

JANUARY 10, 2012

**MINUTES OF THE FISCAL AND REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN HELD JANUARY 10, 2012 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL NEW YORK, COMMENCING AT 6:30 P.M...**

**PRESENT:     MRS. EVELYN WOOD, SUPERVISOR**  
**MR. CHARLES BILLS, COUNCILMAN**  
**MR. LEON GALUSHA, COUNCILMAN**  
**MR. AL VASAK, COUNCILMAN**  
**MRS. REBECCA HITCHCOCK, COUNCILWOMAN**

Recording secretary: **Cynthia R. Hyde**, Town Clerk

**FISCAL MEETING**: The Town Board reviewed all claims.

**BOARD MEETING**: The regular town board meeting was called to order by **Evelyn Wood, Supervisor**.

**PLEDGE ALLEGIANCE TO THE FLAG**

**ROLL CALL**

**APPROVAL OF THE MINUTES**: On a motion by **Councilwoman Hitchcock**, seconded by **Councilman Galusha**, the minutes were approved.

**MOTION CARRIED**: **5 AYES ~ WOOD, HITCHCOCK, GALUSHA, BILLS, VASAK**

**CLAIMS**: On a motion by **Councilman Galusha**, seconded by **Councilman Bills**, payment of vouchers #20110877 thru 20110882 totaling \$54,025.77 Capital Projects Fund, 20110883 thru 20110895 totaling \$34,349.66 Highway fund and 20110857 thru 20110876 totaling \$10,330.53 General fund were approved with the addition of a claim to Gilbert Wood (that had stuck to the back of another voucher and was missing from the abstract) for \$99.60 that will be added to the total for the highway fund.

**MOTION CARRIED**: **5 AYES ~ WOOD, HITCHCOCK, GALUSHA, BILLS, VASAK**

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**LETTERS:** The Town Clerk read letters from **Mary Kenyon** and **Dexter Baker**.

**REPORTS:**

**Gleaning:** **Councilman Vasak** said that 30 people had attended gleaning and that the next gleaning would be February 02, 2012 at 1:00 pm.

**Food Pantry:** **Councilman Vasak** reported that the food pantry had 6 visitors and that Warrensburg School donated food and cash to the pantry.

**Landfill:** Garbage pickup will continue through January.

**Occupancy Tax Committee:** **Attached**

**Supervisor's Report:** **Supervisor Wood** said that...

Sky High Bridge is open.

The County Board of Supervisor's held their organizational meeting and she (**Wood**) was appointed to 10 committees and will chair two of them.

The new municipal accounting software was up and running.

The contract between the Town and Thurman EMS had been signed.

Iowa Pacific is asking for support from the towns to run freight on the rail way. The town board decided to send a letter in support of this.

**OLD BUSINESS:**

**EASEMENT:** There was a short discussion pertaining to the **Dippikill** easement. **Highway Superintendent Pat Wood** said that **Camp Dippikill** needs to be responsible if there are any problems.

**INTERNET:** A public hearing was set for January 25, 2012 at 6:30 pm to discuss a new internet concept that may work for Thurman.

**RICHARDS LIBRARY:** **Susan Jennings**, President of Richards Library, asked the board to budget \$2000.00 for the library for 2012. The Town Board tabled this request.

**ANNUAL AUDIT:** The annual town Audit was performed by the town board and all findings were approved.

**MEALS ON WHEELS:** The Town Clerk asked the board to give some thought to appointing a member of the board as meals on wheels liaison. At this time there is no one in charge of the Thurman meals. A volunteer is needed for the Tuesday delivery.

**RESOLUTION #9:**

***RESOLUTION TO ADJUST 2012 BUDGET***

*GENERAL FUND*

*Increase Expenses*

A4540.2	Ambulance Equipment	\$ 12,685.00
A4540.4	Ambulance Contractual	\$ 7,315.00

*Decrease Expenses*

A9060.8	Medical Insurance	\$ 7,315.00
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*Increase Revenue*

A2770	Unclassified Revenue	\$ 12,685.00
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		\$ 20,000.00
		\$ 20,000.00

On a motion by **Councilwoman Hitchcock**, seconded by **Councilman Galusha**, resolution # 9 was approved.

