

Regular Board Meeting August 14, 2019

MINUTES OF THE REGULAR BOARD MEETING OF THE TOWN OF THURMAN, NEW YORK HELD AUGUST 14, 2019 AT THE THURMAN TOWN HALL, 311 ATHOL ROAD, ATHOL, NEW YORK, COMMENCING AT 6:30 PM.....

PRESENT: Councilman Douglas Needham

Councilwoman Gail Seaman

Supervisor Cynthia Hyde

ABSENT: Councilwoman Brenda Ackley

Councilwoman Joan Harris

RECORDING SECRETARY: Susan E. Staples

PLEDGE OF ALLEFIANCE TO THE FLAG:

ROLL CALL:

Review of claims started at 6:30 pm. The meeting was called to order at 7:00pm.

REPORTS FROM THE BOARD: Supervisor Hyde asked do we have any reports from the Board. Do we have Building and Grounds reports or Landfill reports or.....Councilwoman Seaman noted well while we are talking about Landfill we need to make sure that we hire somebody. The Landfill attendant. Did you take in any applications? Supervisor Hyde asked Susan did we take in any applications for the Landfill. The Town Clerk stated there was no ad to put in, and no applications were (inaudible). Supervisor Hyde noted well we do.....We did have a perfectly reliable um, Landfill Attendant that was fired. I have a Resolution in my meeting packet to hire him back. Councilwoman Seaman noted now can we.....You just stated that we did not.....Supervisor Hyde interrupted noting this is not a report. This is reports from the Board that is not that. That is not a report. Do you have a report? Do you have a report Doug? Councilwoman Seaman spoke over the Supervisor noting oh no, no, no let me finish this. Are you finished? Councilman Needham replied no. Councilwoman Seaman continued you just stated Susan that you didn't receive any applications. Correct. The Town Clerk replied I said no ad went into the paper therefore there were no applications turned in. I have not received.....Councilwoman Seaman interrupted noting OK I do know that an application was submitted, and the person came to me and gave me copies just because he knew that that might happen. The Town Clerk responded well I know a person came and got an application from me, but he never returned it. Did you hear me? I know one came and got an application from me, but never returned it, and that was..... Councilwoman Seaman interrupted noting so we do have at least one applicant (inaudible). Councilwoman Seaman stated obviously he did return it. Supervisor Hyde noted and we have like I said we have a Landfill attendant who would very much like to go back to work. Councilwoman Seaman interrupted stating no. We have an application. Supervisor Hyde continued and he has worked for the Landfill for quite a few years. He knows what he is doing, and he would very much like his job back. It was taken away from him because of some made up that um supposedly the Town didn't have any money which was not true. He still hasn't gotten his job back, but would like it back. We do have a Resolution to cover that by the way. Councilwoman Seaman stated the Landfill attendant position was eliminated last June over a year ago. Supervisor Hyde interrupted noting it was....Was it eliminated? The Town Clerk replied all those positions were defunded. Supervisor Hyde stated it was not, it was defunded. Councilwoman Seaman

stated it was eliminated, and then we put it into the um budget because we thought we could do it again this year. So that requires that applications be accepted. Now I am sure you have applications in your office. Would you like to go into an Executive Session and review them? **Supervisor Hyde** replied I will not go to my office, and review applications. **Councilwoman Seaman** interrupted noted well then.....**Supervisor Hyde** continued the Town Board did not submit.....**Councilwoman Seaman** interrupted noting then I suggest that we review the application that we do have. **Supervisor Hyde** continued a Resolution for help wanted ad, and no help wanted ad went in the paper. **Councilwoman Seaman** stated it should have. **Supervisor Hyde** continued so you need to understand that no help.....That the Town Board did not pass the Resolution to put help wanted ads in the paper. You need to understand that first of all. That is why we do not have any applications. Do you understand? **Councilwoman Seaman** stated we did. We did pass a Resolution to have a help wanted ad put in the paper. **Supervisor Hyde** replied **Mrs. Seaman** I am afraid that is not true. **Councilwoman Seaman** stated it is reflected in the minutes actually. **Supervisor Hyde** responded it is not in the minutes. **Councilwoman Seaman** continued and it was voted on as a matter of fact. Yeah so again you have not placed the ad in the paper. Maybe you would like to try it again to place a help wanted ad. Or we do at least have one previous employee who would like to get the job. **Supervisor Hyde** stated **Mrs. Seaman** lets stick to the agenda. If you don't have a report let's go on to privilege of the floor. Let's open privilege of the floor.

PRIVILEGE OF THE FLOOR: Privilege of the floor was opened, and the following residents spoke. **Matt Seaman, Jean Coulard, Paula Hubert, Richard Kline, Karma Smith, Barbara Ferrell, Debbie McIlrath, Paula Hubert, John McIlrath, and Joyce Eddy.** Privilege of the floor closed at 8:03pm.

DISCUSSION: **Councilwoman Seaman** noted so **Paula** had asked the money that was supposedly in account why can't we use that \$6,500.00 to buy new playground equipment. **Supervisor Hyde** asked why are you asking me. I am not the one that decides.....**Councilwoman Seaman** interrupted noting well you are the one who said it is the Board so I made a proposal to use the 6,000 that you said was in the account to.....**Supervisor Hyde** interrupted stating well then.....no, no, no. Write your proposal down. **Councilwoman Seaman** responded I don't have too. **Supervisor Hyde** noted see what you can get. See what it is going to cost. **Councilwoman Seaman** noted Resolution. **Cynthia.** No. I make a proposal.....**Supervisor Hyde** stated if you want to make a proposal then prepare a proposal, and bring it to the next meeting. **Councilwoman Seaman** stated I am. I am making.....I am making a motion that we use the \$6,000.00 that the Supervisor has said is in the account. **Supervisor Hyde** interrupted stating this is not on the agenda. The **Town Clerk** noted nor is it an emergency. The **Supervisor** continued this is another instance of **Mrs. Seaman** is going to blindside everybody with Resolutions that we were not prepared to conduct business on today. The **Town Clerk** interrupted noting we are not doing it. The **Supervisor** continued no. I am sorry.....**Councilwoman Seaman** interrupted noting motions are always accepted from the floor. I made a motion.....The **Town Clerk** stated no. **Councilwoman Seaman** continued to use the \$6,000.00 that the Supervisor has stated is in the account to be used for the purchase of playground equipment for up there. **Supervisor Hyde** spoke over her noting go ahead. It is not going to amount to a hill of beans. **Councilwoman Seaman** asked do I have a second. **Councilman Needham** stated I will second that. **Councilwoman Seaman** responded thank you. We have a second. The **Town Clerk** responded no. **Councilwoman Seaman** stated yes we do. We have a motion and a second. The **Town Clerk** stated it is not an emergency. It doesn't need to happen tonight No. There was no public notice. **Councilman Needham** interrupted with an inaudible comment. **Councilwoman**

Seaman stated **Susan Staples** you don't get to decide (inaudible). The **Town Clerk** responded yes I do. There is no public notice. You were given a memorandum from me about this very subject.

Councilwoman Seaman stated may I have the law book please. Or are you going to refuse to give me a copy of the Town Law Manual. The **Town Clerk** responded I do not have my Law Manual. Where is yours? The **Supervisor** noted OK let's get on with.....**Councilwoman Seaman** interrupted noting would you please get it from the town.....Your office. The **Town Clerk** stated we have already addressed this topic in a memorandum. **Councilwoman Seaman** continued we have a motion on the floor and a second. The **Town Clerk** continued you are violating open meeting laws by not putting this on the agenda prior to the start of the meeting. It is not an emergency. It does not have to be decided tonight. **Councilwoman Seaman** spoke over the Clerk noting now we have a motion on the floor and a second, and you were told by the Association of Towns that you have no right to decide what the Town Board can or cannot do. You simply if we take action, you have to record it. That was her words exactly.

