

MINUTES OF THE SPECIAL MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN, NY HELD JUNE 29, 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 was called to order at **6:30 PM**

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

The meeting started with the **Supervisor** noting that the meeting had been called by **Councilwoman Gail Seaman and Councilman Doug Needham**. She then stated that as far as she knew the purpose of the meeting was to discuss financial issues, and whatever else may come before the board at that time. She went on to state that she had prepared a couple of resolutions. One was to pay the claims the other was to approve payment to the first two bands for the Summer Concert Series.

RESOLUTIONS:

Resolution # 78

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

RESOLUTION TO PAY CLAIMS

The Town Board of the Town of Thurman approves

Vouchers Numbers ~ 2018-385 thru 2018-540

General Fund ~ \$11,134.86

Highway Fund ~\$11,773.24

Enterprise Fund ~ \$50.00

Discussion: Councilwoman Seaman noted that before they could approve payment for the bands that they needed to know where they stood financially. The **Supervisor** noted that the information was in their Board packets, and she explained the finances. She noted what the balances were in each account. She noted that after paying the bills there would still be \$34,337.97 in the general fund. She also noted the projected income that was expected to be received by the town in the upcoming months. She noted that even with the hold on our accounts that there were plenty of funds to cover the expenses of the town. **Councilwoman Seaman** went on to ask questions about expenses and payroll. **Councilman Needham** asked about the payment to the **Warrensburg EMS**. It was noted that there was funds budgeted for this, and that that bill would be paid. However, that this was not the right time to pay it. **Councilwoman Seaman** wanted to go ahead and pay the bank the \$300,000.00 to pay off the loan, and then to go to an austerity budget to keep the lights on, and services going. Stating that if we pay this off we will not face a bigger tax increase in the fall. When asked what she would cut she replied anything not essential. The **Supervisor** noted that maybe paying \$200,000.00 would be a better option, or even \$100,000.00 so that we were not leaving ourselves short. When asked where she would make the budget cuts to go to an austerity budget. Board members salaries were brought up by **Councilwoman Ackley**. **Councilwoman Seaman** stated that she was talking about all elected officials. When the **Supervisor** stated that she would not come in here every day for nothing, and neither would Pat. **Councilwoman Seaman** then stated that they had to be paid, but they could put off paying them. The **Supervisor** stated that you can't just do that that we are all elected officials across the board. **Councilwoman Seaman** said that since the Highway Department would be helping us, and pick up the slack. When the **Supervisor** asked if **Pat** would continue to receive his pay **Councilwoman Seaman** asked if she wanted to keep the Highway Department running? It's an essential function for the safety of

the town **Councilwoman Seaman** noted. The **Supervisor** noted that his pay comes out of the general fund, not the highway fund. The **Supervisor** then asked her if the **Supervisor** and the **Town Clerk** were essential positions to the town. She then stated that they would have to come up with a new plan. When asked what else she would cut because this alone would not solve the problem.

Councilwoman Seaman said that this was a start, and would get us through until revenue starts to come in. Discussion then ensued between **Councilwoman Harris and Councilwoman Seaman** about the **Bond Resolution** and as to when who knew when it was a problem. The **Supervisor** went on to note that they were being premature, and should wait until we hear from the Legislature as to whether or not the Bill would go through. She went on to note that until then we don't know if we have a problem so there is no point in discussing it yet.

Councilwoman Seaman went on to note that we had defaulted on the loan, and that every day that we don't pay on that the town's rating goes down. It was her opinion that we would be better off to pay off the loan, and make good to the bank. Then put it upon ourselves that have to fix this to go to austerity to make sure that the town's people are not hurt anymore than they are. The **Supervisor** stated that cutting payroll would not get you very far that it was a drop in the bucket. **Councilwoman Seaman** noted that it was \$11,000.00 from just this side alone that would make this money go a lot further until we get an infusion from the sale taxes. Then pay can be fixed for employees who had to wait for their pay. After of course obligations are met to the EMS and whatever other obligations that we have. The **Supervisor** asked what else she would cut because that would not solve the problem. It will get us through, it will get us through until the sales tax comes through. It's better to make do and live within our means noted