**MOTION CARRIED:** 5 AYES ~ WOOD, HITCHCOCK, GALUSHA, BILLS, VASAK

**RESOLUTION #10:**

*Resolution to Convey Easement Subject to Permissive Referendum*

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*WHEREAS the Town Board of the Town of Thurman intends to grant an easement to Dippikill, Inc. for the purposes of placing a sewer line under a certain Town road, and*

*WHEREAS Dippikill, Inc has agreed to install, maintain and abide by the terms set in resolution 101 o 2011, now therefore be it,*

*RESOLVED that the Town Board of the Town of Thurman authorizes the easement by resolution subject to permissive referendum.*

On a motion by **Councilman Vasak**, seconded by **Councilman Galusha**, resolution #10 was approved.

**MOTION CARRIED: 5 AYES ~ WOOD, HITCHCOCK, GALUSHA, BILLS, VASAK**

**RESOLUTION #11**

*Resolution to Accept Accounting*

*WHEREAS the Town Board is required to perform an annual accounting prior to January 20 of each year, and*

*WHEREAS members of the Town Board have completed this accounting, be it*

*RESOLVED that the Town Board accepts the attached annual accounting reports.*

On a motion by **Councilman Bills**, seconded by **Councilman Vasak**, resolution # 11 was approved.

**MOTION CARRIED: 5 AYES ~ WOOD, HITCHCOCK, GALUSHA, BILLS, VASAK**

**RESOLUTION #12:**

*Resolution Award Occupancy Tax Funds*

*BE IT RESOLVED that the Town Board hereby awards the following occupancy tax funds for events:*

*Maple Days - \$ 5,500.00*

*Town Wide Sale - \$300.00*

*Thurman fall Farm Tour - \$4,200.00*

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On a motion by **Councilman Galusha**, seconded by **Councilwoman Hitchcock**, resolution # 12 was approved.

**MOTION CARRIED: 5 AYES ~ WOOD, HITCHCOCK, GALUSHA, BILLS, VASAK**

**PRIVILEGE OF THE FLOOR:**

**Susan Jennings**, President of Richards Library, asked the board for an answer pertaining to funds for the library. **Supervisor Wood** said that she was not aware that **Jennings** needed an answer tonight. **Wood** said our budget is finished so we would need to take it from somewhere else and there is nowhere to take it from. The board looked over the budget and decided they could not approve \$2,000.00 for Richards Library.

**Mary Eddy** asked about occupancy Tax funds and when they were received. **Supervisor Wood** said the town receives \$30,000.00 per year. The town board advances the funds and is reimbursed in October. **Wood** said that an annual report is done in March.

**Mary Eddy** also asked what the town board was going to do about the salt in **Mary Kenyon's** water. **Supervisor Wood** said that Soil and Water looked into this problem. **Wood** said that legally the town cannot reimburse **Mrs. Kenyon** unless she can prove the town is at fault.

**Randy Galusha** asked **Supervisor Wood** if there was any doubt in her mind that the town was at fault. **Wood** said at first no, but now she wasn't so sure. **Wood** stated that legally the town cannot go further and that the rules needed to be followed.

**Dexter Baker** wanted to know if the Town Board had looked at the dog control law.

**Sandy McCallum** said that she thought people would be paying more for garbage removal than they would have if the cost of removal had remained included in the taxes. **McCallum** also wanted to know who to call if dumping was discovered.

**Wood** said to call the sheriff.

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Several people voiced their disapproval with the new plan for town trash. **Supervisor Wood** said that we've hashed this all over and made a decision. Wood added that town trash costs would be continually reevaluated.

**Randy Galusha** thanked the board for passing the occupancy tax fund requests.

**Delbert Chambers** felt that a decision had been made about town trash and people needed to move on.

**ADJOURNMENT**: On a motion by **Councilman Galusha**, seconded by **Councilwoman Hitchcock** the meeting was adjourned at 8:06 pm.