Supervisor Hyde responded **Mrs. Seaman** you have to take legal action for her to record it.

Councilwoman Seaman stated no I do not. **Supervisor Hyde** replied she is not here to record garbage.

Councilwoman Seaman stated you don't get a choice. **Supervisor Hyde** noted she is not here to record garbage that is the stuff that gets thrown out, and nobody knows about. **Councilwoman Seaman** repeated there is a motion on the floor, and a second. There is a motion, and there is a second.

Supervisor Hyde asked people to please sit down. **Councilwoman Seaman** stated so we have the question before us is to use the 6,000 that you said was right in the fund to buy playground equipment at the bands park. All in favor? **Councilman Needham** asked how much was in there. **Councilwoman Seaman** responded 6,000 she said. So that is plenty. So we could use up to \$6,000.00. **Supervisor Hyde** stated I didn't say anything. Just so you know. **Councilwoman Seaman** stated they won't use it to repair it. They would have to replace it. **Councilman Needham** stated they would have to replace it.

Councilwoman Seaman stated can we have a Roll Call vote please? We....The Board is directing the Clerk to please call the roll. **Supervisor Hyde** noted excuse me, but you are not the Chairperson of the meeting. **Councilwoman Seaman** stated I don't have to be. A Board Member.....No Board Member has any more power than any other. It is right on the Town website. You posted it. And every Board Member has one vote. So yes we would like.....If you finished with discussion we would like to take a vote. All those in favor? **Councilwoman Seaman and Councilman Needham** responded aye.

Councilwoman Seaman asked all those opposed. **Supervisor Hyde** acknowledged a resident.

Councilwoman Seaman repeated opposed. Opposed. Um apparently the vote.....The

vote.....**Supervisor Hyde** interrupted noting alright let's get on to the Resolutions at hand. Oh let me.....Let me.....**Councilwoman Seaman** noted the vote was two in favor. One refused that is a no vote.

The offered Resolution was not properly submitted in writing prior to the start of the meeting therefore it is not part of the official record.

Discussion: So **Cynthia** does not want the children to have playground equipment, and does not want to use the money for the purposes that it was meant to be used for. **Supervisor Hyde** noted I would like.....I would like to.....**Councilwoman Seaman** stated and that should be.....Make sure that that is recorded in the minutes. **Supervisor Hyde** stated excuse me **Mrs. Seaman**. Gaveling, she stated I would like to get back to the agenda please. **Councilwoman Seaman** stated please make sure that that is recorded, **Susan**. **Supervisor Hyde** noted what we are going to do next is we are going to do Resolutions, and I would like everybody in this audience to know that I wrote all the Resolutions in this meeting packet, and they were provided to the Board last, I don't mean.....**Councilwoman Seaman** interrupted

noting because you are not in the office (inaudible). **Supervisor Hyde** continued they were provided to the Board I believe on either Tuesday or Wednesday. So they have had since last week they have a full 7 days to digest what I have proposed to bring up as business at this meeting. That is how it is supposed to be done. **Councilwoman Seaman** responded no. **Supervisor Hyde** responded unless it is a dire emergency. **Councilwoman Seaman** interrupted no that is not what the Law Book says. **Supervisor Hyde** continued lets remember that, and who is it to protect. **Councilwoman Seaman** noted that is not the way the law was written. **Supervisor Hyde** continued this is to protect you so that you don't get blindsided by a Town Board who is not telling you what they are going to do. You want to know what the Town Board is proposing so that you can comment on it if you like....Would wish. **Councilwoman Seaman** interrupted noting right. **Supervisor Hyde** noted so anyway do I have a motion to approve a intermunicipal agreement to the floor.

RESOLUTIONS:

Resolution # 56

On a motion introduced by **Councilman Needham** and seconded by **Supervisor Hyde**

RESOLUTION TO APPROVE INTERMUNICIPAL AGREEMENT

The town board of the Town of Thurman approves an INTERMUNICIPAL AGREEMENT between the County of Warren and the Town of Thurman relating to solid waste and recyclable disposal services of plastics, solid waste and recycling transportation services, municipal paper recycling services and electronics recycling.

Discussion: **Supervisor Hyde** noted the agreement is very large. I did email the Town Board a good week ago, and asked them if they would like to read it that they should please contact the **Town Clerk**, and come in and read it because I have no intention of making copies of something this large, and um so if the Board has any discussion on this or are we ready to vote? **Councilwoman Seaman** noted no this is standard. I mean as far as I am concerned. **Supervisor Hyde** noted OK Roll Call.

A Roll Call Vote was called.

Motion Carried: Ayes~3 Needham, Seaman, Hyde, Nays~0

Resolution # 57

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

RESOLUTION TO APPROVE AGREEMENT

The town board of Town of Thurman approves the agreement between County of Warren, Warren-Hamilton Counties Office for the aging and the Town of Thurman for transportation of the elderly.

Discussion: Supervisor Hyde noted this is the senior bus that goes around on Friday. I think it is once a month, and they pick up seniors and they take them to Walmart, and they take them shopping down at Glens Falls. We have been doing this....We have done it for years and years. Any discussion on that? Roll Call please.

A Roll Call Vote was called.

Motion Carried: Ayes~3 Needham, Seaman, Hyde, Nays~0

Discussion: Supervisor Hyde asked OK now I have a.....Do I have a motion to get a Resolution to adopt the Town of Thurman Sexual Harassment Policy? Do I have a motion? For those in the audience the sexual harassment policy for all employers in New York State is an absolute.....There is really.....I don't know why the State insist that we have a Resolution because we have to do this. I have brought this to the Board oh this is.....The **Town Clerk** noted third time. **Supervisor Hyde** continued I think this is the third time, and I cannot get the Board to instate a Sexual Harassment policy. We have had to take education. Everybody that works in the Town Hall has had to watch a video. Actually anybody that works anywhere in the state apparently has to do this. So I don't have a motion to get this on the floor? **Councilwoman Seaman** responded nope the State wants (inaudible). **Supervisor Hyde** noted alright well I guess we once again I will try next month. **Councilwoman Seaman** stated well the problem is who you report to as far as I am concerned, and we don't have (inaudible). **Supervisor Hyde** stated **Gail** I did not write it, the State did. OK. New York State wrote this **Mrs. Seaman**, and I am sorry that you don't agree with it. **Councilwoman Seaman** interrupted stating actually yes you did. Yup that is OK. You won't pass the Ethics law either. **Supervisor Hyde** asked do I have a motion to get a Resolution on the floor to reinstate the Transfer Station Attendant? **Councilwoman Seaman** stated you can't reinstate a position that was eliminated. **Supervisor Hyde** asked can I get.....Have a motion to get a Resolution on the floor to reinstate the Transfer Station Attendant that was let go. That was asked to not work because of defunding that was not necessary. OK no motion we won't get.....**Councilwoman Seaman** stated no I'll make a motion to advertise for a Landfill attendant.....**Supervisor Hyde** interrupted noting no sorry **Mrs. Seaman**, but that was not.....You did not provide that to the Town Board or the public. We have.....I'm sorry **Mrs. Seaman** as she gaveled. **Councilwoman Seaman** continued speaking over the **Supervisor** noting yeah actually we have. Yeah. We need to.....**Supervisor Hyde** stated I am sorry **Mrs. Seaman**, but I'm on Resolutions right now. I am asking you to be quiet so we can continue. Do I have a motion to approve..... **Councilwoman Seaman** spoke over the **Supervisor** noting we need to get a motion on the floor to hire the following positions. A Town maintenance person, landfill attendant and cemetery worker. **Supervisor Hyde** noted **Mrs. Seaman** I am trying to (inaudible) cemetery worker. **Councilwoman Seaman** stated yeah, and that is why I am making a motion to advertise again for the post. **Supervisor Hyde** gaveled and stated **Mrs. Seaman, Mrs. Seaman** you are out of order **Mrs. Seaman. Councilwoman Seaman** asked do I have a second? **Supervisor Hyde** again noted **Mrs. Seaman** you are out of order. **Councilman Needham** seconded. **Councilwoman Seaman** stated I have a second. We have a motion. No, I am not. We have a motion and a second. We have a motion, and a second to advertise for the position of Town Maintenance Person, Landfill attendant and cemetery worker. On the website, in the PostStar and the Sun. **Supervisor Hyde** gaveled and said you are out of order **Mrs. Seaman**. You are out of order. **Councilman Needham** asked didn't we already pass that? **Councilwoman Seaman** replied yeah we already passed it, but they are not doing it. This was all passed at a meeting (inaudible). **Councilman Needham** stated one more time. **Councilwoman Seaman** noted one more time. **Supervisor Hyde** gaveled again noting **Mrs. Seaman** you are out of order **Mrs. Seaman**. We are on

