

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF BOARD OF THE TOWN OF THURMAN, NY HELD OCTOBER 10, 2018 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL, NEW YORK, COMMENCING AT 6:30 PM....**

**PRESENT: Mrs. Brenda Ackley, Councilwoman**

**Mrs. Joan Harris, Councilwoman**

**Mr. Douglas Needham, Councilman**

**Mrs. Cynthia Hyde, Supervisor**

**ABSENT: Mrs. Gail Seaman, Councilwoman**

**RECORDING SECRETARY: Susan E. Staples**

The meeting started with a review of the claims. Councilwoman **Ackley** arrived at **6:36 pm**. The meeting was called to order at **7:00 pm**.

**PLEDGE OF ALLEGIANCE TO THE FLAG:**

**ROLL CALL:**

**REPORTS:** No reports from the Board

**Supervisor Hyde** noted that she had two things that she would like to bring up to the Board. She noted that the light doesn't work over that door (pointing to the entryway door), and that it isn't just the bulb it's electrical. Also noting the **Board of Elections** would like to have it fixed. She noted that it was going to take an electrician, and that she knew somebody that she was sure would do it, but we had no money left in the building code. So we will have to figure that out. She noted that she did not know how much that was going to cost because I don't know what is wrong with it. She noted that she would like to call Mike who had done all of the electric work for the water project, and have him come take a look, and see what it is going to cost. Is that OK with everybody **Supervisor Hyde** asked? **Councilman Needham** asked what was wrong with the water. **Supervisor Hyde** noted that that was something else that she had someone to come fix, but we would discuss that because the Engineering Code has been defunded. She went on to note that we had a new UV light and filter, but no maintenance man, and I don't know if he could do it anyway. We have to get one of the guys who works for the Engineering firm. **Councilman Needham** noted that anyone could replace a filter. **Supervisor Hyde** again said that we don't have a maintenance man. **Councilman Needham** noted that he could replace the filter. **Supervisor Hyde** noted that she was unsure if he could replace the UV light. We need to ask him to come do that, and we need to find funds. She went on to note that she would need a resolution for engineering stuff. Not today. **Councilwoman Harris**

asked about the Board of Elections and the light. **Supervisor Hyde** noted that it had to be fixed, and that she would like to call Mike and have him come over and see what the matter is. **Councilwoman Harris** noted that you want permission to call somebody. Yeah, noted **Supervisor Hyde**. The **Town Clerk** stated that it was not just the bulb, that it was like a loose wire in the....**Councilman Needham** noted that it had to be done. It's an issue for the public and has to be fixed right away. **Supervisor Hyde** noted that that was what she was saying. **Councilwoman Harris** asked **Councilman Needham** if he had said he could look at it. Are you an electrician **Supervisor Hyde** asked. Yeah, I can do electrical work **Councilman Needham** noted. You should have a certified electrician look at it he stated. **Supervisor Hyde** noted that she want to have him look at it so we can see how much it is. **Councilman Needham** asked about him fixing it, and **Supervisor Hyde** noted that she thought she would get an estimate of the cost to bring to the Board. Discussion ensued and it was agreed by all Board Members to have **Mike Glebus** come and do the repair. **Supervisor Hyde** stated that the Town Board had directed her to pay the BAN with a resolution. They passed it in July. Well they passed it in June with not right information, and then they passed it in July. She noted that she found some codes, that didn't really add up. She noted that at that point we did not have any legal advice so she thought the smartest thing to do was not to follow it. Besides the fact that we still had a lot of revenue that we were waiting to come in. So we didn't have all the cash. I think people mistakenly think that codes, which are appropriations are, are cash. That is not really true. At the start of the beginning of the year we have a budget, and there are appropriations for the different things and there is the amounts budgeted. Obviously at the beginning of the year you don't have a lot of cash yet. But over the year you start to get your revenue. You get your taxes, and you get your sales tax. But they come in. The taxes come the first three months, the sales tax comes in quarterly, mortgage tax comes in, revenue from the dump comes in. It's sort of like your salary for work. Say you have a job as a teacher and your salary is \$55,000.00 a year. You don't get the \$55,000.00 on January 1<sup>st</sup>. You don't even have the \$55,000.00 by July 31<sup>st</sup>, but by the time December 31<sup>st</sup> comes along you will have made all the money. So just because we have a budgeted amount it doesn't mean that all that money is cash in the bank. Because it isn't. We just know that by the time the year is done we will have collected all of the revenues to support these appropriations. So I have prepared a spreadsheet. I was not able to pay the entire amount. What the lawyer advised me to do. He said to go to each code that the Board asked you to take funds from, do what you can with it, come up with whatever number you can come up with with this resolution. So what I have here, right here are the codes that the Board wanted to take the money from, and they are the same

codes as you see on the resolution. I included the resolution that goes along with the spreadsheet. So these are all the codes that the Board wanted to reallocate the funds that were in those codes, and use them to pay the bank. They gave me the codes then they gave me the amounts. So the first column is the code. The second column describes what the code is. The third column describes the amount budgeted in the 2017 budget. The third (fourth) column show you how much money according to the resolution they wanted to take out of that code. The fourth column, fifth column rather, the balance as of June 30<sup>th</sup>. That was the balance on each code, the amount that hadn't been used yet, in that code as of June 30<sup>th</sup>. Now keep in mind like I said that doesn't necessarily mean that we have that much cash. Then the next column is the balance as of October, and that is the one that I went against. I had to look at each amount that they wanted to take out, see if that amount was available, and if it wasn't I had to take whatever was available. So then the next line, balance available for decrease, shows the amount that I could take out of those codes. The first one that I would like to point out is the last one. In case you start getting bored when we get towards the bottom of this I want you to understand why this was kind of an important one. The code is the very bottom one that says A1910.4. That's unallocated insurance. Budgeted amount for that for this year was \$20,000.00. The resolution that was passed, well actually **Mrs. Seaman** wrote it, she and the some board members decided they wanted to take \$19,000.00 out of that code. They wanted to defund that code by \$19,000.00 which would have left \$1,000.00. As of June 30<sup>th</sup> when they first passed that resolution there was only \$2,898.36 left in that code. As of October that code was in the minus because what this \$20,000.00 was budgeted for was our town insurance through Trident. Our broker is Upstate Agency, and what that \$20,000.00 covers is all of vehicles, all of our vehicles over at the Highway Department, any vehicle that we have. It covers our buildings. It covers the town in the event of a litigation or lawsuit. This insurance pays for attorneys to represent the town in a lawsuit. So if we had taken the \$19,000.00 away from that code either the town board would have had to find some money somewhere else which at that time they wouldn't have been able to. We would not have been able to insure any of our vehicles, and therefore we would have had to close the Highway Department. Now in October that is in the negative because the unallocated insurance came in a little higher than \$20,000.00. The last policy that we paid... We had paid the big policy actually just before they passed the resolution, and then we got the inland marine policy and that was higher than they expected so we couldn't take any out of that code. OK lets start at the top, A1010.4 that's the Town Board contractual. \$3,000.00 was budgeted. The resolution wants to decrease it by \$2,480.00. There is that amount in there as of June. There is not quite that amount.

They wanted to decrease it by \$2,480.00. There is only \$2,417.20 so I took all of that, and made that as the balance available to decrease. The next one is the Justice Equipment Code. Justice EQ. She did not spend any of that, so we can use all of that code. Let me go back to the Town Board Contractual. On the last column tells you... If it is in black it tells you the consequences of using that money. If it is in red it shows you that that money couldn't have been used as you will see there are no funds next to the ones in red. Supervisor CE that's the Supervisors Contractual. That's the money budgeted for office supplies. Toner, paper, W-2 forms, things that the Supervisor needs, checks. The budgeted amount was \$4,000.00. They wanted to take \$2,000.00 out. There was a little over \$2,000 in June as of October there was \$1977.91 so I am taking all of that. What that will do is it will leave absolutely no funds in the Supervisor's Contractual so we will no longer have any money to buy office supplies. So if we want to buy office supplies, as you will see in the resolution in the packet. You will see a resolution where I wrote up that I need toner, and I will have to....Every time that I need something for my office I will come to the Board, and I will ask them to approve that amount.

**Councilwoman Seaman arrived at 7:14 pm.**

The next one is Supervisor's personal services. That is a salary, and that is illegal to take. So they could not. They wanted to take all the money budgeted for a Bookkeeper, but we have a Bookkeeper so they couldn't take that. The Director of Finance personal services. That they wanted to take \$1,000.00 away from my salary. It is illegal to do that so we could not use that code. The next code is Assessor Contractual. The budgeted amount is \$3,600.00. According to the resolution passed by the Board they wanted to take \$6,000.00 out of \$3,600.00 that's impossible. The balance as of June was less than \$6,000.00 obviously, and even less in October. So the only funds I could take from the Assessor's CE was \$1,103.10. Then Deputy Clerk Personal Services. The budgeted amount was \$4,000.00. They wanted to take \$2,500.00 from that code. There is actually as of October \$2,470.20. So I took that, I was directed to take that, that totally defunds the budget code for Deputy Town Clerk. Also the one above that the Assessor's no longer have money in their code to buy office supplies. Same as my office. If they need something they will have to ask the Town Board to buy it. The next one is Engineer. The Engineer CE is the code that we pay our Engineering cost out of. The budget amount was \$27,000.00. The Board wanted to decrease that amount by \$17,000.00. There wasn't that much in June, and even less in October. So I had to totally defund that. So I was able to take \$14,016.50. So that also leaves no funds to pay the Engineers. We will have to deal with that at a later date. We have water monitoring tests that have to be done, and we can't not do them. So we will have to find money somewhere now that our Engineer code is

totally defunded. Buildings Personal Services. This is a point 1. This code was budgeted in at \$8,300.00. It would have been used for paying a maintenance man, but we didn't end up having a maintenance man for very long. We did for awhile. The resolution wanted to take \$6,500.00. As of June there wasn't that much in the code anymore. Since we didn't have a Maintenance man you will notice the same amount in June as in October. I took it all according to their resolution. What I was able to take from that was \$6,407.20, and that means that unless they find money from somewhere else we will not be able to have a maintenance man for the rest of the year. Building CE. This is the building contractual code. The budgeted amount was \$40,000.00. The resolution that was voted on to pay the bond takes \$15,000.00 out of that. There was \$17,000.00 in June. There was \$14,014.46 left so in order to follow the resolution I had to take all of it. Wait a minute I skipped a line. The Buildings Personal Service. \$8,300.00 is the amount budgeted. The resolution takes \$6,500.00. There is only \$6,407.20 so I had to take all that. So that code is defunded and we won't have a maintenance person. The next one is A1620.4 which is the building contractual. The budget was \$40,000.00 the decrease called for in the resolution was \$15,000.00. As of October there was \$14,014.46 left. So that entire amount needs to be taken. That means that there are no funds to pay for building maintenance or fuel for the building unless the Board can find money else where. Registrar of Vital Statistics personal services. That is part of Susan's salary. They wanted to take \$750.00 of that. That cannot be used. That is salary and is illegal to take.

