

**MINUTES OF THE ORGANIZATIONAL MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN, NY HELD JANUARY 04, 2018 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL, NEW YORK, COMMENCING AT 5:00P.M....**

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

**ABSENT:** Mrs. Joan Harris, Councilwoman

**ALSO PRESENT:** Mark Schachner Town Attorney, Jackie White Associate to Mr. Schachner, and Debra Runyon Bookkeeper

**RECORDING SECRETARY:** Susan E. Staples

The meeting was called to order by **Cynthia Hyde, Supervisor**

**PLEDGE OF ALLEGIANCE TO THE FLAG:**

**SWEARING IN CEREMONY:** The Town Clerk swore in the following Board Members for their new terms **Brenda Ackley, Douglas Needham** and **Gail Seaman**.

**ROLL CALL:** Councilwoman Harris was not present at the start of the meeting.

**RESOLUTIONS:**

**Resolution # 1**

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

**Resolution to Establish Bonds for the Year 2018**

**WHEREAS,** under Sec. 25 Town Law it requires the Town Board to set the amount of the Town Employees', Town Supervisor's, and Town Tax Collector's Bonds by resolution, be it

**RESOLVED**, that the amount of the Bond for Town Employees be set at \$10,000.00 for the year 2018, and be it further

**RESOLVED**, that the amount of the Bond for the Town Supervisor be set at \$60,000 for the year 2018, and be it further

**RESOLVED**, that the amount of the Bond for the Town Tax Collector be set at \$60,000 for the year 2018, and be it further

**RESOLVED**, that the Town Clerk for the Town of Thurman be hereby instructed to file a copy of this resolution with the Warren County Clerk before January 15, 2018.

**Motion Carried: Ayes~4 Ackley, Needham, Seaman, Hyde – Nays~0 – Absent Harris**

## **Resolution # 2**

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

### **Resolution to Designate a Polling Place in the Town of Thurman**

**WHEREAS**, pursuant to Article 4-104 of the New York State Election Law, the Town Board of the Town of Thurman must submit to the Warren County Board of Elections, a listing of the polling places in the Town of Thurman in the Election District in which elections may be held. Therefore be it

**RESOLVED**, that the following locations are hereby designated as the respective polling place in the district as enumerated:

**SOLE ELECTION DISTRICT:** Thurman Town Hall and that such location is accessible to the physically handicapped voter, pursuant to Article 4-104A of the Election Law (unless otherwise noted) and be it further,

**RESOLVED**, that the town clerk will forward a copy of this resolution to the Warren County Board of Elections.

**Motion Carried: Ayes~ 4 Ackley, Needham, Seaman, Hyde, Nays~0, Absent Harris**

**Resolution # 3**

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

**Resolution to Establish a Procurement Policy**

**WHEREAS**, §104-b of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirement of GML §103 or any other law; and

**WHEREAS**, comments have been solicited from those officers of the town involved with procurement;

**NOW, THEREFORE, BE IT RESOLVED:** That the Town of Thurman does hereby adopt the following procurement policies and procedures:

**Guideline 1.** Every prospective purchase of goods or services shall be evaluated to determine the

applicability of GML §103. Every town officer, board, department head or other personnel with the

requisite purchasing authority (hereafter Purchaser) shall estimate the cumulative amount of the items of

supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town

departments and past history to determine the likely yearly value of the commodity to be acquired. The

information gathered and conclusions reached shall be documented and kept with the file or other

documentation supporting the purchase activity.

**Guideline 2.** All purchases of a)supplies or equipment which will exceed \$10,000in the fiscal year or b)public works contracts over \$20,000 shall be formally bid pursuant to GML §103.

**Guideline 3.**

All estimated purchases of:

- Less than \$10,000 but greater the \$3,000 requires a written request for a proposal (RFP).
- Less than \$3,000 but greater than \$1,000 requires an oral request for the goods and written/fax quotes  
from 3 vendors.
- Less than \$1,000 but greater than \$250 are left to discretion of the Purchaser.