Resolutions that were provided to the Board and the public. We are not on those Resolutions. Those were not provided to the public. **Councilwoman Seaman** stated we made a.....We have made a motion. And it is on the floor, and a second. **Supervisor Hyde** noted you are out of order. **Councilwoman Seaman** stated no, I am not. **Supervisor Hyde** noted yes you are **Mrs. Seaman** we are doing the Resolutions from the meeting packet. **Councilwoman Seaman** stated show me the law that says I am out of order. Show me the law. **Supervisor Hyde** asked do I have a motion to get a Resolution to approve a contract with the Thurman Connection Snowmobile Club. **Councilwoman Seaman** spoke over the **Supervisor** noting no, we have a motion on the floor and a second. She continued we have a motion on the floor and a second. **Supervisor Hyde** noted please, please no comments from the floor. Have you seen any of these Resolutions from **Mrs. Seaman**? The **Town Clerk** replied no. **Supervisor Hyde** stated neither have I. The **Town Clerk** noted and you know they will not be entertained. **Supervisor Hyde** stated we are not have privilege of the floor right now. **Councilwoman Seaman** stated we have a motion on the floor. The **Town Clerk** stated they are violating open meeting law. They know it, and they know they won't be entertained. **Supervisor Hyde** stated you are violating Town Law and Open Meeting Law. **Councilwoman Seaman** replied show me the law. That is all I ask. Show it. Show it to me. Because according to the Town Law Book a Board Member can make a motion at any time. **Supervisor Hyde** spoke over her noting we will just sit here wait until she gets through her violation then we will move on. There is nothing else we can do. **Councilwoman Seaman** asked so are we going to discuss getting this? So do you want to advertise because we are in the discussion phase now. We have a motion and a second. **Supervisor Hyde** responded **Mrs. Seaman** no, I do not want to discuss something that was not provided to the public or any other Board Members. **Councilwoman Seaman** noted so Town Supervisor refuses to discuss a motion made by a Town Board person legally at the meeting to post the following positions and advertise for Town Maintenance person, a Landfill Attendant and a Cemetery worker on the Town website and in the PostStar. This has also been already been voted on, and the motion carried by three yeas with **Ackley, Needham and Seaman**, and that was on the 16th of July (Clerk's note that was an illegal meeting with no public notice. Any action taken at that meeting is not official). **Supervisor Hyde** asked can we get on with the Resolutions now please? **Councilwoman Seaman** stated so since we have a motion and a second I say we call the vote if you don't want to discuss it. **Supervisor Hyde** stated you are not the Chair of the meeting. **Councilwoman Seaman** interrupted stating I don't have to be. **Supervisor Hyde** stated if you guys want to vote go vote. Get your vote over so we can please continue with our meeting. **Councilwoman Seaman** asked all in favor? **Councilman Needham** responded aye. **Councilwoman Seaman** stated aye. All opposed? I guess the **Supervisor** doesn't want to hire for the positions. OK. Let the record show that no vote is a no vote.

The offered Resolution was not properly submitted in writing prior to the start of the meeting therefor it is not part of the official record.

Discussion: **Supervisor Hyde** stated it wasn't a Resolution. **Councilwoman Seaman** stated yes it was. It was a motion actually. **Supervisor Hyde** noted it wasn't a Resolution to vote on that is why I didn't vote. OK. **Councilwoman Seaman** stated yup it was (inaudible). **Supervisor Hyde** continued OK do I have a motion to get.....We are skipping over this like we actually got to it. Do I have a motion to get a Resolution on the floor to approve the Contract with the Thurman Connection Snowmobile Club? Do I have a motion to get that on the floor so we can give the Thurman Connection Snowmobile Club the \$27,000.00 that they really would like to have? **Councilwoman Seaman** stated we already did that five times, and you have ignored it every time so I don't think it matters. **Supervisor Hyde** stated so

apparently we are not going to get that business conducted because we can't get a motion or a second. So lets.....Do I have a motion to get a Resolution to approve additional duties um, on the floor. **Councilwoman Seaman** replied no, you just said you didn't want to hire for those duties. **Supervisor Hyde** noted OK, I guess we are not going to get that done. This was a Resolution to hire somebody to do light maintenance, weed, mow and weedwack the cemetery, but I guess the Town Board isn't interested in doing that. OK, now I have.....I have the Resolution to approve the claims. We have the General.....Do I have a motion to get the (inaudible) on the floor. **Councilwoman Seaman** stated first we need to discuss something because you won't discuss it beforehand. **Supervisor Hyde** responded no, no. You have to get a motion on the floor before we discuss. **Councilwoman Seaman** replied no, we need to.....**Supervisor Hyde** asked are you discussing the claims. **Councilwoman Seaman** answered two claims yes. **Supervisor Hyde** stated then you need to make a motion. Make a motion to get it onto the floor. Until a motion is made we are not.....Do youIf somebody makes a motion to get the Resolution to pay the claims on the floor.....**Councilwoman Seaman** asked **Cynthia** what claims are you.....What motion.....What claims are you paying? From what number to what number, and what do they add up to? **Supervisor Hyde** stated excuse me I am asking for.....OK forget it they don't want to make a motion to get the darn Resolution on the floor. **Councilwoman Seaman** replied you have to tell us what the motion is. **Supervisor Hyde** responded to get a Resolution to pay the claims on the floor. The claims. All the claims. The General Fund claims, the Enterprise Fund claims, the Highway Fund claims. The same claims that we.....**Councilwoman Seaman** asked how much. How much in each because (inaudible) you have here. **Supervisor Hyde** noted I am asking for a motion to get this on the floor. That is how we conduct a meeting. Do I have a motion to get the Resolution to pay the claims. **Councilman Needham** interrupted stating yes. **Councilwoman Seaman** noted yes you have it, and I will second it.

Resolution #58

RESOLUTION TO APPROVE CLAIMS

General Fund \$7,397.45

Enterprise Fund \$50.00

Highway Fund \$23,348.18

Pre Audit \$2,664.08

Motion Carried: Ayes~3 Needham, Seaman, Hyde, Nays~0

Now can you answer a couple of questions? What claims are you paying? Or do you think you are paying? **Supervisor Hyde** noted the claims that are on the Abstract that you were provided that are unpaid as of tonight. **Councilwoman Seaman** stated oh well you see there is a problem with that. **Supervisor Hyde** asked what is that problem **Mrs. Seaman**? **Councilwoman Seaman** noted I need to know what the number is. From what number to what number. **Supervisor Hyde** noted **Mrs. Seaman** you have the entire.....You have all the bills, and the Abstract. I don't know what you talking about. It is all there. You just spent an half an hour looking at (inaudible). **Councilwoman Seaman** stated voucher numbers. It is not difficult. It is not a difficult concept. **Supervisor Hyde** stated then you do it.