**Councilwoman Seaman** interrupted to state that that was not salary. **Supervisor Hyde** noted that she was talking right now and had the floor. Laboratory CE the budgeted amount was \$1,500.00. We are in the negative. If you look at the balance as of October we are in the negative so we couldn't use any money there because there wasn't any. Can't use in the negative. Veteran's Services. \$250.00 was the budget. The Board wanted to take \$250.00 of it to pay the BOND. There was only \$50.00 because \$200.00 was used to buy flags for Veterans so there was only \$50.00 left of that. So we used that. The Program for the Aged. The budgeted amount was \$7,500.00. The Town Board according to the resolution wanted to take \$5,000.00 of that. There was actually only \$5,075.00 left in June. It's now \$3,725.00 left in October. That cannot be used because that money is a contract with the county. That money funds the senior bus that comes once a month and picks up the seniors and takes them to Walmart. I'm not sure why they would want to defund that, but they did, but they can't so that is a good thing. The Youth Program. They also wanted to defund the Youth Program by \$1,000.00. The budgeted amount was \$1625.00. She noted that as of October there was \$500.00 left which she thought would be used by the end of the meeting. They cannot use that money because we have an agreement

with the County, and we get reimbursed for that so they cannot use that for the BOND. Historian Personal Services. Joan does it for free. It is still in the budget. As you can see it says \$500.00 so we can use that. Historian contractual same thing. Joan hasn't spent any of that so we use that \$50.00. Refuse and Garbage Personal Services. The budget amount is \$23,000.00. They wanted to take \$14,000.00. There was \$13,778.00 in June. In October there was \$13,586.00. Since they wanted more than that I took all of that. So that code is now defunded. We actually don't pay anyone out of that code right now. Refuse and Garbage CE. The budget for that was \$20,000.00. The resolution called for a \$10,000.00 decrease. There is now \$9,743.21 left so we are going to have to take that, and that will totally defund the Transfer Station, and the funds used to have the garbage hauled, and the bins picked up. Any of our bills associated with garbage the Board will have to find another funding source if they want to pay those bills. Now that totally defunds both codes. Cemetery Personal Services. We could come up with that amount. The budgeted was \$4,600.00. According to the resolution they wanted to take \$4,000.00. There is actually \$4,516.80. We took the \$4,000.00 out, and that left \$516.80. Cemeteries CE. The budgeted was \$700.00. They wanted to take the entire budgeted amount according to the resolution. There is only \$690.16 left so we used that entire amount so we defunded the cemeteries. The Meals on Wheels driver. The budgeted amount for the Meals on Wheels is \$5,000.00. The Board resolution wanted to take \$3,000.00 of it. There was only \$2,800.00 left in June. There is \$1,562.80 left in October, but we cannot take that because it pays the Meals on Wheels driver so we didn't take it. Contingency Account. They wanted to take all of that. \$10,000.00 budgeted for that, and so contingency is gone. There are no funds in contingency they used all that. And I had already gone over the last one which is the unallocated insurance: just **Mrs. Seaman** doesn't know because she wasn't here yet. The Supervisor explained again about the insurance payments. Savings Account. Then they asked to take out of the savings account \$109,400.00. So we took that. That leaves \$30 something dollars in savings. So our savings are depleted to less than \$100.00. And then they wanted to take some of this year's fund balance to the tune of \$50,642.17, and that is how I arrived at the amount that I paid the bank which is \$242,569.51. **Supervisor Hyde** noted that she told the bank that she would be happy to suggest other funding sources to make up the rest of it. She went on to note that these budget adjustments were totally unnecessary. They could have come up with the funds without defunding all these codes. Now they have put everybody in the position of having to come to the Board every time they need something, and ask the Board to find the money somewhere else so they can function in their office. According to the resolutions that I brought to the last meeting we could have done this, but they

prefer to do it this way. So this is the way we had to do it. It doesn't affect the Highway because nothing came out of that. Now that is where it is. Would the Board like to make some suggestions on how to fund the rest of it. Yes, I would like to speak **Cynthia** noted **Councilwoman Seaman**. She stated that you know in all honesty when this resolution was passed there's a little paragraph in this that says make the following budget adjustments defunding the various budget lines to reflect the necessary budget adjustments that need to be made to cover the expenses of paying of the BAND from the general fund. The Board recognizes that the financial information provided by the Supervisor is wholly inaccurate. However, these statements are the only information that the Supervisor has provided the Board, and the town Supervisor has repeatedly vowed that they accurate. So the Board will have to do the best to adjust the budget with inaccurate accounting records. Cynthia, when did you pay the insurance bills that you say you paid in June. Because those bills never came across for us to audit? Yes they did replied **Supervisor Hyde**. **Councilwoman Seaman** responded no they didn't. As a matter of fact the first time that I knew that you paid them was sometime in mid-July when I got the bank statements, and I figured out where the \$20,000.00 went. That was after this she noted. **Supervisor Hyde** started to respond, and **Councilwoman Seaman** noted that she was still speaking, and that she would have a lot for the **Supervisor** to respond to. **Supervisor Hyde** noted that our insurance bill is what you call a mandatory claim. The Board can suggest that you can pay postage, utility bills you can say I can do that ahead of time. But certain bills in the town are what is called mandatory, and they have to be paid regardless of what anybody thinks. Obviously you can't disallow a payment on insurance, you can't disallow a payment on Health insurance. You can't disallow those. They most certainly showed on an unpaid abstract, and were also in the unpaid bills. Maybe you didn't see them, but they were there. **Councilwoman Seaman** responded that no they did not Cynthia they were not in the totals on the resolution that approved the abstracts. The next question? **Supervisor Hyde** asked. **Councilwoman Seaman** noted that she had not answered this one because you didn't answer why you didn't tell us that these were here. Like I said you pull out the resolution from June please. You wanted to defund the code to pay...**Supervisor Hyde** noted. **Councilwoman Seaman** responded that there isn't anything. You said that we had to come up with all the...**Supervisor Hyde** noted that you wanted to defund the code by \$19,000.00 that wasn't possible. **Councilwoman Seaman** continued noting that you told me, and the rest of the Board, that we had to come up with the codes to find the money. No I didn't responded **Supervisor Hyde**. **Councilwoman Seaman** noted yes you did. You refused to. As a matter of fact you said it was too vague. That is why we had to pass the second resolution because you

refused. OK so the second resolution did it. You refused to again to do it. Not my issue. You find the money to cover them. Now anything that was defunded could have been then refunded when the money came in in August, but you already spent that. You also decided.... **Councilman Needham** asked how much the bank was holding, and how much was in our frozen accounts. **Supervisor Hyde** responded that they are not holding anything anymore, and that there are no frozen accounts anymore. Where are the bank statements from September **Councilwoman Seaman** asked? **Supervisor Hyde** noted to **Councilman Needham** that they had to release the hold so I could pay this. They released the hold. It's been paid. Here is a copy of the check. There is no hold on any money anymore. **Councilwoman Seaman** asked how much money we owed. **Councilman Needham** asked do we owe \$62,000.00. **Supervisor Hyde** responded that the balance was around \$60,000.00. **Councilwoman Seaman** responded good. Pay the rest. **Supervisor Hyde** noted that you are going to have to tell me where you want to pay it from. **Councilwoman Seaman** noted figure it out. See we already did it once. No, no, no, **Supervisor Hyde** responded. I will give you...you will have to have a resolution telling me where to take it from. **Councilwoman Seaman** noted that we are not changing any resolution. When this was written....**Supervisor Hyde** noted that if you want to fund the rest of the Bond we need to make a resolution. We can make a resolution right now. You have to have a resolution saying where the money will come from. **Councilwoman Seaman** asked **Cynthia** who passed a resolution telling you to pay less than what was owed. You three did **Supervisor Hyde** noted. We said pay the whole thing **Councilwoman Seaman and Councilman Needham** noted. **Supervisor Hyde** noted that you didn't provide for me to pay the whole thing. Yeah we did **Councilwoman Seaman** stated. We said to pay the whole thing. So who passed a resolution saying you could pay less. Who passed a resolution saying you could pay less she repeated. **Supervisor Hyde** asked **Mrs. Seaman** how do you take...the Assessor...how do you take \$6,000.00 out of \$3,600.00. There is a good example of why your resolution doesn't come up with the accurate amount of money. It came up short said **Supervisor Hyde** . **Supervisor Hyde** noted many of these you wanted to take more than there was in June. **Councilwoman Seaman** noted but you didn't give us the financial information that's why it was written there. You wouldn't give us the financial. **Supervisor Hyde** stated that actually they had their operating statement in their packet. **Councilwoman Seaman** stated which was totally inaccurate. Was that the operating statement that failed to put the budget in there correctly in January, and you went back when I told you you can't have all theses zeros. And then you had somebody, six months later, put the original budget in. Is that the operating statement you are talking about she asked. **Councilwoman Harris** stated let's stay on this.



**Councilwoman Seaman** noted that was part of the issue. That's the operating statement that we had to go by. **Councilwoman Harris** noted she took some of the codes that you had, and some of them couldn't be used because they were appropriations and not actual money. No there were no appropriations on there **Joan, Councilwoman Seaman** stated. **Supervisor Hyde** stated that I think people can see that a lot of the amounts that they wanted to take in June weren't in there anymore. Some of them were, but a lot of them weren't. You can't... you've got to think these things over before you pass them. **Councilwoman Seaman** responded we did, you didn't. Since that little blurb is there saying that we knew it was totally inaccurate because you refuse to give us accurate information that is up to you. You are still responsible because no one passed a resolution. No one passed a resolution allowing you to pay less than the entire thing. Do you want to show us where it is she asked? **Supervisor Hyde** stated Town Board I am not responsible. If the board would like to pass a resolution coming up with the remaining amount let me know, and I will help you figure it out. **Councilwoman Seaman** noted maybe you should call the Comptroller. Make sure you get it in writing that you can all of sudden decide how much you are going to pay. When the Board told you what to pay. **Supervisor Hyde** stated just so everybody in the audience understands the BOND attorney is the one who advised me to do this. **Councilwoman Seaman** asked if he put it in writing? **Supervisor Hyde** repeated the BOND attorney. Did he put it in writing? Did he put it in writing? Did he put it in writing **Councilwoman Seaman** asked? Obviously he didn't. Then it does not exist **Councilwoman Seaman** continued. It doesn't exist if he didn't put it in writing she noted. **Supervisor Hyde** noted that I think you guys misunderstand. Your resolution, I did what your resolution said. You didn't have accurate numbers in there. **Councilwoman Ackley** noted that it can't be accurate if 2017 was never closed out. We paid bills this year from last year. **Supervisor Hyde** asked **Brenda** where is your proof of that. **Councilwoman Ackley** responded that I've never seen them. I sign them. **Supervisor Hyde** responded that that was totally inaccurate information that she was giving out. **Councilwoman Ackley** stated go back and watch the minutes from the beginning of the year. **Supervisor Hyde** noted that they get accurate information. **Councilwoman Seaman** asked where the AUD was. **Supervisor Hyde** noted that when the bookkeeper gets caught up she will have it finished. **Councilwoman Seaman** noted the bookkeeper is not responsible. According to the state of New York the Supervisor, and only the Supervisor, is responsible for the submitting the AUD whether they were just elected or not. OK so where is it she asked. **Supervisor Hyde** noted I think the main thing here is to try to come up with the rest or maybe the Board would like to consider making that payment, and then raising the rest in taxes like we suggested last meeting. No, no replied **Councilwoman**

