

MINUTES OF THE SPECIAL BOARD MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN, NEW YORK HELD JUNE 24, 2019 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL, NEW YORK, COMMENCING AT 6:30 PM.....

PRESENT: Mrs. Brenda Ackley, Councilwoman

Mr. Douglas Needham, Councilman

Mrs. Gail Seaman, Councilwoman

Mrs. Cynthia Hyde, Supervisor

ABSENT: Mrs. Joan Harris, Councilwoman

RECORDING SECRETARY: Susan E. Staples

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

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

REPORTS FROM THE BOARD:

Discussion: Councilwoman Seaman noted just for the fact that I know you have a Resolution in here, but **Pat** has said that he now with everything going on this summer needs a replacement. He needs the Town to hire somebody for up at the Landfill as a part time that we have budgeted, and we need to have that put out to bid. Actually we need to have it posted as a job opening. **Supervisor Hyde** stated excuse me, but the only reason there is not a second Transfer Station Attendant is because the Town Board defunded that position for no rational reason, and that is the only reason we don't have a person in there. There was a person at the Landfill as a Landfill attendant for the last couple of years, and his.....He was never fired his position was defunded. So there is a Resolution with that information in there to rehire **Mr. Smith**. That is the Resolution. Why don't we talk about that then. **Councilwoman Seaman** noted **Cynthia** the Resolution you are talking about can't be done because.....**Supervisor Hyde** interrupted noting why don't we wait until we get to the Resolutions to discuss that. **Councilwoman Seaman** continued why don't we discuss this right now for the fact that it has been one year that position was eliminated. Eliminated by Resolution. **Supervisor Hyde** stated it was not eliminated. It was not eliminated it was defunded. **Councilwoman Seaman** continued and it has not been filled. Are you going to let me finish? **Supervisor Hyde** replied it wasn't.....You need to give accurate information **Mrs. Seaman**. **Councilwoman Seaman** interrupted noting I am. **Supervisor Hyde** replied then prove it. It was not eliminated. **Councilwoman Seaman** noted read the Resolution it says it was eliminated. **Supervisor Hyde** replied it was not eliminated. **Councilwoman Seaman** noted it has not been.....**Supervisor Hyde** interrupted noting get your facts straight before you bring them out to the public please. **Councilwoman Seaman** asked are you finished now? Good. It was eliminated, and it has not been filled for the first six months of 2019, and as such it need to be posted as a job opening. A job opportunity. So that.....Because there have been a lot of people that have been asking for it in the community. **Supervisor Hyde** asked then why wasn't the first Landfill attendant posted? **Councilwoman Seaman** interrupted asking did you want us.....**Supervisor Hyde** continued the first Landfill attendant position was not posted. It was given to **Ed Brown**. Who was an employee of the Town who retired, and who

requested to work at the Landfill. The Board did not ask for letters of interest in that instance. So why now are we going to make a different rule for the second Landfill attendant? When that position was filled by someone. That person was never fired. There was no reason to fire that person. It was defunded for a reason that made no sense and that is the only reason we don't have a Transfer Station attendant. **Councilwoman Seaman** noted **Cynthia, Ed Brown** was working in the position as a member of the Highway Department. Would you rather we fire him? **Supervisor Hyde** noted no he was not. **Councilwoman Seaman** replied yes he was. He was being paid from.....**Supervisor Hyde** interrupted noting he was only a fill in. **Councilwoman Seaman** replied he was being paid by the Highway Department **Supervisor Hyde** interrupted noting but he was....No.....Don't put words.....**Councilwoman Seaman** continued for his job at the Transfer on every Saturday and Wednesday and Sunday, and you would have us fire him in order to post a job. **Supervisor Hyde** replied please don't put words in my mouth **Mrs. Seaman**. **Councilwoman Seaman** spoke over her noting so that we don't have a perfect.....Well that is what you are saying you want to do. **Supervisor Hyde** noted **Mr. Brown** was a fill in when somebody was absent. And he did a good job, and he knew what he was doing. And so we retained him when he went from the Highway to the Transfer Station. **Councilwoman Seaman** interrupted noting so you retained him in that position. That is correct. **Supervisor Hyde** continued **Mr. Smith** was also doing a good job, and he was not fired. **Mrs. Seaman** you have different rules for different people.....**Councilwoman Seaman** spoke over her noting you are correct. Retained him. No it is the same. **Supervisor Hyde** continued depending on whether or not you like them or not. I think that is quite clear to everybody. **Councilwoman Seaman** interrupted noting you retained **Mr. Brown**. **Supervisor Hyde** continued so the Board will have to decide on this. If the Board wants to ask for letters of interest when we have a perfectly good candidate who was never fired then we can waste a whole bunch of time, and not..... and **Pat** will have to keep his person at the Transfer Station at least a whole other month, and maybe more. And so since the need is here and now it would make sense to put **Ernie** back up there since he is already qualified and trained and knows what he is doing. **Councilwoman Seaman** noted **Cynthia** would you like (inaudible as Councilwoman Ackley spoke). **Councilwoman Ackley** asked so **Pat** requested this? I am asking (inaudible). **Supervisor Hyde** replied yes, he doesn't want his person up there (inaudible as Councilwoman Seaman spoke over her). **Councilwoman Seaman** interrupted noting **Pat, Pat, Pat** wants another person he did not request the same person that was there. He just said that we needed to advertise to hire someone. **Supervisor Hyde** noted he didn't make any comments any (inaudible as Councilwoman Seaman spoke over her). **Councilwoman Seaman** interrupted noting yes, he did because I talked to him. He requested that we advertise to hire someone. He did tell me that there were several people who approached him in town that would like the position. It is a very physical position, and we want to make sure that the person who gets the position can handle the duties of the.....Perform the duties of their job. There is a lot of heavy lifting there. **Supervisor Hyde** replied **Mr. Smith** was quite capable, and had worked at the Transfer Station for several years. **Councilwoman Seaman** noted I didn't say he wasn't. **Supervisor Hyde** continued up until the point that the Town Board defunded his position along with several others for no good reason. **Councilwoman Seaman** noted would you like to go to Executive Session to discuss this. **Supervisor Hyde** replied no. **Councilwoman Seaman** continued between the Board. Because you shouldn't be discussing personnel issues in front of anybody else. **Supervisor Hyde** noted you brought it up **Mrs. Seaman**. **Councilwoman Seaman** replied no, I brought it up that we need to advertise for the position. **Supervisor Hyde** replied **Mrs. Seaman** you brought it.....If you didn't want to discuss it in public you shouldn't have brought it up. Let's go to privilege of the floor. **Councilwoman Seaman** interrupted

noting we need to advertise for that position. **Supervisor Hyde** noted we are not talking.....We will do Resolutions when Resolutions.....When the time comes for Resolutions.

PRIVILEGE OF THE FLOOR: The following people spoke during privilege of the floor. Paula Hubert, Mary Eddy, Debbie McIlrath, Joyce Eddy and Kathy Templeton.

RESOLUTIONS:

DISCUSSION: **Councilwoman Seaman** noted I have a Resolution that I would like to bring back to the floor that was done.....**Supervisor Hyde** interrupted noting excuse me **Gail**. **Councilwoman Seaman** continued a couple of weeks ago, and this is a Resolution that the Town Board has passed one already to have the septic system certified by the Town Engineers. **Supervisor Hyde** interrupted noting **Mrs. Seaman** wait a minute. Are you telling me.....**Mrs. Seaman**.....**Councilwoman Seaman** interrupted noting to bring this Resolution back to the Board. Do I have.....I would like to make a motion.....**Supervisor Hyde** interrupted noting you are being a bull (inaudible) this table. **Councilwoman Seaman** continued to bring this Resolution to the floor. Do I have a second? **Councilman Needham** replied I will second it. **Councilwoman Seaman** stated I have a second. Now we can discuss it. **Supervisor Hyde** noted I have (**Councilwoman Seaman** spoke over the Supervisor)a statement for the minutes. **Councilwoman Seaman** interrupted noting this is my Resolution. **Supervisor Hyde** continued to make her statement noting but I think we all notice that I was sitting here since about 6:30, and this is the first that I have been told that there is a Resolution. This Resolution was not shared again with the public or with any other Board.....At least not me. I did not see this Resolution. So once again we have **Mrs. Seaman** bringing surprise Resolutions to blindsides the Board. **Councilwoman Seaman** spoke over the **Supervisor** as she spoke noting you have seen it three times **Cynthia**. You have seen it. You have seen it three times. She continued this Resolution was brought to the Board in May. Actually I think it was brought in April. And it says.