Councilwoman Seaman responded you have to identify the voucher numbers. **Supervisor Hyde** noted **Mrs. Seaman.....Councilwoman Seaman** interrupted noting well before we do anything we have to now discuss these. **Supervisor Hyde** noted ah huh. **Councilwoman Seaman** responded yeah. **Supervisor Hyde** stated so go ahead and discuss. **Councilwoman Seaman** stated we asked you the last time when we approved them going to that that this person was also employed by another municipality, and the Town of Thurman only pays for half of it. **Supervisor Hyde** noted well she is not going to that training for the other town. She is going to that training because she is the Court Clerk in Thurman, and that is why she needs.....She has to have that training **Mrs. Seaman.....Councilwoman Seaman** interrupted noting and she has to have the training for the other town....**Supervisor Hyde** continued so I strongly advise that you approve those two vouchers because this very necessary to our Court. And why you would question that is.....I....That is what we have in front of us. **Councilwoman Seaman** noted because the Court Clerk is a Court Clerk in another municipality. So it would be required for that municipality also. So the Town of Thurman only pays half the bill. The other municipality pays the other half. The **Town Clerk** stated I believe the other municipality pays for other training, and this is an even trade off. **Councilwoman Seaman** stated no. Nobody has that in writing anywhere, and I want to see what they pay for then because that is not the way you are supposed to do it. They pay half of it. We pay half. **Supervisor Hyde** noted first of all the mileage has nothing to do with the training and that.....**Councilwoman Seaman** noted yes it does. Because its.....It's....It's all the cost. **Supervisor Hyde** noted this miles.....Oh yeah it is after the fact. **Councilwoman Seaman** noted yeah it is. **Supervisor Hyde** replied well I'm sorry but you need to pay those claims. **Councilwoman Seaman** stated well until you.....Until....No, until you get that figured out as to what the other municipality pays pull those two out. **Supervisor Hyde** asked why don't you call the other municipality.....**Councilwoman Seaman** interrupted stating it is not my job. You are the Chief Financial Officer. **Supervisor Hyde** responded I am sorry if you have a question you do the homework. I don't do your homework. You need to do your homework **Mrs. Seaman. Councilwoman Seaman** responded this is your job. **Supervisor Hyde** stated **Mrs. Seaman. No Mrs. Seaman** my job isn't to do homework for **Mrs. Seaman. Councilwoman Seaman** asked are you the Chief Financial Officer? Are you..... **Cynthia** are you the Chief Financial Officer? **Supervisor Hyde** replied my job isn't to do homework for **Mrs. Seaman. Mrs. Seaman** needs to do her own homework. That is why you are on the Board. **Councilwoman Seaman** asked **Cynthia** are you the Chief Financial Officer? **Supervisor Hyde** continued noting sorry **Mrs. Seaman** I don't do your homework. **Councilwoman Seaman** continued stating which you do get paid extra for being the Chief Financial Officer. **Supervisor Hyde** asked so what are we doing with the claims? Are we paying our bills this time or not? **Councilwoman Seaman** stated pull them out. I said pull them out. **Supervisor Hyde** stated I do not want to pull them out. We owe that money to that person. **Councilwoman Seaman** replied no we don't. **Supervisor Hyde** remarked you can't not pay our bills. **Councilwoman Seaman** stated I am going to make a motion to pay all of the bills except for these two. **Councilman Needham** stated I will second it. Yes. **Councilwoman Seaman** replied OK. **Supervisor Hyde** asked what.....If you....If you.....First of all you should have, like other Board Members used to do.....**Councilwoman Seaman** stated I told you. **Supervisor Hyde** continued come in here during the day before the gosh darn Board Meeting.....**Councilwoman Seaman** interrupted stating already told you this. Over a month ago. **Supervisor Hyde** continued so if you have a question you have a couple of days to ask that question, but when you.....**Councilwoman Seaman** interrupted stating let me see your exact response was that we don't have to do this. We have to do this at the next Board Meeting when they submit a bill. Because I asked this question um before we approved the training. **Supervisor Hyde** stated I am not going to agree

(inaudible) because it is not right. **Councilwoman Seaman** noted that is right I know because you don't look at stuff. **Supervisor Hyde** noted this is.....The Court Clerk should not have to pay for the gas to go to a training that she had to have in order to work for the Thurman Town Court. That is really rotten to even suggest. **Councilwoman Seaman** spoke over the **Supervisor** noting so what is the number? And she has.....And she has to have it for the other Town Court. She continues No, I absolutely want to pay for it, but half of it. **Supervisor Hyde** noted **Mrs. Seaman** if that was one of your friends you would never do that. That is the problem here. **Councilwoman Seaman** stated **Cynthia** friends has nothing to do with it. This is town, taxpayer money. **Supervisor Hyde** stated you pick and choose how you.....You do not do an overall everybody get treated the same. You pick and choose. You change the rules depending on who you are dealing with, and that is wrong. It's not, it's not fair, and that is what we keep seeing. **Councilwoman Seaman** asked did you already pay this? You already paid this. You paid this. This isn't on the Abstract of unpaid vouchers. **Supervisor Hyde** asked it is not? **Councilwoman Seaman** stated no. **Supervisor Hyde** responded oh dear **Mrs. Seaman**. **Councilwoman Seaman** stated 522 Considering you start at 572. Oh they are not in order. Silly me I expected them to be in order. There it is. OK so minus that. Inaudible. Yup we can do that (to Councilman Needham who made an inaudible remark). Well this is it. All I care about is making sure that you know.....They can't show me anything, and I ask the question. We went through this, and she refused to do it then she said we have to do it now. So now we are doing it. **Supervisor Hyde** noted **Mrs. Seaman** you don't need to keep throwing in all these harassing allegations against people. You are making accusations and allegations against people in your.....You are making allegations and accusations that are totally unfounded. That you have not proved, and that isn't very nice **Mrs. Seaman**. **Councilwoman Seaman** spoke over her noting that is exactly what you said. It is on the record. They are on the record. They are on the record. **Supervisor Hyde** noted I would like to um....**Councilwoman Seaman** interrupted stating OK so I propose that under that first voucher number 2019-575 that it be for \$94.66, and for voucher number 522 of 2019 it's 111. \$111.00. And if you don't want to change it then pull them out. Until you can decide how you want to do it or to provide proof that we have already been paid by another municipality for something else. **Supervisor Hyde** responded well **Mrs. Seaman** you are going to open up a can of worms because now they are going to want you to pay half for everything that they pay. **Councilwoman Seaman** interrupted stating didn't ask. Only things that are mandatory we should be paying. **Supervisor Hyde** stated not to mention the fact that you are really opening a can of worms because not only are you going to have to pay Providence half of anything that they pay for **Joanna Cummings**, but we are also still looking at being in danger of paying back the grant that you people refuse.....That they got, and you refuse to allow them to spend. So we are going to be spending a lot of money on the Court. **Councilwoman Seaman** replied well I am going to.....We will jump off that bridge when you can prove it. OK. **Supervisor Hyde** remarked don't worry I will prove it. **Councilwoman Seaman** noted but right now this is the proof right here. This is the proof right here, and if you want to I am happy to cut those in half and that is our share. **Supervisor Hyde** stated well I am not going to pull them out. I do not support that. **Councilwoman Seaman** stated pull them out. **Supervisor Hyde** noted I do not support that, and I don't like your tone of voice and your demanding demeanor. **Councilwoman Seaman** stated I am sorry, but I stand up for the Taxpayers. **Supervisor Hyde** replied no you don't **Mrs. Seaman**. OK so **Mrs. Seaman** changed this whole Resolution around. **Councilwoman Seaman** noted what you didn't say anything. **Supervisor Hyde** asked all those in favor? **Councilman Needham** asked in favor of what? **Councilwoman Seaman** stated no, no. Not until we vote on something dear. You haven't voted on pulling those out. **Supervisor Hyde** noted I, I am not going to vote on pulling them out. **Councilwoman Seaman** stated and we need figures. And we need figures.

