdsall, Assessor

Susan E. Staples

Town Clerk, Town of Thurman

PO Box 29

Athol, New York 12810

STATEMENT FROM THE THURMAN TOWN CLERK

At last month's Organizational Meeting there were resolutions passed by the majority of the Town Board. Some of these

resolutions are having a negative impact on how this office operates.

Resolution #14 Resolution Adjusting and Deleting positions. This resolution took away the pay for the position of Deputy Town Clerk. There are funds in the budget for this position. We are extremely fortunate to have a Deputy who is knowledgeable about not only this office, but a lot of matters that happen on a day to day basis in the building. By voting to make this an unpaid position you are expecting someone to work for free which basically eliminates this position. This is resulting in more work and less man hours in which to do this. This resolution is having a negative impact in the office of Town Clerk. This is a vital position where the clerk not only covers the office when the town clerk is away, but she also serves as an internal systems of checks and balances. This office cannot operate to its full capacity without a paid clerk.

COMITTEES: The Supervisor made the following appointments **Councilwoman Harris** was appointed to **Youth Events** and **Highway**. She will oversee youth parties and make sure receipts are brought in and reports are done. For the Highway Department she was asked to communicate with them and report on their needs, and maybe report on what they are doing. **Councilwoman Ackley** was appointed **Personal Committee** and asked to come in to each office once a month to hear their concerns and needs and to bring those in a report at the monthly meetings. **Councilman Needham** was appointed to **Building and Grounds** committee and was asked to assess the basement and come up with a plan to clean and organize the basement. He was also asked to check the

playground equipment for safety and to report on any possible repairs or upkeep. He was also asked to find out what the guidelines were for safety on the playground. **Councilwoman Seaman** was appointed to the **Landfill** committee and asked to conduct audits on garbage bag stickers and to do periodic reports on the C&D. **Councilwoman Seaman** continued to interrupt the Supervisor as she made the appointments.

OLD BUSSINESS: Supervisor Hyde said she had a letter from **Perky Granger** regarding the **Summer Concert Series**. She then read the letter. She went on to explain that there were some changes made this year regarding the concerts. **Councilwoman Seaman** started to speak out of order and the Supervisor had to remind her that she was the Chairman, and that she needed to wait and that she (Supervisor Hyde) was in charge of the meeting. **Councilwoman Seaman** asked why she didn't shut up for a minute. Thank you and proceeded to talk. **Supervisor Hyde** told her that we could not have a conversation while she talked like that. She asked that the meeting be paused 8:06 while **Councilwoman Seaman** spoke out of order. The meeting resumed at 8:08. **Supervisor Hyde** proceeded to explain the process in which the musicians are paid for the concerts. The organizer hires the band, but they never have access to the funds for events. They organize contracts and vouchers, and that the Supervisor pays the bands on the night of the performance. **Supervisor Hyde** noted that the funding for the concerts had already arrived, and **Councilwoman Seaman** wanted to see a proposal for the concert series. The Supervisor noted that the Board does not see proposals from the TSA. Discussion ensued. The Supervisor asked **Joe Groff** to come up and speak. **Mr. Groff** started to speak about the plans that he had hoped to carry out regarding the selection of bands for the concerts. He said that it was too late to try and book a big name act as they tend to book 12 months in advance. He also noted that in the past there was \$13,000.00 for the concerts and no one was ever told where to spend it or how to spend it. He stated that he never wanted to have access to the funds, but was hoping to perhaps bring in bigger name bands. He said that the next thing that he knew there was a resolution written with his name in it stating what he should spend and he was never notified by the board about the resolution. **Councilwoman Harris** pointed out that it was **Councilwoman Seaman's** resolution. When **Councilwoman Seaman** started to speak **Mr. Groff** told her to shut up. He started to speak about

his plans when he was again interrupted by **Councilwoman Seaman**. **Supervisor Hyde** told her that she was not in charge of this meeting, and that **Mr. Groff** was talking. **Councilwoman Seaman** continued to speak out of order while **Supervisor Hyde** asked for someone to bring a motion to the floor rescinding Resolution # 17. Discussion ensued. **Mr. Groff** spoke about the problems he has encountering booking bands with the new constraints in place. **Councilwoman Seaman** said she heard that he only wanted to do 4 concerts. Both he and the Supervisor asked where she heard that, and she said out and around. She was informed that was not correct. **Mr. Groff** told her that if she had questions she should have contacted him for information, and he noted that she had made no attempt to do so. More discussion ensued.

