

**MINUTES OF THE FISCAL AND REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN HELD AUGUST 12, 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 by **Evelyn Wood, Supervisor.**

**PLEDGE ALLEGIANCE TO THE FLAG**

**ROLL CALL**

**QUICK ANNOUNCEMENT:**

**Supervisor Wood** said that she would like to make a quick announcement before moving on with the agenda.

For folks not familiar with town board procedure **Wood** explained that no one town board member can act independently outside the board, they cannot act or commit the board to any program or policy. **Supervisor Wood** added that a town board meeting can be held on the call of the supervisor or when requested in writing by two board members or by resolution by the town board. Considering the aforementioned statement, **Supervisor Wood** said that she was surprised when the DEC contacted her about attending the August 21<sup>st</sup> meeting purportedly called by **Councilman Eddy**. **Supervisor Wood** criticized **Councilman Eddy** for thinking that he had the authority to arrange anything. **Wood** said that apparently

her words at the last meeting regarding conducting town business out of the eyes of the public fell on deaf ears. **Wood** then continued to criticize **Councilman Eddy** for calling a meeting, not bothering to check the availability of the town hall and supposedly conducting town business in secret. **Supervisor Wood** then predicted that she expected to see one of three things happen tonight, a letter from 2 board members demanding a meeting, a board vote to call a meeting and an order for her to kick everyone out of the hall (who might that night be using or renting the hall) or nothing.

**Councilman Eddy** tried to answer these accusations and **Wood** refused to allow **Eddy** to speak saying that he could speak during the appropriate portion of the meeting as set by the agenda.

**APPROVAL OF THE MINUTES:**

The July 15, 2014 minutes were not brought up for approval because **Supervisor Wood** said she had issues with them. **Supervisor Wood** said that there was a motion by a board member missing; **Supervisor Wood** stated that missing from the minutes was a motion by **Councilman Eddy** to disband the DEC project and build a highway garage on River Road. **Supervisor Wood** also said that on page 7 when the board did a resolution to get quotes for well drilling the minutes should have read that it would be done in a manner specified by the town's attorney.

**BIDS OPENED AT 7:00 PM:**

**Painting:**

**Frederick Murphy - \$7925.00**

**Jim Brewer - \$4250.00**

**Leary & Mingo - \$29,105.00**

**Rozell Industries - \$16,564.00**

**All \*In \* Painting Co. - \$8,900**

**Well Drilling:**

**Rosick Well Drilling** - \$14.00 per foot for drilling, \$14.00 per foot for casing, \$350.00 for drive shoe, well cap and grouting

No action was taken.

**REPORTS:**

**Councilman Smith** talked about maintaining the cap at the land fill

**Councilman Galusha** gave the EMS report

**CALL OF SPECIAL MEETING:**

**Councilman Galusha** made a motion to call a special meeting that would be attended by two NYS DEC officials who would answer questions concerning the salt shed and mining in the Town of Thurman. **Galusha** said that the DEC has offered three different nights they could be available to attend a board meeting. **Councilman Galusha** and **Councilman Eddy** talked previously about possibly calling an informational meeting with DEC officials who had offered (through **EDDY**) to talk to the town board. **Supervisor Wood** was aghast and proceeded to accuse **Galusha** and **Eddy** of conducting town business in secret, making commitments to hold town board meetings and pursuing the DEC. **Galusha** reminded **Wood** that two board members may talk to each other. **Wood** accused **Galusha** and **Eddy** of conducting town business in secret a second time by saying that: yes, yes, absolutely, then a third one can discuss and a third one can discuss and a third one can discuss.

Available dates were discussed. **Councilwoman Seaman** accused **Galusha** of blindsiding them and wanted to have the DEC come to a regular meeting instead. **Councilman Galusha** couldn't see any harm in being able to ask the DEC questions at a special meeting and wasn't blindsiding anyone. **Councilman Eddy** said that he would like to have the meeting with the DEC (which the DEC volunteered to do) to get direct information that the town board was not able to get from the Supervisor.