**MOTION CARRIED**: 5 AYES ~ **WOOD, HITCHCOCK, GALUSHA, BILLS, VASAK**

**Respectfully Submitted:**

**Cynthia R. Hyde**  
Town clerk

ATTACHED:  
Letter from Mary Kenyon  
Report from Dexter Baker  
Treasurer's report  
Occupancy Tax Committee report

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Jan. 3, 2012

To: Members Thurman Town Board  
From: Mary E. Kenyon  
293 Athol Road

Subject: Loss of my drilled well  
Information presented for your consideration and possible reimbursement

I believe all of you know me since I have resided on the same property here in Athol since October 1950.

A drilled well was installed on this property in September 1995 to up-grade the value and provide a greater supply of water. The change was made from a shallow well to the drilled well of 350 feet depth at a cost of \$5910.

At the beginning of June 2011, I informed Supervisor Wood that my well water was almost clear salt. Two water quality tests were made and they both confirmed a very high concentration of chloride. Supervisor received these test results. Following the testing Supervisor told me that the Town Board would look at possible solutions. I had several conversations with Supervisor Wood about well cleaning, going to a filter system, using some kind of liner, and possible drilling another well in some approved location.

I made the test results available to the well drilling company and asked for an opinion. They checked the file on my well and found nothing had changed about the operation of the well, no service calls had been made, and the original submerged pump was still operating after 16 years. No structural changes had been made to the location or the well and none should ever be needed since steel water pipes do not crack or deteriorate. They explained that once high concentration of chemical, pollution of chloride (road salt) penetrates the water vein it can reach unknown depth and will desecrate the well, as it has in this case.

I know you are aware that the town highway department stock piles road salt up on the hill behind the town buildings. After years of this practice the ground area has become polluted from the chemical and has now entered the water veins underneath the soil.

I think about September, Supervisor Wood called to inform me that the Town of Thurman had no insurance coverage for this problem and that her Attorney had told her the Town Board should not address the issue since it was a casing problem. Where this conclusion came from I do not know. Perhaps it was speculation.

By early October, I knew I must seek another water supply if I were to be able to live in my home. The chemical pollution had ruined my hot water heater, caused leaks in the tub and hoses of my washer, destroyed all my faucets and fixtures and even my toilet tank and bowl. I had my old shallow well pumped out and cleaned and tested. The test showed good quality but came with a recommendation that a filter system be installed for drinking water since it is a shallow well.

The attached sheet is a detail of my expenses incurred due to the loss of my drilled well.

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List of Expenditures for water system

9-25-2011	Culligan Water Company	check #1666	\$1683.00	
9-29-2011	Culligan Water Company	check #1668	\$ 150.00	
10-17-2011	Braley & Noxon	check #1669	\$ 197.95	
10-17-2011	Braley & Noxon	check #1670	\$ 31.48	
10-20-2011	Braley & Noxon	check #1671	\$ 562.65	
10-21-2011	Braley & Noxon	check #1674	\$ 58.41	
10-19-2011	Braley & Noxon	cash	\$ 22.13	
10-28-2011	Braley & Noxon	REFUND	& (-2.68)	
10-22-2011	Walmart	Bath Faucets	\$ 19.97	
11-1-2011	Walmart	Water heater blanket	\$ 18.88	
11-9-2011	Walmart	Kitchen Faucets	\$ 34.97	
****	10-20-2011	Sears	Laundry Unit	\$1265.25

Due to having limited space in my kitchen I have always had a stackable washer/dryer combination. Since my washer was used with the salt water the tub and hoses & fittings were leaking badly. The estimate for repairs was nearly as much as replacement, so I did the replacement.

Oct. & Nov. 2011 Manual Labor cost for necessary installations & change over. cash \$ 315.00

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Total \$4357.01

Copies of all slips and checks are attached.

Thank you for your consideration of the problem.