All estimated public works contracts of:

- Less than \$20,000 but greater the \$10,000 requires a bid or written RFP and sealed bid/RFP.
- Less than \$10,000 but greater than \$3,000 requires a written description of the desired work, and written/fax proposals from 3 contractors.
- Less than \$3,000 but greater than \$500 requires 3 written/fax quotes.

Any written bid/RFP shall describe the desired goods, quantity and the particulars of delivery, given a bid/RFP identifier, and shall be advertized in the official newspaper of the town. Sealed bids and/or RFPs received by the Town must be sealed and clearly marked with the bid/RFP number specified in the written bid/RFP. The Purchaser shall compile a list of all vendors from whom written/fax quotes have been requested and the written/fax quotes offered. All information gathered in complying with the procedures of this Guideline shall be preserved and filed

with the documentation supporting the subsequent purchase or public works contract.

**Guideline 4.** The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best

interest of the town and its taxpayers to make an award to other than the low bid. If a bidder is not

deemed responsible, facts supporting that judgment shall also be documented and filed with the record

supporting the procurement. The Town shall retain the right to reject any and all bids, any rejected bids shall be returned to the bidder via signed certified receipt mail.

**Guideline 5.** A good faith effort shall be made to obtain the required number of proposals or quotes. If the Purchaser is unable to obtain the required number of proposals or quotes, the Purchaser will document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

**Guideline 6.** Except when directed by the town board, no **solicitation** of written proposals or quotes shall be required under the following circumstances:

1. Emergencies;
2. Sole source situations;
3. Goods purchased from agencies for the blind or severely handicapped;
4. Goods purchased from correctional facilities;
- 5 Goods purchased from another governmental agency;
6. Goods purchased at auction;
6. Goods purchased for less than \$250;
8. Public works contracts for less than \$500.

**Guideline 7.** This policy shall be reviewed annually by the town board at its organizational meeting or as

soon thereafter as is reasonably practicable.

**Motion Carried: Ayes~4 Ackley, Needham, Seaman, Hyde, Nays~0, Absent Harris**

**Resolution # 4**

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

**Resolution to Authorize Payment in Advance of Audit**

**WHEREAS**, the Town Board may by resolution authorize the payment in advance of utility services, fuel, and postage only as described by Town Law Sec. 118(2),

**BE IT RESOLVED**, that the Town Board of the Town of Thurman does hereby authorize the prepayment of utility bills, fuel, and postage only. All claims for these payments will be presented at the next regular meeting for audit.

On a motion made by **Councilwoman Seaman** and seconded by **Councilman Needham** the resolution was amended by include the word only after postage.

**Motion Carried: Ayes~4 Ackley, Needham, Seaman, Hyde, Nay~0, Absent Harris**

**Resolution # 5**

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

The town board of the Town of Thurman approves the following:

REGULAR MEETING

RESOLVED, that the regular meeting of the Town Board of the Town of Thurman shall be held on the second Wednesday of each month at 6:30 p.m. at the Thurman Town Hall commencing with the payment of claims.

OFFICIAL DEPOSITORY

RESOLVED, that the Glens Falls National Bank is designated official depository for the Town funds.

OFFICIAL NEWSPAPERS

RESOLVED, that the Glens Falls Post Star is designated as official newspaper for legal advertisements. The Sun will also be used as a secondary paper.

RESOLUTION SETTING MILEAGE ALLOWANCE FOR 2017

RESOLVED, to set the mileage reimbursement allowance for 2017 at \$.53.5.

PETTY CASH

Town Clerk - \$100.00

Tax Collector - \$150.00

Town Justice - \$100.00

Supervisor's Office – 50.00

SALARIES

RESOLVED, that the Town Board does hereby fix salaries of the Officers and Employees of the Town of Thurman as respectfully stated in the 2018 budget.