Resolution # 45

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

RESOLUTION

Whereas the Town Board has previously passed Resolution #27 directing the Town Supervisor to have the Town Engineers inspect and certify the town septic system and

Whereas the Town Board is the legal governing body of the town as per the laws of the State of New York and

Whereas the Town Highway Department has previously done excavation work for the Town when needed and

Whereas the Town attorneys work for the entire Town Board not one single member and

Whereas the Town Supervisor has stated she will not follow the legally adopted Resolutions because the Town Attorneys have non-specified questions regarding the Resolution

Therefore be it resolved that the Town Board directs that a copy of Resolution #27, and a copy of the letter with the cost estimates from Cedarwood Engineering dated February 1, 2019 along with this

Resolution be forwarded to the Town Attorneys Miller, Mannix, Schachner and Hafner by the Town Clerk no later than the end of business Friday June 28 2019 and

Be it further resolved that the Town Attorneys are directed to write a Resolution for the Town Board accepting the Town Engineer's proposal including the specific timelines and progress updates to be presented to the Board as noted in Resolution #27 to be reviewed and discussed at the July Regular Meeting and

Be it further resolved that the source of funding will be identified as coming from the Contingency Account expense code 19904.1 and

Be it further resolved that if any questions arise regarding this Resolution that said questions be emailed to all Board Members to seek accurate interpretation. If necessary a Special Meeting can be requested and

Be it further resolved if the Town Attorneys find anything in this Resolution questionable it will be considered that all parts will be in full force and followed until addressed separately at a Regular Board Meeting and

Be it further resolved because accurate information is not forwarded to the Town Board in a timely manner the Town Attorneys are directed that from this day forward all correspondence between the Town Supervisor and the Town of Thurman, and the town attorneys Miller, Mannix, Schachner and Hafner whether by email, U.S. mail, Fax or phone (summary of that) will be emailed to each individual Board Member at the same time which is sent or received by any party. The Town Clerk will supply all email addresses to the town attorneys with this Resolution and

Be it further resolved because the Town Supervisor has refused to follow adopted Board Resolutions the town attorneys are directed to explain in writing to the Town Supervisor her duties regarding following adopted Board Resolutions, and the consequences of her repeated refusal to follow such Resolutions. A copy of which to be forwarded to each Board Member.

Discussion: Councilwoman Seaman asked any discussion. **Supervisor Hyde** stated **Mrs. Seaman** your Resolution is full of harassment and abuse directed at me. **Councilwoman Seaman** interrupted the **Supervisor** noting any discussion. **Supervisor Hyde** continued your Resolution is total 100%.....Not.....You can't pass.....You can't bring Resolutions.....I still haven't seen it. Have you seen it? The **Town Clerk** replied I have not seen it. **Supervisor Hyde** asked have you seen it Brenda? **Councilwoman Ackley** replied yeah because we all got a copy of it. **Councilwoman Seaman** replied yup. The **Town Clerk** asked when did you get a copy of it? **Supervisor Hyde** asked if you got a copy of it then why didn't I get a copy of it? **Councilwoman Ackley** replied in May's meeting. **Councilwoman Seaman** noted yeah May, and the Town Clerk had it because I handed it to her. **Supervisor Hyde** replied No, no, no, no. Were you told that that Resolution was going to be brought up tonight **Brenda?** **Councilwoman Seaman** responded no (inaudible). **Supervisor Hyde** asked were you told. **Councilwoman Ackley** stated she made a motion. **Councilwoman Seaman** noted I made a motion. **Supervisor Hyde** noted so it is OK with you to just bring things up at the minute, and blindside everybody at the table, and blindside the public. **Councilwoman Seaman** noted this is being brought up because of May. **Supervisor Hyde** asked

when are you people going to understand that there's rules. And the rules are there to protect the public, and you people just totally ignore them. And think it is funny **Mr. Needham**. You are not funny **Mr. Needham**. **Councilwoman Seaman** asked **Cynthia** are you finished insulting people? **Supervisor Hyde** noted it is not funny **Mr. Needham**. **Councilman Needham** responded rules. Your rules are funny. Your rules are funny. You make them up as you (inaudible). **Supervisor Hyde** responded I do not make up rules. You three made a bunch of rules then smiled and laugh about it. How disgusting. **Councilwoman Ackley** stated you do the same thing. You sit here and smirk all the time so don't even. The whole entire time. **Councilman Needham** stated let's vote on it. **Supervisor Hyde** stated this is abuse and harassment. This is I repeat abuse and harassment. **Councilwoman Seaman** asked can we have a roll call please? **Councilwoman Ackley** noted it is not as bad as you standing up calling out letters in front of people. **Supervisor Hyde** replied this is abuse and harassment **Brenda**. All three of you should be ashamed of yourselves. And they sit here, and they laugh. **Councilwoman Seaman** asked (inaudible) make a roll call please. **Supervisor Hyde** noted there are a lot of people not laughing. Excuse me.....**Councilwoman Seaman** noted the **Town Clerk** can make the Roll Call. **Supervisor Hyde** stated I still have not seen the Resolution. The **Town Clerk** noted I don't have the Resolution either. **Councilwoman Seaman** stated you received a copy of it. **Supervisor Hyde** noted I have not received a copy of any Resolution that you have proposed to bring to the floor. **Councilwoman Seaman** interrupted noting here you go. That is a copy. **Supervisor Hyde** continued the Resolution full of harassment and abuse about me. Full of things that you have no right to ask anybody to do. **Councilwoman Seaman** stated yeah we do. **Supervisor Hyde** stated you can go ahead and pass it, but I am going to tell you the same thing is going to happen. **Councilwoman Seaman** stated let's see what the Town attorney says. **Supervisor Hyde** continued it is going to go the way of many of the Resolutions that you three have passed that in the end are not viable Resolutions, and cannot be followed. My guess is since I haven't had a chance to read it, but from what I heard I would say this sounds like another one of those kinds of Resolutions that I won't be able to follow. And I will be accused of not following. When in truth I can't follow it so that is my warning. **Councilwoman Seaman** spoke over the **Supervisor** noting yup. You wouldn't understand it anyway. Right. You know.....You know what the good thing is you don't have to do anything because the **Town Clerk** has been directed. She has to send it to the attorneys so we know it will get there. **Supervisor Hyde** replied well I would certainly advise that this Resolution not be passed. **Councilwoman Seaman** replied good, you have a vote too. **Supervisor Hyde** noted it makes no sense.....**Councilwoman Seaman** spoke over the **Supervisor** noting can we vote? Can we....Can we please call the vote? **Supervisor Hyde** continued and Resolutions are for business. They are not for harassment and abuse of other Town Board Members or the Supervisor. They are not for abusive.....**Councilwoman Seaman** interrupted noting don't be nasty. **Supervisor Hyde** continued they are not to include abusive language against the **Supervisor**, and that is what so many of these Resolutions include. Correct **Susan**. **Councilwoman Seaman** interrupted noting can we.....Can you please call the rules....The vote. Would like to call the roll please **Town Clerk**.