RESOLUTIONS:

Resolution # 28

On a motion introduced by **Councilwoman Harris** and seconded by **Supervisor Hyde**

RESOLUTION TO RESCIND RESOLUTION # 17 CAPPING THE PAY FOR BANDS

BE IT RESOLVED that the Town Board rescinds resolution # 17 of 2018 capping the amount to be spent on bands for the Monday Night Summer Concert Series.

A ROLL CALL VOTE WAS CALLED.

Motion Carried: Ayes~4 Ackley, Harris, Needham, Hyde, Nays~1 Seaman

WHITESPACE: Discussion on whether to hire **Fred Engelmann** to run the Whitespace system or if it should go out for bid. It was decided that it should be put out for a bid. **Supervisor Hyde** said that she would ask **Mr. Engelmann** what technical requirements may needed to be meant of an operator to do the job. **Councilwoman Seaman** felt that he was not the proper person to ask, and stated that there was an older proposal that could be used to find an operator. It was noted that a Whitespace committee had been formed, but was done away with at the Organizational Meeting. Discussion continued on about Whitespace. The Supervisor noted that there was progress getting people to pay their bills. **Councilwoman Harris** noted that the people she spoke to didn't want Whitespace. She also said that **Spectrum** had plans to come into town with the

intent of hooking up to 75% of the residents by the end of the year. An automated invoice system was also discussed.

Councilwoman Seaman made a motion that because of your unwillingness to provide us and go by the resolutions that were duly passed by the Board on January 4th I'm making a motion to eliminate the position of Secretary/Bookkeeper as of tonight until such that we can get a handle on what we have. The motion was not seconded.

REPORTS: COUNCILWOMAN HARRIS read her **Annual Audit Report** for the Town Supervisor, Town Clerk, Justice, Tax Collector all reports were confirmed by the Town Board at the Annual Accounting. See the attached reports. Each department was given a copy of their reports. **Councilwoman Harris** stated that she had received several calls from residents with comments. They addressed TSA, summer concerts, highway department, Veteran's Monument. She attached report for full details on her report. It was noted the there was a small vault buried out front during the Bicentennial as a time capsule.

Resolution # 29

On a motion introduced by **Councilman Needham** and seconded by **Councilwoman Harris**

RESOLUTION APPROVING THE TUCKER FAMILY TO PURSUE EFFORTS TO FUND IMPROVEMENTS TO THE VETERANS' MONUMENT

RESOLUTION approving the **Tucker Family** to move forward with their effort to find funding for the proposed plan to upgrade the Memorial. This would include the addition of two side wings for the current monument out front.

Motion Carried: Ayes~5 Ackley, Harris, Needham, Seaman, Hyde, Nays~0

Reports Continued Councilwoman Harris read a report on the **Youth Commission**. She noted changes that would be made going forward to ensue that reports are filed and that the keys and building are secure. The next meeting of the Youth Commission is February 23.

PRIVILEGE OF THE FLOOR: Privilege of the floor was granted.

Resolution # 30

On a motion introduced by **Councilwoman Ackley** and seconded by **Councilwoman Seaman**

RESOLUTION TO HAVE THE SECURITY CAMERAS RUN 24 HOURS A DAY

RESOLUTION for the security cameras to run 24 hours a day, 365 days a year subject to FOIL.

A Roll Call Vote was called.

Motion Carried: Ayes~3 Ackley, Needham, Seaman, Nay~1 Hyde, Abstain~1 Harris

Councilwoman Ackley asked about the \$47,00.00 fine from the IRS. **Debra Runyon** then went on to explain that a W-2 was not sent in January 2015 with the rest, and that this resulted in the fine. She went on to explain how she was in the process of working with the IRS and the Social Security Administration to reduce the fine. Discussion about this ensued.

PRIVILEGE OF THE FLOOR WAS CLOSED

Resolution # 31

On a motion introduced by **Councilwoman Seaman** and seconded by **Councilman Needham**

RESOLUTION TO HAVE THE SEPTIC TANKS PUMPED

RESOLUTION to have the septic tanks pumped prior to the Jack Wax Party and have the Department of Health approve the water testing before March 1st so that the water can be used.

