

April 08, 2014

**MINUTES OF THE FISCAL AND REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN HELD APRIL 08, 2014 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL NEW YORK, COMMENCING AT 6:30 P.M...**

**PRESENT:     MRS. EVELYN WOOD, SUPERVISOR**  
**MR. MICHAEL EDDY, COUNCILMAN**  
**MR. LEON GALUSHA, COUNCILMAN**  
**MR. DANIEL SMITH, COUNCILMAN**  
**MRS. GAIL SEAMAN, COUNCILWOMAN**

**ALSO IN ATTENDANCE:**

**PATRICK WOOD, HIGHWAY SUPERINTENDENT**

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

**FISCAL MEETING:** The Town Board reviewed 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 **Councilman Smith**, seconded by **Councilman Galusha**, the minutes from the March 11, 2014 regular meeting were approved.

**MOTION CARRIED: 4 AYES ~ GALUSHA, EDDY, SMITH, SEAMAN**

**1 NAY ~ WOOD**

On a motion by **Councilman Smith**, seconded by **Councilman Eddy**, the minutes from the December 10, 2013 regular meeting were approved.

April 08, 2014

**MOTION CARRIED: 3 AYES ~ GALUSHA, EDDY, SMITH**

**2 NAYS ~ WOOD, SEAMAN**

**LETTERS:** A letter of interest from **Joseph K. Davies**, letters from **Mary Eddy** and **Cynthia Hyde**, all read. **Attached**

**REPORTS:**

**Councilman Galusha** gave the **Warrensburg EMS** report and the APA mining report.

**Councilman Seaman** reported on the food pantry, gleaning, the Thurman Youth Commission and the Thurman Highway department. **Councilwoman Seaman** said that we were fortunate enough to receive two donations to the Thurman Food Pantry. A \$200.00 donation came from **Grace Communion International**. A \$100.00 donation was received from **Darrin** and **Darlene Gevler** (part time residents of the Town of Thurman).

**Supervisor Wood** gave the supervisor's report.

**OPENING OF BIDS:**

**Andy Knoll-AKConsulting 291 Valley Road, Warrensburg, NY:** on site services; \$65.00 hourly, off site services \$40.00 hourly

**Adirondack Technical Solutions, 5457 State Route 40, Argyle, NY:** 50 block hour solution \$105.00 per hour, 100 block hour solution \$100.00 per hour.

**Waste Zero, 5180 Hoory Drive, Suite D, Murrells Inlet, SC:** Bags per package 10-33x39, packages per case 20, price per case \$43.52 total cost for 50 cases \$2,176.00.

**Tags-Bags-Containers, PO Box 565, Greenfield, MA:** Bags per package 10-33x39, 10,500 packages in 42 total cases, price per case \$53.75, price per bag \$0.215/bag.

**Porters King Hill Contracting, LLC, 253 King Hill Road, Freehold, NY:** Installation of utility pole for White Space Project \$17,500.00

**OLD BUSINESS:**

There was discussion on resolutions submitted by **Councilman Eddy**. **Supervisor Wood** said that she did not include **Councilman Eddy's** resolutions in the meeting packets because she has numerous issues with them and felt they couldn't be dealt with in their present form. **Wood** asked that **Eddy** make an appointment and discuss these resolutions in her office, because she hated to keep pushing them off. **Eddy** was more comfortable communicating by email (advised by Association of Towns Attorney's) so that there would be a record of the conversation. **Councilman Eddy** said that he wanted a record of his conversations with **Wood** because a prior conversation with **Supervisor Wood** about claims was turned around by **Wood** to suggest **Eddy** was looking for secrecy when he wasn't. **Supervisor Wood** and **Councilwoman Seaman** were especially troubled with the resolution concerning communication with the Town's Attorney. **Supervisor Wood** stated that it would be expensive to have written attorney communication, it wasn't necessary, officials can't be compelled to do it and no one (other town boards) does it like that. **Councilwoman Seaman** said that it seemed to her that **Councilman Eddy** was looking for retribution for something. **Councilman Eddy** said that he wanted to know what questions were asked of the attorney, why were they asked and what was the answer. **Councilman Smith** added that he thought **Councilman Eddy** was looking for an open line of communication and he (**Smith**) tended to agree with him.

