

June 10, 2014

MINUTES OF THE FISCAL AND REGULAR MEETING AND PUBLIC HEARING OF THE TOWN BOARD OF THE TOWN OF THURMAN HELD JUNE 10, 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

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 at 6:49 pm by **Evelyn Wood**, Supervisor.

PLEDGE ALLEGIANCE TO THE FLAG

ROLL CALL

APPROVAL OF THE MINUTES:

On a motion by **Councilwoman Seaman**, seconded by **Councilman Galusha**, the minutes from the May 13, 2014 and the May 27, 2014 meeting were approved.

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

REPORTS:

Councilman Smith reported on preliminary painting of the town Hall business.

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Councilman Galusha read a report from the **Warrensburg EMS** and said that the snowmobile club is looking to get permission to ride on the edge of Bowen Hill Road from Carpenters around the corner up to River Road because they still can't find any way to get up through there. EMS report attached

Councilwoman Seaman reported on the food pantry, gleaning, the Thurman Youth Commission and the Thurman Highway department.

Councilman Eddy discussed some particulars on the Thurman Veterans Memorial.

PUBLIC HEARING:

Supervisor Wood opened the public hearing on the Smith subdivision at 7:00 pm. The Town Clerk read the **NOTICE OF PUBLIC HEARING.**

***TOWN OF THURMAN NOTICE OF
PUBLIC HEARING***

NOTICE is hereby given that the Thurman Town Board will conduct a public hearing at the town hall on June 10, 2014 at 7 pm regarding the proposed two lot subdivision on the lands of Daniel and Lorrie Smith on Zaltz Road, Thurman NY, parcel # 221.-2-35. At that time, all interested parties will be given the opportunity to be heard.

*By the order of the Thurman Town Board
Cynthia Hyde, Town Clerk
Town of Thurman
May 29, 2014*

The public hearing was left open for the time being.

BIDS:

The Town Clerk opened bids for the following.

1. 1990 International Dump Truck, Model 2554, 4x2, Vin #1HTGBZ3R1LH244983, DT466 Engine, 8 Speed, locking rears, runs well, body fair
2. 2000 Chevy K2500 pickup, 6.0 Liter 4x4, Automatic Power Steering, Power Brakes, body rough

Harry Alger of Thurman, NY bid \$200.00 for the 1990 International Dump Truck

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James L. Reynolds Jr. of 64 Reynolds Mt. Road Corinth, NY 12822 bid \$425.00 for the 1990 International Dump Truck.

Jeffrey Dado, Dado's INC. Truck & Equipment Sales 723 State Highway 29 Broadalbin, NY 12025 bid \$1276.00 for the 1990 International Dump Truck.

Jeff Ackley Glen Athol Road, Thurman NY bid \$301.00 for the 2000 Chevy Truck.

Jeffrey Dado, Dado's INC. Truck & Equipment Sales 723 State Highway 29 Broadalbin, NY 12025 bid \$376.00 for the 2000 Chevy Truck.

CLOSE PUBLIC HEARING:

With no one desiring to be heard **Supervisor Wood** closed the public hearing on the Smith subdivision at 7:06 pm.

AWARDING OF BIDS:

On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, the town board awarded Jeffrey Dado's bid of \$376.00 for the 2000 Chevy Truck and Jeffrey Dado's bid of the \$1276.00 for the 1990 International Dump Truck.

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

Supervisor's Report:

Supervisor Wood gave the supervisor's report. **Supervisor Wood** reminded everyone that there is a primary on June 24, 2014 and that **Andy Knoll, IT Dept.** recommends replacing the computer port switch. **Wood** also noted that the town board would have to look at moving the records room. **Supervisor Wood** said that she went to tier 3 training and found out that in the event of a natural disaster a records room that is not on the 2nd or 3rd floor (a basement records room) will not be eligible for any restoration funding.

Donation and Volunteers:

Supervisor Wood said that **Martin's Lumber** is donating wood to close the gable ends of the pavilion and that there are a number of volunteers to do the work.