Motion Carried: Ayes~3 Ackley, Needham, Seaman, Nay~1 Hyde, Abstain~1 Harris

Resolution # 32 On a motion introduced by **Councilwoman Harris** and seconded by **Councilman Needham**

RESOLUTION CALLING ON TOWN OF THURMAN, RESIDENTS, AND BUSINESS OWNERS TO ADOPT THE “THINK DIFFERENTLY” INITIATIVE TO ASSIST INDIVIDUALS WITH SPECIAL NEEDS AND THEIR FAMILIES

WHEREAS, the “Think Differently” initiative is about promoting awareness and acceptance of all people, and advocating for the inclusion of all individuals living on the Autism Spectrum and with special needs; and

WHEREAS, our state and communities are stronger because of our diversity and differences; and

WHEREAS, according the Center for Disease Control (CDC) over 55 million people, or approximately 19% of Americans, have a type of disability or special need; and

WHEREAS, for some people with special needs, the very things that make them unique can also keep them on the sidelines, separate from those who might not understand their differences or uniqueness; and

WHEREAS, it is important to promote and provide guidance to those with special needs on how to access publically supported services available to them in the community; and

WHEREAS, it is important to encourage and educate the community and businesses on ways they can make facilities and services more accessible and on how to train staff to welcome and support special needs customers and co-workers; and

WHEREAS, the goal of this initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting community events that expand family friendly opportunities for people with special needs and their families; and

WHEREAS, adopting the “Think Differently” initiative is an important statement that our Town officials, business owners and residents can make to show their support for the differently-abled children and adults with special needs, and their families.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Thurman residents and business owners to adopt the “Think Differently” initiative so that all are better prepared to communicate with, provide for, support those living on the Autism Spectrum and with special needs.

Motion Carried: Ayes~5 Ackley, Harris, Needham, Seaman, Hyde, Nays~0

Resolution # 33

On a motion introduced by **Councilwoman Harris** and seconded by **Councilman Needham**

RESOLUTION TO APPROVE AGREEMENT

The town board of the Town of Thurman approves an “Agreement Between The Town of Thurman and Glen Falls Animal Hospital” and authorizes the supervisor to sign the necessary documents.

Councilwoman Ackley noted that the contract was already signed. The Supervisor noted that she had not sent it in, and had no intention of doing so without board approval.

Motion Carried: Ayes~ 4 Ackley, Harris, Needham, Hyde, Nays~0, Abstain~1 Seaman

Resolution # 34

On a motion introduced by **Councilman Needham** and seconded by **Councilwoman Harris**

RESOLUTION TO APPROVE AGREEMENT

The town board of the Town of Thurman approves “County Of Warren Local Tourism Promotional And Convention Development Amended Agreement For 2018 With The Town Of Thurman” and authorizes the supervisor to sign the necessary documents.

Motion Carried: Ayes~5 Ackley, Harris, Needham, Seaman, Hyde, Nays~0

Resolution # 35

On a motion introduced by **Councilwoman Harris** and seconded by **Supervisor Hyde**

RESOLUTION TO RESCIND THE DECISION TO DELETE THE ASSESSOR CLERK POSITION

WHEREAS the assessor needs the help of a clerk and

WHEREAS this is an important and needed position in the assessors office in order to adequately serve the public and

WHEREAS the 2018 Thurman Town Budget has funds in the amount of \$11,000.00 supported by revenue to fund the assessor clerk position now be it

RESOLVED that the town board of the Town of Thurman rescinds the decision to delete the assessor clerk position.

A Roll Call Vote was called.

Motion Failed: Ayes~2 Harris, Hyde, Nays~3 Ackley, Needham, Seaman

Resolution # 36

On a motion introduced by **Councilwoman Harris** and seconded by **Supervisor Hyde**

RESOLUTION TO RESCIND DECISION TO ELIMINATE FUNDS FOR THE DEPUTY TOWN CLERK POSITION

WHEREAS the town clerk needs the help of a deputy clerk and

WHEREAS this is an important and needed position in the town clerk' office in order to adequately serve the public and

WHEREAS the 2018 Thurman Town Budget has funds in the amount of \$4,000.00 supported by revenue to fund the deputy town clerk position now be it

RESOLVED that the town of Thurman rescinds the decision to eliminate funds for the deputy town clerk position

A Roll Call Vote was called.

Motion Failed: Ayes~2 Harris, Hyde, Nays~3 Ackley, Needham, Seaman

Councilwoman Seaman brought a motion to the floor to assign the duties of the Second Deputy Town Clerk. It was not seconded.