A Roll Call Vote Was Called

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

Discussion: Supervisor Hyde asked do you have any other surprise Resolutions **Mrs. Seaman**? **Councilwoman Seaman** stated no, only that we need to go over that contract that you just had done at the expense of the Town. **Supervisor Hyde** noted alright I would like to start with Resolutions since **Mrs. Seaman** so rudely just interrupted, and injected her last minute blindsiding Resolution. Now let's get on

with what was on the agenda, and has been on the agenda since oh, several days before June 12th. All these Resolutions were provided to the Board ahead of time, and provided to the public, and it is the proper way to do things. I do not blindsides the Board as much as **Mrs. Seaman** does. **Councilwoman Seaman** spoke over her noting no you never did. **Supervisor Hyde** continued so I would like to get a motion to get a Resolution to approve a contract with the Thurman Connection Snowmobile Club on the floor. Do I have a motion?

Resolution

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

RESOLUTION TO APPROVE CONTRACT WITH THURMAN CONNECTION

SNOWMOBILE CLUB

The town board of the Town of Thurman approves the contract with the Thurman Connection Snowmobile club and authorizes the supervisor to sign the necessary paperwork.

Discussion: **Councilwoman Seaman** noted I will second it so that we can discuss it. **Supervisor Hyde** noted I would like to..... I had the attorney write up a contract....**Councilwoman Seaman** interrupted noting it is not a good one. **Supervisor Hyde** continued to enter into with the Thurman Connection Snowmobile Club. In the past the Town.....There is money that the Town receives from the County in the amount of \$27,000.00, and in the past we would get sent the check, and then once we had the money we would pass it on the Snowmobile Club. We would deposit it in the bank account. We would write them a check. Well this year they decided to change it a little bit, and they are asking us to front the Snowmobile Club \$27,000.00. And so we have to take that out of our operating money and, then once we give the check to the Snowmobile Club, and they cash it. Then I get a picture of it back from the bank. Then I take that picture, and I send it to the Treasurer, and then the Treasurer will then send me a check to cover. So because we are fronting \$27,000.00 of Town money I spoke with the Attorney, and he recommended that the Town and the Snowmobile Club have a contract. The Town and Warren County have a contract. Warren County passes that money along to the Town and that is in the contract, but I felt and the Attorney felt it was necessary to have a contract with the Snowmobile Club and the Town. So I had the Attorney write that up, and that is what this Resolution is about. **Councilwoman Seaman** replied good now can we discuss it. Good. OK. **Supervisor Hyde** noted the Board was provided with the contract several weeks ago so they have had several weeks to read it. **Councilwoman Seaman** noted OK now are you finished. Can we discuss it? **Supervisor Hyde** stated I need that contract back because I have something to add to it. **Councilwoman Seaman** asked OK now are you finished? (Inaudible) to discuss it? **Supervisor Hyde** stated I need that contract back because I have something that I need to add to it. **Councilwoman Seaman** replied well you can't because this is my copy that I have written on. **Supervisor Hyde** responded excuse me give me.....The **Town Clerk** noted she took your copy. **Supervisor Hyde** stated give me that, that is my copy because you got it.....I need that.....I need to.....**Councilwoman Seaman** responded well I am sorry. **Supervisor Hyde** continued noting give me my copy of the contract. I need to read something **Mrs. Seaman**. **Councilwoman Seaman** noted **Cynthia**. **Supervisor Hyde** continued noting give me the contract I need to read something out of it. **Councilwoman Seaman** replied well maybe after. **Supervisor Hyde** repeated give me the contract **Mrs. Seaman** I need to read something out of it. **Councilman Needham** interrupted asking where is my copy of the contract. I don't have a copy of it. **Councilwoman Seaman** noted I asked for copies, and she

refused to print them. **Supervisor Hyde** responded you were given....I emailed you a copy of that contract weeks ago. **Councilwoman Seaman** repeated asked for copies, and she refused to print them. **Supervisor Hyde** responded I am sorry **Mrs. Seaman** has no problem printing her Resolutions. I am sure she can print a contract. **Councilwoman Seaman** responded **Cynthia**. **Supervisor Hyde** stated I need a copy of that. I need that so I can read it. **Councilwoman Seaman** responded I am sorry I asked you to print copies, and you refused. I told you I needed this copy. **Supervisor Hyde** asked you are refusing to give me that copy so that I can read it. **Councilwoman Seaman** replied yup. The **Town Clerk** noted call the police. Call the police. It is not your copy. **Councilwoman Seaman** stated it is my copy I told you that. **Supervisor Hyde** stated it is not your copy. It was my copy that I printed for myself. **Councilwoman Seaman** noted OK are you through (inaudible) now. **Supervisor Hyde** noted you people were provided a copy of that weeks ago. **Councilwoman Seaman** interrupted noting no we were not. We were provided with an email which is not a copy. Alright now while we are going through this I notice that A the Board never asked.....**Supervisor Hyde and Councilwoman Seaman** both noted please don't speak from the floor. **Councilwoman Seaman** continued the Board was never asked if we needed another contract with the Snowmobile Club because we didn't give you any permission to go to the Attorney to spend money on a contract that obviously is not correct, and should be.....Things need to be taken out of it. Secondly last year you gave the Snowmobile Club their \$27,000.00 without even an agreement in place. You just handed them a check, and said go for it. So I'm not sure why now we have to have.....We already passed two or three Resolutions that said we have an agreement with the Snowmobile Club, and to pay them the money, and you refuse to pay it. **Supervisor Hyde** stated we don't have an agreement with the Snowmobile Club we have an agreement with the County. We have no agreement with the Snowmobile Club. **Councilwoman Seaman** asked then what is this. **Supervisor Hyde** noted that is the agreement between the Town and the Snowmobile Club that I am trying to pass. To cover.....To protect the Town.....**Councilwoman Seaman** interrupted noting because I asked.....I'd like. **Councilman Needham** noted where is the agreement with the County? We haven't seen that. **Councilwoman Seaman** noted we haven't one with the County. **Councilman Needham** noted we haven't seen one in twenty years. **Councilwoman Seaman** stated because in all honesty.....**Supervisor Hyde** interrupted noting this.....What. You never saw an agreement between the Town and the County? **Councilman Needham** noted not with the County. No. **Supervisor Hyde** noted that is so funny because you voted on it. Was that not correct? I think it was in March. I brought the agreement between the County and the Town. And I brought a Resolution, and then you people gave me permission. **Councilwoman Seaman** interrupted stating to get the money for the Snowmobile, and we.....**Supervisor Hyde** continued you abstained at that one. I am sorry that you don't remember that you approved a contract between the County and Town. **Councilwoman Seaman** interrupted noting **Cynthia** why don't we.....Why don't we try to stay on topic. **Supervisor Hyde** noted maybe you need to try to (inaudible) those things because you are part of the Snowmobile Club. **Councilwoman Seaman** interrupted noting alright **Cynthia** why don't we try to stay on topic because it is going to be hard. **Supervisor Hyde** continued please don't accuse me of things that are not true **Mr. Needham**. **Councilwoman Seaman** noted OK in this contract that she wants to make a third party that has been taking care..... The Thurman Snowmobile Club has been taking care of the trails for I don't know how many years, and the County has a contract with them. Now my guess is that the County probably required proof of a check that the Snowmobile Club actually got their money to make sure that they actually get their money. Well this agreement says that the Town has undertaken, and may or may not sponsor a third party or third parties through contracts or maintenance for the promotion of a Snowmobile Club. I first.....I propose that on that third paragraph it