At this point in the meeting a box was brought forth containing 20 thick packets of documents (pertaining to the salt shed project) copied at the Supervisor's expense. **Supervisor Wood** handed out these copies and said that she has had this information from the beginning of time, it feels like. For the next 15 minutes **Wood** went through the Documents and described them. **Wood** finished by saying that the information has been sitting in my office and the board members could have come up anytime if they wanted to. **Supervisor Wood** said the plan (for the salt shed project) should not be changed now, she feared having the town fined and that the board had never discussed this in public. **Councilman Galusha** said that was incorrect because he had requested at a prior board meeting that the salt shed not be put back on the hill. **Councilwoman Seaman** wanted to know why somebody was bent on putting it (salt shed) on the River Road and what exactly they were purposing. **Councilman Eddy** said he wanted to rescind the resolution to move forward with the salt shed (July Regular meeting) until we can gain more information. **Supervisor Wood** questioned **Eddy** and **Galusha** to see how many times they had contacted the DEC. When **Wood** found out that **Galusha** hadn't contacted the DEC she admonished him saying she assigns committees and had assigned him as liaison to the DEC and that he should take care of that project. **Galusha** said that a liaison takes info between two groups and since there is no committee for the salt shed project it's hard to liaison between here and nothing. Next **Supervisor Wood** criticized **Councilman Eddy** for contacting the DEC when he was not the liaison. **Supervisor Wood** said that she assigns liaisons according to expertise. **Supervisor Wood** continued to berate **Councilman Eddy** and **Councilman Galusha** for trying to call a special meeting, doing a terrible job of running the town, drumming up quorums and halting progress of the salt shed project. When **Wood** finished **Councilman Galusha** said "you're making accusations Evelyn and that's not very nice".

**Councilwoman Seaman** and **Supervisor Wood** insisted that **Councilman Eddy** made a motion (at the July regular meeting) to stop proceeding with the DEC (salt project) and build a new Highway complex on River Road. **Wood** insisted that was what **Councilman Eddy's** motion consisted of because she heard it on the audio of the meeting. **Councilman Eddy** said he made a motion to rescind the resolution

about the salt shed until we can gain more information and the audio would prove that.

**Councilman Smith** said that he would like to include a discussion on well drilling with the DEC at the special meeting.

After 42 minutes of discussion on a motion by **Councilman Galusha**, seconded by **Councilman Eddy**, a special meeting was called to be attended by Mr. Baine and Mr. Lupo of the DEC for information on mining, the salt shed project and well drilling procedure.

**MOTION CARRIED:**

**ROLL CALL: GALUSHA - YES, EDDY - YES, SMITH - YES, WOOD - NO, SEAMAN - NO**

**REPORTS CONTINUED:**

**Councilwoman Seaman** gave a report on the food pantry, gleaning, Thurman Youth Commission and the highway department.

**Councilman Eddy** reported on the veterans roll.

**Supervisor's Report:**

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

**JOHN THURMAN: Delbert Chambers** invited everyone to attend a commemoration of John Thurman with the Johnsburg Historical Society September 13, 2014 at 2 pm.

**AUDIT:**

**Supervisor Wood** said that she requested an audit of garbage bags and an inventory of garbage bags from the Town Clerk last March. Although **Wood** said she didn't think there was a problem the audit hasn't been turned in and the inventory was terrible.

**OLD BUSINESS:**

There was public comment regarding the August 06, 2014 special meeting. The following people spoke Mary Eddy, Steven Seaman, Gary Martin and Marilyn Youngblood.

**VOLUNTEERS:**

**Supervisor Wood** said that a number of people have volunteered their time to build the salt shed. **Wood** called the town's insurance company and they didn't have an issue with it. **Supervisor Wood** stated that it shows's community spirit. **Councilman Galusha** said it's going to take some time. **Councilwoman Seaman** added that the Highway Superintendent is trying to make time to get this started and that we can work with **Pat Wood** to arrange this.

**DISCUSSION:** There was more discussion about some town board members not seeking or not getting information from the Supervisor with the Supervisor suggesting they see the foil officer for the information. This led to a discussion and disagreement on foil and the foil officer's duties between the Supervisor and the Town clerk.