**Seaman. Councilwoman Harris** asked about why it was a good idea to pass it into the taxes where all people are paying on this, and there is something where we get something back with this. **Supervisor Hyde** noted that it was really a shame that this did not work out like it was supposed to because if we had been able to pay this over 4 years, the nice, the really great thing about paying it off by raising taxes over 4 years, New York state gets slammed with a whole bunch of it. With the way we are doing it here we get to pay it all. New York State gets off scot-free. **Councilwoman Seaman** asked how do you figure New York State gets slammed with it? It comes out of the taxpayer's pocket. **Supervisor Hyde** responded actually I think this letter that I handed out by Deb, that I handed out explains that. **Councilwoman Seaman** noted Oh good it's a letter by Deb. **Supervisor Hyde** noted that it is an unfortunate thing, but New York State will not have to foot the bill on this and we will. **Councilwoman Seaman** noted that the New York state isn't going to foot the bill, the taxpayers foot the bill. **Councilwoman Harris** noted we got this much paid. We are trying to work together to get it done. **Councilwoman Seaman** stated she has to pay it. **Councilwoman Harris** continued there is \$60,000.00. It doesn't matter if she is not exactly following every word you do. She's got a reason, she's got a reason for doing it. Either because she can't do it legally, she doesn't have the money to do it, you don't have the right codes, or the codes are not there. So either way we have \$60,000.00 left so lets.... Why don't we try to figure out how to finish the rest of the bill. **Councilwoman Seaman** stated because she's gotta do it. It already has been passed. Because it is illegal to just all of a sudden decide to (inaudible) money. **Councilwoman Harris** said let's figure out what to do with the \$60,000.00. Nope, she has to **Councilwoman Seaman** responded. We passed the resolution. We passed the resolution already. **Councilwoman Harris** noted that you put in things that could not be used so now you have to change all of those. **Supervisor Hyde** asked if we could hear what the other Board Members had to say. **Councilwoman Ackley** responded I already said we passed three resolutions. You should have done it when we said. **Councilman Needham** noted we passed it three times, and you didn't follow the resolution. **Supervisor Hyde** stated in other words....**Councilman Needham** noted we are going to see what the Comptroller is going to do tomorrow. That's what we are going to do. **Supervisor Hyde** continued in other words you are not interested in passing a resolution to come up with the rest of the funding source for this. **Councilman Needham** replied we passed it. It should have been paid three months ago, four. It should have been done he noted. **Supervisor Hyde** noted that she strongly suggests that we sit down right here, that we decide where the funding source for the remaining \$60,000.00. I think we need to put a resolution on the floor to do that. **Councilwoman Seaman** replied no, you are responsible. **Councilwoman**

**Harris** noted the attorney gave her information, the bank accepted it. **Councilwoman Seaman** noted that it was not in writing. **Supervisor Hyde** responded that there was no point in arguing with them. That obviously they don't want to find the funding source for the \$60,000.00. **Councilwoman Seaman** noted that we have a funding source it's all written there. And **Cynthia** your stipend for being Chief Financial Officer, and the other stipend for being the Registrar are stipends and are not part of your salary. That's why they are separate on the sheets. That is not true **Supervisor Hyde** stated. Yes it is true **Councilwoman Seaman** noted continuing and they can be removed. **Supervisor Hyde** noted that was not true and that you could not take them. **Councilwoman Seaman** noted that was 100%. Look at your books for the New York state. She noted that they can be removed by Board resolution. **Supervisor Hyde** noted that she thought it was interesting that the codes that they decided to defund they tried to defund my salary by \$1,000.00, hers (the town clerk) by \$750.00, but they didn't defund their own, and they didn't defund anything from the Highway Department. **Councilwoman Seaman** interrupted saying because you can't defund salaries, but you can defund a stipend. Salaries you can't defund dear, stipends you can, she repeated. **Supervisor Hyde** noted quite clearly discrimination. Discrimination. **Councilwoman Seaman** noted that in that resolution we said to hold all elected officials pay until December because you can decide when in the cycles that you pay elected officials, but you ignored those also. **Councilwoman Harris** stated let's move on. **Supervisor Hyde** stated if everybody is done with that. She noted **Gail** I might want to point out to you that you have a little work to do here tonight. Since you defunded all these codes there is not money enough to pay for a lot of those bills in the general fund. So you are going to have to figure it out. **Councilwoman Seaman** replied figure it out **Cynthia** you are the Chief Financial Officer. **Supervisor Hyde** noted it was not her job. You defunded the codes. **Councilwoman Seaman** noted that's what you are paid the big bucks for. **Councilwoman Harris** noted that that was what you just got done saying. That the town board manages money. **Supervisor Hyde** responded that the town board has to figure out... I can't decide where that money comes from by myself. **Councilwoman Seaman** replied that you were supposed to put a proposal up. **Supervisor Hyde** continued noting what you need, you need to write a resolution. You need to do a budget adjustment that's how it works. **Councilwoman Ackley** noted we already did. **Supervisor Hyde** responded no you didn't **Brenda**. I'm really sorry (inaudible) **Councilwoman Seaman** stated that I said **Cynthia** is responsible for figuring out budget adjustments. That's her job. **Supervisor Hyde** responded No it's not **Gail**. **Councilwoman Seaman** replied yeah, you are the chief financial officer. **Councilwoman Harris** asked why did you give her all those codes to get the money?

Because she insisted on it or she wouldn't do it noted **Councilwoman Seaman**. **Supervisor Hyde** responded if I was supposed to come up with all the codes why, why. They are there. First of all, like I tried to tell you people, you didn't even need to do this. But since this is the route you chose to go, now that there is no more money. You need budget adjustments to pay any of the bills. I pointed out to these two people which bills there is no money left in the codes. **Councilwoman Ackley** noted that maybe you should go back and mess with the books some more to do the resolution and make everything the way it is supposed to be. **Supervisor Hyde's** response was not heard as **Councilwoman Seaman** talked over her noting **Cynthia** maybe you should go back to the Association of Towns you spoke to when we were talking about it and you insisted on having every single code. **Supervisor Hyde** noted to **Councilwoman Harris** that she couldn't hear what she said ( **Brenda**) so she couldn't respond to it. **Councilwoman Seaman** stated well you do a good job of it too to **Councilwoman Harris**. She then noted that the **Supervisor** was responsible. **Councilwoman Harris** noted when I'm talking to you I do a good job. I can do better. Don't be nasty to me, don't be nasty she noted to **Councilwoman Seaman**. **Councilwoman Seaman** stated to **Councilwoman Harris** that maybe you should be quiet. **Councilwoman Harris** replied don't you tell me to shut up. I didn't responded **Councilwoman Seaman**. **Councilwoman Harris** replied you said that. In a very polite way you did. Stop your lying. **Councilwoman Seaman** stated I didn't lie (inaudible). You told me to shut up, **Councilwoman Harris** noted. **Councilwoman Seaman** replied that you can play it back (pointing to recorders). **Councilwoman Harris** noted that be quiet and shut up are the same thing. No, no it isn't **Councilwoman Seaman** noted. **Councilwoman Harris** stated yes it is. One is rude, and one is not. **Supervisor Hyde** asked so where are we now. What does the Board want to do for the \$60,000.00. **Councilwoman Seaman** stated you were supposed to pay it, **Cynthia**. **Councilwoman Harris** stated I make a motion to table that. **Cynthia** has got to pay, it stated **Councilwoman Seaman**. I don't even want to bring it on the table **Supervisor Hyde** noted, continuing I think all three of them.... **Town Clerk** did you get that. That we asked them several times that we would like to...The **Town Clerk** responded that I do have that on record that you have asked them several times, and they refuse to make any adjustments. **Councilwoman Ackley** wanted it on the record that they asked for it to be paid several months ago. **Councilwoman Seaman** wanted it on the record that the **Supervisor** cannot pay a partial bill for a resolution. She's then making something up that was never passed by the Board, and by us doing another resolution it would kind of like make her not responsible. **Supervisor Hyde** noted that the Boards action were they are saying no, we don't want to find a funding source. They are actually saying something. A criticism of somebody isn't really a record. Do

you know what I mean, she asked. I mean it doesn't make any sense. **Councilwoman Harris** responded that it was just somebody trying to make themselves look better. **Supervisor Hyde** asked if we are still on the BAN or what. **Councilwoman Seaman** noted putting the responsibility where it belongs. **Supervisor Hyde** continued asking does anybody else want to discuss the BAN payment. I just want to know when you are going to pay it **Councilwoman Seaman** said. She went on to note that she didn't see the bank statements. Did you print those out? **The Supervisor** asked her if she had asked the **Town Clerk**. **Councilwoman Seaman** noted I asked you. The **Town Board** does not have to ask the **Town Clerk**. **Supervisor Hyde** responded that she was sorry. You know let me take this opportunity to explain to everybody here that the **Board...** **Councilwoman Seaman** interrupted saying oh (inaudible) we are explaining again. **Supervisor Hyde** continued noting according to the Town Manual the Supervisor is to give the Board a report of all receipts and disbursements through the month, each month. That is the only thing that the Town Law Manual says that the Supervisor is expected to give the Board every month. I give that to them every month as an operating statement. I actually give them more than I am called for to give out of the law manual. I give them a lot of stuff. For instance they have the agenda, they have the unpaid abstract, which they need to look at the bills. They have the paid abstract that shows all of the paid bills in a report form. **Councilwoman Seaman** said wait a minute. Why are these here? Why are June's bills here? Why are June's bills here? Which bills are those the **Supervisor** asked? **Councilwoman Seaman** stated well these are from June, and they are dated June 13, 2018. **Supervisor Hyde** said let me see the packet. Those are preaudits **Gail** she noted. Not from June **Councilwoman Seaman** noted. I don't know. Those are all the preaudits that I can find **Supervisor Hyde** noted. **Councilwoman Seaman** asked you didn't pay a bill from June to National Grid. **Supervisor Hyde** responded you people did not pay the bills until late this last month remember. **Councilwoman Seaman** noted **Cynthia** this is from June. **Supervisor Hyde** noted those are preaudit, they are electric bills. They are in my pile of bills that get paid ahead of time. National Grid. **Councilwoman Seaman** noted this is actually. This bill is dated April excuse me. April? Oh my goodness. April 20<sup>th</sup> through May 21<sup>st</sup>. **Councilwoman Harris** noted you wanted to see the prepays and she put them in one pile. **Councilwoman Seaman** then stated you didn't pay a bill from April? **Supervisor Hyde** asked can I see that for a minute? **Councilwoman Seaman** noted you bet ya you can. There you go. It is from April she said. And there is another one from June **Councilwoman Seaman** noted. What are these in here for she asked as she looked at the claims. **Councilwoman Harris** noted because you all wanted them. **Supervisor Hyde** noted that this is the street lighting bill. It says please pay by June 18, 2018. Do you see where it says that **Joan**, see right

