

**MINUTES OF THE FISCAL AND REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN HELD SEPTEMBER 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**

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**:

**July 15, 2014 regular meeting**: On a motion by **Councilman Eddy**, seconded by **Councilman Smith**, the minutes of the July 15, 2014 regular meeting were approved.

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

**August 06, 2014 special meeting**: **Supervisor Wood** said that she would like her statement included in the minutes for consistency and because she supplied the clerk with the statement to include in the minutes. According to town board meeting procedure, if a board member requests a statement be included in the minutes the clerk must do so. **Supervisor Wood** reviewed her speech and pointed out several facts and said that she felt the speech contained more than just her

personal account. On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, the minutes of the August 06, 2014 special meeting were approved with the addition of **Supervisor Wood's** speech.

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

**August 12, 2014 regular meeting: Supervisor Wood** stated that she would like to hold off on the August 12, 2014 minutes. **Supervisor Wood** said that when she read it she found over 13 errors and also had a complaint from the press regarding these minutes. The town clerk asked what the errors were but the supervisor refrained from answering and continued on with the meeting.

**REPORTS:**

**Councilman Smith** discussed using vinyl siding on the town hall instead of paint because of lead abatement. **Councilman Smith** also asked about the landfill cap. **Supervisor Wood** said that no definite date was set for maintaining it but it would get mowed this fall when things were slow. **Supervisor Wood** stated that we had our landfill water testing reduced, one of the concerns was turbidity. **Wood** said that some of the wells will need some work, she wasn't 100% sure what the issues are but will have the engineering team look into it and will let the board know the results.

There was discussion on maintenance of the buildings and **Councilman Smith** said the town hall isn't looking to good and no bids were received for new doors. **Supervisor Wood** suggested having a maintenance person on call or per diem.

**Councilman Galusha** apologized for not making the special August 27, meeting explaining that he had to stay at work that night. **Councilman Galusha** also gave the EMS report. Attached

**Councilwoman Seaman** said that the youth Halloween party was set for October 25 and that cookie donations were appreciated.

**Councilman Eddy** reported on the veteran's roll and said he got 85 names off of the tax rolls. **Supervisor Wood** suggested cemetery lists might be helpful.

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

**OLD BUSINESS:**

**Meeting: Supervisor Wood** said that there was a meeting last Friday September 5th for people who were interested in volunteering for construction of the salt shed. **Supervisor Wood** said that 15 people showed up and more have called, we went over plans and are looking to move ahead with construction. **Wood** thanked everyone for their interest in helping with the project.

**Well Remediation:**

**Supervisor Wood** said that the town attorney recommended having the town engineer prepare a recommendation on each property (affected by salt contamination). **Supervisor Wood** said that she would call everyone in once she gets the recommendations so we can act quickly. **Councilman Smith** asked if this includes the first party that we are dealing with that is not a drilling deal.

**Supervisor Wood** said that yes that's correct it's a recommendation of remediation for each of the individual properties depending on the needs of those particular individual properties. **Councilman Smith** stated, so we're having him engineer something for the first party. **Supervisor Wood** said that we're not having him engineer anything that's all engineered already. **Councilman Smith** asked, where do we stand on that one (first party). **Supervisor Wood** said that we may or may not have bids tonight, once we know we'll know where we are going with that one.

**Councilman Eddy** asked if the engineer would write up something for the well drillers pertaining to the salt plume. **Supervisor Wood** said that the engineer would prepare what is necessary once the board has approved the recommendations.

When the recommendations are finished **Councilman Smith** and **Councilman Galusha** wanted to have a special meeting or handle it at the budget presentation meeting so the board could act quickly.

**NEW BUSINESS:**

**Supervisor Wood** said that budget requests are due on September 20<sup>th</sup>.

**Budget presentation:** On a motion by **Councilman Smith**, seconded by **Councilwoman Seaman**, a budget presentation meeting was called for September 30, 2014 at 7pm.