**NEW BUSINESS:**

**RETAIN PORTABLE TOILETS:**

**Jim Ligon** asked that the portable toilets be retained for the Fiddlers Jamboree instead of being removed after the last concert. The town board agreed to retain the toilets as long as JTHS totally reimbursed the town for the toilets.

**RESOLUTION #58:**

**Resolution to Ratifying Action**

*WHEREAS at the Town Board voted to approve the disbursement of any remaining occupancy tax funds to the remaining events to be held in the Town this year,  
and*

*WHEREAS the remaining events were the Thurman Station Showcase and the Fall Farm Tour which are both organized by the Thurman Station Association, and*

*WHEREAS the remaining occupancy tax funds in the amount of \$2,215.00 has been disbursed to the Thurman Station Association for the two events, now therefore be it*

*RESOLVED that the Board ratifies the expenditure in the amount of \$2,215.00 from Occupancy tax funds as previously directed by the Board.*

On a motion by **Councilwoman Seaman**, seconded by **Councilman Smith**, Resolution #58 was approved.

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

**RESOLUTION #59:**

**Resolution to Authorizing and Intermunicipal Agreement between the Town of Thurman and Warren County**

*WHEREAS Warren County intends to replace a Valley Road bridge over Patterson Creek in 2015, and*

*WHEREAS Warren County has made know to the Town of Thurman that the County could replace the Combs Road bridge over Patterson Creek as part of the project to allow traffic to be detoured around the Valley Road construction site, allowing for accelerated construction techniques to be implemented at that location, and*

*WHEREAS it would be very beneficial to the Town of Thurman to have the Combs Road bridge replaced, and*

*WHEREAS the total estimated cost for this project is \$480,350 with the town of Thurman funding the local match share of the project at an estimated cost of \$8,467.50 and*

*WHEREAS it is necessary for the Town to enter into an intermunicipal agreement with Warren County regarding the project, be it*

*RESOLVED that the Town Board approves of this project and agrees to deposit eight thousand four hundred sixty seven dollars and fifty cents (\$8,467.50) in an escrow account as per the intermunicipal agreement with the source of funding to be Highway Fund Balance, and be it*

*FURTHER RESOLVED that the Town Board hereby authorizes an intermunicipal agreement with Warren County and authorizes the Supervisor to sign any necessary documents for the project and make the necessary deposit in an escrow account as per the agreement.*

On a motion by **Councilwoman Seaman**, seconded by **Councilman Galusha**, Resolution # 59 was approved.

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

**RESOLUTION # 60:**

**Resolution to Approving Renewal of Permit**

*WHEREAS the Town's permit for mining operation at the Erving Baker Road location is due for renewal, and*

*WHEREAS the Town Board wishes to renew its permit, and*

*WHEREAS the documents for the renewal of the permit have been completed, be it*

*RESOLVED that the Thurman Town Board hereby authorizes the submission of the permit renewal and further authorizes the Supervisor to sign any necessary documents.*

On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, Resolution # 60 was approved.

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

**RESOLUTION # 61:**



**Resolution to Establishing Warren County as Lead Agency for the Warren County Snowmobile Trail System and Acknowledge Review of Short Environmental Assessment Form**

*WHEREAS Warren County has prepared a Short Environmental Assessment Form in regards to snowmobile trails through the Town, and*

*WHEREAS the snowmobile trails in the town have been reviewed and the proposed action consists of adding local snowmobile trails and reroutes through the use of new GPS data provided by the Thurman Connection Snowmobile Club to the Warren County Snowmobile System, and*

*WHEREAS this will assist with the eligibility for the New York State Office of Parks, Recreation, and Historic Preservation Snowmobile Trails Grant-in-Aid Program, be it*

*RESOLVED that the Town of Thurman has received and reviewed the completed Short Environmental Assessment Form and has no exception to Warren County acting as Lead Agency for this project.*

On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, Resolution # 61 was approved.