**Motion Failed: Ayes~ Hyde, Nays~ Ackley, Needham, Seaman, Absent ~ Harris**

**Resolution # 6**

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

**RESOLUTION FOR EMERGENCY CONTACTS TOWN OF THURMAN**

The emergency contact for the Town of Thurman is Cynthia Hyde Supervisor 518-623-9649

ext 101 / 518- 623-3484 /518 -545-1750 [thurmansupervisor@gmail.com](mailto:thurmansupervisor@gmail.com) In the event she is

not available the emergency contact is

Joan Harris Councilwoman 518-623-2007 [tbharris60@yahoo.com](mailto:tbharris60@yahoo.com) in the event she is not

available the emergency contact is

Douglas Needham Councilman 518-623-2058 or 518-764 8713 in the event he is not

available the emergency contact is

Gail Seaman Councilwoman 518-623-9868 in the event she is not available the emergency

contact is

Brenda Ackley Councilwoman 518-415-8177

**Motion Failed: Ayes~1 Hyde, Nays~ 3 Ackley, Needham, Seaman, Absent~ Harris**



**Resolution # 7**

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

**RESOLVED** that the official holidays are

New Year's Day

Martin Luther King Day

Washington's Birthday

Memorial Day

Independence Day

Labor Day

Columbus Day

Veteran's Day

Thanksgiving Day

Christmas Day

**Motion Carried: Ayes ~ 4 Ackley, Needham, Seaman, Hyde, Nays ~ 0, Absent Harris**

**Resolution # 8**

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

## **RESOLUTION TO COVER ANIMAL CONTROL FOR 2018**

The town board of the Town of Thurman approves using Warren County SPCA for animal control services for 2018.

**Motion Carried: Ayes~4 Ackley, Needham, Seaman, Hyde, Nays~0, Absent Harris**

**Discussion:** At this point the Supervisor stated that there was another batch of resolutions to be brought to the table. These resolutions were brought by Councilwoman Seaman. Supervisor Hyde stated that she would highly recommend that they not be brought to the table until Mrs. Ackley and Mr. Needham have had a chance to come into the Town Hall learn their way around, meet the employees and the officers that work here, find out a little bit about what happens, find out what their duties and jobs are and take the time to get to know people before bringing these resolutions are brought to the floor. That this would be her recommendation since board members would need to understand this in order to make a more informed decision. Councilwoman Seaman stated that she wanted to present the resolutions one by one and discuss them. Supervisor Hyde proposed waiting on these resolutions because one would need to have some background before voting on many of these things, and that it would be in the best interest of the tax payer if the new board members would learn their way around before making some serious decisions that are outlined in these resolutions. Councilwoman Seaman stated that we owed it to the taxpayers to make informed decisions now, and if the board members decided that they don't like them they could always be changed later. Supervisor Hyde then asked Mrs. Ackley and Mr. Needham if they were both prepared to vote on these. If they have done your homework and know why you are voting on these, have meet the people in Town Hall and know what they do and happens here. That you feel comfortable making these decisions tonight. Both agreed that they were prepared to proceed.

## **Resolution # 9**

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

At this point **Mr. Schachner** stated that from their perspective as Town Counsel one thing that was confusing is that there is a lot of overlap with the previous resolutions. At this point he was interrupted by **Councilwoman Seaman**. **Mr. Schachner** asked that she not interrupt him. He noted that the mileage rate and petty cash had already been established.