Supervisor Hyde replied I am sorry **Mrs. Seaman** I gave you figures. If you don't like these figures you come up with your own figures. **Councilwoman Seaman** interrupted stating you said you were not going to pull them out. Oh no you did not give us.....**Supervisor Hyde** noted I gave you the figures. I've got figures. I gave you all the figures you need. If you don't like those figures you do the math and change the figures. **Councilwoman Seaman** replied **Cynthia**.....**Supervisor Hyde** stated I will not change the figures. I know that these are the bills. These are the bills that need to be paid, and these are what I propose to be paid. If you want something different you do whatever you want to do, and if you can get enough votes then fine. **Councilwoman Seaman** spoke over the **Supervisor** noting no because you see....**Cynthia**.....Do you need a calculator? I know you don't have enough fingers and toes. She continues so **Cynthia** doesn't want to pay any of the bills. **Supervisor Hyde** responded **Mrs. Seaman** you don't need to twist this into **Cynthia** doesn't want to do this. **Cynthia** doesn't want to do that. (Inaudible). That is ridiculous. **Councilwoman Seaman** stated well you paid the bills last time and they got paid even though you didn't vote on them. A resident asked if you had totals for these funds. **Councilwoman Seaman** replied no she hasn't given us totals that is why I, I am looking for the totals because you see if she wants she could put any number down that she wants. I want a number. So that I can make sure (inaudible).

Note from the clerk: The Abstract is printed and supplied to each Board Member in their meeting packet. This abstract has the total to be disbursed from each fund for the checks that are listed on the abstract. You cannot put random numbers on the abstract.

Discussion continued: Supervisor Hyde stated **Mrs. Seaman** I just don't put random number down. I have \$7,397.45 for the General Fund. **Councilwoman Seaman** asked can you say that slowly please. **Supervisor Hyde** continues \$50.00 for the Enterprise Fund. It is right on your abstract. \$7,397.45. **Mrs. Seaman** do you understand how to read that abstract? **Councilwoman Seaman** stated better than you. **Supervisor Hyde** noted that at the end of each one it shows you the total. **Councilwoman Seaman** responded I know, but I want it written down. **Supervisor Hyde** continued then why are you asking me when you have it right there. And the Highway Fund is \$23,348.18 and the pre audit is \$2,664.08. And I notice that **Mrs. Seaman** doesn't seem to be one bit concerned with the stuff on the Highway, and we spent a lot of money which is fine. **Councilwoman Seaman** interrupted stating I looked through every single one of them. The **Town Clerk** remarked and no problems huh. All in order. **Councilwoman Seaman** stated they are all in order. They are all in order. **Supervisor Hyde** continued but she doesn't question that. She questions the Court Clerk and she has to go to training. The **Supervisor** noted apparently she is not reading anything very closely huh **Susan**. The **Town Clerk** responded no. **Councilwoman Seaman** stated the bills that the Highway Department has submitted are totally in order, and everything is submitted with them (inaudible). **Supervisor Hyde** stated that is the problem she picks and chooses. She cherry picks what she wants to throw out there so she can give a total not proper picture of what is going on. **Councilwoman Seaman** noted let me pull those out....Pull those out and get the numbers, and then we can (inaudible). **Supervisor Hyde** asked want to call the Roll Call. **Councilwoman Seaman** stated usually you have these listed in order so we have the numbers. (Inaudible) the check number is supposed to be there. So this is minus....**Councilwoman Seaman and Councilman Needham** discussed the math of the bills. **Councilwoman Seaman** stated OK. Alright the Resolution to pay the claims I would like to make a motion. Do I get to make a motion to pay the claims? **Supervisor Hyde** stated we already have a motion on the floor. **Councilwoman Seaman** stated OK well then reading those claims the General Fund is \$6,986.14. Minus voucher number 575 of 2019, and

minus voucher number 522 of 2019. The Enterprise Fund is \$50.00, and the Highway Fund is \$23,348.18, and lets see where the pre pays come out as. **Supervisor Hyde** noted this a.....We have one more Resolution after this. Well that is not really a Resolution it is really more a show of support.

Councilwoman Seaman noted I thought we paid these. We paid July's. **Supervisor Hyde** asked **Mrs. Seaman** is this going to take a whole lot longer? **Councilwoman Seaman** noted alright the pre audit amount is \$2,664.08 for a grand total of \$33,048.40. **Supervisor Hyde** asked what did you change? What has changed? Let me see what you wrote down. **Councilwoman Seaman** noted I told you. I read it. **Supervisor Hyde** stated I would like to see it. **Councilwoman Seaman** stated you had all the pre audits not listed together. You had a bunch of these listed separately. **Supervisor Hyde** responded that is because I have.....In order to get to see only the paid I have to do it that way. So that you can see just what is paid and not what was unpaid (inaudible). Or paid another time. If it was paid it was approved on another page. So OK. All those in favor.

Since the original motion on the floor was not tabled or properly amended the vote was applied to the open Resolution that was on the floor.

Discussion: **Supervisor Hyde** stated I am going to vote yes, and I am going to bring back those two. I'm not..... I don't support that we are not paying the **Town Clerk**. I will bring that back.....I will be bringing that claim back.....**Councilwoman Seaman** interrupted noting it is not the **Town Clerk**. **Supervisor Hyde** continued to the next Board Meeting when I have maybe some more Board. And we will also ask **Joanna** to talk with **Providence**, and see what training they have paid for, and maybe we will end up having to pay half of those. So we will have to look into this. OK, I all those in favor? Did every.....Did we all vote? The **Town Clerk** stated yes, you all voted. **Supervisor Hyde** noted alright the next one.....**Councilwoman Seaman** stated before you go on to the next one. **Supervisor Hyde** replied excuse me. This is the agenda here. This is the next one. This is the next one. **Councilwoman Seaman** noted yeah, we can do it after. **Supervisor Hyde** stated do we have a motion to get a Resolution to show support for Lyme disease on the floor. **Councilwoman Seaman** stated yes, I make a motion. **Supervisor Hyde** asked do we have a second? **Councilman Needham** stated I will second it

Resolution # 59

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

RESOLUTION TO SHOW SUPPORT FOR LYME DISEASE EDUCATION

The town board of the Town of Thurman agrees to support and co-sponsor(help to get the word out) the Thurman Community Association's September 24, 2019 6:30 -8:30 information program "WHAT YOU NEED TO KNOW ABOUT LYME DISEASE AND RELATED TICK-BORNE DISEASES" .

Discussion: **Supervisor Hyde** stated by saying cosponsor we only mean that we are going to help get the word out. So we are not paying anything. Just so you know.