Supervisor Wood stated that we'll need a resolution to accept that. **Councilman Galusha** wanted to be sure the towns insurance would cover the volunteers. **Supervisor Wood** answered yes and that the town board has to say it's OK (for the volunteers to be covered by the towns insurance).

RESOLUTION:

On a motion by **Councilwoman Seaman**, seconded by **Councilman Galusha**, a Resolution to accept a donation of lumber from Martins Lumber and volunteers to close the pavilion gable ends with that lumber was approved.

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

OLD BUSINESS:

Supervisor Wood said that there were two options regarding drilling a well on the **Doug Kenyon** property. **Wood** stated that we can declare an emergency situation and use previous bid prices from Rosnick or go out to bid again.

Councilman Galusha asked if we had water sampling results.

Supervisor Wood answered that the sampling has been taken but the results are not back yet. **Wood** added that there is indication that the salt is bad (in Doug Kenyon's water).

Councilman Galusha said that we might have a couple of people look at it (the Doug Kenyon property) because if we have to move it (the well) to the back of the property a rig won't be able to just drive up there.

Councilwoman Seaman stated that she didn't want the people to wait months for this because it could impact the sale of the house

Councilman Galusha said that someone will need to make a road up there (to get the drilling rig in).

Councilman Eddy added that he thought it should be under better circumstances than the 2 or 3 years it took for Mary Kenyon (Mary Kenyon's property suffered

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from salt contamination). **Eddy** felt that a couple of well drillers should come take a look at it.

Supervisor Wood stated that the direction the board seems to want to go in is to get some quotes. **Wood** said that if the quotes are over our procurement policy then we'll have to go out to bid.

Councilman Eddy said that the experts (the well drillers) should get a feel for what is needed.

NEW BUSINESS:

There will be a resolution pertaining to the naming of a private road.

RESOLUTION #51:

Resolution in Support of Legislative Bills S997/A5122 to Amend Education Law/State Aid Formula

WHEREAS, bill S997/A5122 has been introduced to amend the education law, in relation to excluding the valuation of State Forest Preserve lands, within the Adirondack and Catskill Parks, from the definition of "actual value" for purposes of apportionment of moneys to school districts, and

WHEREAS, school districts with large portions of state forest preserve within their district lines are perceived under the current school state aid formula as being wealthier than the actual value of privately owned land, and

WHEREAS private land owners within these districts often pay a disproportionately higher share of education costs, even when tax payments on forest preserve lands are calculated in, than surrounding districts, now, therefore, be it

RESOLVED that the Thurman Town board supports S997/A5122 amending paragraph c of subdivision 1 of section 3602 of the State Education Law of 2007 to amend the definition of "actual valuation", and be it, further

RESOLVED that copies of this resolution be sent to Governor Cuomo, Senate Majority Leader, Assembly Speaker and members of the State Legislature that represent the communities of the Adirondack Park.

On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, Resolution # 51 was approved.

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

RESOLUTION #52:

Resolution in Support of Residential Tax Credits for Thermal Bio-Mass

WHEREAS, the Town of Saranac's Comprehensive Plan identifies thermal Biomass as a way to keep the historically important forest industry viable within the Adirondack Park, and

WHEREAS the Town of Saranac's Comprehensive Plan perceives Thermal Biomass as a way to retain and create jobs locally in the Forest Industry and related businesses, and

WHEREAS the Town of Saranac and other Local Governments of the Adirondack Park are in the process of investigating Thermal Bio-mass technology as a way to save taxpayer dollars, while at the same time meeting and exceeding current and future EPA emission standards, and

WHEREAS amending New York Senate and Assembly Bills S4710(a)/A00936 to include residential Tax Credits at the same level as other renewable energy sectors for residential Thermal Bio-mass would spur growth in this renewable energy sector, and help create markets and competition in existing markets,

WHEREAS amending S4701(a)/A00936 would assist in promote and facilitate a long-term sustainable policy to attract secondary wood product manufacturers to the Adirondacks, reduce the export of high quality hardwood, and to provide private sector jobs, Now therefore, be it

RESOLVED that the Thurman Town board supports the position of the Town of Saranac, and calls upon the Governor and the Legislature to expand Bills S4710(a)/A00936 to include Residential thermal bio-mass Tax Credits at the same level as other renewable energy alternatives. Be it further

RESOLVED that copies of this Resolution be sent to Governor Cuomo, the members of the State Legislature that represent the communities of the Adirondack Park, and the Town of Saranac.