**RESOLUTION TO MAKE APPOINTMENTS, LIST SALARIES, ESTABLISH PETTY CASH, AUTHORIZE YEARLY CONTRACTS, SET MILEAGE RATE, SET OFFICIAL HOLIDAYS, ESTABLISH MEETING DATES, DESIGNATE OFFICIAL NEWSPAPERS, AND DESIGNATE OPENER OF SEALED BIDS.**

**At 5:40 the Supervisor paused the meeting to allow Councilwoman Harris to take her seat. Councilwoman Seaman said that Supervisor Hyde didn't get to pause the meeting, that Councilwoman Harris gets to sit down, but we are going to continue. Mr. Schachner said that that was not exactly right, that the Supervisor can pause the meeting. The meeting resumed at 5:42 and the Oath of Office was given to Councilwoman Harris.**

### **Discussion Ensued**

**At 6:04 pm the Mr. Mark Schachner, Town Attorney, spoke to the town residents.** He introduced himself and his partner, Jackie White, to the new board members as well the residents. He said that they had to leave early and, would not be able to stay for the remainder of the meeting. He spoke about the 9 years of service he has provided to the town. He explained that his role is not to make policy decisions, but to guide on the legalities of issues. He also clarified that there was a misstatement earlier about when a permissive referendum was required. That statement, made by a **Councilwoman Seaman**, was not legally correct. He wanted to give feedback on some of the proposed resolutions before he had to leave. Several of the proposed resolutions seemed to seek to change or to add to the responsibilities of the Supervisor and or the Town Clerk, other of the proposed resolutions seemed to try to undo various financial and other decisions that have previously been made by the Town Board. As the Town Attorneys they have legal concerns as town counsel because the Town Clerk and Supervisor responsibilities are largely established by State Law. Also of concern is the potential legal vulnerability if funds that are encumbered for certain purposes are thought to be unencumbered. He also informed the board that everything that had to be covered by the

Organizational Meeting had been covered, and that the rest of the resolutions could be brought up again at a later time. He also pointed out that some of the resolutions were trying to force the Clerk and Supervisor to prepare, augment and increase responsibilities even though the board has no legal authority to do so. **Mr. Schachner** left the meeting at 6:12 pm. **Supervisor Hyde** wanted to table the rest of the resolutions, and **Councilwoman Harris** agreed. **Councilwoman Seaman, Councilman Needham, and Councilwoman Ackley** wanted to bring these resolutions to the floor.

**WHEREAS** it is necessary to establish certain offices, make various appointments, and authorize the Supervisor to sign certain yearly contracts as well as make various other appointments, establishments, and designations at the Town Board's Organizational Meeting, be it

**RESOLVED**, that the Town Board of the Town of Thurman adopts the following for the year 2018, and be it further

**RESOLVED**, that the Town Board authorizes the Supervisor to sign any documents necessary to effectuate the contracts listed below for the year 2018 and conduct the day to day operation of the Town

Town Engineer	Cedarwood Engineering	Per Diem By Contract
Health Officer	Dr. Bryan Smead	\$1,550.00 paid by Con. Board of Health
Registrar of Vital Statistics	Susan Staples	\$1,040 per year
Deputy Highway Superintendent	Jeff Ackley	.80 cents per hour
Animal Control Officer	SPCA of Warren County	Per Contract
Historian	Joan Harris	No Compensation
Town Attorney	Miller, Mannix, Schachner & Hafner LLC	Per Contract

Organizational Meeting January 04, 2018

Supervisor	Cynthia Hyde	\$10,800 per year	Weekly
Town Justice	Sheila Flanagan	\$5,500 per year	Monthly
Town Clerk	Susan Staples	\$18,384 per year	Weekly
Tax Collector	Jamie Ross	\$3,184 per year	Monthly
Superintendent of Highways	Patrick Wood	\$40,485 per year	Weekly
Town Councilperson	Brenda Ackley	\$3,196 per year	Quarterly
Town Councilperson	Joan Harris	\$3,196 per year	Quarterly
Town Councilperson	Douglas Needham	\$3,196 per year	Quarterly
Town Councilperson	Gail Seaman	\$3,196 per year	Quarterly

**Contracts**

Foresight Electronics	Fire Alarm Services	\$20.00 per month
NYS DOT	Shared Service Agreement	No cost; one year
Warren County Snow & Ice Removal		per contract
Warren County Snowmobile		per contract
Warren County Occupancy Tax Agreement		per contract