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

**RESOLUTION # 62:**

**Resolution to Request Proposals**

*WHEREAS the Town of Thurman has drilled a well at its 311 Athol Rd, Athol, NY location, and*

*WHEREAS the twenty-four hour pump test, and water test results are positive and the Town needs to move forward with the project to hook up the Town buildings and a single residence to the well, be it*

*RESOLVED that the Town of Thurman is going to request proposals to attach the town buildings and a single residence to the well located on Veteran's Field at 311*

*Athol Rd, Athol, NY. All proposals must be in accordance with plans provided by the Town's engineer. All pipes must be buried a minimum of five (5) feet. All pipes must be HDPE SDR-9. Existing pipe sizes and connections are to be field verified. All applicable local, State, and federal regulations, including prevailing wage if applicable, shall be followed during construction. Contractor shall adhere to OSHA safety guidelines for trench work. The contractor shall contact "DIG SAFE" prior to construction and shall preserve any existing utilities not indicated for removal. All disturbed topsoils, turf, concrete, asphalt, and/or driving surfaces are to be restored to their original condition. All new pipes and plumbing are to meet or exceed all NYSDOH and AWWA standards. The contractor shall coordinate with the Town's engineer during construction. The Town of Thurman retains the right to reject any or all proposals. Plans may be inspected in the Supervisor's Office Monday through Friday from 9am-1pm or by appointment. Questions regarding the project should be directed to the Town Supervisor's Office at 518-623-9649. Proposals should be clearly marked Well Project and mailed to the Thurman Town Clerk, PO Box 29, Athol, NY 12810 and must be received no later than September 8, 2014.*

*Proposals will be opened September 9, 2014 at 7pm.*

On a motion by **Councilwoman Seaman**, seconded by **Councilman Galusha**, Resolution # 62 was approved.

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

**RESOLUTION #63:**

**Resolution to Establish Enterprise Fund**

*WHEREAS the Town of Thurman has commenced a project to bring high speed internet into areas of the Town, and*

*WHEREAS it is necessary to keep expenses and revenues for the white space system separate from the town's other funds to ensure accurate accounting, and*

*WHEREAS the white space project is intends to use fees and charges to recover its costs, and*

*WHEREAS enterprise funds are funds used by local governments to account for activities where a fee is charged to those who use a service, now therefore, be it*

*RESOLVED that the Town Board authorizes the creation and implementation of an enterprise fund to account for the operation of the white space internet system.*

On a motion by **Councilwoman Seaman**, seconded by **Councilman Galusha**, Resolution # 63 was approved.

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

**1 NAY ~ EDDY**

**RESOLUTION # 64:**

**Resolution to Adjust Budget**

*BE IT RESOLVED that the Town Board authorizes the following budget adjustment:*

*From*

*To*

*5140.4 Misc PS - \$1,250*

*5130.4 Machinery CE - \$1,250*

On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, Resolution #64 was approved.

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

**RESOLUTION # 65:**

A resolution to retain Stone Industries portable toilets thru the fiddlers Jamboree with total reimbursement for the extra days from the JTHS.

On a motion by **Councilman Galusha**, seconded by **Councilman Smith**, Resolution # 65 was approved.

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

**RESOLUTION # 66:**

A resolution to approve a contract with Alonzo Fireworks for \$3,250.00 to display fireworks at the last Town of Thurman Summer Concert on August 25, 2014.

On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, Resolution # 66 was approved.

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

**1 NAY ~ EDDY**

**APPROVAL OF CLAIMS:**

On a motion by **Councilwoman Seaman**, seconded by **Councilman Smith**, the town board approved vouchers #'s 2014-502 thru 2014-537 for a highway fund total of 8,953.43, a general fund total of \$9,611.81, a capital reserve total of \$4,319.70 and a grand total of \$22,884.94.