On a motion by **Councilwoman Seaman**, seconded by **Councilman Smith**, Resolution # 52 was approved.

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

RESOLUTION #53:

Resolution Recognizing Private Road for E911 Purposes

WHEREAS, Warren County requires the naming of private roads for E911 address purposes, and

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WHEREAS the subdivision of Daniel and Lorrie Smith necessitates the naming of the private road into the residences so that E911 addresses can be assigned by Warren County, be it

RESOLVED that the Town of Thurman recognizes the private road off of Zaltz Rd, leading to the property currently owned by Daniel and Lorrie Smith as being named Everts Road, and be it further

RESOLVED that this road shall be a private road not maintained by the Town.

On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, Resolution #53 was approved.

MOTION CARRIED: 4 AYES ~ WOOD, GALUSHA, EDDY, SEAMAN

1 ABSTAIN ~ SMITH

RESOLUTION #54:

Resolution Granting Subdivision

WHEREAS, the Thurman Town Board received a request for subdivision at its regular meeting in May of 2014 for parcel 221.-2-35, a 30 +/- acre parcel owned by Daniel and Lorrie Smith, and

WHEREAS the Adirondack Park Agency has issued a Jurisdictional Determination that indicated the Agency would not require a permit on the subdivision as proposed, and

WHEREAS the Thurman Town Board held a public hearing on the proposed subdivision on June 10, 2014 at which time all those wishing to comment on the subdivision were heard, now therefore, be it

RESOLVED that the Town Board approves the subdivision of 5 +/- acres from the original 30 +/- acres as described in the project narrative on file in the Town Clerk's office, and be it further

RESOLVED that the Town Supervisor is authorized to execute any necessary documents regarding this subdivision.

On a motion by **Councilwoman Seaman**, seconded by **Councilman Galusha**, Resolution #54 was approved.

MOTION CARRIED: 4 AYES ~ WOOD, GALUSHA, EDDY, SEAMAN

1 ABSTAIN ~ SMITH

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RESOLUTION #55:

Resolution Approving Advertisement

WHEREAS, the Thurman Town Board received a request from Laurie Prescott Arnheiter to advertize the town and its events in the Dining and Entertainment Guide, and

WHEREAS the Town has done so in previous years, and

WHEREAS half the cost of the ad will be reimbursed to the town as part of Warren County's First Wilderness Corridor, be it

RESOLVED that the Town Board authorizes a half page ad in the amount of \$645 to be funded by Occupancy tax, and be it further

Resolved that the Town Board authorizes the Supervisor to pay this cost immediately and the Board will audit the claim's payment at the next regular Board meeting.

On a motion by **Councilwoman Seaman**, seconded by **Councilman Smith**, Resolution #55 was approved.

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

RESOLUTION #56:

Resolution to Advertise for RFP for Painting of the Town Hall

WHEREAS, the Thurman Town Hall is in need of repainting, and

WHEREAS the Town Board wishes to have the repainting completed this year, be it

RESOLVED that the Town Board requests proposals for the repainting of the Thurman Town Hall, located at 311 Athol Rd, Athol, NY with the project to be completed no later than October 1, 2014. All proposals must comply with any local, federal, or state laws, including any prevailing wage requirements, and must be submitted, sealed and clearly marked as a proposal for the painting of the Town Hall, to the Town Clerk no later than 4 pm on August 11th, 2014. Bids will be opened on August 12th, 2014 at 7pm during the Town Board's regularly scheduled meeting. The Town Board reserves the right to reject any and all bids and/or proposals. Be it further

RESOLVED that the Town Clerk shall submit the notice of this request for proposals in the Town's official newspaper no later than June 13, 2014.