**Petty Cash**

Town Clerk	\$100.00
Tax Collector	\$150.00
Town Justice	\$100.00
Supervisor	\$50.00

**Mileage Allowance**                      \$0.53.5 cents per mile

**Official Newspapers**                      Post Star/Sun

**Official Depository**

The Glens Falls National Bank

**Official Holidays**

New Year's Day

Martin Luther King Day

Washington's Birthday

Memorial Day

Independence Day

Labor Day

Columbus Day

Veteran's Day

Thanksgiving Day

Christmas Day

The opening of Competitive bids shall be done by the Town Clerk in the presence of the Town Board at the designated meeting and time.

Due to increase in minimum wage base rates the positions of wingman, cleaner, cemetery maintenance, and meal on wheels driver shall increase to \$10.40 per hour.

A returned check fee of \$25.00 shall be charged on all returned checks.

Meetings will be held on the second Wednesday of the month beginning immediately following the Audit of Claims which will start at 6:30 pm. If a special or emergency meeting needs to be called the meeting will not start prior to 6pm.

On a motion was introduced by **Councilwoman Ackley** tabling the salary section of the resolution for the positions of **Deputy Town Clerk and Sole Assessor**. **Councilwoman Harris** and **Supervisor Hyde** voted in favor to do so tabling that portion of the proposed resolution.

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

**Resolution # 10**

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

**Resolution of Investment Policy for the Town of Thurman**

In accordance with this policy, the Supervisor, as Chief Financial Officer, is hereby authorized to invest all funds, including proceeds of obligations and reserve funds, in:

Certificates of Deposit issued by a bank or trust company authorized to do business in New York State;

Obligations of New York State;

Obligations of the United States Government;

All funds except revenue funds may be invested in:

Obligations of agencies of the Federal Government if principal and interest is guaranteed by the United States.

With the approval of the State Comptroller, in Revenue Anticipation Notes or Tax Anticipation Notes of other local governments.

Only reserve funds may be invested in:

Obligations of the Town of Thurman

All other Town Officials receiving money in their official capacity must deposit funds in negotiable order of withdrawal accounts.

All investments made pursuant to this investment policy shall comply with the following conditions:

Certificates of Deposit shall be fully insured by insurance of Federal Deposit Insurance Corporation or by obligations on New York State or obligations of the United States or obligations of Federal agencies the principal and interest of which are guaranteed by the United States, or obligations of New York State local governments. Collateral shall be delivered to the Town of Thurman or a Custodial Bank with which the Town of Thurman has entered into a Custodial Agreement. The market value of collateral shall at all times equal or exceed the principal amount of the Certificate of Deposit. Collateral shall be monitored, and market value

shall mean the bid or closing price as quoted in the Wall Street Journal or as quoted by any other recognized pricing service.

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

**Resolution # 11**

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

**Resolution Reaffirming the Town of Thurman's Ethics Policy**

**Whereas** the Town Board recognizes the importance of having a comprehensive Ethics Policy,

**Be it Resolved**, that the Town Board reaffirms the current Ethics Policy.

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

A motion was introduced by **Councilwoman Seaman** and seconded by **Councilwoman Ackley** a **Resolution Selecting Accounting Software** was brought to the floor. Discussion Ensued.

**Jackie White** left the meeting at 6:47 pm.

The resolution Selecting Accounting Software for the Town was tabled with **Councilwoman Harris, Councilman Needham, and Supervisor Hyde** voting to do so.