Discussion ensued between the town board and Highway Superintendent **Pat Wood** pertaining to a request to extend maintenance of Wolf Pond road by **Paul Volk**. No action taken

**RECYCLING:** Light bulb and battery recycling possibilities were discussed.

**NEW BUSINESS:**

April 08, 2014

There was discussion regarding bids and the percentage of woman and minority bids stipulated in the white space grant. Also discussed was the need to give electrical work bidders more time to prepare their bids and what happens if no bids are received for electrical work.

**RESOLUTION #29:**

**Resolution to Approve Training**

*WHEREAS the Association of Towns and NYS Comptroller's Office are co-sponsoring the 14<sup>th</sup> annual Finance School, which will be held in Saratoga Springs New York from May 8 – 9, 2014 at a cost of \$200 which has been budgeted for in the 2014 budget, be it*

*RESOLVED that the Town Supervisor is authorized to attend the 14<sup>th</sup> Annual Finance School.*

On a motion by **Councilwoman Seaman**, seconded by **Councilman Smith**, Resolution #29 was approved.

**MOTION CARRIED: 5 AYES ~ WOOD, GALUSHA, EDDY, SMITH, SEAMAN**

**RESOLUTION #30:**

**Resolution Approving Contract for Phone Services**

*WHEREAS the Town of Thurman contracts for phone services, and*

*WHEREAS rates from Verizon, FirstLight, and Cornerstone have been reviewed and CornerStone has offered the lowest rate, be it*

*RESOLVED that the Town Board authorizes the Supervisor to enter a three year contract for phone service with CornerStone and sign any necessary documents.*

On a motion by **Councilwoman Seaman**, seconded by **Councilman Galusha**, Resolution # 30 was approved.

**MOTION CARRIED: 5 AYES ~ WOOD, GALUSHA, EDDY, SMITH, SEAMAN**

**RESOLUTION #31:**

**Resolution Approving HITS Triathlon**

*WHEREAS the HITS Triathlon has been a yearly event which passes through the Town of Thurman, and*

April 08, 2014

*WHEREAS the New York State Department of Transportation requests to know if the Town has any objection, be it*

*RESOLVED the Town has no objections to the HITS Triathlon passing through the Town of Thurman.*

On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, Resolution #31 was approved.

**MOTION CARRIED: 5 AYES ~ WOOD, GALUSHA, EDDY, SMITH, SEAMAN**

**RESOLUTION #32:**

**Resolution Approving Travel and Training**

*BE IT RESOLVED that the Town Board approves travel and training for the tax collector to attend the June 8, 2014 Tax Collectors Training School in Syracuse, New York.*

On a motion by **Councilwoman Seaman**, seconded by **Councilman Smith**, Resolution # 32 was approved.

**MOTION CARRIED: 5 AYES ~ WOOD, GALUSHA, EDDY, SMITH, SEAMAN**

**RESOLUTION #33:**

**Resolution Awarding IT Service Bid**

*WHEREAS the Town of Thurman has sought proposals for IT Services and*

*WHEREAS the bids were opened April 8, 2014, be it*

*RESOLVED that the Town Board authorizes an annual contract with the low bidder, Andy Knoll with the option to renew annually for up to two additional years.*

On a motion by **Councilman Smith**, seconded by **Councilman Eddy**, Resolution #33 was approved.

**MOTION CARRIED: 5 AYES ~ WOOD, GALUSHA, EDDY, SMITH, SEAMAN**

**RESOLUTION #34:**

**Resolution Approving Proposal for Large Garbage Bags**

*WHEREAS the Town of Thurman received two proposals for the production of large garbage bags for the municipality's pay as you throw program, and*

April 08, 2014

*WHEREAS as the Town Board examined both proposals and found the proposal from Tags Bags and Containers to be the lowest cost, be it*

*RESOLVED that the Town Board accepts the proposal from Tags Bags and Containers for the production of large garbage bags.*

On a motion by **Councilwoman Seaman**, seconded by **Councilman Smith**, Resolution # 34 was approved.