there. What date is the check **Joan. Councilwoman Harris** responded June 14, 2018. **Councilwoman Seaman** then asked what they were doing in our preaudits. **Supervisor Hyde** noted that they just happen to be in there. That they were paid on time **Gail**. Before you criticize it would be nice if you look. **Councilwoman Seaman** said my criticism is that you have June's bills in October's folder. **Supervisor Hyde** noted this bill was paid. You got caught. **Councilwoman Seaman** replied no, no, no you had June's bills in October's folder. As **Supervisor Hyde** started to continue her explanation **Councilwoman Seaman** noted so we are trying to dismiss this. **Supervisor Hyde** continued they get the unpaid audit. They get the unpaid abstract, they get the paid abstract, they get operation statements, they got two operating statements this time. They get the treasurer's report for the Highway fund, and treasurer's report for the general fund, and I often give them extra stuff. This is an account detail of the enterprise fund. They get all the bills to look at, and they get this stuff every month. She noted that she gives it to them in paper form, and that she also emails them when she can. And I have also put these operating statements and the abstracts on line so the public can see them too. **Councilman Needham** asked if we had any bills for the month of September. **Councilwoman Seaman** noted I don't know. We have June's. We have July's. And they are dated for this month, but. **Supervisor Hyde** stated that there were probably some preaudits in there because they hadn't been filed yet. That's all. Those are preaudit bills. And you don't file them? **Councilwoman Seaman** asked. They get filed, the **Supervisor** noted. **Councilwoman Harris** noted you said you wanted preaudits. **Supervisor Hyde** noted that **Brenda** was very adamant that... I tried to explain to her that I give them to her every month, but I wanted to make sure that she had plenty to look at. **Councilwoman Seaman** interrupted saying **Cynthia** do we have to put this on a cracker, and feed it to you. (Inaudable) preaudits. This is stupid, she noted. **Councilwoman Harris** noted don't be disrespectful. You wanted them, she gave them to you. All of them. **Councilwoman Seaman** noted for the month that you are supposed to be getting them. This is why we don't know what we are paying, and we don't know how much money we have. Have fun she said to **Councilwoman Harris** as she threw the stack of bills at her. Judas Priest **Councilwoman Seaman** said. **Councilwoman Harris** told her to grow up. I hope she didn't get them all out of order **Supervisor Hyde** noted. **Councilwoman Seaman** noted that there is no accounting system here. Sure there is replied **Councilwoman Harris**. **Councilwoman Seaman** noted only if it is a guess I guess. Are you done **Mrs. Seaman?** **Supervisor Hyde** asked? **Councilwoman Seaman** stated that she would like to make a motion to put a pause on here so **Cynthia** can go up, and get the actual bank statements for us. I am sorry but you do not order me around the **Supervisor** noted. I second that said

**Councilman Needham** yes, I second that. **Doug** has seconded it **Councilwoman Seaman** noted. We have a motion on the floor. We'd like to put a pause. Can we have a vote. There is a motion and a second on the floor. **Supervisor Hyde** noted that you can't vote on that. **Councilwoman Seaman** noted oh yes we can. Go ahead and vote, but it doesn't mean anything **Supervisor Hyde** noted. **Councilwoman Seaman** said sure we are going to pause the meeting so you can go up and get the financials, bank statements so that we know where we are. **Supervisor Hyde** replied that you have no right to demand me to (inaudible). **Councilwoman Seaman** said yes we do. We are the Board. We have to pay the bills. **Councilman Needham** noted that we have to pay the bills. We have to know how much money we have. **Supervisor Hyde** noted **Doug** maybe you need to read the law book before you (inaudible). **Councilwoman Seaman** spoke over the Supervisor saying maybe you need to **Cynthia**. Anyway I would like to take a vote. Are we ready for a vote? Will you please take the vote. There was a motion, and a second on the floor. You are required to take it because you are the minute taker. **Supervisor Hyde** noted to the Clerk that she is not your boss either. **Councilwoman Seaman** responded that she is the Clerk to the Board, she is the clerk to the Board she repeated. . **Councilwoman Seaman** then said all those in favor. The **Town Clerk** interrupted asking them to wait a minute. She then asked **Councilwoman Seaman** to please state your resolution for me word for word the way that you want it written.

## **RESOLUTION # 111**

### **Resolution**

We would like to pause the meeting due to the fact that the Board needs to know the financial status of the town, and in order to do that we need to have the current bank statements that were asked for prior to the meeting, but haven't been here. And we would like the Supervisor to print them off so we have accurate information as far as the bank accounts go. So that we can approve bills to be paid. And we direct the Supervisor to go upstairs and print them off. Copies for each one of us.

**Councilwoman Seaman** then called for the vote.

**Motion Carried: Ayes ~3 Ackley, Needham, Seaman, Nays~1 Hyde, Abstained~1 Harris**

**Councilwoman Harris** noted that she was abstaining on the fact that this was an out of order thing. **Councilwoman Seaman** noted any Board Member can make a resolution. **Supervisor Hyde** noted she would not vote on something that cannot be

done. The **Town Clerk** asked if she was abstaining on her vote also. She noted that no she was a no vote. I am a no vote she stated. I am not going to vote on a resolution that has no substance, and is not even legal. **Councilwoman Seaman** then noted so resolution passed. So we have now paused so that you can go up and please print off the bank statements. I know that they are on your computer. I've seen them. You have shown them to me. So you can just print and click please. **Supervisor Hyde** noted that she believed the **Town Clerk** always provides the bank statements to the Board when they ask for it. **Councilwoman Seaman** interrupted to say nope. **Supervisor Hyde** continued noting unfortunately they did not ask for it until almost the end of the day today. There for she didn't have time. She was gone. Debra went home sick. I am sorry but you cannot ask for things at the last minute. We are happy to provide things for you, but not under these circumstances. **Councilwoman Seaman** stated well we are waiting now so you can go upstairs. **Supervisor Hyde** noted that while you are waiting I might want to bring up the fact that there are one, two, three, four, five, six, seven. **Councilwoman Seaman** interrupted noting maybe we should just go ahead and pay the Highway bills. **Councilwoman Harris** noted to **Councilwoman Seaman** that the **Supervisor** was still talking. **Supervisor Hyde** continued noting that these people have an operating statement. I gave this Board two of them. And the reason I gave them two I gave them the operating statement as of September 30<sup>th</sup>, but because we just paid a great big bill to the bank I gave them the operating statement for it say 10-31, but that is actually up to today. They can look at here and see what is left in these codes. They can see where there is nothing left or we are in the negative. This is what you need to see in order to know whether or not you can pay your bills. The bank statement doesn't tell you that. This is your report that you use to tell you that. That's what you have so I guess that is what you are going to have to use. **Councilwoman Seaman** stated no we are waiting for the bank statements. **Supervisor Hyde** stated well sorry, but you have the report necessary that you need in order to pay the bills. It is all right here in the operating statement. **Councilwoman Seaman** noted that in all actuality the problem being with that operating statement is the fact that you used **Enhanced** program. And the Enhanced program because you have never closed out a month yet this year or closed or from last year when you started. **Supervisor Hyde** noted that you don't have to. **Councilwoman Seaman** said oh yes you do by law. **Supervisor Hyde** noted not in Enhanced, Enhanced works differently. **Councilwoman Seaman** and that is the problem. Because you haven't closed it out you go back and you just change things. Like adding a budget in June that you never did in January. **Supervisor Hyde** stated that was quite an accusation. **Councilwoman Seaman** noted no, no that's fact because I have operating statements. **Councilwoman Harris and Supervisor Hyde**



both told **Councilwoman Seaman** to bring her proof. **Councilwoman Harris** noted you don't make accusations unless you can back it up with proof. **Councilwoman Seaman** noted the bottom line is that you didn't do it. **Supervisor Hyde** replied **Mrs. Seaman** talk is cheap. You never offer up any proof for any of this garbage that you spew out of your mouth. **Councilwoman Seaman** then noted so when are you going to show us the proof that the attorney said not to pay that bill. In writing. Do you want to pay the highway department bills she asked looking at **Councilman Needham**. **Councilman Needham** responded yes I do we have got to pay the bills. **Supervisor Hyde** noted we are not doing resolutions yet, we are not doing resolutions yet. **Councilwoman Seaman** noted I can pay the highway department bills. Do you want to make a motion she asked **Councilman Needham**. **Councilman Needham** noted do you want to pay anything before we walk out? **Councilwoman Seaman** noted either you get the bank statements for us or we'll just pay the highway bills, and then you know. We can also pay and make sure the kids have their money then we can call it a night. **Councilwoman Harris** asked how about the older people getting their money? What do you have against them. I have a friend who is 93 years old, and she is waiting for her check, and you don't think she deserves it. **Councilwoman Seaman** noted that she was waiting for the bank statements. **Councilwoman Harris** noted do you want to tell her? I'll go call her, and you can tell her on the phone that you don't want to pay her. **Councilwoman Seaman** noted no not that I don't want to I'm waiting for the bank statements. **Supervisor Hyde** asked if the Board had anything to say about the Budget. I have that on the agenda she stated. **Councilwoman Seaman** stated nope, we were discussing the fact that you need to go upstairs, and get us the bank statements. **Supervisor Hyde** stated that a couple of things that we have to do is call a couple of meetings. If you don't want to talk about the budget fine we won't talk about that. We need to call a Public Hearing on the Budget, and I'd just as soon call it now. We need to have the Public Hearing on the Budget no later than the Thursday after the election which is November 8<sup>th</sup>. **Councilwoman Seaman** asked when is Budget due to be filed. **Supervisor Hyde** noted that it is filed right now. **Councilwoman Seaman** asked when does the Budget have to be approved by because you know your budget is like 15.23 % over and above the tax cap, and I am not even sure I'm not even sure if you have answered (inaudible) tax cap. **Supervisor Hyde** noted that was not true. If we don't fund the part of the budget that doesn't have to do with making that last payment on the BOND. If you took that part out we are actually under the tax cap. **Councilwoman Seaman** noted oh well we'll have to see the numbers on that, and actually you have raises in salary in there for appointed officials who don't get raises in their salary. Or elected officials as a matter of fact. **Supervisor Hyde** noted that is was very common for elected and