Resolution # 37

On a motion introduced by **Councilwoman Harris** and seconded by **Supervisor Seaman**

RESOLUTION TO RESCIND DECISION TO CUT HOURS AND HOURLY RATE

WHEREAS the town supervisor needs a full time confidential secretary to do secretarial work and bookkeeping and

WHEREAS this is an important and needed position in the Office of the Town Supervisor in order to fulfill the fiscal and administrative duties of that office and

WHEREAS the 2018 Thurman Town Budget has funds supported by **revenue** to provide benefits to this full time position of confidential secretary and

WHEREAS the supervisor's office always had either a part time secretary **AND** a part time bookkeeper or a **FULL** time confidential secretary/bookkeeper except for a period of time when a former supervisor could not find anyone willing to fill this full time position now be it

RESOLVED that the town board rescinds its decision to cut the hours and the hourly rate of the confidential secretary.

During discussion **Councilwoman Seaman** moved to eliminate the position. It was not seconded.

A Roll Call vote was called.

Motion Failed: Ayes~2 Harris, Hyde, Nays~3 Ackley, Needham, Seaman

Resolution # 38

On a motion introduced by **Councilwoman Harris** and seconded by **Councilman Needham**

RESOLUTION TO PAY JACK WAX BAND

WHEREAS the TSA is returning \$2,686.02 of unused OT funds to the town per the contract between the town and the TSA and

WHEREAS it is necessary to pay **Hollis Ovitt** to perform for the Jack Wax party out of OT funds now

BE IT RESOLVED that the town board will pay **Hollis Ovitt** his fee of \$550.00 out of those remaining funds.

Motion Carried: Ayes~5 Ackley, Harris, Needham, Seaman, Hyde, Nays~0

Resolution # 39

On a motion introduced by **Councilwoman Harris** and seconded by **Councilwoman Ackley**

RESOLUTION TO SEEK THURMAN REPRESENTATIVE TO SERVE ON COUNTY YOUTH BUREAU

The Thurman Town Board seeks an individual interested in representing the Town of Thurman on the Warren County Youth Bureau on a volunteer basis. Please send letters of interest to the Thurman Town Clerk, PO Box 29, Athol, NY 12810. Letters are due by the next board meeting on March 14.

During discussion **Councilwoman Seaman** made a motion to appoint **Sue Shepler**. It was not seconded. She wanted an appointment to be made now, and not at the next board meeting. It was decided to wait until the

next meeting to make an appointment so letters of interest from others could be received.

Motion Carried: Ayes~5 Ackley, Harris, Needham, Seaman, Hyde, Nays~0

Resolution # 40

On a motion introduced by **Councilwoman Seaman** and seconded by **Councilman Needham**

RESOLUTION TO ASSIGN THE DUTIES OF THE SECOND DEPUTY TOWN CLERK

THE DUTIES of the Second Deputy Town Clerk should be to answer phones in the Town Clerk's office.

Discussion ensued. **Councilwoman Seaman** the board had to set the duties of the second clerk. It was pointed out that the Board may assign those duties. **Councilwoman Seaman** said then we will. **Councilwoman Seaman** wanted to limit the duties of the second deputy position, who was identified as **Mary Eddy**, saying people didn't want her into their private files. The Supervisor pointed out that those files are not kept in the Town Clerk's office. The Town Clerk pointed out that by deputizing her that protected everyone. **Councilwoman Seaman** disagreed. The Supervisor pointed out that this is an unpaid position, and that someone was willing to come to the town and do, and this is the thanks that they get. The Supervisor noted that with cuts in staff work may not get done. **Councilwoman Seaman** said that's what the clerk is paid for. The **Town Clerk** noted that she was going to start cutting back her hours, and would not be working extended extra hours to get the work done.

A Roll Call Vote was called.

Motion Carried: Ayes~3 Ackley, Needham, Seaman, Nays~2 Harris, Hyde

Resolution # 41

On a motion introduced by **Councilwoman Harris** and seconded by **Supervisor Hyde**

RESOLUTION TO PAY CLAIMS

The Town Board of the Town of Thurman approves

Vouchers Numbers ~ 2018-39 thru 2018-135

General Fund ~ \$15,670.11

Highway Fund ~ \$127,106.04

Enterprise Fund ~\$273.91

Discussion ensued with **Councilwoman Seaman** wanting to delete some bills from the general fund for the purchase of computers, and other expense for legal fees, salt, engineers and kerosene that she wanted debited to 2017.

A Roll Call Vote was called.

Motion Carried: Ayes~3 Harris, Needham, Hyde, Nays~1 Seaman, Abstain ~1 Ackley

ADJOURMENT: On a motion introduced by **Councilwoman Harris** and seconded by **Supervisor Hyde** the meeting was adjourned at 10:37.