Councilwoman Seaman. We don't have to replied the **Supervisor**. I just proved it to you. We have enough. She noted that she had spent all day putting the financial information together for the Board. She noted that we don't have to not pay our employees or our vendors. The only thing that could not be paid at this time would be the EMS which she felt they understand. **Councilwoman Seaman** asked what if the sale tax money comes in late. **Supervisor Hyde** went on to note that for a Town Board to not pay any bills was not doing us any good at all in the eyes of the county. That has nothing to do with it. We have 30 days to pay the bills, today is the day **Councilwoman Seaman** replied. No they are late. Last month they were all late **Supervisor Hyde** stated. **Councilwoman Seaman** then

noted that we were late on the \$300,000.00, and that one had nothing to do with the other. **Supervisor Hyde** went on to state that we had to approve these bills so we can get these bills paid because that is making the town look bad. Vendors are not happy right now. **Councilwoman Seaman** went on to note that before we approve anything she thought they all need to understand where they were with the \$34,000.00 to last the year. We need to be careful the **Supervisor** noted. **Councilwoman Seaman** noted no we need to pay off the bank, and then we need to go like we don't have any money. We can pay the absolute necessities and until that money comes in, and we can pay the EMS then we can pay the elected officials all of us. What are the essential bills? What bills are not essential the **Supervisor** asked? Discussion then continued about whether to pay the bills, or the Band. No vote was taken on the motion. **Councilwoman Seaman** went on to propose paying off the bank the \$300,000.00 then work out the budget and the bills. The **Supervisor** noted that this was an awfully snap decision to make without having any time to think of it. **Councilwoman Seaman** noted that she had given her proposal plenty of thought, and was ready to vote on her proposal. The **Supervisor** noted that she had received an email from **Councilman Needham** yesterday inquiring about the financial status of the town. She went on to note that if he didn't know the financial status yesterday that he shouldn't vote to spend \$300,000.00 today. **Councilwoman Seaman** noted that the bottom line was that we have been going over this, and I've done a bunch of numbers. The **Supervisor** then asked if **Brenda and Doug** have gone over it, and **Councilwoman Seaman** stated that she has been explaining to them. The **Supervisor** wanted to know why he didn't understand the finances as he had said in his email. When **Councilwoman Seaman** again started to make her proposal for the resolution it was pointed out that there was no vote on the previous resolution that was on the floor to pay the bills. **Councilwoman Seaman** asked to define the bills. The **Supervisor** noted that they were on the Abstract, and that it included two of the bands. **Councilwoman Seaman** thought that the bands should not be paid since we were going to have to go to austerity measures. **Councilwoman Seaman** went on to note that two bands and the supporting payments for them were added to the Abstract since the Regular Board Meeting. The **Supervisor** noted that this came out of Occupancy Tax money. **Councilwoman Seaman** said that we do not have the money to front for this. **Councilwoman Ackley** then inquired about the IRS fine that the town was facing. The **Supervisor** noted that **Debra Runyon** has

been working hard to resolve this, and she was hopeful that the Town would not be fined in the end. The **Supervisor** then noted that we would possibly have to pay back the **Court Grant** because the Board had stopped the Court from moving into the **Harris House**. She noted that eventually the state would want that money back also. **Councilwoman Seaman** stated that they didn't tell anyone not to use anything. The **Supervisor** explained that you did when you rescinded the resolution to let them move over there. **Councilwoman Seaman** stated that she would not approve paying of the bills unless the Supervisor took out the bills that she had added. She would not approve the claims with the bills for the Concert Bands in with them. She noted that she had questions on that that needed to be answered before she could approve the payment. **The Supervisor** noted that we have contracts with those bands. **Councilwoman Seaman** said that the contracts were not signed. The **Supervisor** noted that this type of behavior was the town's reputation, and that no one would want to work for the Town. **Councilwoman Seaman** stated that only two contracts had been signed for the series. The **Supervisor** asked her if she was reneging on the contracts. **Councilwoman Seaman** replied that she was not reneging. **Councilwoman Harris** then asked if she was holding this over their heads (to approve the claims). **Councilwoman Seaman** responded that yeah, I would prefer to pay the bills before I would pay the bands. You are right I do. The **Supervisor** noted that we have enough money to pay them, and **Councilwoman Seaman** disagreed. **Councilwoman Seaman** then noted do you really want to go there as she dropped papers in front of the **Supervisor**. She went on to note that that person said they would not profit in the least and they are. OK. I have an issue with that **Councilwoman Seaman** noted. When **Councilwoman Harris** inquired about the bill from Pick Ax Productions that **Councilwoman Seaman** was referencing **Councilwoman Seaman** interrupted her and said that it was not to be read it was for the Board to see, but you don't make it public that is not appropriate. She went on to state that someone stood here and said that they would not receive any money they are. OK That is a problem for me. **Councilwoman Seaman** continued to respond that we don't have the money. If you take these off the abstract I will happily pay the rest of the bills.