On a motion by **Councilwoman Seaman**, seconded by **Councilman Galusha**, Resolution #56 was approved with the inclusion of October 01, 2014 as the date for completion.

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

RESOLUTION #57:

Resolution to Advertise RFQ for Door Replacement

WHEREAS, the Thurman Town Hall is in need of new doors at the main and kitchen entrances of the building, and

WHEREAS a recent fire inspection has indicated that the Town should change its door to have crash bars for improved safety of the public and employees, be it

RESOLVED that the Town Board requests quotes for the purchase and installation of 6 doors, four of which shall have crash bars installed which meet any local, state, and federal codes and two doors which shall serve as vestibule doors, which will remain unlocked and open at all times. Quotes must be submitted sealed and clearly marked as a quote for door installation, to the Town Clerk no later than 4 pm on August 11th, 2014. Bids will be opened on August 12th, 2014 at 7pm during the Town Board's regularly scheduled meeting. The Town Board reserves the right to reject any and all bids, quotes, and/or proposals. Be it further

RESOLVED that the Town Clerk shall submit the notice of this request for proposals in the Town's official newspaper no later than June 13, 2014.

On a motion by **Councilwoman Seaman**, seconded by **Councilman Smith**, Resolution #57 was approved.

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

Councilman Smith asked if there was enough money budgeted for both these projects.

Supervisor Wood said that there was \$10,000.00 budgeted and that we'll try to get as much done as possible.

APPROVAL OF CLAIMS:

On a motion by **Councilwoman Seaman**, seconded by **Councilman Galusha**, the town board approved vouchers #'s 2014-365 thru 2014-407 for a highway fund, general fund and capital projects fund grand total of \$34,845.95.

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

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PRIVILEGE OF THE FLOOR:

The following people spoke from the floor

Perky Granger

LETTERS:

Letters were read from **Deb Runyon Treasurer, Thurman EMS** and **Richard Bardi. Attached**

ADJOURNMENT: On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, the meeting was adjourned at 7:47 pm.

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

Respectfully Submitted:

Cynthia R. Hyde
Town clerk
06/24/2014

Attached: Warrensburg EMS report, letter from Deb Runyon Thurman EMS and letter from Richard Bardi

DATE	IPCR #	PRIORITY	CHIEF COMPLAINT	ENROUTE TO ONSCENE TIME
5/4/2014	14-14496	ALS	ALLERGIC REACTION	7 MINS
5/11/2014	14-15253	ALS	SYNCOPE	16 MINS (ZALTZ RD)

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Stephen W. Emerson
Operations Manager

Phone – (518) 232-0817
Fax – (518) 623-3651
Email – tek910@nycap.rr.com

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

June 10, 2014

Thurman Town Board Members,

Attached you will find the run totals for May 2014. We handled 2 calls in Thurman in May and our average response time was 11½ minutes to arriving on-scene. Both calls were ALS emergency response calls.

Our Open House on May 17th was well attended by residents of both Thurman and Warrensburg. We will be planning another open house next year. Once again we have a quilt to raffle as a fundraiser that was graciously donated by Lilly Cameron. The tickets are \$2.00 each or 3 for \$5.00. We will be drawing for the quilt on December 7th at the Christmas in Warrensburg festivities. If you would like tickets please let me know.

We are temporarily down an ambulance due to a blown motor. This is being replaced as we speak and should be back in service later this week. We still have two ambulances in service and we are responding to all calls without difficulty. On a better note, we have 2 new Board of Directors that joined us last month. Father Tom Pettigrew from the Episcopal Church in Warrensburg and Tom Swertner, a resident of Thurman. We are very pleased to have these new Board members and both bring varied EMS knowledge and experience to the agency.