Motion Carried: Ayes~3 Needham, Seaman, Hyde, Nays~0

Discussion: **Councilwoman Seaman** noted OK now that is the end of the agenda.....**Supervisor Hyde** interrupted noting I have.....Excuse me **Mrs. Seaman**. **Councilwoman Seaman** noted I would like to put into the record a couple of things that I need added into the minutes please. And one of those is the

meeting minutes of the....Of July 16th that we held a meeting that was.....**Supervisor Hyde** spoke over her stating illegal. **Councilwoman Seaman** continued at the June 24th meeting, Special Meeting the Board passed a Resolution for the meeting to be held on July 16th. It was reflected in the minutes of July 24th, and I have not seen the minutes online. Now.....**Supervisor Hyde** responded it won't go online. That was an illegal meeting. The **Town Clerk** stated an illegal improper meeting. **Supervisor Hyde** stated it was proved. **Councilwoman Seaman** stated saying that this.....Are you going to let me finish? Saying that this is not....I told.....I.....**Supervisor Hyde** interrupted stating **Mrs. Seaman** we don't need to talk about your illegal meeting. You had an illegal meeting. You will not.....Those minutes that **Mrs. Shepler** wrote will not be going on the website. **Councilwoman Seaman** stated when you are done. They will because they are going to be added into the minutes. **Supervisor Hyde** stated they will not be added into the minutes either. Those minutes mean nothing. There was no meeting. What you did out in the front yard was illegal, and we have not only the Town Attorney's comment on that, but we have the Committee on Open Government. **Councilwoman Seaman** stated well. **Supervisor Hyde** noted don't shake your head **Mrs. Sea.....Mrs. Shepler** you people had an illegal meeting. **Councilwoman Seaman** stated why don't we go with the Association of Towns attorneys that.....Why don't we go with the Association of Towns Attorneys that.....**Supervisor Hyde** interrupted stating because you didn't tell her the truth. That is why she gave you the answer that she gave you. **Councilwoman Seaman** noted I asked the Association of Towns.....The **Town Clerk** interrupted stating she is misinterpreting the answer. **Councilwoman Seaman** noted will you please. **Supervisor Hyde** noted she misinterpretes what they say all the time. To fit so she can make what she did legal when it isn't. **Councilwoman Seaman** noted the Association of Towns Attorney. This email is response to your inquiry regarding the procedure to schedule a Town Board Meeting. There are three ways to schedule a Special Town Board Meeting. First the Town Board itself my schedule a Special Town Board Meeting by Resolution which we did on the 24th of June. (That was not a proper Resolution, and as such was not recorded.) The **Town Clerk and the Supervisor** both stated no. **Supervisor Hyde** stated you did not do it by Board Resolution. **Councilwoman Seaman** continued this Resolution must be adopted by a majority vote while at the Board Meeting. Which it was by three votes. **Supervisor Hyde** stated that is not true **Mrs. Seaman**. **Councilwoman Seaman** continued a majority vote with each Board Member including the Supervisor only having one vote. Please note that your Town Board's own rules of procedure may have it's own requirements. Second the Supervisor may schedule a Town Board Meeting, and then it goes on the third way if two Town Board Members say that they want a Board Meeting, and she has that are not at the Board Meeting currently like we are now, that she would have 10 days to schedule that meeting. The **Town Clerk** stated that is not what it says. **Councilwoman Seaman** stated so a meeting that was scheduled at a Board Meeting on the 24th of June with the vote of the Board with three members, and you recorded it beautifully and the vote. **Supervisor Hyde** interrupted noting **Mrs. Seaman** don't tell the public things that are not true. **Councilwoman Seaman** replied it is absolutely legal, and not only that, but I want these put into the minutes please. Also....Are you going to let me finish? **Supervisor Hyde** continued noting I will now read.....**Mrs. Seaman** sent.....**Mrs. Seaman** sent the Committee on Open Government.....**Mrs. Seaman** you are telling things that are not true. **Councilwoman Seaman** responded yeah, no I.....**Supervisor Hyde** continued you are sitting here and you are telling things that are not true. No **Mrs. Seaman** you are wrong. **Councilwoman Seaman** noted it's the Association of Towns. **Cynthia** are you (inaudible). What is the Open Government.....What is the.....**Supervisor Hyde** continued noting why are you wasting our time telling us things that are not true? **Councilwoman Seaman** stated **Cynthia** what does the Committee on Open Government give um.....**Supervisor Hyde**

stated **Gail.....Councilwoman Seaman** stated oh no, no, no. What does the Committee on Open Government give opinions on. The Open Meetings Law. Which has to do with the.....**Supervisor Hyde** spoke over the Councilwoman noting go give this to the **Town Clerk**. Go give it to the **Town Clerk**. Go give it to the **Town Clerk**. Whatever you want. I don't care. Let me read what I need to read.

Councilwoman Seaman continued noting it has to do with the.....No.....It has to do with the advertising the meeting. **Supervisor Hyde** spoke over her noting **Mrs. Seaman** go take your stuff over to the **Town Clerk**, and let me read this. **Councilwoman Seaman** continued stating now also what is going into this um, **Mr. Schachner** responded to an email, and she has included the nastygram in everybody's minutes, and notice it was dated August 5th. **Supervisor Hyde** stated it is not a nastygram. **Councilwoman Seaman** stated OK on July 25th I corrected **Cynthia**, and **Mr. Schachner** has highlighted here that **Cynthia** I did not ask for a comment from **Mr. Schachner**. I asked that the Attorney come to the next Board Meeting, and answer some questions on the record. Which again he is not here. I would like him at the next Board Meeting **Cynthia**. **Supervisor Hyde** noted excuse me. What was that you said? You would like him. I, **Mrs. Seaman** as if you are the person that.....**Councilwoman Seaman** interrupted noting a Board Member can request the Attorney to come to a Board Meeting. **Supervisor Hyde** stated then you call **Mr. Schachner**, and request him. Just remember what it cost to have the attorney come here.

Councilwoman Seaman noted to the **Clerk** these are to go into the minutes. To be included in the minutes and attached to them. **Supervisor Hyde** noted alright so **Mrs. Seaman.....Mrs. Seaman** has.....**Councilwoman Seaman** continued speaking over the **Supervisor** noting so are telling us that you wont.....**Doug** do you want **Mr. Schachner** to come to the meeting to answer questions on the record? **Councilman Needham** noted yes, yes I do. **Councilwoman Seaman** noted see **Doug** wants it too. So are you going to have the Attorney come to the next Board Meeting? **Supervisor Hyde** noted **Mrs.Mrs. Shepum....**The **Town Clerk** stated **Staples**. **Supervisor Hyde** noted **Mrs. Staples, Mrs. StaplesMrs. Seaman** would please stop talking for a minute. **Councilwoman Seaman** interrupted asking **Councilman Needham** do you want to go? **Councilman Needham** replied yes. **Councilwoman Seaman** stated I vote um to make a motion to adjourn. Do I have a second? **Councilman Needham** seconded the motion. **Councilwoman Seaman** stated we have two votes to adjourn. Have a nice one. **Supervisor Hyde** noted I will read the.....**Mrs. Seaman** is probably kind of upset because.....**Councilwoman Seaman** interrupted noting no because it isn't.....**Supervisor Hyde** continued noting she wrote to the Committee on Open Government, and she said Kristen, I am terribly sorry, but the **Town Clerk** misled you regarding the Board Meeting scheduled for July 16th. At the June 24th Board Meeting a Resolution was passed directing the **Town Clerk** to advertise for three positions in the newspaper, and to post the positions on the Town website. We also set the time for accepting applications, and then set the date for the Special Meeting date in the Resolution for July 16th at 6:30 pm. The votes were recorded three ayes, one abstained. The **Supervisor** abstained without a reason being given. The **Town Clerk** was directed by the Association of Towns Attorneys that if the Board take action it must be reflected in the minutes. I have attached their opinion. I also know that this has nothing to do with the open meeting law other than the **Town Clerk** refused to post a meeting scheduled by a vote of the Board during the June 24th Board Meeting. No other meeting was scheduled during July 16th. Now keep in mind the first sentence. I am terribly sorry that the **Town Clerk** misled you. Now **Kristen.....Councilwoman Seaman** interrupted stating that is why I (inaudible) it is called open meeting. **Supervisor Hyde** continued now **Kristen** is an attorney. An Attorney that works for the Committee on Open Government. The Committee on Open Government is responsible for the Freedom of Information Law, and they advise governments. **Councilwoman Seaman** spoke over the **Supervisor** noting Freedom of Information Act only. That is why