Motion Carried: Ayes~5 Ackley, Harris, Needham, Seaman, Hyde, Nays~0

February, 14, 2018 Regular Board Meeting

Respectfully Submitted,

Susan E Staples, Town Clerk

February 23, 2018

Attachments

1-16-2018

Annual audit of Town Clerks books:

A common fiscal annual audit of the Town of Thurman Town Clerk's books was performed on 1-16-2018 by Town Board Member Joan Harris and assisted by Mary Eddy.

All books were found to be accurate and mostly up to date.

A check off list was provided by the Office of the State Comptroller and utilized.

The following was noted and reported:

Cash receipt numbers should be included on the Daily Reports to help audit and provide accuracy and accountability.

When making corrections they need to be legible, dated and initialed.

Deposit memos should be posted in the same month as deposited.

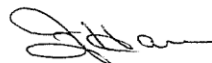
(Hard to do when more deposits were made than checks written.)

Deposits are off by \$~~195.37~~. It is being corrected.

159.37 JH

This information has been given to the Town clerk and being considered and corrected.

Thank you



Joan Harris

Appendix G – General Recordkeeping Requirements for Departments continued

Town Clerk

Checklist for Review of Departments

The following checklist may be used for reviewing departments that receive and/or disburse cash.

| Cash Receipts | YES | NO |
|---|-------------------------------------|--------------------------|
| Is the cash receipts journal up-to-date? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is the cash receipts journal maintained in a manner that identifies the date received, payer, purpose, and the amount either individually or totals referenced to subsidiary receipt records? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Are duplicate deposit slips kept? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Do deposit amounts agree with cash receipt amounts? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Are deposits made timely and recorded up-to-date? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Last Recorded Deposit: Date <u>1-3-18</u> Amount <u>60.00</u> | | |
| Are un-deposited cash receipts safeguarded? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is the cash receipts journal totaled and summarized monthly? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| Cash Disbursements | YES | NO |
|---|-------------------------------------|--------------------------|
| Is the cash disbursements journal up-to-date? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is the cash disbursements journal maintained in a manner to identify amounts disbursed either individually or totals referenced to abstracts or payrolls? | <input type="checkbox"/> | <input type="checkbox"/> |
| Are pre-numbered checks used for all disbursements (other than petty cash)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Are all checks signed by the appropriate official? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| If checks are signed electronically, is the signature stamp or software in the custody and control of the department head? | <input type="checkbox"/> | <input type="checkbox"/> |
| Are canceled checks or check images returned with bank statements and maintained on file? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Are all unused checks properly controlled (blank check stock)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Are checks recorded up-to-date? | <input type="checkbox"/> | <input type="checkbox"/> |
| Last Recorded Check: # <u>1681</u> Date <u>1-3-18</u> Amount <u>511.00</u> | | |
| Are payments supported by appropriate documentation? Consider comparing a sample of disbursements with supporting documentation. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

NA

na

Appendix G – General Recordkeeping Requirements for Departments continued

Town Club

| <u>Cash Reconciliations</u> | YES | NO |
|--|-------------------------------------|--------------------------|
| Are bank accounts reconciled? By Whom? <i>D. Crain</i> How Often? <i>Monthly</i> Who Reviews/Verifies Them? <i>Crain</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is the bank reconciliation performed timely after the bank statement is received? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <u>Last Bank Reconciliation for Each Bank Account</u> | | |
| <u>Bank Account</u> | <u>Date Performed</u> | <u>Month Ending</u> |
| <i>Glens Falls Nat'l</i> | <i>1-16-18</i> | <i>December</i> |
| | | |
| | | |
| | | |
| | | |
| | | |
| Are reconciliations documented and available for review? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Does the reconciled bank balance agree with the cash balance recorded in the accounting records? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | |
| <u>Deposit Protection</u> | YES | NO |
| Has the bank pledged adequate, eligible securities to protect deposits (held in department bank accounts) that exceed FDIC insurance protection, if applicable? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | |
| <u>Accountability</u> | YES | NO |
| Is accountability (what the department owes) determined at the end of each month? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Does accountability agree with bank reconciliation and supporting records? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Are receipts for the year comparable with those of previous years? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Are there significant safeguards for the protection of records and cash, such as a safe or a locking file cabinet, an office with a door that can be locked, regular deposits of cash, etc.? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Appendix G – General Recordkeeping Requirements for Departments continued