appointed officials to get an increase every year in the budget. **Councilwoman Seaman** interrupted noting no, nope, not here it isn't. **Supervisor Hyde** continued noting that **Thurman** is the only town that never does that. Every other town in Warren County ...**Councilwoman Seaman** noted and do you know why? Every other town gets more money than we do, and is fiscally responsible. You haven't managed to do that. Not a chance. We can't afford it. **Supervisor Hyde** noted that minimum wage keeps going up. **Councilwoman Harris** noted that if we fiscally not doing it right someone else outside of the Town Board would be after us. That is correct agreed **Supervisor Hyde**. **Councilwoman Seaman** said what? That didn't even make sense. **Councilwoman Harris** noted let me put this in kindergarten language if you do something wrong...**Supervisor Hyde** interrupted asking **Councilwoman Seaman** if she could please provide us with proof of all these inaccuracies that you speak of all the time. Which inaccuracies asked **Councilwoman Seaman**? **Councilwoman Harris** noted all of them. **Councilwoman Seaman** asked which ones. You have to be specific she noted. **Supervisor Hyde** noted you are the one making the accusation. What is inaccurate, and please provide your proof. What are you talking about **Councilwoman Seaman** asked. **Supervisor Hyde** noted I am talking about what is it that you find inaccurate and where is your proof that it is inaccurate. **Councilwoman Harris** noted to her that there are so many that we can't name them all. **Councilwoman Seaman** noted see the problem being... **Supervisor Hyde** noted that you don't have any **Mrs. Seaman**. **Councilwoman Seaman** stated no you haven't told me what you want. **Councilwoman Harris** noted you can't do it can you to **Councilwoman Seaman**. She noted you can make an accusation, but you can't prove it. **Supervisor Hyde** noted I think that you don't have any proof. **Councilwoman Seaman** noted you haven't made any accusations (inaudible). **Supervisor Hyde** noted how about this **Gail**. **Councilwoman Seaman** noted would you like to pay the Highway **Doug**? **Councilman Needham** responded yes. **Councilwoman Seaman** said I would like to make a motion to pay the Highway bills. **Supervisor Hyde** noted why don't you bring your proof next time. **Councilwoman Seaman** stated we have a motion and a second to pay the highway bills. **Councilwoman Harris** responded first of all the Highway department, his (Needham) brother is working for them. He shouldn't be voting. She (Ackley) has relatives over in the highway they shouldn't be voting she noted. **Councilwoman Seaman** responded that she didn't care. They are a board member they are expected to vote. **Councilwoman Harris** responded not if...**Councilwoman Seaman** interrupted noting it's called paying the bills. **Councilwoman Harris** noted that's right ethics don't mean anything to you. Bottom line is for Doug to vote for his brother's pay....(interrupted). **Councilwoman Seaman** again noted that we have a motion and a second to pay the highway bills. Discussion

returned to the public hearing. The date was set for November 8<sup>th</sup> at 6:30pm.

**Councilwoman Ackley** noted that we have to have another one by the 20<sup>th</sup> to approve the budget. **Councilwoman Seaman** stated now wait a minute. The budget

has to be approved by the 20<sup>th</sup>. Yes replied **Councilwoman Ackley**. **Councilwoman Seaman** asked that's the date. Now where is the date that says we have to have the public hearing by November 8<sup>th</sup>. **Supervisor Hyde** noted it is on the budget calendar the Thursday after the election. The election is the 6<sup>th</sup>. The next Thursday is the 8<sup>th</sup>. What is this meeting that you said we need to do ( asking Councilwoman Ackley)?

**Councilwoman Ackley** noted nothing keep talking I am listening. **Supervisor Hyde** stated that we can approve the budget at a regular meeting if we wanted to.

**Councilwoman Ackley** noted that that probably wasn't going to happen so.

**Supervisor Hyde** noted oh it isn't. Why is that? **Supervisor Hyde** went on to note that we are going to have a Public Hearing on November 8<sup>th</sup> or if you want to we can have a public hearing on the 8<sup>th</sup> and we can vote on the budget at the next regular meeting which is November 14<sup>th</sup>. We don't have to call that because it is a regular meeting. It has to be approved by the 20<sup>th</sup>. So we will call the public hearing on the 8<sup>th</sup>. I would also like to call a special meeting next Wednesday. I'd like to invite all the Whitespace people. I would like to get them all to come. I would like to call a special meeting to discuss Whitespace.

**Councilwoman Seaman** noted that she would like to have that done not on a Wednesday. Maybe on a Thursday or Friday she noted.

**Supervisor Hyde** called a Special Meeting October 18<sup>th</sup> to talk about Whitespace.

**Councilwoman Harris** asked about the dates of the meetings. **Supervisor Hyde** noted Public Hearing November 8<sup>th</sup>. She noted that we can approve the Budget on November 14<sup>th</sup>, and that is a regular meeting. Why don't we plan on having a Budget Workshop on the 18<sup>th</sup> **Councilwoman Seaman** asked? **Supervisor Hyde** noted that she didn't really want to do it at the same time as that. **Councilwoman Seaman**

asked why not. **Supervisor Hyde** noted if you want to have a budget workshop we'll do the Whitespace first and then we'll do the Budget Workshop. Do you want to do it on the 18<sup>th</sup> of October? So we will have a Special Meeting on October 18<sup>th</sup> to talk about Whitespace, and then after that meeting we are going to have a budget workshop. Why don't we start a little early at 6:00 instead of 6:30 for that, then the Budget Workshop after. How does that work for your schedule **Brenda, Doug**

**Councilwoman Seaman** asked. Because you guys coming from work does 6:00 work. 6:30 is better **Councilman Needham** noted. **Councilwoman Ackley** asked you said November 18<sup>th</sup>. **Councilwoman Seaman** stated 6:30 October 18<sup>th</sup>. 6 or 6:30 asked

**Councilwoman Harris**. **Councilwoman Seaman** noted that **Doug** said 6:30 was better for him. **Supervisor Hyde** noted October 18<sup>th</sup> at 6:30 for a Special Meeting on

Whitespace and immediately after that we will have the budget workshop the same night, and a public hearing on November 8<sup>th</sup>.

**PRIVILEGE OF THE FLOOR:** Privilege of the floor was granted. The following people spoke. Marilyn Youngblood, Rich Morasse, Marilyn Youngblood, Mary Eddy, Paula Hubert, Keith Parent, Wes Ramsey.

**RESOLUTIONS:**

**Resolution # 112**

On a motion introduced by **Councilwoman Ackley** and seconded by **Councilwoman Seaman**

RESOLUTION TO APPROVE REIMBURSEMENT AGREEMENT

The town board of the Town of Thurman approves an agreement between the Town of Thurman and Warren County for reimbursement for expenses associated with implementation of youth recreational programs and authorizes the supervisor to sign the necessary documents.

**Motion Carried: Ayes~5 Ackley, Harris, Needham, Seaman, Hyde, Nays~0**

**Resolution # 113**

On a motion introduced by **Councilwoman Harris** and seconded by **Councilman Needham**

RESOLUTION TO APPROVE REIMBURSEMENT TO THE TSA/TCA FOR CONCERT EXPENSES

The town board of the Town of Thurman approves reimbursing the TSA/TCA in the amount of \$2,679.00 for summer concert expenses.

☑ Marty Wendell - \$ 500 ☑ Cornerstone Victorian - \$ 179 ☑ Sundance Music, Inc. - \$1500 ☑ Pick Acks Productions- \$ 500 (Joe, sound only; light was comped) Total - \$2679

**Discussion: Councilwoman Seaman** noted yes, this really didn't have to be reimbursed. They took out the money. It was occupancy tax money that was spent.

They didn't put the money into the Fall Farm Tour, and there are no more expenses and I believe that that \$2,679.00 should be put away so that we can replace the equipment up at the playground for the kids. That is an expectable expense because Warren County has set the standards that they created a skateboard park. I believe that this should help to go for the children. **Councilwoman Harris** noted that **Perky** had told her they wanted this reimbursement. She said because they paid because of the arguing going on. That they were not going to be able to have the concerts. And so they jumped in to pay because of the arguing and she thought that she would get repaid. I don't see why you won't do that for Perky because I guess some of these people out here rely on the TCA, and you know that you spent the money up front to bail us out and need to be reimbursed. **Councilwoman Seaman** said no. **Supervisor Hyde** stated that she said that she wants it. So that is why I made a resolution. She emailed me today. **Councilwoman Seaman** asked what for? They have nothing more for the rest of the year. This needs to go for kids. And Perky knew that it was very clear that it was probably not going to be reimbursed. **Councilwoman Harris** noted not the way she had talked to me. **Councilwoman Seaman** noted when I talked to her it was very clear that they were not going to get reimbursed. There is no more functions. **Supervisor Hyde** asked if there were any questions over here. **Councilwoman Ackley** asked if we could table it then have Perky attend the next meeting. **Supervisor Hyde** noted that she Perky had asked for this. She wants it. **Councilwoman Harris** noted she thinks the TCA needs it. **Councilwoman Seaman** wanted to know what for. It's Occupancy Tax money so it can go for the kids playground equipment. That money that they spent for this was Occupancy Tax money. It wasn't their money. They don't have any. We front them money. OK well they paid for this then it's done. **Councilman Needham** noted if she has nothing else going on. **Councilwoman Seaman** noted no this is it. **Councilwoman Harris** stated well you fronted them money for things that they do, and they took it away from some of the things that they had planned. **Supervisor Hyde** told **Councilman Needham** that she (Perky) had asked for this so I made a resolution. She just asked today. **Councilwoman Seaman** noted that she thought Perky should come in then. **Supervisor Hyde** noted that she could pull up the email on her phone. **Councilwoman Seaman** stated that it doesn't really matter. I would want to know what they (inaudible). **Councilwoman Harris** stated let's take a vote on it and whoever does. Perky will take what she gets. OK responded **Supervisor Hyde**. **Councilwoman Ackley** noted that we asked for it to be tabled. Both of us did (**Needham** and **Ackley**). **Supervisor Hyde** noted well let me, that is why I want to bring up the resolution (email) so that they can see that she asked for it. **Councilwoman Seaman** noted that she's got to have a purpose for it. They can ask

for it, but they have to have a purpose for it, and there are no more functions happening. **Councilwoman Harris** noted that I think they are reimbursing their account or something. They don't do that. They only have the money we give them noted **Councilwoman Seaman**. **Councilwoman Harris** started to ask if there was anybody who.....**Supervisor Hyde** interrupted reading the email noting Hi Cynthia I told you I would get right back to you on checks written to Joe, and it took a while to access the bank statements. This statement actually shows all four checks. Again if reimbursement could be arraigned after your county money comes in that would be great. **Councilwoman Seaman** then noted so you asked her if she wanted to be reimbursed. **Supervisor Hyde** stated no I didn't. **Councilwoman Seaman** noted that she was responding to you, and trying to get the bank statements to (inaudible). **Supervisor Hyde** noted that every single time that I see her she mentions it. All she told me was she was willing to wait until later in the year because we should get Occupency Tax money this month. **Councilwoman Harris** noted that she had talked to her on the phone. **Councilwoman Seaman** asked what are they going to use it for. What function do they have between now and December 31<sup>st</sup>. **Supervisor Hyde** noted that she didn't know. Obviously she wants it so let's just vote on it. **Councilwoman Seaman** stated that she thought it should go to the kids. **Supervisor Hyde** called the vote.