A Roll Call Vote Was Called.

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

After the vote **Councilwoman Harris** noted so we are not paying the bills or the bands. When **Councilwoman Seaman** asked if you would like to bring this up again minus what I asked. **Councilwoman Harris** replied no, she wanted to go home.

Resolution # 79

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

RESOLUTION TO PAY GLENS FALLS BANK

Resolution to pay the Glens Falls National Bank the \$300,000.00 that the town is indebted to as soon as possible. Next week is fine.

Discussion: The **Supervisor** asked **Councilwoman Seaman** if she knew she was going to bring this up tonight why nobody knew. Discussion ensued with the **Supervisor** pointing out that **Councilwoman Seaman** was blindsiding the rest of the Board and the public by not making her resolution available to them. She told her that she was in violation of the Open Meeting Laws by not notifying the public. **Councilwoman Seaman** responded that she had stated financials when she called the meeting. **The Supervisor** noted that this was a very serious thing that she wanted to do, and **Councilwoman Seaman** responded that it was in the best interest of the town.

A Roll Call Vote Was Called

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

After the vote both **Councilwoman Harris** and **Supervisor Hyde** got up and left the meeting

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

RESOLUTION TO GET THE FIRST TWO BANDS ON THE FLOOR TO DISCUSS PAYING THE FIRST TWO BANDS

Discussion: Councilwoman Seaman noted that these contracts had not been signed by the Supervisor. She said that she would not have any problem having **Joe Groff** talk to the **TSA** and seeing how much money they have unspent, and to see if they have money to front for the bands. **Mr. Groff** asked if **Councilwoman Seaman** had to approve it. She replied no, you can talk to them by yourself. The trouble is Cynthia has to sign them. **Mr. Groff** again asked if they had to go through her(Councilwoman Seaman), and she replied no if Cynthia signs the contracts and TSA has the money to front you then that's between you and the TSA and that is fine. Cynthia might not even have to sign the contract, but you have to talk to Perky and that group. It would be strictly up to them. **Mr. Groff** replied that he would be willing to do that if he could say one thing to everyone in this room. **Councilwoman Seaman** interrupted to ask if it was pertinent to anything. Because you slammed me sitting right there a few minutes ago continued **Mr. Groff**. **Councilwoman Seaman** replied that she did not. **Mr. Groff** went on to note that it was out right wrong, and he wanted to tell everyone what the truth was. **Councilwoman Seaman** went on to note that she didn't have a problem with the bands, but she had a problem that we didn't have money to pay them. **Mr. Groff** went on to note that she had pulled something out of a packet for the concerts that she had a problem with. He wanted to clear it up now. **Councilwoman Seaman** noted that would be between you and me in a private setting. I will not do that in a public setting. That is not the place for it. **Mr. Groff** went on to note that he wanted to clear this up now. He went on to note that he had done this work on the bands as a favor to the town. What a mistake. This is my reputation on the line here, and you're slamming me in front of the public. **Councilwoman Seaman** noted that she had begged **Mr. Groff** in February to make sure the Cynthia was the only person able to sign contracts. Nothing is signed she noted. **Mr. Groff** went on to note that he had stated he did not want the money from the grant, that he would not touch the money from the grant. He then noted that one of the performers had wanted his company to do the sounds for his show, and that that is what **Councilwoman Seaman** had a problem with. He said the performer would not play here if he wasn't doing the sound work. He went on

to note that there are riders to contracts that have to be fulfilled when you hire a performer. Discussion ensued about contracts. **Councilwoman Seaman** noted that if there wasn't a freeze on money, and if we had more than \$34,000.00 that she would have no problem. **Mr. Groff** noted that you just said you had \$34,000.00, but you just passed a resolution to spend \$300,000.00. I'm totally confused.