**MOTION CARRIED: 5 AYES ~ WOOD, GALUSHA, EDDY, SMITH, SEAMAN**

**RESOLUTION #35:**

**Resolution Awarding Bid for Pole Installation**

*WHEREAS the Town of Thurman advertized for bids for the installation of utility poles for the Town's White Space Internet Projects, and*

*WHEREAS the bids were opened on April 8, 2014, be it*

*RESOLVED that the Town Board awards the bid for utility pole installation to King Hill Contracting who was the sole bidder.*

On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, Resolution # 35 was approved.

**MOTION CARRIED: 3 AYES ~ WOOD, GALUSHA, SEAMAN**

**2 NAYS ~ EDDY, SMITH,**

**Councilman Eddy** wanted to know who was responsible for the easements. **Supervisor Wood** said that we are.

**APPROVAL OF CLAIMS:**

On a motion by **Councilman Galusha** , seconded by **Councilman Smith**, the town board approved vouchers #'s 2014-225, 2014-226, 2014-228 thru 2014-250 and 2014-252 thru 2014-253 for a highway and general fund grand total of \$15,308.01.

**MOTION CARRIED: 5 AYES ~ WOOD, GALUSHA, EDDY, SMITH, SEAMAN**

**PRIVILEGE OF THE FLOOR:**

April 08, 2014

The following people made comments or asked questions. John Haskell, Richard Bardi, Mary Eddy, Brian Angell, Jerry Cameron, Cynthia Hyde and Arron Beadnell

**RESOLUTION #36:**

**Resolution Approving Advance of Funding**

*BE IT RESOLVED that the Town Board hereby approves the advance of \$45.00 to the Town Clerk for meals at her April conference and authorizes the Supervisor to issue the funds to the clerk.*

On a motion by **Councilman Galusha**, seconded by **Councilman Smith**, the Town Board approved voucher # 2014-254 for lunches at the NYSTCA Conference.

**MOTION CARRIED: 5 AYES ~ WOOD, GALUSHA, EDDY, SMITH, SEAMAN**

**ADJOURNMENT:** On a motion by **Councilman Galusha**, seconded by **Councilman Smith**, the meeting was adjourned at 8:34 pm.

**MOTION CARRIED: 5 AYES ~ WOOD, GALUSHA, EDDY, SMITH, SEAMAN**

**Respectfully Submitted:**

**Cynthia R. Hyde**  
Town clerk  
04/21/2014

**Attached:**

**Letter of interest from Joe Davies, letters from Mary Eddy and Cynthia Hyde  
Warrensburg EMS report**

April 08, 2014

7 April 2014

Thurman Town Board

Joe Davies  
18 Clarence Russell Road  
Thurman, NY 12885  
240.367.6862

Dear Board Members,

I am writing this letter to express my desire to be considered for the open service position at the Thurman Recycling and Transfer Station.

Throughout my career in corporate America and in my small business, customer service has always been a top priority. In procurement or facilities management I endeavored to give 110% everyday.

Making my new home in Thurman in August, I have always had deep roots in Warren County since a young age. Since moving here I have done volunteer work for St. Cecilia's Catholic Church, worked with the Thurman DPW as a wingman and kept neighbors driveways and mailboxes clear of snow all winter. I am capable of all kinds of handyman work including but not limited to drywall repair, painting, plumbing, power washing, landscape and equipment service and repair.

I would welcome the opportunity to become more involved with our town in any way possible.

I have attached a copy of my resume for your review and look forward to the possibility to speak with you directly about this position and any others where I can help serve this community.

In advance, thank you for your kind consideration.

Sincerely,  
Joe Davies



April 08, 2014

Mary Eddy  
P. O. Box 9  
Athol, NY 12810

Thurman Town Board  
P. O. Box 29  
Athol, NY 12810

April 4, 2014

To Thurman Town Board,

Last month's statement by the Supervisor, concerning the previous boards view of opening the rejected September Whitespace Build Out Bid left out details.

The situation concerned both the Town Clerk and myself. We were not allowed to speak.

It was stated that the FOIL request was sent in on Monday Dec. 9<sup>th</sup> the day before the board meeting on Tuesday, Dec. 10<sup>th</sup>, and could have been responded to after the board members were informed at the Tuesday meeting.

It was also stated that the board wasn't aware the rejected bids had been requested by FOIL. The Supervisor neglected to mention that she knew the rejected bids were requested.