you go to the State. **Supervisor Hyde** continued reading Good Morning **Gail**, I was not misled. If members of the Board other than the Town Supervisor wish to schedule a Special Meeting they must comply with requirements of Town Law. The procedure you described, that she described (pointing to Seaman), in my view is not sufficient. So they didn't do what they were supposed to do, and so that meeting was null and void. It certainly..... We are not going to put minutes.....**Councilwoman Seaman** spoke over the **Supervisor** noting that is why you go to the state. Right. It is a view which is on the Open Meetings Law. That is why you go to the Association of Towns Attorneys. You know what then I suggest you have **Mark Schachner** come in here, and ask.....We can ask him for an opinion. **Supervisor Hyde** continued noting then we also had an issue last meeting were **Mr. Schachner**, who is our Town Attorney, was accused of calling the Association of Towns Attorneys and telling them that they weren't.....That he.....Of telling them, according to **Mrs. Seaman**, and she said it at a meeting. It is in the minutes. That **Mr. Schachner** called the Association of Towns and told those.....The Attorneys at the Association of Towns that they couldn't talk to the Thurman Board Members. So **Mr. Schachner** wrote this memorandum. The purpose of.....Oh and then she sends an email and, and, and she said something along the lines of we know **Mr. Schachner** that does not like to be on the record. So those are two statements by **Mrs. Seaman**. One publicly at a meeting. The purpose of this memorandum is to clear up some misconceptions in reference to statements that have apparently been made at a recent Town Board Meeting. **Councilwoman Seaman** stated to **Councilman Needham** let's go. Have a good one she stated as they both left the meeting **8:10pm** stating **Schachner** won't come. **Supervisor Hyde** finished reading the attached memorandum.

Respectfully Submitted,

Susan E. Staples, Town Clerk

August 22, 2019

Attachments

MILLER, MANNIX, SCHACHNER & HAFNER, LLC
ATTORNEYS AT LAW

15 WEST NOTRE DAME STREET
GLENS FALLS, NEW YORK 12801

Telephone: (518) 793-6611
Facsimile: (518) 793-6690

John W. Miller (1908-1968)
John C. Mannix (1931-2006)

Mark Schachner
Robert H. Hafner
Leah Everhart
Jacquelyn P. White
Thomas W. Peterson

49 BURLINGTON AVE., 2ND FLOOR
PO BOX 578
ROUND LAKE, NEW YORK 12151

Telephone: (518) 899-1518
Facsimile: (518) 899-1561

Toll Free: 1-800-421-6166

Michael J. Hill, Of Counsel
Brian S. Reichenbach, Of Counsel

Web Site: millermannix.com
E-Mail: mschachner@mmslaw.com

MEMORANDUM

TO: Thurman Town Board

FROM: Mark Schachner - MILLER, MANNIX, SCHACHNER & HAFNER, Town Counsel

DATE: August 5, 2019

RE: Statements from and about Town Legal Counsel

The purpose of this Memorandum is to clear up some misconceptions in reference to statements which have apparently been made at a recent Town Board meeting and in a subsequent email.

First, we understand that, at a recent Town Board meeting, a Town Board Member told the Town Board and public in attendance that I told the Association of Towns not to speak with Town Board Members. You may be absolutely assured that I have neither made any such statement or request of the Association of Towns in reference to any officials of the Town of Thurman or any of the numerous other municipalities we represent, nor would I ever do so.

Second, a Town Board Member referred to me in an email on July 25th and stated that "he doesn't like to be on the record". We are mystified by this statement simply because I am in fact "on the record" on literally dozens if not hundreds of occasions throughout any year if for no other reason than the simple fact that I represent more municipalities and attend more municipal Board meetings than any other local attorney. Nonetheless, there are certainly occasions when my colleagues and I refuse to be quoted by media representatives, especially in reference to matters of litigation. However, it is abundantly clear that I have no reservation about being "on the record" when appropriate, including but not limited to in the Town of Thurman.

As the first statement was made at a regular Town Board meeting, we respectfully request that this Memorandum be read aloud at a public meeting and entered into the public Record. It does not bear any attorney/client privileged stamp or legend and it should not be treated as such. Thank you.

Susan Staples

From: rich kline [rikkir246@gmail.com]
Sent: Tuesday, August 13, 2019 2:08 PM
To: thurmantownclerk
Subject: Thurman Town Board

Thurman Town Board

The Town of Thurman enjoys the services of an Assessors Office staffed by two Thurman residents who are knowledgeable and fair in their dealing with the public. Tuck Birdsell, Assessor, and Susan Baker, Assessor Clerk, are our neighbors. They know our community and many of its residents. They are in the office 16 plus work-hours weekly and between them earn \$22,000 annually. They also make themselves available to their fellow citizens of Thurman as needed by appointment

The Town Board is considering hiring an outsider, a non-resident who pays no taxes in Thurman and is not a neighbor or member of our community, to serve as our assessor. The individual under consideration has offered to work one 8-hour day per week for an annual salary of \$20,000.

Why would the Town employ a person with no connection to Thurman, a non-resident, at such a high salary for less service? It makes no sense, either in efficiency or economy.

The Town of Thurman should retain the services of Tuck Birdsell, Assessor, and Susan Baker, Assessor Clerk. They have done a good job for us for years and deserve to remain in office.

Please distribute this letter to the Town Board and post it in the minutes of the meeting.

Sincerely,
Richard Kline

Sent from my iPad=

Susan Staples

From: Gail Seaman [seamangg@aol.com]
Sent: Thursday, July 25, 2019 4:03 PM
To: Thurman Supervisor
Cc: Mark Schachner; Brenda Ackley; Doug Needham; JB Harris; Susan Staples
Subject: Re: Gail Seaman statement (Thurman)

Cynthia,

I didn't ask for a "comment" I asked for the attorney to come to the next board meeting and answer some questions on the record, not behind closed doors.

Sent from my iPhone

On Jul 25, 2019, at 3:29 PM, Thurman Supervisor <thurmansupervisor@gmail.com> wrote:

Hi Mark. Please scroll down to the first email in this chain. Please see a section from the 7-10-19 minutes and in particular the highlighted statements about you made by Gail Seaman at the July 10, 2019 Thurman board meeting. Could you possibly comment on these statements. Please also see the statement about you from the below email from Gail Seaman and possibly comment on that also.
Thank you Cynthia Hyde

Sent from Mail for Windows 10

From: Gail Seaman
Sent: Thursday, July 25, 2019 2:54 PM
To: Thurman Supervisor
Cc: Brenda Ackley; Doug Needham; JB Harris; Susan Staples
Subject: Re: Gail Seaman statement (Thurman)

Cynthia,

Why don't we simply have Mr. Schachner come to the next Board Meeting to answer questions on the record. That should take care of some issues.

I'm sure he most likely will not come as I know he doesn't like to be on the record, but we can try.

Sent from my iPhone

On Jul 25, 2019, at 2:11 PM, Thurman Supervisor <thurmansupervisor@gmail.com> wrote:

We are having a problem with an excessive amount of false and misleading information being put out to the board and the public by Mrs. Gail Seaman. It is extremely important to do homework so as not to make decisions based on false information and hearsay. Remember your decisions affect the **WHOLE** town of **1,200 PEOPLE**.

Sent from Mail for Windows 10

From: [Thurman Supervisor](#)
Sent: Thursday, July 25, 2019 1:56 PM
To: [Katie Hodgdon](#)
Subject: RE: Gail Seaman statement (Thurman)

Thank you
Sent from [Mail](#) for Windows 10

From: [Katie Hodgdon](#)
Sent: Thursday, July 25, 2019 1:43 PM
To: thurmansupervisor@gmail.com
Subject: RE: Gail Seaman statement (Thurman)

Good afternoon Supervisor,

At the outset, I'd like to note that we provide general information, not legal advice; it is the role and responsibility of the town attorney to provide legal advice to the town. I'd like to clarify the discussion I had with Councilwoman Seaman. That is, it is our policy to defer to the town attorney when the town attorney is involved in an issue – this applies to all towns, not just yours. We have confirmed this policy with your town attorney. It was my understanding during the conversation with Councilwoman Seaman that the town attorney had already opined on the issue. Therefore, based on our policy, I deferred to the town attorney's office.