#### **A ROLL CALL VOTE WAS CALLED**

**Motion Failed: Ayes~2 Harris, Hyde, Nays~1 Seaman, Abstain~2 Ackley, Needham**

**Councilwoman Seaman** noted that it does not pass. **Supervisor Hyde** asked if that email was not sufficient? **Councilwoman Harris** noted she was going to put here that three did not want to pay it. **Councilwoman Ackley** noted Joan not once did I say that I didn't want to pay her I said can she come to the next meeting so we can speak to her. **Supervisor Hyde** asked why do you want to drag her in she's asking for it in an email. **Councilwoman Harris** stated never mind. **Supervisor Hyde** noted that she goes to Florida. They both noted that she has other things going on, and doesn't need to come in.

#### **Resolution # 114**

On a motion introduced by **Councilwoman Harris** and seconded by **Councilman Needham**

RESOLUTION TO PAY CLAIMS

The town board of the Town of Thurman approves

Highway Fund ~ \$ 26,957.38

Enterprise Fund ~ \$ 50.00

**Discussion: Supervisor Hyde** noted that the General Fund, before they can pay these claims they are going to have to figure out where they are going to find the money for the ones that I circled. **Councilwoman Seaman** noted provide the bank statements that's what I have been trying to ask for. **Supervisor Hyde** noted that she had provided the operating statement. **Councilwoman Seaman** noted that means nothing because it changes month to month. **Supervisor Hyde** noted the bank statements you don't know what checks are out and haven't come in so you can't go by that. **Councilwoman Seaman** responded but I have a good idea. **Supervisor Hyde** noted you can't go by the bank statement. A bank statement you have to know what checks are out. Bank statements...the Operating Statement is telling you what is in those funds. That's what you need to look at. **Councilwoman Seaman** responded I need the bank statements. **Supervisor Hyde** noted that the Board needs to figure out because these ones that I have circled are totally **defunded** your resolution so you need to figure out how to pay them. **Councilwoman Seaman** noted you know what why don't we pay the highway fund first. And we can separate that out because we know what those funds are. All right noted **Supervisor Hyde**. She continued the Highway Fund is \$26,957.38. **Councilwoman Seaman** asked how much and **Supervisor Hyde** repeated the amount. **Councilwoman Seaman** noted ok I would like to make a separate resolution to pay the claims for the Highway Fund at \$26,957.38. Do I have a second she asked. **Councilman Needham** responded yes. The **Town Clerk** noted that there was already a motion on the floor, you can't do that. **Councilwoman Seaman** noted no he was just saying....well then we amend it. **Supervisor Hyde** noted so you want to amend the motion to just pay the Highway portion. Do you also want to pay the Enterprise Fund portion? **Councilwoman Seaman** asked how much is the Enterprise Fund? Fifty responded the **Supervisor**. **Councilwoman Seaman** said that's it because you didn't put the other stuff in. OK, and what is the prepays total? **Supervisor Hyde** noted you have the abstract. No replied **Councilwoman Seaman**. **Supervisor Hyde** responded the abstract that I gave you, because of the bills not getting paid on time, in order to run a paid abstract it has all the bills that you approved last time that we paid the bills. Which was on that Friday meeting at noon. They are all on there too so if you want to have an amount you are going to have to separate the prepays I am sorry....**Councilwoman Ackley** noted I was trying to email

you. We asked for this to be done noted **Councilwoman Seaman**. **Supervisor Hyde** noted if you want to do this you have to look at the abstract and decide it. We don't need to approve the prepays because they are already paid. **Councilwoman Ackley** noted that you emailed me back saying that you would add the line in here you (inaudible ) the number in also. **Supervisor Hyde** noted I did. You have to tell me what number you want me to put in there. I can't separate all those bills and figure out which ones are approved and not approved. They are already paid. Why would you approve bills that are already paid. **Councilwoman Seaman** interrupted noting because the Comptroller's Office says we have to at the next regular Board Meeting. **Supervisor Hyde** noted alright deduct the whole amount and we can approve them all over again. You have to tell us what it is noted **Councilwoman Seaman**. **Supervisor Hyde** responded look at the abstract. **Councilwoman Seaman** noted it doesn't say anything because you don't close the months out. I don't know what you pay. **Gail**, **Supervisor Hyde** noted the prepaid abstract, basically what you are going to do is, it's going to sound like we are approving a whole bunch more money. These abstracts don't.... You can't print paid and unpaid together. So you have them separately. So your unpaid bills... **Councilwoman Seaman** noted all I want is someone who knows how to do finances. It's not happening here. **Councilwoman Harris** noted I want somebody who can understand them. **Supervisor Hyde** replied you are a very condescending person with your very nasty remarks. **Councilwoman Seaman** noted no it's just the truth. What's nasty? **Councilwoman Seaman** noted so let's cross off the general fund, and we'll cross off the prepaid. **Supervisor Hyde** noted we can't just approve these, you can't just approve these because they have to find a funding source. **Councilwoman Harris** noted oh OK without funding they can't do anything. No **Supervisor Hyde** noted the Board defunded those codes, the Board now has to sit here and decide how they are going to pay those bills. They can't not pay them. They have to figure out where to get the funds. They made the decision, the three of them, to defund the code. That means now that they have defunded the code they have to come up with where they are going to get the money. They can't just say we are going to defund the codes, and you just take care of it. That's not how it works. See I think maybe they want me to make these decisions so they can blame me. I don't know. **Councilwoman Seaman** talked over the Supervisor asking **Cynthia** are we going to take off the General Fund and the prepaid claims from the resolution? She continued are we going to amend the resolution and take off the General claims fund claims and the prepaid claims. **Supervisor Hyde** noted fine so you are going to amend the resolution to only pay the Highway and the Enterprise funds. Yup responded **Councilwoman Seaman**. The **Town Clerk** noted motion to amend by **Gail**, has anybody seconding the motion to amend? Yes, I'll second it responded



**Councilman Needham.** The **Town Clerk** then asked now what is the amendment? Weren't you listening asked **Councilwoman Seaman?** The **Town Clerk** responded yes, but I want to make sure for the record that it is accurate. **Supervisor Hyde** noted that there is no need for you to talk condescendingly to our **Town Clerk.** **Councilwoman Seaman** noted **Cynthia** get over it. It was discussed at length what the amendment would be. To take off the General Fund and to take off the prepaid claims. We are only approving the Highway and the Enterprise Fund for a total of \$26, 957.38, and the Enterprise Fund for \$50.00. The **Town Clerk** noted alright now we are sure. I thought it was before **Councilwoman Seaman** replied. **Supervisor Hyde** asked all those in favor. **Councilwoman Seaman** asked the clerk if she was ready. **Supervisor Hyde** asked what does our resolution say? It says that **Gail Seaman** made a motion and I think it was **Doug** who seconded it to only pay the Highway and Enterprise Fund. Correct **the Town Clerk** noted to the Supervisor. **Supervisor Hyde** continued not pay the General Fund. **Councilwoman Seaman** noted we can't pay the General Fund if we don't have the information to pay the General Fund. We can't pay the General Fund if we don't have the information. **Supervisor Hyde** noted you can't pay the General Fund because you defunded all the codes and you don't want to take the time and figure out how you are going to pay it. That's why you are not paying it. Nope noted **Councilwoman Seaman.** **Councilwoman Harris** noted she won't take the responsibility for her actions. **Supervisor Hyde** responded don't try and fool us **Gail.**

#### **A ROLL CALL VOTE WAS CALLED**

**Motion Carried: Ayes~3 Ackley, Needham, Seaman, Nays~2 Harris, Hyde**

**Supervisor Hyde** then asked so now how is the Board going to decide how to pay the General Fund expenses. **Councilwoman Seaman** noted let's finish doing the resolutions. **Supervisor Hyde** noted well it is going to take you awhile. You are going to have to figure it out. You are going to have to do Budget adjustments to pay these.

#### **Resolution # 115**

On a motion introduced by **Councilwoman Harris** and seconded by **Supervisor Hyde**

**Councilwoman Seaman** stated that this doesn't need a resolution.

**Supervisor Hyde** stated the reason for the resolution to approve toner was because

there no longer any money in my Contractual budget code. Therefore in order for me to make a purchase, I can't make a purchase and keep track of my budget. There is no more money in my code for contractual expenses. Therefore every time I have to make a purchase of office supplies for my office I have to go to the Board, and I have provided a Budget adjustment to cover that. Which is what these guys have to do with all the other ones. OK I'll read it.

#### **RESOLUTION TO APPROVE PURCHASE OF TONER**

The town board authorizes a budget adjustment of \$168.79 from A8810.1 to A1220.4 to cover the cost of toner for the printer in the supervisor's office and the town board approves the purchase of black toner for the supervisor's office which costs \$168.79.

After reading the resolution the **Supervisor** asked if anyone had any questions. **Councilwoman Seaman** responded yes. Asking you are going to take it from which code 8810? 8810.1 replied the **Supervisor**. **Councilman Needham** asked cemeteries? **Councilwoman Seaman** noted Cemeteries now you have the Secretary/Bookkeeper personal that you can take it because they are way under budget there. **Supervisor Hyde** responded that she was sorry, but that she could not take it out of there. Why asked **Councilwoman Seaman**? **Supervisor Hyde** noted because. The resolution was to take it out of.... That was the one budget code that you didn't totally defund. There is still \$516.80 left. Oh that is going to help us noted **Councilwoman Seaman**. **Councilwoman Ackley** asked why we were making a Budget adjustment now when we should have been doing this at the beginning of the year when we paid last years bills. Bingo noted **Councilwoman Seaman**. **Supervisor Hyde** noted you don't do budget adjustments if you have money in the code. If a purchase is made in my office for a contractual expense you only need a budget adjustment if you have either been defunded or have totally spent all your money. If you totally spend all the money in a code then in order to buy something you have to do a budget adjustment. You have to find money from somewhere else and take it out of wherever that is and put it in your code so that you can make the purchase. Because all of the purchases from for example my office have to be made under the code A1220.4. And the reason that everything is coded is so it can be followed what is spent. If you took it out of anywhere then it can't be followed. **Councilwoman Harris** noted there is a paper trail. **Supervisor Hyde** continued because there is no money in here because of the resolution that defunded my contractual expenses. I need a budget adjustment and approval to buy it so that is why this is here. In fact there will be more of these. **Councilwoman Seaman** interrupted noting like I said take it out of your 1221.1.

**Supervisor Hyde** responded the resolution is as it stands. We are voting on this resolution. So do I have any other questions or can we call a vote? **Councilwoman Seaman** noted we can change.... We can amend that to take it out of (inaudible). **Supervisor Hyde** responded no. You cannot take it out of someone's salary. You have to take where it is not being used. **Councilwoman Seaman** noted it is not being used right here. **Supervisor Hyde** repeated you cannot take it out of a salary code if a salary is being used to pay someone. You can not. **Councilwoman Seaman** noted yes you can. **Supervisor Hyde** then called for a Roll Call Vote.