says whereas the Town has undertaken, and is willing to undertake and sponsor with the Thurman Snowmobile Connect Club for the development, maintenance and promotion of the snowmobile trails within the Town used by all Warren County residences. And in the next paragraph, the fourth one, it says whereas the County of Warren has agreed to pay the Town during the Fiscal Year 2019 the sum not to exceed \$27,000.00. The Town shall in turn use said Funds for maintenance and promotion of the trail system by the Thurman Snowmobile Club for the promotion.....For the snowmobile trail development, maintenance and for promotion. And then the big one because this would be a....A factor that really bothered me. I can't imagine it wouldn't bother the club. Number 5 it says this agreement shall be for the term of one year commencing January 1, 2019, and terminating December 31, 2019. It then goes on to say, and I.....I would prefer that all of it to be expunged because you have to remember that this is not Town money being used. It is County money that they are paying the Town. As soon as we prove that we have given it to the Snowmobile Club, but they want the Club to sign a contract that says the Town of Thurman reserves the right to terminate this agreement at any time upon the failure of the Thurman Connection Snowmobile Club to satisfactorily render services required under this agreement, and to expend the monies in accordance with the terms and provisions of this agreement. In the event of such termination all the monies paid to the Thurman Snowmobile Club by the Town and not expended according to this agreement shall be repaid to the Town upon demand. This is not Town money. This is Warren County money given to the Snowmobile Club for the promotion of the Snowmobile trails, and as such would never go back to the Town. By the way this also happens to be a pet peeve I'm sure of **Cynthia's** because this wasn't an issue last year. Now it is an issue. Probably because all of her trying and brow beating and talking bad about **Doug** to try to get him to resign hasn't worked. This is trying to control the.....**Supervisor Hyde** interrupted stating you are harassing me right now with your verbal abuse. Verbal abuse. **Councilwoman Seaman** noted are you going to let me finish? This is a simple attempt at trying to hold something over their head that the Town can just for any reason decide that they are going to terminate an agreement. The agreement with the Town basically ends the minute the club gets that check, and no attorney for a club is going to let them sign something like that. I propose that we take everything out of that after the one year term because you still.....Now every other club has gotten their money from the County. Thurman is the only Town that has not given the Club their money. Does anybody have any problems with taking out those pieces for the Club? **Brenda** do you? Do you (to Councilman Needham)? **Supervisor Hyde** replied well I certainly trust the Town Attorney more than I trust Mrs.Last I knew **Mrs. Seaman** doesn't have a law degree. **Councilwoman Seaman** responded the Board is the one that decides what we sign, and what we don't sign. **Supervisor Hyde** replied that is fine with me. If these three Board Members don't want to protect the Town let (inaudible) the Town it's money. I would think that the Snowmobile Club would.....I don't.....I'm sure that they plan on doing what they are supposed to do with that money so why would they be threatened by that? You would only be threatened by that if you.....If you thought maybe you weren't, but I am sure that they plan on doing what they are supposed to do with the money so why would that even be a problem as long as they do what they are supposed to do. **Councilwoman Seaman** interrupted noting no. When we have passed so many (inaudible). She continued because the last person I took their word that they were going to do something we aren't getting it. They said it is too bad you didn't have it written in a contract. That was last.....That was a week and a half ago. **Supervisor Hyde** remarked here we are harassing someone again. **Councilwoman Seaman** replied no so I will never trust somebody that says don't worry we will take care of it we don't need it written in a contract. **Supervisor Hyde** noted **Mrs. Seaman** you don't need to degrade people that come to these

meetings.....**Councilwoman Seaman** interrupted noting I didn't. **Supervisor Hyde** continued with your nasty remarks. **Councilwoman Seaman** continued that's just the facts. That is what was said. **Supervisor Hyde** responded it wasn't. It is not the facts. What comes out of your mouth are not facts. **Councilwoman Seaman** interrupted noting that is exactly what was said. They are on video if you would like to see them. **Councilwoman Seaman** continued to make changes to the contract. **Supervisor Hyde** noted so I would like to let everybody know that **Mrs. Seaman** is rewriting the contract that was written by the Attorney. Just so that everybody is aware of what she is doing. **Councilwoman Seaman** responded I am not rewriting it. Just taking out what the Board feels necessary. **Supervisor Hyde** interrupted noting rewriting the contract that was written by an attorney. Just so that everybody is aware. **Councilwoman Seaman** asked **Councilman Needham** (handing him the contract with the changes she made) now is that acceptable to you? **Supervisor Hyde** stated this is not an advisable thing. **Councilwoman Seaman** replied yeah it is. That is what Town Boards are supposed to do. **Supervisor Hyde** noted so **Mr. Needham** is now also helping to rewrite the contract which is.....**Councilwoman Seaman** noted he is looking at the changes that I made. **Supervisor Hyde** noted I wasn't aware that you had a law degree either. **Councilwoman Seaman** got up to show the contract to **Councilwoman Ackley** who noted I don't have a problem with it. **Councilwoman Seaman** noted I will make a motion that we accept this agreement with the changes that were noted. **Supervisor Hyde** asked and what were those changes **Mrs. Seaman**? **Councilwoman Seaman** spoke over the Supervisor asking do I have a second? **Councilman Needham** replied I will second it. **The Town Clerk** stated you have a motion on the floor? Are you making an amendment to it? **Councilwoman Seaman** replied you know what could you please have this photocopied so that we could all go over it together. **Supervisor Hyde** remarked could you just read it out loud **Mrs. Seaman**? You read it out loud because that is kind of hard to read you have things scribbled out, written in. Why don't you read to us exactly.....**The Town Clerk** noted for the record. **Councilwoman Seaman** stated so we are going to have.....We are going to need this photocopied again anyway please because you are going to need a copy so you have it. **Supervisor Hyde** noted I am sorry **Mrs. Seaman** but she does not work for you. You don't demand her to get up and make photocopies. **Councilwoman Seaman** replied let's see. Here we go the Town Clerk, yeah. **Supervisor Hyde** stated **Mrs. Seaman** you are going to cherry pick little parts of the Law Manual to try and prove a point, but that isn't how it works. You do not demand of her.....**The Town Clerk** interrupted noting I take the minutes for the Board that is my job. I take the minutes. **Councilwoman Seaman** stated clerk to the Board. **Supervisor Hyde** noted not in that capacity **Mrs. Seaman**. **The Town Clerk** stated no I am not the clerk to the Board. I take the minutes for the Board. **Councilwoman Seaman** asked are you finished? **Supervisor Hyde** stated you don't make demands of the Town Clerk that she jump up and do anything. **Councilwoman Seaman** replied fine then she can get the corrections off of the thing because I am asking for a copy so she can..... So that is easier for her. **Supervisor Hyde** replied read it to us. **Councilwoman Seaman** replied OK the agreement: This agreement made between the Town of Thurman, a Municipal Corporation in the State of New York having its principal offices blah, blah, blah. Whereas pursuant to this agreement with Warren County, and please make sure that the heading remains the same. Not blah, blah, blah. **The Town Clerk** replied it is going to go in just as you are saying it. It is going in just as you are saying it blah, blah, blah and all. **Councilwoman Seaman** replied are you going to be.....You know what I am going to say that we are going to hold off on passing this because obviously the **Town Clerk** doesn't want to do her job, and....**The Town Clerk** replied my job....**Supervisor Hyde** interrupted noting excuse me we can do without the comments from the floor, and we can do without your constant verbal abuse against people at these meetings **Mrs. Seaman. Councilwoman Seaman**