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

**POINTS OF INTEREST:**

Johnsburg Historical Society event September 13, 2014

Veteran's dinner October 7, 2014 –food donations needed

Fall Farm Tour

Several tourist busses have visited Thurman

Town Offices closed October 13, 2014

**RESOLUTION # 67:**

**Resolution to Adjust Budget**

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

<i>From</i>	<i>To</i>
<i>DA5140.1 Misc PS - \$3,750.00</i>	<i>DA5130.4 Machinery CE - \$6,312</i>
<i>DA5130.2 Machinery EQ - \$3,262</i>	<i>DA5110.4 General Repairs CE - \$700</i>
<i>Total \$7,012</i>	<i>Total \$7,012</i>
<i>A1990.4 Contingency - \$300</i>	<i>A8810.4 Cemeteries - \$300</i>
<i>Total \$300</i>	<i>Total \$300</i>

On a motion by **Councilwoman Seaman**, seconded by **Councilman Smith**, Resolution # 67 was approved.

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

**RESOLUTION # 68:**

**Resolution to Reject Bids**

*WHEREAS the Thurman Town Board requested bids on the installation of up to three wells, and*

*WHEREAS the bid process is intended to prevent prior knowledge of the details of the bidders' proposals in order to make bids competitive and obtain the best price possible for the town, and*

*WHEREAS more than one Town Board member spoke to one or more of the bidders or potential bidders, now therefore,*

*BE IT RESOLVED that the Thurman Town Board rejects all bids received as a result of the Town's request for bids on the drilling of up to three wells opened on August 12, 2014.*

On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, Resolution # 68 was approved.

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

**1 NAY ~ EDDY**

**Councilman Eddy** said that he disagreed with the way this resolution was written. **Councilman Eddy** stated that there were no questions about the details of the bidders proposals they were questions about how the well is done. **Councilman Eddy** wanted this information to bring back to the board to have more of a description than just a run for foot.

**Supervisor Wood** said that she had discussed this matter thoroughly with **Attorney Mark Schachner** and that he said the bids are meant to be a blind process. **Supervisor Wood** stated that we (the town board) shouldn't have any communications between the board and anyone who is a prospective bidder simply because there could be issues. **Supervisor Wood** said that another town

ended up in court for a similar thing, it was found that the board members didn't do anything wrong but it cost the town \$20,000.00 to prove it. **Wood** said that the safest and least expensive way to do it is to reject the bids, that is the advice of our town attorney.

**RESOLUTION # 69:**

**Resolution to Award White Space Operations**

*WHEREAS the Thurman Town Board requested proposals for the operations of the white space internet system being constructed by the Town, and*

*WHEREAS the Town received a bid from Adirondack Internet/Public Access (AIPA) in response to this request, and*

*WHEREAS it is now time to begin preparing for the operation of the system, and*

*WHEREAS the proposal from Adirondack Internet/Public Access meets the requirements of the request for proposals, now therefore,*

*BE IT RESOLVED that the contract for operation of the town's white space internet system is awarded to Adirondack Internet/Public Access, and be it*

*FURTHER RESOLVED that the contract shall be in the form approved by the Town Attorney and the Supervisor is authorized to sign any necessary documents.*

On a motion by **Councilwoman Seaman**, seconded by **Councilman Galusha**, Resolution # 69 was approved.

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

**1 NAY ~ EDDY**

**RESOLUTION # 70:**

**Resolution to Amend Budget**

*BE IT RESOLVED that the Town Board amends the budget by increasing A6989.4 by \$2,585 to reflect the receipt of funds from the LARAC grant.*

September 08, 2014 regular meeting

On a motion by **Councilwoman Seaman**, seconded by **Councilman Smith**, Resolution # 70 was approved.

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

**2014 STATE OF THE PARK:**

**Supervisor Wood** said that Town of Thurman got two thumbs up in the Adirondack Council Brochure.

**APPROVAL OF CLAIMS:**

On a motion by **Councilwoman Seaman**, seconded by **Councilman Smith**, the town board approved vouchers #'s 2014- 561thru 2014-589 with the exception of 2014-589 and 2014-585 for a highway and general fund grand total of \$23,823.12.