No Vote on the Resolution Was Taken

Discussion: Councilwoman Seaman went on to discuss what she felt had to be removed from the budget in order for the \$34,000.00 to last until we get the money in August. She went on to note that they should start with elected officials before going to an austerity budget. She noted that because they are elected officials you cannot do away with their salaries, you can only put them off. We see that we have money coming in sometime in August, and more by the end of September. I propose that as far as elected officials goes outside of the Highway Department that the elected officials be paid sometime in September for all of their missed pay. After we take care of our obligations to **Warrensburg EMS**, and pay the \$50,000.00 because that was a contractual item due in January. Because it is the safety of the people and the safety of the people comes first. Do I have a second? **Councilman Needham** said he would second that. **Councilwoman Seaman** then looked at the **Town Clerk**. **The Town Clerk** then inquired if she was making another motion now, and what was this one about. **Councilwoman Seaman** stated that she had said it to you. I made a motion. **The Town Clerk** replied that you are chit chatting and you are not making an official motion. **Councilwoman Seaman** then stated Susan you are the clerk for the Board, and if you need something clarified to please ask. **The Town Clerk** replied Yes, I am the clerk and these resolutions should be written down and handed to me prior to the meetings. She also stated that she was clarifying what **Councilwoman Seaman** was saying.

Resolution # 80

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

FOR ALL ELECTED OFFICIALS OUTSIDE OF THE HIGHWAY DEPARTMENT

Their pay will be on hold until September. At which time they will be paid after our obligations are met to the EMS. \$50,000.00 to pay them, and then the elected officials will be paid. That includes appointed officials. The Highway Superintendent is not included in this because he is necessary to help with the function of the town and the safety of the people.

Motion Carried: Ayes~3 Ackley, Needham, Seaman, Nays~0, Absent~2 Harris, Hyde

Discussion: Discussion ensued about hourly employees. **Councilwoman Seaman** noted that hourly employees had to be paid. That their pay could not be put on hold or anything like that. All we can do is any ancillary hourly workers we can put those positions on hold right now. We don't want to eliminate them, but we can put them on hold until the finances are in line, and then we have them still in the budget and we can ask these people to come back. **Councilwoman Seaman** noted that they would have to speak to the **Justice** because there are certain things that her contractual has to do. **Councilwoman Seaman** then asked the **Town Clerk** if the judge meets once or twice a month. The **Clerk** replied that she is here every week, and that she has court twice a month. **Councilwoman Seaman** opined that if the **Court Clerk** could work twice a month for 4 hours each day that hopefully she could get her work done because I know certain things have to go into the State. The **Town Clerk** responded that she **Court Clerk** needed to be here every week. That there are people who come in who have to deal with the court every week, and that they are very upset when she isn't here. She is here one day a week, and anyone who has to deal with the court that is their only day to do it. If you are telling the town that she is only going to be here 2 days a month that is going to be a problem. **Councilwoman Seaman** wanted to know how many court cases there were. The **Town Clerk** responded that this wasn't necessarily just about court cases there were other reasons that people came in with a need to see the court clerk or judge. **Councilwoman Seaman** noted that they would put her at 4 hours a day, two days a month and that they would have to talk to the judge and find out what she really needs. Or what she really has to have because we have to make sure we have enough money in the budget to pay the bills, and to get through until we get the money in August. The **Town Clerk** replied that she

was just explaining to you that there is going to be an issue and a problem with what you are proposing from what I can see. I'm just letting you know.

Councilwoman Seaman replied that there will be an issue and a problem with almost everything, but the point of it is we don't have any more money in the bank. They have frozen assets; we are in default of a loan. We need to just pay off that loan, and get it done. And then absolutely be bare bones. And that is were elected officials are going to have to be in the office. There isn't going to be anyone to replace you. There isn't going to be anybody to replace anybody. Elected officials get paid a salary for the entire year. They don't get paid hourly, there is not a set number of hours you can work. You work until you get the job done. Or not replied the clerk. That's strictly up to you replied **Councilwoman Seaman**. Because you are an elected official no one can tell you how many hours to work. Just be known that you are doing a full time job. So that is up to you however you do it. She then went on to note what positions she would like to eliminate. **Councilwoman Seaman** then asked if the **Clerk** had that written. The **Town Clerk** replied that is was just a proposal, you are just talking. It's not a motion. No one introduced it. You are just talking amongst yourselves. OK I'm going to make a motion then **Councilwoman Seaman** noted.