interrupted noting oh. She continued well if you.....**Supervisor Hyde** continued noting verbal abuse **Mrs. Seaman** you verbally abuse people verbally people at every single Town Board Meeting. It is disgusting **Mrs. Seaman. Councilwoman Seaman** spoke over the **Supervisor** noting well if you....**Cynthia** you are the one who is screaming. This is the one screaming. Yes you are. **Supervisor Hyde** continues you are a disgusting excuse for a Board Member with your abusive behavior **Councilwoman Seaman** spoke over the **Supervisor** stating absolutely. Yup. OK now we can put these away or we can do it the hard way. It is up to you. I am asking for copies again. I would like 5 copies. One for each of us, and one for you. Would you like to please make copies of this? **Supervisor Hyde** stated it is up to the Clerk. She can do it if she wants, but you cannot make demands of her. **Councilwoman Seaman** replied actually OK the role of the Town Clerk. The **Town Clerk** interrupted stating you could have come before the meeting and been prepared, and given them to me I would have been glad to made it then. **Councilwoman Seaman** continued she is not a member of the Board, and does not have a vote on matters coming before the Board. **Supervisor Hyde** stated that is a good point. **Councilwoman Seaman** continued alright this is the Town Clerk must attend and keep a written record of all proceedings. **Supervisor Hyde** noted **Mrs. Seaman** we really aren't interested in hearing your version. **Councilwoman Seaman** continued to speak over her noting and the Town Clerk has a number of statutory responsibilities that are too numerous. Additionally the Town Clerk acts as the recording secretary, and takes minutes at the Town Board Meetings. **Supervisor Hyde** noted and they are her minutes, and you have no say in them. **Councilwoman Seaman** interrupted noting OK I am asking....She continued actually we do according to the Town Clerk Manual. The Town Board has to approve them, and can change them. **Supervisor Hyde** remarked you don't have to approve them. **Councilwoman Seaman** responded yup. **Supervisor Hyde** noted no they don't. That is a formality. **Councilwoman Seaman** asked are you going to please copy this to make 5 copies. The **Town Clerk** stated no, not now. **Councilwoman Seaman** asked are you refusing to do your job? **Supervisor Hyde** noted **Mrs. Seaman** you knew that you were going to do this tonight. You had that contract weeks ago,....**Councilwoman Seaman** interrupted noting I just got it (inaudible). **Supervisor Hyde** continued and this is how you conduct business here. This is a disgrace. **Councilwoman Seaman** stated yes you are. **Supervisor Hyde** continued this is a disgrace. If you were really serious about that you should have had that prepared ahead of time. You had that contract weeks ago. This is a disgrace. **Councilwoman Seaman** replied yup you are. **Supervisor Hyde** noted an absolute disgrace and a terrible way to do business. **Councilwoman Seaman** stated **Susan Staples** are you going to please make copies of this. 5. I have asked you now about 4 times. The **Town Clerk** replied and what did I tell you? I would have gladly done it prior to the start of the meeting. **Councilwoman Seaman** replied I didn't have it prior to the start. I asked her and she said no. So now you are refusing to give a Board Member copies. OK we'll read it. **Supervisor Hyde** noted **Mrs. Seaman** you.....**Councilwoman Seaman** interrupted stating if you keep your mouth shut. **Supervisor Hyde** continued refused to give the public, the clerk and the Supervisor copies of anything you ever bring to the Board, and you are sitting here accusing her of refusing. You are the one who is refusing to do what is proper, and fair, and correct for the public. You are the one so do not accuse her of refusing to do anything. She does her job. You don't. Let's get that straight. **Councilwoman Seaman** spoke over the Supervisor noting **Cynthia** please shut up. **Cynthia** you (inaudible) first. Oh yeah. Oh. Yeah. Right. She continued let's get it straight that you couldn't.....Never mind. OK. The agreement.

Resolution

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

This agreement is made by the Town of Thurman. A Municipal Corporation in the State of New York and having its principal offices and place of business located at the Town Hall PO Box 311 Athol Road, Athol, New York 128. It is supposed to be 10. Please correct that he made an error. The Town and the Town Thurman, the Thurman Connection Snowmobile Club Incorporated. A New York non for profit corporation with its principal office and place of business at 133 Bear Pond Road Athol, New York 12810.

Whereas pursuant to the agreement with Warren County Board of Supervisors regarding the snowmobile trail and development, maintenance and promotion of the trail systems similar to that which existed in previous years. Or using the funds for subcontractors with third parties for said purposes and

Whereas the Town has sponsored, and is willing to sponsor on its own and through contracts with the Thurman's Connection Snowmobile Club Incorporated for the development, maintenance and or the promotion of the Snowmobile Club trails within the Town used by all Warren County residents and others and

Whereas the County of Warren has agreed to pay to the Town during the fiscal year 2019 a sum not to exceed \$27,000.00 and the Town shall in turn use said funds for maintenance and promotion of trail system by the Thurman Snowmobile Club Incorporated. The Thurman Connection Snowmobile Club Incorporated. For snowmobile trail development and maintenance and or promotion of and

Whereas the Town Board of the Town of Thurman approved this agreement with the Town of Thurman and Thurman Connection Snowmobile Club incorporated on the 24th day of June 2019. Now therefore it is mutually agreed upon by and between the parties as follows

The Town hereby agrees to sponsor or cause and encourage the continuation of the development, maintenance or the promotion of snowmobile trails within the town.

Two: Any resident residing in Warren County shall be permitted access to the Town's sponsored or controlled snowmobile trails at the same charges which apply to the Town. Three: The Town of Thurman agrees to pay the snowmobile, the Thurman Connection Snowmobile Club Incorporated during the fiscal year 2019 a sum not to exceed \$27,000.00. The Thurman Snowmobile Club Incorporated shall in turn use said funds for the purposes of equipment, trail development, and or promotion of the trail systems similar to that which existed in previous years.

Four: The Thurman Connection Snowmobile Club shall indemnify and hold the Town of Thurman and it's officers, agents and employees harmless from any claims, notices of claims, demands, causes of actions and judgments arising out of injury to persons including death or property whatever kind or nature as a result of furnishing the services provided in this agreement in connection with the development, maintenance and or promotion of said snowmobile trails referred to in this agreement and or purchase and use of equipment as provided for herein. And shall name Warren County and the Town of Thurman as additional name of insurers on the any insurance policy to provide coverage of liability assumed hereunder with the exception of workers compensation.

Five: This agreement shall be for a term of one year commencing January 1, 2019 and terminating December 31, 2019.

Six: This agreement shall be deemed executory only to the extent of money made available to the Town through its annual appropriations for this agreement, and no liability on account thereof shall be incurred by the Town beyond monies appropriated therefore.

Seven: As this agreement is signed the Town of Thurman shall within 5 days pay to the town, pay to the Thurman Snowmobile, Thurman Connection Snowmobile club a check in the sum of \$27,000.00.

In witness thereof this agreement has been executed and duly authorized officers of the respected parties pursuant to a Resolution adopted by their respected governing Boards. Thurman Snowmobile Connection the Thurman Connection Snowmobile Club Incorporated by and present it needs to sign it and the Town of Thurman by Cynthia Hyde the Supervisor.

Discussion: Councilwoman Seaman noted that is the entire agreement. **Supervisor Hyde** asked so is the Board willing to vote on this revised contract that the attorney wrote, and that **Gail Seaman** changed? Go ahead and do a Roll Call Vote. **Councilwoman Seaman** replied yeah, we're.....**Supervisor Hyde** noted something that was not provided. No information on this was provided to us ahead of time. **Mrs. Seaman** is.....The **Town Clerk** asked **Councilman Needham** are you abstaining or are you voting? His response was inaudible. The **Town Clerk** asked you are voting? What is your vote? **Councilman Needham** responded yes.

A Roll Call Vote Was Called

Vote: Ayes ~3 Ackley, Needham, Seaman, Nays~1 Hyde

THE OFFERED RESOLUTION WAS NOT PROPERLY SUBMITTED. THEREFORE IT IS NOT BEING RECORDED OR FILED AS AN OFFICIAL RESOLUTION.

Discussion: Supervisor Hyde noted I don't think it is very safe to vote on a contract that was written by our attorney then was changed by **Mrs. Seaman**. **Councilwoman Seaman** responded **Mrs. Seaman** didn't change it, the Board changed it. **Supervisor Hyde** replied no **Mrs. Seaman** changed it, and the Board sat and went along with it. **Councilwoman Seaman** spoke over her noting all of it was agreed. She continued you know you are amazing how much you give me as far as power goes, wow. **Supervisor Hyde** asked alright are we done with that? All those in favor. Oh we already did that. Motion carried. Alright the next Resolution to be brought to the Floor is a Resolution to amend Resolution #44 of 2019. Do I have a motion to get that on the floor?

Resolution # 46

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

RESOLUTION TO AMEND REOLUTION #44 OF 2019

The town board of the Town of Thurman approves amending resolution #44 of 2019 to reflect a change in the amount approved for the general fund. The amount approved for the general fund was \$7,235.53, from this we need to delete the \$44.00 to Mountain Medical services invoice #3641K1798 which was incorrect. Check #1047 for \$44.00 to Mountain Medical services was deleted. The correct amount owed to Mountain Medical Services will be on the June 2019 unpaid abstract to be approved at the June 2019

regular meeting. The amended amount to be approved for the May 2019 general fund unpaid abstract is \$7,191.53.