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

**PRIVILEGE OF THE FLOOR:**

The following people spoke during privilege of the floor

**Maria Ligon, Mary Eddy, Winnie Martin and Delbert Chambers**

**LETTERS:**

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

**SUPERVISOR'S RESPONSE TO COUNCILMAN EDDY'S LETTER:**

**Accusation against Councilman Eddy and Highway Superintendent Pat Wood:**

**Supervisor Wood** asked the clerk what the date was on **Councilman Eddy's** letter. The clerk said that the date was August 15. **Supervisor Wood** stated so that was prepared after **Mike** received notice from my office stating the exact same thing. **Supervisor Wood** went on to say I'm just curious, I sent the board members all an email prior to that because **Mr. Suozzo** had sent me the same information , I kind

of find it a little bit funny that we had to go back and have **Tom** prepare it again and send it but that's OK.

**DISCUSSION ON HAVING THE TOWN ATTORNEY ATTEND MEETINGS:**

**Councilman Eddy's** letter suggests having the town attorney attend meetings. **Supervisor Wood** asked **Councilman Eddy** several times how the town board was supposed to pay for it. **Councilman Eddy** said that budget time is coming and we'll have to figure out if we can or we can't (have the attorney attend meetings). **Councilman Smith** said that it could end a lot of our backtracking on some of these issues. **Councilwoman Seaman** stated that we need to remember that **Mr. Schachner** would not be able to speak specifics. **Supervisor Wood** said that he could give advice and executive session could be used for specifics. **Supervisor Wood** said that she would look at the budget tomorrow. **Councilman Galusha** asked what was left this year. **Wood** said that there was \$1,548.50 but some work was not billed yet and suggested maybe another \$2000.00 could be moved. The town board decided that they would look into rates for having the attorney attend board meeting and what day and week would work.

**PRIVILEGE OF THE FLOOR AND CORRESPONDENCE:**

**Councilman Smith** asked if anyone had an opinion on moving privilege of the floor and correspondence. **Supervisor Wood** said that her thought is that the resolutions are online ahead of the board meetings and people can call with questions. **Councilwoman Seaman** said that phone numbers need to be added to the website. **Councilman Eddy** said that he thought privilege of the floor should be moved up. **Councilman Galusha** suggested before resolutions. **Councilwoman Seaman** said that a caveat should be added because some people like to monopolize the issue so limit speaking to once per person. **Supervisor Wood** said that we'll move privilege of the floor before resolutions and give everyone one bite of the apple. No decision was made concerning correspondence.

**ADJOURNMENT:** On a motion by **Councilwoman Seaman**, seconded by **Councilman Smith**, the meeting was adjourned at 7:52 pm.

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



September 08, 2014 regular meeting

**Respectfully Submitted:**

**Cynthia R. Hyde**  
**Town clerk**  
**09/23/2014**

**Attached:**  
**Ems Report**  
**Letter from Brian Angell**  
**Letter from Councilman Mike Eddy**



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*

September 8, 2014

Thurman Town Board Members,

Attached you will find the run totals for August 2014. We handled 8 calls in Thurman in August and our average response time was just over 18 minutes to arriving on-scene. 5 of those calls were ALS and 3 were BLS. We did have 1 extended response time for a priority 2 (non-urgent) call in a very remote part of the Town.

We still have tickets for the quilt that was graciously donated by Lilly Cameron as a fundraiser for WEMS. The tickets are \$2.00 each or 3 for \$5.00. We will be drawing for the quilt on December 7<sup>th</sup> at the "Christmas in Warrensburg" festivities. If you would like tickets please let me know.

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.