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

June 10, 2014

June 6, 2014

To the Thurman Town Board:

Thurman Emergency Medical Services, Inc. has struggled for the past several years to continue providing service to the residents of Thurman. It has become apparent that even our attempt to create a First Response Agency is not a viable solution. We are now forced to face the reality that we must sell our building and continue with a corporate dissolution. Prior to putting the building on the real estate market, we would like to offer it to the town of Thurman so that it can be utilized by the residents of the town.

In order to meet the financial obligations associated with the building, we would need to net approximately \$65,000. This would cover the mortgage to TD Bank, a small FASNY loan, and several small debts that need to be paid such as final tax return and filing fees for dissolution.

If you are interested, please contact Debbie Runyon or Lorrie Smith for further discussion.

I sincerely hope that the Town will want to purchase the building for the benefit of Thurman residents.

Thank you for your interest in this matter.

Deb Runyon
Treasurer, Thurman EMS

June 10, 2014

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

Madam Supervisor and Thurman Town Board Members:

My May 12, 2014 letter to the Board emphasized the economic consequences to the Town if all the expenses of the white space project were not accounted for, and if the revenue relied on to pay those expenses was not guaranteed by contract. Keep in mind, that any expense not covered by white space subscribers will be a cost to the Town, and will have to be paid with tax money from some Town fund. The money won't magically appear, it will have to be taken away from something else the Town needs.

After the Town Clerk read my letter to the Board, Supervisor Wood asserted that my letter was "grossly inaccurate", and that she wanted that comment noted in the record.

During privilege of the floor, I asked Supervisor Wood to state what errors she had noted. Her reply was:

"When I have a copy of your letter and some time, there is a lot of incorrect information there. I would be happy to take it apart and make notes for you, and if you can get me an email address or something, I'd be happy to send them all over to you."

The next day, Wednesday May 14th, I sent Supervisor Wood an email that read:

Supervisor Wood,

Pursuant to your request, this is to provide my email address for receipt of your analysis of the letter I sent to you and the Town Board dated May 12, 2014.

*Regards,
Richard Bardi*

Supervisor Wood did NOT reply to my email. Although she publicly alleged "a lot of incorrect information", in the four weeks since then, Supervisor Wood could not find even one error to put in an email to me. I reviewed my letter and stand by its' factual accuracy; I'm sure the Supervisor would not hesitate to publish a list of factual errors if there really was any error in my letter.

During privilege of the floor, when I referred to the spreadsheet in her meeting packet as a "break even spreadsheet", Supervisor Wood interrupted me mid-sentence:

"Mr. Bardi, it's not a break even spreadsheet."

In point of fact, I was merely using her words from the week before at the May 6th Workshop. Speaking to Fred Engelmann, Supervisor Wood said:

*"remember the spreadsheet Fred you had sent us the, the um projected if you had two subscribers for a little while and if you had four and how much revenue you would have if you were the provider versus how much revenue the Town would be coming in so that we could have a better idea as to how quickly the system would start to **break even with the monthly cost.**"*

In response to a question from Dan Smith, Fred acknowledged that he had only included the cost for the connection to Frontier, no other expense was accounted for. Fred's next comment was very revealing:

"if there's concern about the cost of electricity, the \$50 a month was what I proposed; I mean if the Board decided to make it \$60 a month, the thing is that you start losing uptake, you know the rate drops as you raise the price up, so its easy enough to raise the price to 60 or 70 bucks a month to be sure to cover every conceivable cost."

Curiously, the cash flow analysis I submitted to the Board last month, showed that there would need to be 50 subscribers right from the first month, and signed up for five years at \$72 per month, in order for the Town to break even in five years. But the problem, as Fred noted, is that the "uptake", which is the number of subscribers, will likely drop as the monthly price goes up from \$50 to \$72 per month.

If Supervisor Wood finds real world economic facts are too inconvenient for her to deal with, she will have to find some other way to vent her frustration, merely blaming the messenger can not change the economic realities.

I cherish my good name and reputation, and will not have them besmirched with false accusations. Remembering the truth from one week to the next is easy, because truth never changes.

Please attach this letter to the meeting minutes.


Richard Bardi

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