Motion Carried: Ayes~4 Ackley, Needham, Seaman, Hyde, Nays~0

Resolution # 47

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

RESOLUTION TO APPROVE TRAINING

The town board of the Town of Thurman authorizes Joanna Cummins to attend court clerks training in Potsdam, NY, which is a mandatory training for all court clerks, on July 16 & 17 2019 and to submit a voucher for rooms, meals and mileage.

Discussion: Councilwoman Seaman noted the only thing I am going to ask when we are doing this is we share a court clerk with another municipality so we only pay half of it, and.....**Supervisor Hyde** interrupted noting that is not what she is asking. This is what she is asking. Vote on this. I am not. She is not here. This is what we are voting on. So either vote yes or vote it down whatever. **Councilwoman Seaman** interrupted noting **Cynthia** we cannot (inaudible).....**Supervisor Hyde** continued I am not. Without talking to Joanna I cannot change this Resolution. If you had a question on that you have had weeks.....**Councilwoman Seaman** interrupted noting no, this is where.....**Supervisor Hyde** continued to call me up and ask me about it. I am sorry **Mrs. Seaman** this is a real poor time to bring this up. **Councilwoman Seaman** responded **Cynthia** are you telling me if..... That you don't know that we share her with another municipality. **Supervisor Hyde** stated I do know that **Mrs. Seaman. Councilwoman Seaman** responded oh good then you would know that she.....**Supervisor Hyde** noted however, **Mrs. Seaman** if you had a question on this Resolution before this very minute you should have called me up and asked me. **Councilwoman Seaman** replied no. **Supervisor Hyde** continued or call the **Town Clerk** and ask her. **Councilwoman Seaman** spoke over the Supervisor noting you are supposed to do Town business here. Don't need to talk to the Town Clerk. **Supervisor Hyde** stated this is not because....She has to go in July OK. So she needs approval so she can go, and I don't know without her here what the deal is, and so we are voting on the Resolution as it is. **Councilwoman Seaman** spoke over the **Supervisor** noting well she can go as long as.....**Councilwoman Seaman** continued **Cynthia** first of all I just want to make sure that this is not a blanket to give her the voucher for the rooms, and the meals and the mileage. That yes she can attend the training.....**Supervisor Hyde** interrupted noting she is going to submit to us for reimbursement. **Councilwoman Seaman** noted OK so she to submit all because.....**Supervisor Hyde** interrupted noting she is going to give a voucher to them, and then they are going to send the vouchers here. At that time if you want to just pay half.....If you want to talk to her about it that is fine. Right now we are only giving approval for her to go to the training. **Councilwoman Seaman** interrupted noting that would be (inaudible). She continued well we.....Of course she can go, but we are only responsible for half. **Supervisor Hyde** noted well that is why we are voting on the Resolution. That is all we are asking. We are saying she may submit a voucher, and we are saying that she may go to the training. That is all we are saying. So any other questions. **Councilwoman Seaman** spoke over the Supervisor noting alright so you are not saying that we are absolutely going to pay for

those until we get another Resolution. **Supervisor Hyde** replied we don't have the vouchers. Do you see a voucher for anything for Joanna Cummings for training in that package. No you did not. **Councilwoman Seaman** noted well usually you would because she knows how much it cost. **Supervisor Hyde** replied no she will go there, and bring a voucher, and then the training, the room and everything else, we will send them a voucher back, and you can either share it with the other court or not share it with the other court. Whatever you want to do then. What I am asking now is for permission for her to approve training. Any other questions? **Councilwoman Seaman** spoke over the **Supervisor** noting well we have to share it with the other court. She can have the training. She continued so in other words you don't want to answer. **Supervisor Hyde** called the vote.

Motion Carried: Ayes~4 Ackley, Needham, Seaman, Hyde, Nays~0

Discussion: Councilwoman Seaman noted so I will be waiting to see the vouchers. (Inaudible) approve payment. **Supervisor Hyde** noted the next one is a Resolution to approve claims.

Resolution # 48

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

RESOLUTION TO APPROVE CLAIMS

General Fund \$6,022.21

Enterprise Fund \$50.00

Highway Fund \$15,772.50

Pre Audit \$1,824.71

Discussion: Councilwoman Seaman noted you said 50,000 for the Enterprise Fund. **Supervisor Hyde** noted \$50.00. **Councilwoman Seaman** remarked because she doesn't add in the rest of the stuff. **Supervisor Hyde** replied that was to Joe Groff. The rest of the Enterprise Fund is pre-audit **Mrs. Seaman**. **Supervisor Hyde** repeated the figures for the Board. She asked any questions then called the vote.

Motion Carried: Ayes~4 Ackley, Needham, Seaman, Hyde, Nays~0

Discussion: Supervisor Hyde stated congratulations **Mrs. Seaman** you approved the bills. **Councilwoman Seaman** replied I would like it also to go on the record that I have asked for the bank statements that have not been posted online the last two months at least, and I would like copies of those sent to me by email. **Supervisor Hyde** noted and I would like to make a statement that **Mrs. Seaman** has no authority to direct me to do anything, and secondly, um secondly.....what was I going to say. **Councilwoman Seaman** replied you don't know because you haven't got a clue, and I (inaudible) directed you to send them to me. **Supervisor Hyde** responded **Mrs. Seaman, Mrs. Seaman** I am getting real tired of being verbally abused by you. **Councilwoman Seaman** interrupted stating ah it must be awful. **Supervisor Hyde** continued like constantly during this Board Meeting. You are a very abusive

person. **Councilwoman Seaman** interrupted stating you are the one yelling. Oh I know it. You are the one doing all the screaming. Like you used to run around here during the day when you were the Town Clerk. **Supervisor Hyde** noted oh and my other statement was by law what I am required to give the Town Board a report of receipts and disbursements which they do have. So according to the Law Manual what I have provided is what I am supposed to provide. I have also provided more in the past. However, with cuts to the Bookkeeper....**Councilwoman Seaman** interrupted noting she gets plenty of hours. **Supervisor Hyde** continued the work load upstairs, we can't always get all the reports to the Board. **Councilwoman Seaman** noted oh yeah. **Cynthia** you haven't done your AUD for this year either. When is that going to be done? That was supposed to be done in March. **Supervisor Hyde** stated alright let's get on with the next Resolution. **Mrs. Seaman** we are doing Resolutions. **Councilwoman Seaman** asked where is the Annual Update Document that shows the health of the Town. **Supervisor Hyde** responded **Mrs. Seaman** the Bookkeeper has had her hours and her days cut. I am sorry but we cannot get everything done in that office. **Councilwoman Seaman** interrupted stating the Bookkeeper is not responsible for doing it, you are. You are responsible for doing it. You are. **Supervisor Hyde** responded **Mrs. Seaman** the Town Board is responsible for providing the offices with the resources they need to do their jobs. **Councilwoman Seaman** spoke over the Supervisor noting nope. No we aren't. (Inaudible). **Supervisor Hyde** continued and the Town Board has not done that, and they have done everything they can to.....In fact they have done everything they can to cripple every office in this Town. So you know the Town Board shouldn't be surprised about how things go because that was their intent, and we all know it. So do we have a motion to get a Resolution to approve additional duties on the floor? **Councilwoman Seaman** spoke over the **Supervisor** noting OK let's read the Annual Update Document. Let's see we'll read.....we'll read (inaudible) required to the Town Annual Update Document. **Councilwoman Seaman** continued no we need to speak about that. Because we.....**Supervisor Hyde** interrupted stating **Mrs. Seaman** we are on Resolutions right now **Mrs. Seaman**. **Councilwoman Seaman** responded great we need to speak about it. **Supervisor Hyde** continued we are on a Resolution....Do I have a motion to get a Resolution to approve additional duties on the floor? **Councilwoman Seaman** replied you can't without posting the job, and I think that this person is an absolute wonderful.....**Councilwoman Ackley** noted we can't discuss it, it is not on the floor. **Supervisor Hyde** asked can I get a motion on the floor to bring this Resolution on the floor please. **Councilwoman Seaman** asked why don't you make it? **Supervisor Hyde** asked did somebody just make it? **Brenda** did you just make a motion? **Councilwoman Ackley** acknowledged she did. **Supervisor Hyde** noted I'll second it. **Councilwoman Seaman** replied great. Now we can talk about it.