#### **A ROLL CALL VOTE WAS CALLED**

**Motion Failed: Ayes~2 Harris, Hyde, Nays~1 Seaman, Astained~2 Ackley, Needham**

**Supervisor Hyde** noted ok the consequences of this is when I run out of ink there won't be any reports because I won't be able to print. **Councilwoman Seaman** noted like I said you can take it out of a different budget code. **Supervisor Hyde** noted you can't take it out of a code that is somebody's salary. **Councilwoman Seaman** noted of course you can, yes you can. **Supervisor Hyde** noted why don't you find that for me somewhere and prove that. **Councilwoman Seaman** stated you can take it out of any budget code when they have extra money in them. **Supervisor Hyde** stated OK we are done with that one. Obviously the Town Board isn't very concerned whether or not we can print things for them. So just remember that when we come to the meeting and we don't have any reports. I'll send them to them electronically and they will have to print them out on their own computers. That goes for you too **Doug**. So you might want to buy a computer if you aren't going to buy toner. OK resolution to approve funds for the Youth Party.

#### **Resolution # 116**

On a motion introduced by **Councilman Needham** and seconded by **Councilwoman Seaman**

##### RESOLUTION TO APPROVE FUNDS FOR YOUTH PARTY

The town board of the Town of Thurman authorizes a check to Susan Sheplar for \$500.00 to fund the Thurman Christmas Youth Party.

**Supervisor Hyde** asked if anybody had any questions. **Councilwoman Harris** noted she did. Last time at the last meeting someone made a comment when I asked that they tell us how they spent the money and what they had leftover from the concessions and things. And they said that they didn't have to do that. I think you

(Councilwoman Seaman) made a comment that said well nobody else has to do that. Well TSA, TCA gives us a report at the end of the year every year. Perky gives it to us. And it tells us how much money comes in, where they spend, what they did, and everything else. I think that should be required by the Youth Commission. **Supervisor Hyde** noted she gives us all her receipts. **Councilwoman Harris** stated I am saying how much did they get at the concert concessions because they are paying back what they think they were voluntarily paying. So they are paying back themselves. No responded **Councilwoman Seaman and Susan Shepler**. **Councilwoman Harris** noted that is what you said. **Susan Shepler** noted I make nothing. As a matter of fact we are in the hole. Because what we purchased to use at the concerts, the first two nights that we did it we had very little turnout, and there wasn't enough money to cover our expenses. So in reality we are in the hole. **Councilwoman Harris** noted well then that is what I would like in a report. **Councilwoman Seaman** noted you will have to require it from everybody if you require it from one. **Councilwoman Harris** noted that TSA does it. No they don't **Councilwoman Seaman** noted. **Councilwoman Harris** stated yes they do. TCA do. They do. I have a copy. **Councilwoman Seaman** noted we give them the money. We didn't give her the money for the concessions. **Councilwoman Harris** noted they get \$1,600.00 to do all the things and that should cover concessions. **Susan Shepler** noted that she gives them a detailed report for each party, for each account of money that I receive. That is what you get. This money that came in from the concerts was money that was raised based on donations from people. Nothing from the town. The town has donated not one red dime for this for us. And what we end up doing is usually you reimburse the expenses. **Councilwoman Harris** noted you made the comment....**Susan Shepler** continued ....with attendance so bad we made nothing. **Councilwoman Seaman** noted she doesn't have to give you a report. **Councilwoman Harris** noted what you said last time was that everybody puts in a lot of money because you don't have enough. You spent money. **Susan Shepler** noted we do. **Councilwoman Harris** continued and so we have concessions in order to pay back, to pay back the people who put in the money? Exactly **Susan Shepler** noted. **Councilwoman Harris** noted alright so you didn't make enough to .....**Susan Shepler** interrupted noting no we don't pay back anybody. We don't pay back anybody. The money that we raise on a normal year, this was not a normal year for us, we use that money to offset the expenses. In other words let's say we get \$565.00, throw a cake in there. Alright so the money that is raised we use to offset that. Based on the anticipation of the children coming in. Every child leaves here with something, and not jelly beans. **Councilwoman Harris** noted that I know that they are good parties. **Susan Shepler** continued so that money, and it's accounted for, every single penny is accounted for

that we receive from the town whether it is a \$165.00 for the Valentine's party. **Supervisor Hyde** noted not every time. **Susan Shepler** noted that since you have asked us for it we have accounted for every penny of it, and you will see that we go over the amount that the town gives us. **Councilwoman Harris** stated that is where I got the idea. You made the comment that we have to have the concession in order to fill in because you have already paid for it or something. **Susan Shepler** replied no, no. **Supervisor Hyde** asked why the amount raised in the Budget is not enough. **Susan Shepler** because usually we can end up with anywhere lets say 20 to we've had as many as 60 children attend our parties in years past. **Supervisor Hyde** noted they used to have way more kids then they have. You couldn't even hardly move in here. Exactly replied **Susan Shepler**. **Supervisor Hyde** asked if they raised money at the concessions. In years past asked **Susan Shepler**. **Supervisor Hyde** responded yes. **Susan Shepler** asked in years past. We have either worked the garage sale weekend. Then we started having concerts and we were asked if we would like to try and make some money that way, and we have done that. **Supervisor Hyde** asked how come you didn't raise it last year. Last year the only people that raised money was the TSA did three concerts, and no one else would do it. **Susan Shepler** noted she wasn't involved in the Youth Commission last year. **Supervisor Hyde** stated no one else, oh that's right you quite. No one else would do except for Pat. We actually had to find somebody to do the concessions last year. Fine I don't have a problem with this, but if it was so important this year why wasn't it important last year? **Councilwoman Harris** noted well I'm just trying to clarify that we give money to one organization, they give us a great report at the end. We give money, the money passes through the Town Board to another organization that this town funded so therefore I thought that maybe ....**Susan Shepler and Councilwoman Seaman** both noted that she gives a report. **Susan Shepler** continued I give you a report at the end of the of the individual party. **Supervisor Hyde** noted wait a minute. We had to fill out that thing. I thought you were the one who did it. **Councilwoman Harris** noted that she sends the one at the end of the year, but after every party she has to give me the information. And I do **Susan Shepler** noted. **Councilwoman Harris** noted the only other thing I need on that is when this Halloween party comes up if you have children that came to the Easter party or you had children who came to the Valentine thing. You fill out the form that I give you. Put in a circle or in one another area you have to put down like if Joe Blow has been to all three parties (inaudible). **Susan Shepler** noted I cannot, I will not, I cannot do that, and I'll tell you why. **Councilwoman Harris** stated tell the county why because that's who wants it. **Susan Shepler** noted she would certainly tell the county. **Supervisor Hyde** asked about a sign in sheet like they do with Occupancy Tax? **Susan Shepler** noted they have a sign in sheet for the children if they

choose to participate in the baskets and there is also usually a .....**Councilwoman Harris** noted she wasn't questioning how you run the thing. I am also saying on a safety thing that if you have 50 to 60 kids there you should have a name down because if something should happen whoever....**Susan Shepler** noted I can't force a parent to put a child's name down. **Councilwoman Harris** stated you know everybody keeps track of what is going on. **Susan Shepler** noted that she does not know every child. I am telling you honestly that I do not know all the children that come to these events. And unfortunately or fortunately, depending on how you choose to look at it, we do have other children from other towns who do come in. **Councilwoman Harris** noted that if you have 60 kids you should know who they all are. **Supervisor Hyde** noted that she (Councilwoman Harris) had to answer certain questions in this report. **Councilwoman Harris** noted the only thing that I had to answer that I wasn't able to get was you can't duplicate numbers. I mean you can put down that you got 60 people there, but in the end if four of them have been there before then it's only 56. **Supervisor Hyde** noted they want to know how many total. How many total kids. **Susan Shepler** noted well then we have no kids because we have all the same kids. It's not always the same kids, but a majority of the time it is the same children who come for party, to party, to party. I would think it would be the total number per party. **Councilwoman Harris** noted no, the County wants to know the total children who have been given the opportunity to be in the recreation. And so not how many times they come, but how many they are. You can't count them twice is what they are saying. Even though on the sheet they want to know. **Susan Shepler** noted the difference here is that it is not a recreation program. Hmm noted **Councilwoman Harris**. **Susan Shepler** noted it's not. It's a Halloween party, it's a Christmas party, it's an Easter party and it's a Valentine's for Vets. **Councilwoman Harris** stated I know it's not a recreation, but that is what the money is supposed to be for. She noted that she knew that. The grant and everything else says it is for recreation. **Susan Shepler** replied I know. We are not a recreation program. The program that we had talked about having during the summer and during the winter would cover that, but unfortunately we have no heat up in the town hall, I mean youth building, we have no water. **Councilwoman Harris** noted you must have all the keys. No I don't have all the keys **Susan Shepler** noted. **Supervisor Hyde** asked what do you need the Youth building for? **Susan Shepler** noted because if you have a recreation program or a winter program you have to have a place to bring them. **Supervisor Hyde** stated that is not why you don't have recreation, the water has nothing to do with it. You didn't have a recreation program for years, and there was water up there. It has nothing to do with the water. Let's not go off on tangents lets

just vote on it. She then stated this is one we probably won't have to do a roll call vote on.

**Motion Carried: Ayes~5 Ackley, Harris, Needham, Seaman, Hyde, Nays~0**

**Supervisor Hyde** noted the last thing that the Board has to do is figure out how to pay the general fund bills. **Councilwoman Seaman** stated not until you get us the stuff to do it. **Supervisor Hyde** noted you have an operating statement. Don't need it replied **Councilwoman Seaman** I need the bank statements she noted. **Supervisor Hyde** noted that you people need to figure out where to get the funds to pay the bills. Are you going to smirk at me and laugh? This is your job. You can't defund a code and then expect....**Councilwoman Seaman** interrupted noting **Cynthia** you don't even have bills that should be in here in here. You have on the abstract attorney bills and they are not in there. **Supervisor Hyde** noted Board, Town Board you have codes here, you have to figure out how to pay these bills because....**Councilman Needham** interrupted making a motion to adjourn. **Councilwoman Seaman** seconded the motion. So in other words you don't want to figure out how to pay the bills **Supervisor Hyde** stated. **Councilwoman Seaman** asked all those in favor? **Councilwoman Ackley and Councilman Needham** both said aye. We're done noted **Councilwoman Seaman** . **Councilwoman Ackley, Councilman Needham and Councilwoman Seaman** then left the meeting adjourning the meeting at 9:12 pm.