**THURMAN CALLS HANDLED BY WARRENSBURG EMS  
JULY 2014**

DATE	PCR #	PRIORITY	CHIEF COMPLAINT	ENROUTE TO ON SCENE TIME
7/1/2014	14-22871	BLS	BACK PAIN	19 MINUTES
7/5/2014	14-23569	ALS	HEAD INJURY	7 MINUTES
7/12/2014	14-24084	ALS	DIFFICULTY BREATHING	22 MINUTES
7/17/2014	14-25402	ALS	CRUSH INJURY	22 MINUTES
7/19/2014	14-25697	BLS	WEAKNESS	8 MINUTES
7/23/2014	14-26245	BLS	ABDOMINAL PAIN	17 MINUTES
7/26/2014	14-26838	ALS	SICK PERSON	7 MINUTES

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

September 5, 2014

Thurman Town Board:

At the December 2013 meeting, I asked if we could have a comment period in the beginning of the meeting before the resolutions. Supervisor Wood said, "Minerva had 2 comment sessions, it worked and it made sense."

At the February 2014 meeting I asked again. Supervisor Wood said, "We do have comments sometimes prior to resolutions and she talked with the board after the meeting to see what their thoughts were." She also said. "We haven't taken any move to change the procedure."

At the April 2014 meeting Mr. Bardi asked if the board was going to consider the suggestion of moving the privilege of the floor prior to the resolutions on the agenda. Supervisor Wood said. "none of the board expressed an interest in moving it." "So, no we are not moving it."

If there was no interest in moving the privilege of the floor and it has remained at the end of the meeting. Was that another sole decision of one board member - the supervisor?

Why was the correspondence moved to the bottom of the agenda after the privilege of the floor?

If it was necessary for the board to express interest in moving the privilege of the floor - Why didn't we hear any discussion of moving the correspondence? Was that again, a sole decision of one board member - the supervisor?

Can the board members be allowed to discuss moving both the privilege of the floor and the correspondence to the beginning of the meeting in the open, instead of "out of the eye of the public" as the Supervisor accused the other board members doing last month?

*Brian Angel*

Brian Angel

*Please submit in  
Town minutes*

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

September 5, 2014

Thurman Town Board and Public,

Supervisor Wood at her Special meeting August 6<sup>th</sup> accused me “for the second time this year meeting with the highway superintendent and the result was an expense the board didn’t authorize and has no money budgeted to pay for the report.”

During the August Regular meeting, August 12<sup>th</sup>, Supervisor Wood, again, accused me of “requesting and authorizing Cedarwood, our engineering firm, to review the existing sand mining site for potential use for a salt storage shed, salt/sand mixing area.” “In May, the town paid the Cedarwood bill that included an invoice for 18 ½ hrs at the cost of \$1,600.00 for a report.” She pre audited and approved the bills for May. In August she decided that it was my authorization that created the bill for the report.

Supervisor Wood went on to discuss who asked or authorized this report. “Somebody is not telling me straight, if Pat was here I’d ask him, I don’t know if it’s Pat or Mike. I’ve known Pat along time. I’d like to think Pat is telling me the truth.”

This seems to becoming a chronic habit of Supervisor Wood continually accusing someone else of something.

Then Supervisor Wood tries to justify herself saying, “I’m going to tell you folks, you don’t have to take my word for it.” “None of these board members have to take my word for it.”

I did not ask or authorize Cedarwood to create a report. I did ask Tom Suozzo what would be the possibilities of moving the salt shed and if he had any floor plans for a town garage that was already built. It was a matter of discussion, no request or authorization for a report.

After the meeting, I called Tom Suozzo inquiring about the May 2014 invoice for \$1,600.00. According to Tom Suozzo, “There was no charge to prepare the letter detailing the possible required permits to move the salt/sand operation and the Town highway garage at the River Road mining site.” See the attached follow up letter to the town clerk from Cedarwood.

Supervisor Wood’s false accusations, condescension, and harassment

is ridiculous.

We do need a mediator at the town board meetings, as was suggested at the end of the August town board meeting.