Resolution # 49

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

RESOLUTION TO APPROVE ADDITIONAL DUTIES

Whereas the town buildings and grounds are in need of light maintenance and

Whereas the cemeteries need to be mowed and weed wacked and

Whereas Brett Moulton, Thurman Dog Control Officer, is willing to take on these part time duties and

Whereas the budget contains funds for these now

Be it Resolved that the town board of the Town of Thurman hires Brett Mouton to be an as needed part time maintenance helper at \$11.10 per hour with no benefits.

Discussion: **Councilwoman Seaman** noted OK the first problem is he is already appointed to one position, and I think he probably would do a great job. But, one you have to post the positions, and two you have to get the County to say that a person can be appointed to more than one.....Appointed to three positions that you want to give him. **Supervisor Hyde** responded I am sorry **Mrs. Seaman**, but you are not correct about that. **Councilwoman Seaman** replied yes I am. **Supervisor Hyde** continued this is because two positions that **Brett** would hold should he get this nether one of them has authority over the other. So it is a moot point. You are wrong. The problem is these things need to be done now. If we wait then we are not going to get them done. **Councilwoman Seaman** spoke over the **Supervisor** noting there is three. It doesn't matter. How many times (inaudible) be done now, and there is something wrong with it. **Supervisor Hyde** continued now we are going into July, and these things need to be done. These things need to be done. Unfortunately, this is another instance where the Board jerks everybody around, and deleted jobs and defunded jobs, and this is what happens. Things don't get done when the Board makes these, these, these, crazy decisions. So we have all this work to do, and nobody to do it. We hired Teddy he didn't last because he got a new job because it paid more which is a problem. **Councilwoman Seaman** spoke over the **Supervisor** noting OK. Then why did....No. So what were we doing last year? Now starts the screaming. Cynthia. Well. **Supervisor Hyde** continued noting however, **Brett** is willing in doing this, and he.....And we need somebody now. Not a month from now. We need somebody now. In order to do what you are saying we have to put an ad in the paper. **Councilwoman Seaman** interrupted noting maybe you should (inaudible). **Supervisor Hyde** continued then we have to wait for the responses. Then we have to get to the next Board Meeting. Half the summer is going to be over. Who is going to do this work in the mean time? **Councilwoman Seaman** responded well up until.....**Supervisor Hyde** interrupted noting the Highway Department does not want to do this anymore. So it makes sense to hire somebody. **Councilwoman Seaman** spoke over the **Supervisor** noting OK she is going to answer her own question. There is no point. **Councilwoman Ackley** asked didn't the Highway hire two more people? They don't have an extra person? **Supervisor Hyde** responded that....This isn't their job **Brenda. Pat** doesn't want to do it. It is not their job. **Councilwoman Seaman** noted Yeah. They have....They have been.....They have been doing it. As a matter of fact **Pat** himself and one of the other workers did all the mowing just recently. About a week ago. It didn't take 5 hours. However, **Pat** has said that he is going to get a lot of work going, and he would like positions filled. Um he was basically talking though about advertising for the Landfill. I think we should advertise the positions, and if.....I mean if you've got upstairs a file with a bunch of applications we can go into Executive Session and look at them. That is what the Board is supposed to do. We are supposed to go through all the applications. **Supervisor Hyde** replied that is funny, but we didn't do it when we hired **Brownie**. What is the difference here? We did not do that when we hired **Ed**. **Councilwoman Seaman** interrupted noting he was in the position **Cynthia**. Which word didn't you understand? **Supervisor Hyde** continued **Ed** was a Highway worker, and he did that. **Councilwoman Seaman** interrupted noting doing the position. Doing the position. **Supervisor Hyde** continued **Brett** works for us. We know he does a good job, and he is willing to do this. We need this done. So I don't understand this constant changing of the rules. This makes no sense. **Councilwoman Seaman** spoke over the **Supervisor** noting and that is wonderful. That is great. It is not changing the rules. **Supervisor Hyde** continued I am not in favor of constantly changing the rules. (inaudible) for this position, this rule for that position, this rule for that position. It makes no sense at all. **Councilwoman Seaman** noted **Cynthia** why don't you want to advertise a position to give

everybody in town the opportunity. **Supervisor Hyde** replied because the work needs to be done now. That is why. **Councilwoman Seaman** replied well I just told you the Highway Department took care of it, and we.....**Supervisor Hyde** noted if the Board wants to advertise it go ahead alright. And when people ask me why isn't this done I will explain to them. **Councilwoman Seaman** spoke over the **Supervisor** stating oh you will anyway. Write something nasty on the (inaudible). **Supervisor Hyde** continued why it is not done. So go ahead. If the Board wants to advertise be my guest. Do it. Do it. **Councilwoman Seaman** noted why don't you.....**Supervisor Hyde** replied don't tell me to do.....What do you want to do? **Councilwoman Seaman** noted do you have a file up..... Well actually I want to see your file with applications. **Supervisor Hyde** replied **Mrs. Seaman** I am not going to.....Either vote it down, and then do what you want. I don't care. This is what I think would make sense. If you don't like it fine. Vote it down. **Councilwoman Seaman** spoke over the **Supervisor** noting OK so seeing the applications of people that have actually applied for the job is not an option. That makes sense. **Supervisor Hyde** continued so let's vote on this Resolution. All those in favor. Then they can do what they want after that. **Councilwoman Seaman** spoke over the **Supervisor** noting **Cynthia** I asked.....**Cynthia** no because..... **Supervisor Hyde** stated this Resolution is on the floor. Let's vote on it. Then if you vote it down do what you want. OK. Let's go. Roll Call

A Roll Call Vote Was Called

Motion Failed: Ayes~1 Hyde, Nays~3 Ackley, Needham, Seaman

Discussion: Supervisor Hyde stated now you guys figure out what you want to do, and I will sit here and wait. **Councilwoman Seaman** responded well we asked you to put an ad in the paper, and post it on the Town website. **Supervisor Hyde** replied **Mrs. Seaman** don't talk to me. Decide amongst yourself what you want to do. **Councilman Needham** noted we have to do it legally. **Councilwoman Seaman** replied yup. **Supervisor Hyde** continued I am not going to discuss this. I don't agree with you. We need this stuff done now. You guys figure it out. I'll wait. **Councilwoman Seaman** spoke over the **Supervisor** stating so you are refusing to be a member of the Board. So you are refusing to be a member of the Board, and.....**Supervisor Hyde** noted I am waiting. **Councilman Needham** stated we have to do this legally so it has to (inaudible). **Supervisor Hyde** noted do what you want to do. I will sit here, and the **Town Clerk** will write down whatever Resolution you come up with. Go ahead. **Councilwoman Seaman** noted we said put an ad in the paper. **Supervisor Hyde** replied don't tell it to me. Tell it to the Town. Tell it to the Board. You guys figure out what you want to do.....**Councilwoman Seaman** interrupted asking are you going to shut your mouth for more than 30 seconds? So we can actually get it out. **Supervisor Hyde** responded once again we have verbal abuse. Verbal abuse. **Councilwoman Seaman** interrupted noting yes you are. **Supervisor Hyde** continued constant verbal abuse. **Councilwoman Seaman** noted why don't I make a Resolution to put in an advertisement for a help wanted for the position of Town's Buildings and Grounds, and a cemetery worker. **Councilman Needham** noted cemetery worker (inaudible). **Councilwoman Seaman** replied and we might as well do it a attendant for the Landfill while we are doing it because all three have to be posted. And on the Town website, and in the paper. Both papers that we agree on. **Councilman Needham** noted something about the position being full time. **Councilwoman Seaman** noted well we can't do it full time cause they have to be part time you know....There is part time no benefits, the rate is 11.10 an hour, and people need to respond to the Town offices oh I don't know we are going to have to do it for the August meeting because she has to get it.....How soon can you get it in the papers? The **Town Clerk** replied well it won't go in the Sun right now, and it takes a little bit more time for that one, and it won't get in.....Probably not the PostStar the