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

**PRIVILEGE OF THE FLOOR:**

The following people spoke during privilege of the floor **Brian Angell, Jerry Cameron, Sally Wallace, Jerry Shapiro, Jean Coulard, Joyce Eddy, Mary Eddy, Winnie Martin** and **Richard Kline**

**LETTERS:**

A letter was read from **Brian Angell** and a letter was read from **Mike Eddy**.  
**Attached**

**ENGINEERING INVOICE:**

**Supervisor Wood** asked **Councilman Eddy** if he could explain a \$1,600.00 invoice back in May or June for 18 1/2 hours of work by Mark Suozzo. **Wood** said that she wanted to know how the town ended up paying for this report that wasn't approved by the town board or ordered by the Highway Superintendent. **Supervisor Wood** insinuated that either Pat Wood or Mike Eddy was not being

truthful. **Supervisor Wood** stated that someone here is not telling me straight and that she likes to think that Pat Wood is honest with her. **Councilman Eddy** stated that there was no request on his part. **Councilman Smith** asked if we got the report we paid for. **Supervisor Wood** said that **Smith** had one in his box and that **Pat Wood** personally gave him a copy at the IGA in Warrensburg and that Smith said oh good. **Councilman Smith** said he didn't know where **Supervisor Wood** got that from because it wasn't true. **Supervisor Wood** said she got that information from **Pat Wood** himself. **Wood** went on criticizing and accusing **Councilman Smith** of a few more things.

**MORE PRIVILEGE OF THE FLOOR:**

**Marilyn Youngblood, Brian Angell and Jean Coulard spoke**

**ADJOURNMENT:** On a motion by **Councilwoman Seaman**, seconded by **Councilman Smith**, the meeting was adjourned at 9:51 pm.

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

**Respectfully Submitted:**

**Cynthia R. Hyde**  
**Town clerk**  
**08/26/2014**

**Attached: Letters from Brian Angell and Mike Eddy**

8/8/14

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

Evelyn & Board Members,

At the July board meeting, Mrs. Seaman, adamantly told the balance of the Board members and the public that the Town of Thurman rock & sand pit off River Road was in the flood plain or flood zone.

See the attached FEMA flood zone map received from Warren County Soils and Water. The 153 acres is not in the flood zone or plain. The pit itself is 4/10 mile from the river.

At the July board meeting, Supervisor Wood, said, "a couple of years ago we looked at River Road. "I brought it to the floor." "When Bob Hitchcock was on the board we had workshops on it."

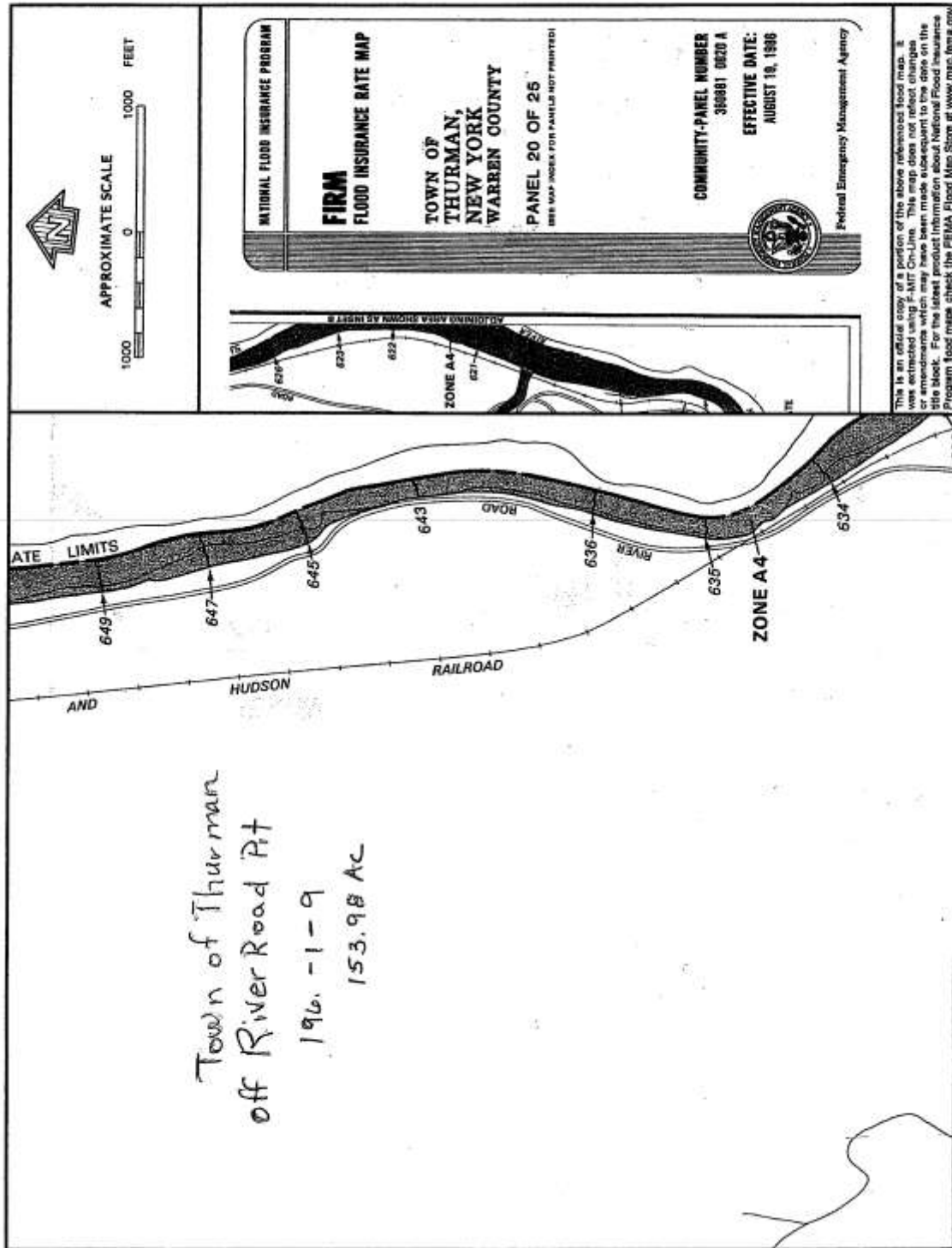
Bob Hitchcock was on the board from June 2012 through December 2012. In the minutes, there is not any mention of the River Road discussion and No workshop included.