*Mary E. Kenyon*  
Mary E. Kenyon



Dexter J. Baker  
450 High Street  
Athol, NY 12810

Town of Thurman  
311 Athol Road  
Athol, NY 12810

Dear Thurman Town Board,

I would like to first say I appreciate the board appointing me for another year as the Animal Control Officer. As I have always said I truly enjoy this position and the work it contains and shall continue to provide the Town with the best service possible. That being said, I would like to briefly report to the board the types of calls surrounding this position last year.

All together, the year 2011 produced 53 actual calls for service. These 53 calls are broken down as follows:

- 12 complaints for loose animals.
- 18 calls for stray dogs.
- 6 dangerous dog complaints.
- 5 calls for cat problems.
- 4 dog and/or cat bite cases.
- 3 barking dog complaints.
- 3 animal cruelty complaints.
- 2 calls concerning wildlife.

Of these 53 calls, 11 total tickets were written for last year, including ones for loose dogs, dangerous dogs and dogs with no license or rabies vaccination. During the course of the year I also had 12 different assists from law enforcement including the Warren County Sheriff's office, New York State Police, DEC and SPCA. Mentioned earlier were 18 cases for stray dogs and I am proud to report of these 13 of them ended by finding the owner, 2 were unfounded and 3 were adopted out to new owners. Based off that I would like to indicate that had it not been for the help provided by the Estherville shelter in Greenfield, some dogs may have been put down. Thus if possible I would like to see if the Town could send some form of thank you to this agency.

Every year of course brings about interesting calls and without getting detailed I would like to share several of them with you. The first began as a stray dog complaint and upon retrieving the dog and later brining her to the Glens Falls Animal Hospital, the Estherville shelter was sought for possible housing for adoption. It was upon this information that a discovery was made by Estherville that a third party had attended their facility looking for a dog similar to the one I located. Long story short, that person contacted Glens Falls and later confirmed the dog as theirs. The interesting aspect of the story is however, the dog was from the Saratoga area. Last year also brought about several dog attacks, some

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of which resulted in injuries to persons. There was also one case where animals were in need of rescue from a residence. Out of this rescue 3 dogs were relocated and a total of 1 cat and 9 kittens were seized by the SPCA. The year would also not be complete without one or two calls for a cat in a tree. I am happy to report in both instances the cats were later rescued.

Aside from cases, the year also saw a new change in the Animal Law. With this in mind, even with the new changes, certain aspects should still be reinforced as there are still individuals that are written tickets and will not show in Court. The Court can thus not do much as the Local Law simply doesn't contain any ramifications for them to institute. Lastly to report is that 2011 showed a record in licenses done, with the total number being 126. Again I want to thank the Board for the opportunity to continue in this position and shall continue to provide the best Animal Control service to the Town as possible. Thanks very much for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Dexter J. Baker", with a long horizontal flourish extending to the right.

Dexter J. Baker - 1-10-2012

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**TOWN OF THURMAN  
TREASURER'S REPORT  
AS OF DECEMBER 31, 2011  
TRUST AND AGENCY**

BEGIN BALANCE DECEMBER 1, 2011 \$ 400.48

**REVENUE**

PAYROLL # 48- GENERAL	3,516.13
PAYROLL #48- HIGHWAY	6,356.98
PAYROLL # 49- GENERAL	10,568.43
PAYROLL #49- HIGHWAY	5,145.37
PAYROLL # 50- GENERAL	3,280.68
PAYROLL #50- HIGHWAY	5,954.08
PAYROLL # 51- GENERAL	3,424.39
PAYROLL #51- HIGHWAY	5,892.52
PAYROLL # 52- GENERAL	3,338.97
PAYROLL #52- HIGHWAY	7,670.54
HEALTH INSURANCE FROM GENERAL	2,718.63
HEALTH INSURANCE FROM HIGHWAY	7,732.79
INSURANCE DEPOSIT FROM EMPLOYEE	523.50
DECEMBER INTEREST	3.23
	<u>66,126.24</u>
	\$ 66,126.24