Respectfully Submitted,

Susan E Staples, Town Clerk

November 07, 2018

October 10, 2018 Regular Board Meeting

**Town of Thurman RESOLUTION # 86 of 2018**

Introduced By: Councilwoman Seaman

Seconded By: Councilman Needham

Councilman Douglas Needham

**nay**

Councilwoman **Brenda** Ackley

**nay nay**

Councilwoman Gail Seaman

**yea@**

Councilwoman Joan Harris

**vea@**

Supervisor Cynthia Hyde

**Resolution**

Whereas the Town Board has previously directed the Town Supervisor to pay the principle and indebtedness on the BAN which was due May 31, 2018 to Glens Falls National Bank, and

Whereas the Town Supervisor has informed the Board that she will not pay *off* the now overdue BAN due to moral and ethical opposition, and

Whereas the Town Board is legally in charge of the fiscal operation of the Town, as per the New York State Comptroller's Office and the Laws of the State of New York, and

Whereas the Town Board has determined that it is in the best financial interests of the Town to stop the further accrual of interest, damage to the Town's credit rating, and to protect the town from a tax increase which would occur if the Town took out a BOND or other entered into another loan scenario, and

Whereas the Town Board recognizes that the Town Supervisor has repeatedly made clear that she will not abide by the laws of the State of New York which require her to carry out the resolutions of the Town Board, **despite** the negative impacts of her actions on the Town and its citizens, however the Town Board has a duty to the Town as the governing body that it intends to carry out despite the Supervisor's refusal to carry out the resolutions of the governing body, therefore

BE IT RESOLVED that the Town Board again directs the Town Supervisor to pay the principle and indebtedness on the now overdue BAN, and

BE IT FURTHER RESOLVED that pursuant to the Town Supervisor's complaint that direction to pay *off* the BAN was not specific enough; the Town Board directs the Supervisor to do the following:

Transfer \$109,400 from the Savings account ending \*7817 to the General Fund

Use the \$109,400 and an additional \$191,372.17 from the General Fund to pay Glens Falls National Bank the \$300,772.17 due to pay *off* the BAN, this pay *off* amount must be paid no later than July 12, 2018 after such time additional charges will accrue. The Town Board directs the Town Supervisor to pay off the BAN prior to July 12, 2018.



October 10, 2018 Regular Board Meeting

Following Budget adjustments defunding various budget lines to reflect the necessary budget cuts that need to be made to cover the expense of paying off the BAN from the General Fund. The financial information provided by the Town Supervisor is inaccurate however these are only information the Supervisor has provided the Board, and the Town Supervisor has not perfectly vowed that they are accurate so the Board will have to do its best to adjust the budget with inaccurate accounting records.

Decrease the General Fund Codes as follows:

1010.4 - \$2,480  
1110.2 - \$1,500,  
1220.4 - \$2,000  
1221.1 - \$18,000  
1310.1 - \$ 1,000  
1355.4 - \$ 6,000  
1411.1 - \$2,500  
1440.4 - \$17,000  
1620.1 - **\$ 6,500**  
1620.4 - \$15,000  
4020.1 - \$ 750  
4025.4 - \$ 500  
6510.4 - \$ 250  
6772.4 - ~~\$ 5,000~~  
7310.4 - \$1,000  
7510.1 - **\$ 500**  
7510.4 - \$ 50  
8160.1 - \$14,000  
8160.4 - \$10,000  
8810.1 - **\$4,000**  
8810.4 - \$ 700  
**8989.1** - \$ 3,000  
**1990.4** - \$10,000  
1910.4 - ~~119,000~~  
**\$140,730**

Reduce the Unallocated, Unappropriated Fund Balance by \$50,642.17

BE IT FURTHER RESOLVED that the Town Board directs that the following positions **be deleted** and removed from the Town's Table of Organization due to the budget cuts, the Board may recreate the positions by resolution in the future once the financial status of the Town has stabilized;

Secretary/ bookkeeper to the Supervisor  
All Town Maintenance Workers  
landfill Superintendent  
Cemetery Superintendent  
Cleaner

BE IT FURTHER RESOLVED that the position of one Deputy Town Clerk shall remain but at no salary as the position was defunded in the budget

BE IT FURTHER RESOLVED that with the exception of the Highway Superintendent and the Court Clerk all elected and appointed individuals whose positions remain funded in the budget shall **be paid** the remainder of their salaries in the second week of December to allow the Town to meet its contractual and cash flow obligations, and

1.

BE IT FURTHER RESOLVED that the Town Board recognizes the importance of public health and safety and directs the Town Supervisor to pay the overdue contract fee of \$50,000 to Warrensburg EMS as soon as possible and no later than September 15, 2018, and finally,

BE IT RESOLVED that Town Law 29 (7), Town Law 125 (1) and Town Law 29 (16), provide that the Town Supervisor is required to pay the principle and indebtedness and that the Town Supervisor is required to perform such duties as the Town Board directs by resolution on behalf of the Town Board. Further and continued refusal by the Town Supervisor to comply with the resolutions of the Town Board is not only a violation of the Town Supervisor's Oath of Office but also violates the laws of the State of New York.

STATE OF NEW YORK

)SS:

COUNTY OF WARREN )

*Susan Staples* Town Clerk of the Town of Thurman of the County of Warren, do hereby certify that the foregoing is a true and correct copy and the whole thereof, of a Resolution duly adopted by the Town Board of the Town of Thurman of the County of Warren, on the 11<sup>th</sup> day of July, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Thurman this gk;j- day of .."=t" ..... 2018.



Clerk of the Town of Thurman County of Warren

### My thoughts on paying off the BAN The

Tax Cap this year is \$697,353 (\$670,925 2018 tax levy plus \$7,535 carryover)

The tentative budget without the BAN pmt is under the tax cap. It would only be necessary to raise the tax cap for the BAN Pmt.

Raising the tax cap to pay \$75,000 towards the BAN would have many positive affects for our town.

1. It would leave the town adequate funding for the rest of this year.
2. It would allow Thurman to have a fund balance sufficient to begin 2019 before tax revenues come in.
3. It would increase the tax levy starting point for 2020 so that increases in that year would not exceed the tax cap, allowing the town to create a reserve fund for much needed highway equipment.
4. It would not affect the Property Tax Credit as that is dependent upon the school tax staying under the cap, not town tax.
5. 37% of the BAN payment will be paid by New York State when they pay their town tax on the State Owned Land.
6. Examples of how this will affect your taxes:

Assessed Property Value	Annual Tax Increase for BAN Pmt
50,000	23.00
75,000	34.50
100,000	46.00
150,000	69.00
200,000	92.00
250,000	115.00

If the town does not over-ride the tax cap and enter an amount for the BAN Pmt into the budget it puts the town at risk of meeting its' obligations.

If the highway needs additional funds, it won't be available. They have already reached their budgeted amount for snow removal salaries so there are no funds for over time until Jan 2019.

The savings account has been depleted. There are no funds available to meet unexpected expenses. The Comptroller suggests 10% of total budget appropriations in savings. There will be \$400 in savings. It is highly unlikely Thurman will be able to get additional financing if there is a need.

Please reconsider the payment methods you have chosen. They are not wise choices. They hurt the town more than they help. There was no reason to eliminate the money to keep the landfill open, or the ability to purchase office supplies, or to cut positions that are essential to the operation of the town.

You cannot judge this by the percentage of increase. An increase of \$407 to \$469 tax bill is a 15% increase, but an additional \$62 per year, about \$5 per month, is not much to pay considering the long term benefits Thurman will have from this.

Please enter this letter into the minutes.

Deb Runyon

To: Cynthia Hyde

From: Pat Wood

Date: 10/09/18

RE: River Road Reconstruction

Hi Cynthia,

As you know, we are at the point that we need to have the Jones RR crossing relocated so as to finish up River road and get it open before winter. I do not believe we currently have the funds available to pay for this at this time. I have spoken with Kevin Hajos and suggested that perhaps the County would be willing to pay to have the road crossing constructed and the crossing arms moved to the new location. We could then have the County bill us for the costs associated with this work and I could pay them back after we receive or nekt CHIPS reimbursement. Since this would be a legitimate charge for road reconstruction. We can provide labor and machinery to assist in getting this done to try and keep costs down. Can you please propose this to the DPW committe as soon as possible. It is the only way that I can come up with to get the road opened up before winter gets here due to our current financial situation.

Thank You,

Pat.

October 10, 2018 Regular Board Meeting

<b>DATE</b>	<b>PCR#</b>	<b>PRIORITY</b>	<b>CHIEF COMPLAINT</b>	<b>DISPATCH TO ENROUTE</b>	<b>ENROUTE TO ONSCENE</b>
9/25/2018	18-35413	ALS	DIFF BREATHING	6 MINUTES	15 MINUTES

October 10, 2018 Regular Board Meeting

Acct Code	Description	Budget Amount	Decrease per Seaman Resolution	Balance as of June 30, 2018	Balance as of October 4, 2018	Balance available for Decrease	How the decrease affects the public o funds from code could not be use
A1010.4	T. Board CE	3,000.00	2,480.00	2,480.12	2,417.20	2,417.20	no funds for legal ads
A110.2	Justice EQ	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	no funds for equipment
A1220.4	Supervisor CE	4,000.00	2,000.00	2,428.22	1,977.91	1,977.91	no funds for supplies/supervisors office
A1221.1	Supervisor PS	24,336.00	18,000.00	17,391.12	13,920.37	-	pay for confidential secretary/bookkeeper
AI310.1	Director of Finance PS	2,090.00	1,000.00	1,045.06	482.40	-	Supervisors salary illegal to take
AI355.4	Assessor CE	3,600.00	6,000.00	2,136.14	1,103.10	1,103.10	no funds for supplies/assessors office
A1411.1	Deputy Clerk PS	4,000.00	2,500.00	2,544.00	2,471.20	2,471.20	no funds to pay deputy town clerk
A1440.4	Engineer CE	27,000.00	17,000.00	16,164.00	14,016.50	14,016.50	no funds to pay engineer costs
A1620.1	Buildings PS	8,300.00	6,500.00	6,407.20	6,407.20	6,407.20	no funds to pay maintenance person
A1620.4	Buildings CE	40,000.00	15,000.00	17,856.79	14,014.46	14,014.46	no funds to pay building maintenance or hall fuel bills
A4020.1	Regis. Vital Stats PS	1,040.00	750.00	780.00	260.00	-	Town Clerk Salary illegal to take
A4025.4	Laboratory CE	1,500.00	500.00	225.00	(-105.00)	-	can't use in the negative
A6510.4	veterans services CE	250.00	250.00	50.00	50.00	50.00	
A6772.4	Programs for aging CE	7,500.00	5,000.00	5,075.00	3,725.00	-	can not use /contract for senior bus
A7310.4	Youth programs CE	1,625.00	1,000.00	1,000.00	500.00	-	can not use /aggreement with county
A7510.1	Historian PS	500.00	500.00	500.00	500.00	500.00	
A7510.4	Historian CE	50.00	50.00	50.00	50.00	50.00	no funds for historian office
A8160.1	Refuse/garbage PS	23,000.00	14,000.00	13,778.80	13,586.40	13,586.40	no funds for transfer station may need to close
A8160.4	Refuse/garbage CE	20,000.00	10,000.00	14,416.09	9,743.21	9,743.21	no funds for transfer station
A8810.1	Cemeteries PS	4,600.00	4,000.00	4,516.80	4,516.80	4,000.00	\$516.80 left over
A8810.4	Cemeteries CE	700.00	700.00	690.16	690.16	690.16	no funds
A8989.1	Meals on wheels driver	5,000.00	3,000.00	2,803.00	1,562.80	-	pay for meals on wheels driver
A1990.4	contingency account	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	no funds in contingency
A1910.4	Unallocated Insurance	20,000.00	19,000.00	2,898.36	(-272.64)	-	can't use in the negative
	Savings account					109,400.00	\$0.00 savings
	Fund Balance					50,642.17	

October 10, 2018 Regular Board Meeting

						242,569.51	
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