Was this one of those meeting on the side that Supervisor Wood accused the current board of?

The recorded minutes on line are well worth listening to.

Sincerely,

*Bruce R. Angell*  
*Put in minutes*



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

To: Thurman Town Board and Public August 8, 2014

It was stated by Supervisor Wood at her Special meeting August 6<sup>th</sup> that, “ the gentlemen on this board had “decided” to build a new highway complex on River Road.

That statement is not true. We have not decided to build a complex anywhere. The Supervisor would have you believe it is a crime for board members to gather information themselves, instead of relying only on regurgitated information.

Placing the salt shed back in the same location does not look at long term goals the town should be planning for. It is not efficient or cost saving to load the sand each summer, transport it to the current highway garage, pile it, mix it as needed and load it again for storms. It wastes highway employee time, cost of fuel, wear and tear on the trucks and equipment.

The town highway garage is an energy guzzling dinosaur. At some point in time that will need to be replaced. The town board should not put their head in the sand. Plan for the future, gather information. Not be closed minded.

The Supervisor stated a second time, that “ I made a Motion to build a new highway complex on River Road,” at the July regular meeting. “No notice to the public, no discussion by the Board, no public hearings, no answers to any of the list of questions.”

Again that was totally untrue. Listen to the recorded meeting minutes. Supervisor Wood said she had included in the May Special Meeting resolutions, #50, moving forward with the salt shed in the current location. I “made a Motion to Rescind that resolution to move forward.” Not build a new highway complex anywhere.



The Supervisor stated, " Pat Wood had contacted the town engineering firm and ordered a draft set of plans for a 6 bay highway garage which was a result of my talking with Pat."

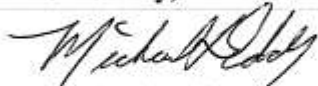
She also said, "this resulted in an expense the Board didn't authorize."

This was the 4<sup>th</sup>, among many blatant false statements in her speech to the public.

Many towns in the area have built town garages in recent years. The town engineer was asked if he had a copy of a floor plan of any previously built town garage for review only. If the engineer charged the town for that he is bilking the town.

Gathering information is the process to make informed decisions.

Sincerely,



Michael Eddy

Please include in meeting minutes - 8/12/14