Town Club

| Financial Reporting | YES | NO |
|---|-------------------------------------|-------------------------------------|
| Are monthly reports and payments to the chief fiscal officer timely? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Are monthly reports and payments to other appropriate officials, individuals, entities, or agencies timely? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Do amounts reported agree with summarized cash receipt and disbursement books? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Are annual reports prepared and submitted timely? | <input type="checkbox"/> | <input type="checkbox"/> |
| Do annual reports agree with the records? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| Other Concerns (if applicable) | YES | NO |
|---|-------------------------------------|--------------------------|
| Are receivable control accounts maintained? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Is there indication that the receivable control accounts are reconciled to the detail subsidiary records? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comments and Conclusions

Receipt numbers should be on Daily Reports - helps to provide accuracy & accountability

Making Corrections - should be legible - dated & journal

Deposits should be entered in months received - have to do because more deposits than checks written

annual report of 1/59, 3/59 - being corrected!

12*270*4661A
012
519.00 ✕
675.57 ✕
1*659.55 ✕
410.06 ✕
1*011.18 ✕
1*296.60 ✕
1*199.59 ✕
444.06 ✕
1*913.59 ✕
983.08 ✕
1*072.59 ✕
1*105.59 ✕
0.0061
000

159.376A
002
12*111.09 +
12*270.46 -

A Letter to the Thurman Town Board

Re: Summer Concerts

Dear Neighbors,

As a 43-year resident of Thurman and a longtime volunteer promoting Thurman and her special happenings, I'd like to briefly comment on the concerts planned for this summer. I have attended many of the usual nine summer concerts each summer, and worked the concession stand for a few. I've enjoyed the music, the sharing of time with people in town, meeting and getting to know some of the musicians. I have been dazzled by the 20-minute fire-works displays (although flabbergasted by the cost). We have been fortunate to have this program in town.

This year a local resident volunteered to organize this summer's concert program and to lend his years of experience as a musician, sound man and event organizer to our community. He had had considerable success bringing a nationally-known performer to the stage at Tannery Pond, where the venue was overfilled with fans. He thought it would be great for Thurman to offer an occasional big-name performer or group, as a way of bringing in more tourists and others from out of town for the shows, in keeping with the goal for occupancy tax expenditures. To do this and stay within the budgeted amount of \$15,000, he would likely have to schedule fewer concerts. He might opt not to schedule fireworks. In short, he had a new idea.

His innovation seems to have been met by a good deal of resistance, even before anyone even spoke to him to learn what he had in mind or why. It was a rough way to treat someone whose sole goal was to offer good entertainment in our town.

This story, for me, isn't about four concerts versus six concerts or nine; it's not about fireworks versus no fireworks. This is about our community's being willing to consider new ideas, being willing to reach out and communicate questions or ideas to clear up misunderstandings instead of shooting from the hip--especially not shooting a *volunteer*, as there are far too few of them, and much too much work to be done. I hope all of us can listen closely to both sides of this discussion and work out a solution that is good for our Thurman this year. The concert matter needs to be settled very soon.

Thanks,
Perky



**State of New York
Department of State
Committee on Open Government**

One Commerce Plaza
99 Washington Avenue
Albany, New York 12242
(518) 474-2511
Fax (518) 474-1921
<http://www.dos.ny.gov/committees>

February 16, 1995

Hon. June L. Smith
Town Clerk
Town of Mendon
16 West Main Street
Honeoye Falls, NY 14472-1199

The staff of the Committee on Open Government is authorized to issue advisory opinions. The ensuing staff advisory opinion is based solely upon the information presented in your correspondence.

Dear Ms. Smith:

As you are aware, I have received your letter of January 20. You asked that I review a resolution before the Mendon Town Board concerning minutes of its meetings. In brief, the resolution would, if adopted, determine the form, content and availability of minutes that you prepare as Town Clerk.

In my opinion, as clerk, you have the responsibility and the authority to prepare minutes and to ensure their accuracy. While a town board may have a variety of powers, I do not believe that the alteration of minutes or specific direction regarding their content or format would be among them. From my perspective, two statutes are relevant to the matter.