I hope that this clarifies any issues.

Best regards,

Katie

Katie Hodgdon
Associate Counsel
Association of Towns of the State of New York
150 State Street
Albany, NY 12207
(518) 465-7933

From: Thurman Supervisor <thurmansupervisor@gmail.com>
Sent: Thursday, July 25, 2019 1:14 PM
To: Katie Hodgdon <khodgdon@nytowns.org>
Subject: Gail Seaman statement (Thurman)

Ms. Hodgdon,

Below is a section of the minutes, verbatim, from the July 10, 2019 regular Town of Thurman Town Board Meeting. This statement revolves around a conversation that Gail Seaman (Thurman Board Member) had with you. In particular please take note of the sentences highlighted in yellow. I would appreciate it if you would

verify whether or not this actually happened. Please be aware that our meetings are video taped and these statements of Gail Seaman's are being heard by hundreds of people. Thank you, Cynthia Hyde

Councilwoman Seaman continued I called the Association of Towns attorneys, and to my surprise I was talking with **Katie Hodgdon** Associate Council for the Association of Towns in the State of New York, and she told me well I can't comment on that email that I forwarded to her because the Town Attorney by somebodies word called the Association of Towns and told them that we can't speak to the Town Board Members. Now the Town of Thurman pays between 5 and \$800.00 to the Association of Towns. **Supervisor Hyde** interrupted noting that is an untrue statement. That is an untrue statement.

Councilwoman Seaman continued noting oh no it is a totally true statement.

Councilwoman Harris stated we are not in control of them. **Councilwoman Seaman** stated the Town Attorney called and told them this. **Councilwoman Harris** noted we are not in control of the Association. **Councilwoman Seaman** stated OK they don't want this read, but we will read it anyway. **Councilwoman Harris** stated read it I don't care it is a bunch of junk. **Councilwoman Seaman** responded no this is from another attorney. Good afternoon. While I can't comment on the email below I can provide a summary of our conversation that occurred on July 09, 2019 regarding the **Town Clerk** determining which Resolutions are incorporated into the minutes. The **Town Clerk** does not have the authority to determine what becomes an official record or part of the minutes. If the Town Board takes action it must be reflected in the minutes. The Town Board not the Clerk sets the meeting procedures pursuant to Town Law section 63. Please let me know if you have any additional questions. Best Katie Hodgdon Associate Council Association of Towns. Now.....**Supervisor Hyde** interrupted noting now wait a minute I have a comment I want to make. **Councilwoman Seaman** replied no, no I am not finished.

Supervisor Hyde continued the rules say that any Resolution brought to the floor must be brought to the Town Supervisor the Thursday before the following Board Meeting. Therefore **Mrs. Seaman** does not do that. **Councilwoman Seaman** spoke over the **Supervisor** noting this is to be added to.....This.....I guess we are going to have to read this because we (inaudible) town rule. This is to be entered into the minutes, and attached to them. Both sheets. **Supervisor Hyde** continued and I also believe if the Attorney from the Association of Towns actually saw what is actually happening at the Board Meetings her answer would probably be very different. **Councilwoman Seaman** replied no. **Supervisor Hyde** continued and I also know that it is very important when you are talking to an attorney to ask the question properly. Because it is very possible to ask a question of an attorney and frame it so that you get the answer that you want.

Councilwoman Seaman responded no I sent her the email that she sent. If anybody would like a copy I have copies. **Councilwoman Harris** asked you paid an attorney for his service? **Supervisor Hyde** noted she has every right..... **Councilwoman Seaman** stated I don't have to pay the Associations of Towns. We already pay the Association of Towns. However if theIf the Association of Towns tell me that **Mark Schachner** called, and told them that they are not to speak to the Board Members without a Board Resolution asking him to do that, don't ask me why he would, it had better corrected in writing that **Mr. Schachner** is far exceeding. Or I want to know who asked him to do it.

Councilwoman Harris stated I want to see the letter that says that he did it.

Councilwoman Seaman noted I want to see the letter.....**Councilwoman Harris** noted not your voice. I want to see the letter from the Association that (inaudible).

Councilwoman Seaman noted while I can't comment on the email below.

Councilwoman Harris stated I know it didn't happen. Otherwise she can prove it.

Councilwoman Seaman noted no I did prove it, and I want it fixed. **Supervisor Hyde**

remarked the problem is the **Town Clerk** is not here to try and figure out what **Mrs. Seaman** says when she verbally spews out her Resolution. What happens is she puts a motion on the floor. **Mr. Needham** seconds it. Then they say all these things in between the Resolution

Sent from Mail for Windows 10

Sent: Thursday, July 25, 2019 4:03 PM

To: Thurman Supervisor

<thurmansupervisor@gmail.com>

Cc: Mark Schachner

<MSchachner@mmslaw.com>; Brenda Ackley

<ackleyb36@gmail.com>; Doug Needham

<dougneedham248@gmail.com>; JB Harris

<tbharris60@yahoo.com>; Susan Staples

<thurmantownclerk@verizon.net>

Subject: Re: Gail Seaman statement (Thurman)

Cynthia,

I didn't ask for a "comment" I asked for the attorney to come to the next board meeting and answer some questions on the record, not behind closed doors.

Sent from my iPhone

On Jul 25, 2019, at 3:29 PM, Thurman Supervisor <thurmansupervisor@gmail.com> wrote:

Hi Mark. Please scroll down to the first email in this chain. Please see a section from the 7-10-19 minutes and in

From: Lori Mithen-Demasi lmithen-demasi@nytowns.org
Subject: Town of Thurman Procedure to schedule town
board meetings
Date: Jul 26, 2019 at 9:47:50 AM
To: seamangg@aol.com

Dear Town Board Member Seaman,

This email is in response to your inquiry regarding the procedure to schedule a town board meeting.

There are three ways to schedule a special town board meeting. First, the town board itself may schedule a special town board meeting by board resolution – this resolution must be adopted by a majority vote while at a board meeting (Town Law, §63). A majority vote of a five member board would be three, with each board member, including the supervisor, having one vote (Town Law, §63). Please note that your town board's own rules of procedure may have additional requirements (Town Law, §63). Second, the supervisor may schedule a special town board meeting on his or her own initiative (Town Law, §62). Third, the supervisor must schedule a special town board meetings upon the written request of two or more town board members; in this case the special meeting must be called within 10 days of receipt of said request. (Town Law, §62). Notice in all three circumstances must be provided in accordance with section 104 of the Open Meetings Law. Notice must also be provided to the town board in accordance with Town Law, §62 where the special meeting is called by the supervisor. Written notice to town board members under Town Law, §62 must be provided to each board member at least two days in advance of the meeting. Notice to the press and the public under section 104 of the Open Meetings Law must be provided at least 72 hours before the special meeting if the meeting is scheduled a week or more advance or to the extent practicable if the meeting is scheduled less than a week in advance. Notice to the public is provided by posting it on the town clerk's sign board and the town website and notice is provided to the press in whatever means the town has determined. For more information you can read advice from the Committee on Open Government on their website <https://www.dos.ny.gov/coog/index.html>

I hope this information is helpful to you. If we can be of assistance to you in the future, please do not hesitate to call or write.

Sincerely,

Lori

Lori Mithen-DeMasi
Counsel
Association of Towns of the State of New York
150 State Street - Albany NY 12207
Phone: (518) 465-7933
Fax: (518) 465-0724
Email: lmithen-demasi@nytowns.org