I would suggest we open the discussion now, tonight, with the town board members to change the meeting night, to one that is available for our town counsel to attend each meeting as he does with other towns. On the second Tuesday, Mr. Schachner attends Chestertown Town Board meeting.

Mr. Schachner was at the August 27<sup>th</sup> DEC meeting. It was the most civilized meeting that Supervisor Wood has conducted with respect to members of the audience and "gentlemen board members" since January.

Regards,  
  
Mike Eddy

Please attach to meeting minutes.

September 08, 2014 regular meeting

## CEDARWOOD ENGINEERING SERVICES PLLC

248 Main Street, PO Box 203, North Creek NY 12853 • Phone 518-251-5160 • FAX 518-251-5158  
8-12 Dietz Street, Suite 303, Oneonta NY 13820 • Phone 607-432-8073 • FAX 607-432-0432

August 15, 2014

Ms. Cynthia Hyde  
Town Clerk  
Town of Thurman  
P.O. Box 29  
Athol, New York 12810

Re: Billing Inquiry

Dear Cynthia,


Cedarwood's May 2014 bill, Invoice #7, was for the following services:

Meetings with Town officials, investigation into possible replacement well locations, preparing/attending/summarizing meetings with NYS DEC and Town officials, creating site and topography maps, attending Town Board meetings, and securing materials and authorizations for well testing.

There was no charge to prepare the letter detailing the possible required permits to move the salt/sand operation and the Town highway garage to the River Road mining site.

If you have any questions, please call my office at (518) 251-5160.

Respectfully,



Tom Suozzo, PE

# Cedarwood Engineering Services PLLC

PO Box 203, North Creek, New York 12853 Phone 607-432-8073  
 REMIT TO: 8-12 Dietz Street, Suite 303, Oneonta, New York 13820

12-Jun-14

Town of Thurman  
 PO Box 29  
 Athol, NY 12810

Inv. # 7

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**PROFESSIONAL SERVICES THROUGH May, 2014**

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*JOB NAME: Water Projects*

	BILLING RATE	# OF HOURS	CURRENT COST	PREVIOUS COST	COST TO DATE
<b>I. LABOR*</b>					
THOMAS S. SUOZZO, P.E.	\$ 105.00	15.0	\$ 1,575.00	\$ 3,270.00	\$ 4,845.00
JENNY CONNELLY	\$ 70.00	9.0	\$ 630.00	\$ -	\$ 630.00
MARK SUOZZO	\$ 90.00	18.5	\$ 1,665.00	\$ -	\$ 1,665.00
CHARLIE RAWSON	\$ 55.00	5.0	\$ 275.00	\$ 272.50	\$ 547.50
			<u>\$ 4,145.00</u>	<u>\$ 3,542.50</u>	<u>\$ 7,687.50</u>
<b>II. ADDITIONAL SERVICES</b>					
POSTAGE			\$ -	\$ -	\$ -
MILEAGE	\$ 0.56	0	\$ -	\$ -	\$ -
			<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
TOTAL OF I. & II.			\$ 4,145.00	\$ 3,542.50	\$ 7,687.50
CURRENT AMOUNT DUE			<u>\$ 4,145.00</u>		
AMOUNT PAST DUE			<u>\$ -</u>		
TOTAL NOW DUE			<u>\$ 4,145.00</u>		

*\*Mr. Suozzo's efforts included:  
 >Replacement well work tasks*

*\*Mr. Rawson's efforts included:  
 >Replacement well work tasks*

THIS STATEMENT REFLECTS PAYMENTS RECEIVED ON OR BEFORE BILLING DATE.  
 WE THANK YOU FOR YOUR CONTINUED TIMELY PAYMENT PRACTICES.

PLEASE MAKE CHECKS PAYABLE TO: CEDARWOOD ENGINEERING SERVICES PLLC  
 REMITTANCE ADDRESS: 8-12 DIETZ STREET, SUITE 303  
 ONEONTA, NY 13820