Perhaps most importantly, §30(1) of the Town Law states in relevant part that the town clerk "shall attend all meetings of the town board, act as clerk thereof, and keep a complete and accurate records of the proceedings of each meeting..." Second, the Open Meetings Law in §106 provides that:

- "1. Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.
2. Minutes shall be taken at executive sessions of any action that is taken by formal vote which shall consist of a record or summary of the final determination of such action, and the date and vote thereon; provided, however, that such summary need not include any matter which is not required to be made public by the freedom of information law as added by article six of this chapter.
3. Minutes of meetings of all public bodies shall be available to the public in accordance with the provisions of the freedom of information law within two weeks from the date of such meetings except that minutes taken pursuant to subdivision two hereof shall be available to the public within one week from the date of the executive session."

Based on the foregoing, minutes need not consist of a verbatim account of everything that was said; on the contrary, so long as the minutes include the kinds of information described in §106, I believe that they would be appropriate and meet legal requirements. Certainly if a clerk wants to include more information than is required by law, he or she may do so. Nevertheless, I do not believe that a town board could require that a town clerk prepare verbatim minutes.

In good faith, I point out that in an opinion issued by the State Comptroller, it was advised that when a member of a board requests that his statement be entered into the minutes, the board must determine, under its rules of procedure, whether the clerk should record the statement in writing, which would then be entered as part of the minutes (1980 Op.St.Comp. File #82-181). Despite that opinion, it is unclear from my perspective whether a board has the authority to compel a clerk to include information in minutes beyond the requirements of the Open Meetings

Law.

Although as a matter of practice, policy or tradition, many public bodies approve minutes of their meetings, there is nothing in the Open Meetings Law or any other statute of which I am aware that requires that minutes be approved. In another opinion of the State Comptroller, it was found that there is no statutory requirement that a town board approve minutes of a meeting, but that it was "advisable" that a motion to approve minutes be made after the members have had an opportunity to review the minutes (1954 Ops.St.Compt. File #6609). While it may be "advisable" if not proper for a board to review minutes, due to the clear authority conferred upon town clerks under §30 of the Town Law, I do not believe that a town board can require that minutes be approved prior to disclosure.

Similarly, I do not believe that a board could require that disclosure of minutes be delayed in a manner inconsistent with the Open Meetings Law. In the event that minutes have not been reviewed or approved, to comply with the Open Meetings Law, it has consistently been advised that minutes be prepared and made available within two weeks, and that they be marked "unapproved", "draft" or "preliminary", for example. By so doing within the requisite time limitations, the public can generally know what transpired at a meeting; concurrently, the public is effectively notified that the minutes are subject to change.

In sum, the responsibility to prepare minutes is conferred upon town clerks by §30 of the Town Law. In my opinion, neither a town supervisor, a member of the board, nor the board itself may require that minutes be prepared verbatim, altered, maintained in particular format, or disclosed only after they have been approved.

I hope that I have been of some assistance.

Sincerely,

Robert J. Freeman
Executive Director

RJF:jm

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2466

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96325

Insp. Date: 1/23/2018
Appl #: AS183594

ELECTRICAL CERTIFICATE

**COMMONWEALTH ELECTRICAL
INSPECTION SERVICE, INC.**
176 DOE RUN ROAD, MANHEIM, PA 17545
TELEPHONE: (717) 664-2347
New York Office: (585) 624-2380

Premises of: TOWN OF THURMAN as TOWN HALL
Address: ATHOL ROAD, THURMAN NY
County of: WARREN Permit #:

Installed by: TOWN OF THURMAN

Apparatus: 22KW GENERATOR, 200 AMP TRANSFER SWITCH, 2-PUMP CIRCUITS

Inspected by: ARTHUR STEITZ

The conditions following governed issuance of this certificate, and any certificate previously issued is cancelled. Failure to have the property reinspected when additional equipment or wiring is added; or within one year from the date of the certificate shall void the certificate in its entirety and the company shall not be liable for any damages whatsoever;

This certificate does not guarantee efficiency, wearing qualities, maintenance or repair and the company shall not be liable for any damages resulting from any defect or fault in the plans or specifications, including repair, reconstruction, personal injury or for the death of any person; and

This certificate only covers visual inspection of wiring and does not cover manufacture or use of wiring.

Inspectors of this Company shall have the privilege of making inspections at any time, and if its rules are violated, the Company shall have the right to revoke the certificate.

2/19/18

To Whom It May Concern,

(That would be all of us, hopefully) Let's consider how we might go back to having reasonable, well-ordered meetings. Maybe some of you read about them in Keith Pareux's recent letter to the Sun. In 2017 we had issues sensibly addressed. The board we had then deserves to be commended.

Is there some way any board member who is loud and disruptive, and who keeps repeating statements that have been proven to be untrue, could be impeached?