Resolution # 81

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

The **Town Clerk** then asked for **Councilwoman Seaman** to make her motion. She replied that she thought she had. The **Clerk** responded No, you were discussing. You have been discussing amongst yourselves. You haven't made a motion. All you were doing was discussing.

THE MOTION IS ON THE TABLE TO PUT ON HOLD ALL HOURLY PAID positions other than the Justice Clerk, and she will work 4 hours twice a month. Subject to the better financial position. We will not eliminate the positions, we are just defunding them because we have to have money to pay the bills. We already have a chief financial officer she can do the payroll and the rest of the bookkeeping. So we are going to have to do that until we get into a better financial spot. Housekeeping, maintenance man, landfill attendant, Assistant Deputy Clerk, the Secretary/Bookkeeper and the cemetery worker.

Motion Carried: Ayes~ Ackley, Needham, Seaman, Nays~0, Absent~2 Harris, Hyde

After the vote **Councilwoman Seaman** requested that an amendment be made to the resolution stating that it would take effect immediately. Let's do Monday July the 2nd she noted. Discussion on paying the claims ensued. **Councilwoman Seaman** noted that **Councilwoman Ackley** had made a motion to get this on the floor. The **Town Clerk** responded that you want to make a motion to amend. **Councilwoman Seaman** responded that we can amend it now like this. The **Town Clerk** noted well we already have a resolution on the floor so if you want to do the same thing you need to amend the resolution. You make a motion first to amend the resolution. . You need to follow procedure Gail. **Councilwoman Seaman** noted we can make amendments as we do them. We are making a motion to pay the claims on the amended abstract as follows.

Resolution # 82

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

RESOLUTION TO PAY THE CLAIMS ON THE AMENDED ABSTRACT AS FOLLOWS

Voucher # 2018-470, 2018-474, 2018-475, 2018-476, 2018-434 and 2018- 472 minus those vouchers.

Motion Carried: Ayes~3 Ackley, Needham, Seaman, Nays~0, Absent~2 Harris, Hyde

Question from the floor: A resident wanted to know about the interest was on the BOND. Also she asked about the resolution that was to be sent to the **Comptroller's Office**. **Councilwoman Seaman** then asked the clerk if the letter had been sent out yet. The **Clerk** replied that you know that it has because I responded in an email to you that it had. Oh I didn't see the emails from today **Councilwoman Seaman** replied. It wasn't sent out today, it was sent out yesterday the **Clerk** replied. **Councilwoman Seaman** noted that she doesn't always see her emails. Sometimes I get them, sometimes I don't. She then asked for a certified copy to sent to the Board members. By mail the **Clerk** asked? Do you want to see a certified copy of the resolution the clerk asked? I want you to send us a certified copy that you sent it out **Councilwoman Seaman** noted. I want

you to send us a letter via email that you have sent that. I already sent that to you. I sent you a letter confirming that I have sent that out responded the **Town Clerk** Could you please send that to them **Councilwoman Seaman** asked. I don't know why you don't just forward it yourself, but fine the **Clerk** noted.

Privilege of the Floor: Privilege of the floor was granted. The following residents spoke: Mary Eddy, Nancy Decker, Joyce Eddy, Marilyn Youngblood, Shirley Wendling and Paula Hubert.

Resolution # 83

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

RESOLUTION TO PAY GLENS FALLS NATIONAL BANK

the \$300,000.00 the first day of business July 2nd.

Motion Carried: Ayes~3 Ackley, Needham, Seaman, Nays~0, Absent~2 Harris, Hyde

Privilege of the Floor: Privilege of the floor was open again briefly.

Motion to Adjourn: On a motion introduced by **Councilwoman Seaman** and seconded by **Councilwoman Ackley** the meeting was adjourned at 8:13pm.

Respectfully Submitted:

Susan E Staples, Town Clerk

July 23, 2018