**Resolution # 12**

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

**Resolution Directing Preparation & Presentation of Reports to the Board**

Whereas it is necessary for the Board to be fully aware of the financial information,

BE IT RESOLVED that the Board directs the Supervisor to prepare the following reports to be provided to the Board prior to the commencement of the payment of claims:

Detail of Expenses to Date for each Fund individually

Detail of Revenue of each fund individually

Balance Sheet for each individual Fund



Supervisor's Monthly report

Copies of all Bank Statements and Monthly Bank Reconciliation

BE IT FURTHER RESOLVED that the Town Board directs the Supervisor to resume the reading of the bills at the monthly payment of claims and every Friday the Supervisor shall send a list of every check printed prior to the Board Meeting a copy of the print out of the check and any and all voided check reports.

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

**Resolution # 13**

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

**Resolution Regarding Town Clerk**

WHEREAS the Town Clerk plays a pivotal roll in the town's financial process,

BE IT RESOLVED that the Town Board directs the Town Clerk to resume the preparation of the abstract as required by Town Law 30(9),

BE IT FURTHER RESOLVED that the Town Board directs the Town Clerk to commence the sale of DEC licenses,

AND FURTHER RESOLVED that due to the difficulty in the previous year with timely FOIL responses the Town Board directs the Town Clerk to provide the Board with weekly updates detailing the number of FOILs, how many have been completed and how soon the pending FOILs are expected to be completed. These reports are to be sent to each board member by their preferred method.

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

**Resolution # 14**

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

**Resolution Adjusting & Deleting Positions**

WHEREAS the Town is experiencing severe financial stress, and

WHEREAS the Town Board recognizes the importance of being conservative with the tax dollar,

The following positions will be changed as of the date of the resolution:

The Supervisor's Secretary position will be 20 hours a week only, at \$12.50 per hour, no benefits and the Secretary shall punch the time clock in the same manner as the highway worker.

The Clerk to the Assessor position shall be deleted.

The Deputy Town Clerk will be an unpaid position.

BE IT FURTHERE RESOLVED that copies of the time cards and payroll summaries shall be provided and sent to each town board member weekly by their preferred method.

**A Roll Call Vote Was Called**

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

**Resolution # 15**

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

**Resolution for Moratorium on All Spending**

WHEREAS the Town Board recognizes the serious nature of the fiscal problems facing the town,

BE IT RESOLVED that any and all unnecessary of discretionary purchases or spending are hereby prohibited until such time as this resolution is rescinded. The Board further advises the employees and officers, should any unnecessary purchases be made the Board reserves the right to hold the purchaser personally responsible for the purchase.

**A Roll Call Vote Was Called**

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

**Resolution # 16**

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

**Resolution Amending Bank Transfer Policy**

BE IT RESOLVED that the Supervisor shall deliver a copy of the confirmation of any bank transfer to each board member, by their preferred method, the same day the transfer takes place.

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

**Supervisor Hyde** noted that this was one of the resolutions that **Mr. Schachner** had legal concerns with.

**Resolution # 17**

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

**Resolution Making Appointments**

BE IT RESOLVED that the Town Board appoints the following for 2018 events:

Children’s Parties: Bob Shepler, Sue Shepler, and Nancy Decker – organizers

Jack Wax: The TSA will sponsor the fund raiser again for 2018

Summer Concert Series: Joe Groff – organizer of the Bands for Summer Concerts, planning with a budget of between \$400 to a maximum \$750 per Band, concessions to be covered in part by TSA, Youth Commission and Christmas Basket & Bazaar.

Christmas Bazaar and Baskets: Will be sponsored by the TSA and its volunteers

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

**Resolution # 18**

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

**Resolution to Rescind Resolutions**

BE IT RESOLVED that the town board hereby rescinds the following resolutions from December 2017:

**From 11/21/2017:**

Resolution to approve budget adjustments

Resolution to Separate Highway Fund from Consolidated Fund

Resolution to Enter an Intermunicipal Agreement

Organizational Meeting January 04, 2018

Resolution to Disperse JCAP Funds

**From 12/28/2017**

Resolution to Give Generator to the Town Court

Resolution to Approve Purchase

Resolution to Approve Monday Concerts Budget

Resolution to approve a Whitespace Committee

Resolution to Approve Advance to Highway Fund

Resolution to Approve Budget Adjustments

Resolution to Approve Encumbering Funds for the Purchase of New Fuel Tank, Relocation of Existing Fuel Tanks, Installation, Parts and Labor for Tying Fuel Line into New Generator