Also, if we want to save taxpayers' hard-earned money by spending less on town clerks and deputy clerks, how about if those who keep sending unnecessary

F.O.I.L.'s simply stop? If a question has already been answered and the same person asks again expecting a different result, s/he is revealing that s/he is unfamiliar with honesty. If you really want to make fools of yourselves, of course you have that right. But please don't waste the time of hard-working, caring public servants. Instead, kindly find a harmless way to entertain yourselves!

In short, we would do well to show support and appreciation to those of our elected officials who carefully research our concerns without wasting time and taxes.

Your Neighbor,



Deborah McIlrath
85 Mud St
Athol, NY 12810

Deborah McIlrath



Department of the Treasury
Internal Revenue Service
SSA CAWR
Philadelphia PA 19255-0533

| | |
|--------------------|----------------------|
| Notice | CP215 |
| Tax period | December 31, 2014 |
| Notice date | November 13, 2017 |
| Employer ID number | 14-6002468 |
| To contact us | Phone 1-800-829-0115 |

122167.803522.387509.17282 1 AB 0.403 540



TOWN OF THURMAN
OFFICE OF SUPERVISOR
PO BOX 29
ATHOL NY 12810-0029



122167

W-2's

Notice of Penalty Charge

549

You have been charged a penalty under Section 6721 of the Internal Revenue Code for the following reason:

Failure to File Forms W-2

Tax Statement

| | |
|----------------------|-------------|
| Prior Balance | \$0.00 |
| Penalty Assessment | \$47,005.81 |
| Interest | \$0.00 |
| Other Charges | \$0.00 |
| Total Amount You Owe | \$47,005.81 |

Continued on back



TOWN OF THURMAN
OFFICE OF SUPERVISOR
PO BOX 29
ATHOL NY 12810-0029

| | |
|--------------------|-------------------|
| Notice | CP215 |
| Notice date | November 13, 2017 |
| Employer ID number | 14-6002468 |

Payment

- Make your check or money order payable to the United States Treasury.
- Write your Employer ID number (14-6002468), the tax period (December 31, 2014) and the form number (CVL PEN) on your payment and any correspondence.

INTERNAL REVENUE SERVICE
SSA CAWR
PHILADELPHIA PA 19255-0533

Amount due by
December 4, 2017

\$47,005.81



146002468 TU TOWN 13 2 201412 670 00004700581



Stephen Romano
Assistant Operations Manager

Phone ~ (518) 944-6177
Fax ~ (518) 623-3651
Email ~ sromano7914@gmail.com

*Our Patients Are Our First Priority
Our Members Are Our Greatest Asset*

February 7, 2018

Mrs. Hyde,

Below you will find the call statistics for the month of January 2018. If you have any questions or concerns, please feel free to contact me and we will get things straightened out as best as we can. Thank you for your continued support.

Respectfully,
Steve Romano
Assistant Operations Manager
Warrensburg EMS

| DATE | PCR # | PRIORITY | CHIEF COMPLAINT | DISPATCH TO ENROUTE | ENROUTE TO ONSCENE |
|-----------|----------|----------|----------------------|---------------------|--------------------|
| 1/2/2018 | 18-00156 | BLS | DEHYDRATION | 5 MINUTES | 22 MINUTES |
| 1/9/2018 | 18-01124 | ALS | DIFFICULTY BREATHING | 5 MINUTES | 19 MINUTES |
| 1/12/2018 | 18-01392 | ALS | STROKE | 3 MINUTES | 21 MINUTES |
| 1/31/2018 | 18-03654 | ALS | MVA- COLD EXPOSURE | 1 MINUTE | 9 MINUTES |

Warrensburg Emergency Medical Services Inc.
PO Box 157
Warrensburg, New York 12885

| Date | Address | Town | Nature | Parkies | Intake Notes | Action | Status | Resolution | Officer Notes | Officer | Animal |
|----------------------|-----------------------|---------|----------------------|---------|---|-----------------------|---------|------------|---|------------|--------|
| 01-23-2018 3:10pm | 928 Glen Alford Rd | Thurman | DAL: Dog at Large | n/a | press option one - call regarding a couple of dogs that got onto another persons property and killed some of their livestock, says you will have to go up thru Warrensburg and down Glen Alford Rd because the bridge is closed | Responded to Scene | Pending | | Enroute Investigated Owner will follow up with more info, then determine what steps are available | Mike Hayes | |

For printing at 8.5"x14" Legal paper size.