**EXPENITURES**

PAYROLL #48	5,247.94
LIABILITIES	1,521.72
FEDERAL & STATE TAXES	2,380.10
PAYROLL #49	10,030.71
LIABILITIES	1,501.62
FEDERAL & STATE TAXES	3,418.40
PAYROLL #50	4,750.13
LIABILITIES	1,554.69
FEDERAL & STATE TAXES	2,190.69
PAYROLL #51	4,856.03
LIABILITIES	1,842.02
FEDERAL & STATE TAXES	2,220.01
PAYROLL #52	6,233.96
LIABILITIES	1,501.57
FEDERAL & STATE TAXES	2,927.23
DECEMBER RETIREMENT	1,426.17
AFLAC	217.55
MVP	105.30
NYS EMPLOYEES HEALTH	1,263.83
HEALTH INSURANCE	10,970.50
	<u>66,160.17</u>
	\$ 66,160.17

**BALANCE ON DECEMBER 31, 2011 \$ 366.55**

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**TOWN OF THURMAN  
TREASURER'S REPORT  
AS OF DECEMBER 31, 2011  
HIGHWAY FUND**

BEGIN BALANCE DECEMBER 1, 2011		\$ 1,654.64
<b>REVENUE</b>		
SALE OF 1997 FORD PICKUP TRUCK	200	
LOAN FROM RESERVE FUND	70,000.00	
SPRING FLOODS FEMA PAYMENT	1,639.32	
DECEMBER INTEREST	12.78	
	<u>12.78</u>	
		<u>\$ 71,852.10</u>
<b>EXPENITURES</b>		
PAYROLL #48	6,356.98	
PAYROLL #49	5,145.37	
PAYROLL #50	5,954.08	
PAYROLL #51	5,892.52	
PAYROLL #52	7,670.54	
DECEMBER ABSTRACT	22,475.62	
HEALTH INSURANCE TRANSFER	7,732.79	
	<u>7,732.79</u>	
		<u>\$ 61,227.90</u>
<b>BALANCE ON DECEMBER 31, 2011</b>		<u><u>\$ 12,278.84</u></u>

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**TOWN OF THURMAN  
TREASURER'S REPORT  
AS OF DECEMBER 31, 2011  
GENERAL A FUND**

BEGIN BALANCE DECEMBER 1, 2011 \$ 351,531.78

**REVENUE**

JUSTICE FINES AND FEES COLLECTED	195.00
FISHER ACT	363.88
TOWN CLERK RECEIPTS -	192.45
SCRAP METAL SALES	534.60
REFUND FROM THURMAN STATION - FALL FARM TOUR	737.76
LANDFILL FEES COLLECTED	162.00
TAX COLLECTOR INTEREST AND PENALTIES 2011	239.06
COPY AND FAX FEES COLLECTED	30.00
CLOSING OF CEMETERY ACCOUNT	4,452.75
DISABILITY REFUND FROM HARTFORD	402.24
DECEMBER INTEREST	120.82
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	\$ 7,430.56

**EXPENITURES**

PAYROLL #48	3,516.13
PAYROLL #49	10,568.43
PAYROLL #50	3,280.68
PAYROLL #51	3,424.39
PAYROLL #52	3,338.97
EARLY BILLS DECEMBER	68,348.44
DECEMBER ABSTRACT	16,462.06
NYS COMPTOLLER	120.00
POSTMASTER	220.00
JANUARY EARLY BILLS FOR 2011	1,533.52
HEALTH INSURANCE TRANSFER	2,718.63
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	\$ 113,531.25

**BALANCE ON DECEMBER 31, 2011 \$ 245,431.09**

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## **Occupancy Tax Report for January 10, 2012**

Occupancy Tax Committee met on January 6, 2012. Many events were discussed, Maple Days, Town wide Garage Sale, The Fall Farm Tour. All were accepted by the committee. There were 7 people in attendance. The next meeting is December 7, 2012 at 10 AM at the Thurman Town Hall. The public is welcome to attend.

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