Resolution to Transfer Bank Account to Food Pantry Committee

Resolution to Purchase Surge Protector

**A Roll Call Vote Was Called**

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

**Resolution # 19**

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

**Resolution to Regarding Resolution # 154 Of 2017**

BE IT RESOLVED that the Town Board rescinds resolution #154 of 2017 and

WHEREAS no money was included in the 2018 budget to cover the costs associated with the additional nonunion employee's health insurance, therefore

BE IT FURTHER RESOLVED that the Town Board sets the town's share of compensation for elected employees for 2018 at 50% of the insurance premium.

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

**Resolution # 20**

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

**Resolution to Schedule Town Board Updates**

BE IT RESOLVED that the Town Board would like the Town Attorney and the Town Engineer to attend the February regular meeting to update the new Town Board and answer any questions they may have.

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

**Resolution # 21**

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

**Resolution to Return Reserve Funds**

Whereas \$8,223.00 was paid to Fred Engelmann from the Reserve Fund without board authorization, and without the necessary resolutions and permissive referendum,

BE IT RESOLVED that the Town Board directs that the money be returned to the Reserve Fund from the Engineer Fund 1440.4.

**Supervisor Hyde** told the Board that this was another one of the resolutions that **Mr. Schachner** spoke about earlier. There was no need for a permissive referendum because money was not taken from a reserve fund.

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

**Resolution # 22**

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

**Resolution to Direct the Supervisor Regarding Timely Billing**

WHEREAS the billing for the Whitespace System has not been regular, and confusion has occurred

BE IT RESOLVED that the Town Board requires the Supervisor to provide a list of all current subscribers, their payment history, a monthly report of payment received, pdf copies of billing on the date it goes out, and notice of each new service request, the tentative dates for hookup,

and copies of the cpe purchase paperwork, as well as a full inventory – including all whitespace equipment.

**Supervisor Hyde** noted that this is another resolution that Mr. Schachner has legal concerns about.

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

### **Resolution # 23**

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

#### **Resolution for Electrical Inspection**

WHEREAS no electrical inspections were performed on any of the projects involving electrical work last year,

BE IT RESOLVED that the town board directs that Commonwealth Electrical Inspection Service, Inc. be scheduled to provide an electrical inspection for the water project, youth building, Harris house, generators and the hookups and any other electrical panel boards or work performed.

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

### **Resolution # 24**

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

#### **Resolution to Correct Advance to Highway Department**

WHEREAS the December 28, 2017 meeting approved an incorrectly prepared resolution to advance funds to the Highway Department, and

WHEREAS the Board recognizes that the previous Board inappropriately publicized the account numbers of the reserve account and the general fund account, opening the town to the danger of having their accounts breached, failed to hold the required permissive referendum, and give the public a clear picture of what they doing and the public's rights regarding removal of funds from a reserve account,

BE IT RESOLVED that the town board seeks to correct these errors by reminding and directing the Town Supervisor and Town Clerk to cease publishing and providing to town's bank account numbers to unauthorized persons, and to secure the accounts immediately,

BE IT FURTHER RESOLVED that a permissive referendum shall occur prior to the transfer being made and the Supervisor shall provide the itemization explaining exactly what the \$64,440.21 includes which will be provided to the Board and the public prior to the Board approving transfer.

**Supervisor Hyde** noted that much of the information in the resolution was inaccurate and that a permissive referendum was not necessary since there is no reserve fund.

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

On a motion introduced by **Councilwoman Harris** and seconded by **Councilwoman Seaman** the meeting was adjourned at 9:45 pm