That FOIL request was sent by email to both the Supervisor and Town Clerk at the same time, Monday morning, almost 2 months after the bid was awarded. The request was specific in both the attachment and in the body of the email.

In the afternoon the Supervisor sent an email back to both the Town Clerk and myself that said, "I do not have those bids that were received, you would need to see the Town Clerk for those."

Not allowing the Town Clerk to speak or myself resulted in the chaos of the Supervisor gaveling the Town Clerk, jumping up and threatening to call 911.

One other point to remember is - the unopened rejected bids were brought to the October meeting and discussed when the 2<sup>nd</sup> set of bids were to be opened.

Sincerely,  
*M Eddy*  
Mary Eddy

April 08, 2014

Dear Town Board Members:

At the last board meeting one of the topics was undocumented bid opening.

Two unopened rejected bids were foiled by Richard Bardi (verbally on Dec. 2<sup>nd</sup> or 3<sup>rd</sup>) and by Mary Eddy (Dec. 9th by email sent to the clerk and the supervisor). After consultation with the appropriate authorities I opened and released the 2 rejected bids on Dec 09, 2013. The concern of the board is that there is no official record of the opening of these bids and this could have caused legal problems for the town.

While there is no official record of the exact day the rejected bids were open, there is in fact an official record showing that the two rejected bids were brought to the Oct 2013 regular meeting still sealed. The two bids in question were for White Space build out. The bids were rejected unopened at the September 17, 2014 meeting because of a supposed error in the legal ad. A new legal ad was posted (which was proof read by Supervisor Wood and Councilwoman Seaman) giving a new due date and a new bid opening date of October 08, 2013 at 7:00 pm. The recording from the October 08 meeting reveals that I presented the second bid by Rainmaker and also presented the original bid from Rainmaker and the bid from ASA networks both **UNOPENED**. A seven minute conversation ensued between the supervisor and I regarding the ASA networks bid. I felt it was still a viable bid because ASA networks had no way of knowing their bid was rejected as the second legal ad only gave a new due date and opening date. That night the second rainmaker bid was open and the bid from Asa networks and the first bid from Rainmaker were put back in my briefcase still sealed. On October 15, 2013 rainmaker was awarded the bid for build out of the Whitespace network

Town Board Members you may now rest assured those bids were not open ahead of time. For your listening pleasure I will post the October 08, 2013 meeting recording on the minute's page of the website and in case you don't want to listen to the whole meeting I will post the seven minute conversation about opening the bids.

I have one last statement to make pertaining to the matter of the foiled bids.

Over the last four months Supervisor Wood and Councilwoman Seaman were repeatedly allowed to publically criticize me over this matter of opening and releasing bids. Not once was I given an opportunity to speak on the matter, present my facts or defend my actions. They never considered that I may have followed the rules and responded appropriately. It was only important to hear what they had to say on the subject factual or not.

I would like this letter included in the minutes

Cynthia R. Hyde

April 08, 2014

04/08/2014



Stephen W. Emerson  
Operations Manager

Phone ~ (518) 232-0817  
Fax ~ (518) 623-3651  
Email ~ tel910@nycap.rr.com

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

March 11, 2014

Thurman Town Board Members,

Attached you will find the run total for March 2014. We handled 1 call in Thurman in March and our response time was 20 minutes to being on-scene. The call came in as a priority 2 BLS call but ended up as an ALS call to the hospital.

The mutual aid agreement with Johnsbury EMS is in place. We have 5 WEMS members that are Thurman residents that are set up for first response with the basic equipment to help while the ambulance is responding.

Please do not hesitate to contact me at any time if you have any questions, comments, or concerns. I can be reached on my cell phone at 232-0817.

I would like to thank the Town Board and the Thurman residents for their continued support.

Respectfully Submitted,

*Stephen W. Emerson*

Stephen W. Emerson  
Operations Manager  
Warrensburg EMS, Inc.

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

April 08, 2014

DATE	IPCR #	PRIORIT Y	CHIEF COMPLAINT	ENROUTE TO ONSCENE TIME
3/15/201 4	14- 08493	ALS	ABDOMINAL PAIN	20 MINS (PRIORITY 2 CALL)