beginning of.....**Councilwoman Seaman** interrupted asking until when? Today is Monday. So you have a week. The **Town Clerk** responded I don't know how long it will take them to get the ad in. I know it is too late for the Sun. I don't know if we will get it in.....**Councilwoman Seaman** interrupted to ask how long will it take for you to get it to the paper? The **Town Clerk** replied I would have to write the Resolution up, and then I would have to make a copy of it, and then I would have to send it to the paper. Then I have to wait for them to receive it, they have to proof, they have to send it back to me. I have to proof it for corrections before I send it back to them. **Councilwoman Seaman** noted these are emails going back and forth. **Supervisor Hyde** noted I have some advice for you **Susan** I would make **Mrs. Seaman** tell you exactly what she wants. The **Town Clerk** responded word for word. **Supervisor Hyde** repeated word for word. The **Town Clerk** noted and no one has seconded this. She (**Councilwoman Seaman**) said would like to make a motion there was no second on this. **Councilwoman Seaman** responded let's also make sure we advertise it on the sign out here. The **Town Clerk** noted I don't know how to do that. **Councilwoman Seaman** noted well maybe **Cynthia** knows how to do it. Somebody does they are putting stuff on there. Positions open. Apply within, and make sure it goes on the Town website. Just like you put the other one on that you played politics with. So that can come down, and another (inaudible). **Supervisor Hyde** noted another instance of verbal abuse. The **Town Clerk** asked are you familiar with the PESH Act? **Councilwoman Seaman** responded are you? The **Town Clerk** replied I am. Are you? I am asking are you. **Councilwoman Seaman** replied obviously you are not. So it doesn't matter. The **Town Clerk** replied obviously you aren't. So tell me.....It does matter. Because you should be looking this up. **Councilwoman Seaman** interrupted stating **Susan** you are not a Member of the Board. You are just a clerk to the Board please just take the minutes. The **Town Clerk** continued it is the Public Employees Safety and Health. She continued I am a clerk to the Board who has been abused by the Board. I wrote a letter....**Councilwoman Seaman** stated you don't get to comment. You don't get a vote. You are not a member of the Board. **Supervisor Hyde** noted I am sorry what is she arguing with you about? **Councilwoman Seaman** replied I want her to just do her job. That is all. It is a simple request. The **Town Clerk** replied I was suggesting to her that she gets familiar with the PESH laws about harassment, and Public Employees Safety and Health. **Councilwoman Seaman** responded yeah we are not going down that line because we really have no need. You have been (inaudible) me. So. The video is very clear. The **Town Clerk** replied yes we are. **Supervisor Hyde** noted **Mrs. Seaman** is very clearly very proud of the fact that she (inaudible). The **Town Clerk** stated we are going down that line. **Councilwoman Seaman** responded you go right ahead. The **Town Clerk** stated I am, I am. **Councilwoman Seaman** noted the bottom line is.....**Supervisor Hyde** noted let's get this ad down **Mrs. Seaman**. Would you please, would you please give **Mrs. Staples** the ad. **Councilwoman Seaman** interrupted stating why you aren't going to do it anyway. What is the point? **Supervisor Hyde** stated write it down and I would like.....How much have we spent so far on the Assessor ad? **Councilwoman Seaman** replied \$46.00 (inaudible) because it wasn't a legal ad. The **Town Clerk** responded you would be wrong. A legal ad cost about that.....**Councilwoman Seaman** interrupted stating that is what you put in for. **Supervisor Hyde** noted keep in mind Town Board. The **Town Clerk** replied I did not put in for a legal ad. I put in for a help wanted ad which is what it has to go in for. Each help wanted ad for that ad in the PostStar was \$650.00. **Councilwoman Seaman** interrupted stating nope that is for a legal ad. The **Town Clerk** continued noting for a total of 1200. She continued to note no you would be wrong. **Councilwoman Seaman** noted we don't (inaudible) for it. **Supervisor Hyde** noted we (inaudible)\$3,000.00. There is 3,000 budgeted now they have spent over 1200. The **Town Clerk** continued the Sun was a little over 33, 35 something like that. **Supervisor Hyde** noted you know you

might want keep that in mind when you write your legal ad. Keep it short so it doesn't cost a whole lot of money. **Councilwoman Seaman** stated **Cynthia**. **Supervisor Hyde** replied so please get on with your legal ad that you wanted. **Councilwoman Seaman** noted it isn't a legal ad. It is a help wanted ad. The **Town Clerk** noted it is a help wanted ad. **Supervisor Hyde** noted I am sorry it is a help wanted ad. It is a help wanted ad. So tell the Town Clerk what she need to say,.....**Councilwoman Seaman** interrupted stating already told her. **Supervisor Hyde** continued see if it is OK with **Brenda and Doug** so we can get on with the next Resolution please. **Councilwoman Seaman** stated we already have told. **Supervisor Hyde** asked did she.....Did they tell you word for word what they want in this legal ad. I mean in this help wanted ad. **Councilwoman Seaman** interrupted noting we have already told her. What word didn't you understand? **Cynthia** you went about word for word one time then you couldn't even remember what you.... The **Town Clerk** noted I don't even have a second yet. **Councilwoman Seaman** asked what? What did you say. Can't hear you over her. The **Town Clerk** responded I said I don't have a second yet. Let alone the Resolution. **Supervisor Hyde** stated does somebody want to second **Mrs. Seaman's** motion to put a legal ad in the paper. **Councilman Needham** stated I will second it. **Councilwoman Seaman** stated I didn't say it was a legal ad. The **Town Clerk** stated it can't go in as a legal ad. It has to go in as a help wanted. **Supervisor Hyde** noted I am sorry I keep (inaudible) help wanted ad. **Councilwoman Seaman** stated yeah you keep getting it wrong. **Supervisor Hyde** stated you have a motion and a second to put a help wanted ad in. The **Town Clerk** noted **Gail** made the motion. Who seconded it? **Councilman Needham** noted I did. **Supervisor Hyde** continued now **Mrs. Seaman** would you kindly tell the **Town Clerk** what she and **Brenda and Doug** would like in that legal.....I'm not sure if **Brenda** is in agreement. Whether or not, but get on with telling the **Town Clerk** what you want in the ad. **Councilwoman Seaman** interrupted noting **Cynthia** why don't you just be quiet since you can't say anything constructive. She continued.

Resolution

Resolution

We want a help wanted ad for person or persons for the Town Buildings and Grounds position for the light maintenance, and the cemetery position. The Maintenance helper or maintenance position whatever you want it, and we need a position for the..... What is it up at the dump? The Landfill attendant. Part time. So it is the Landfill Attendant.

Discussion: **Councilwoman Seaman** noted alright. **Supervisor Hyde** stated **Mrs. Seaman** could you please, could you please.....**Councilwoman Seaman** stated **Cynthia** if you want to do it, do it. Or keep your mouth shut. **Supervisor Hyde** asked how many positions are we talking about here. **Councilwoman Seaman** replied obviously there is three. There is building and grounds. **Supervisor Hyde** asked you are going to hire three people to do something that two people can do. **Councilwoman Seaman** replied no. That is not what.....**Supervisor Hyde** interrupted noting even one person could do all that stuff. **Councilwoman Seaman** stated OK she wants to write it. Let's have her write it since you can't do anything else. **Supervisor Hyde** responded **Mrs. Seaman** it is not clear what you are saying. Would you please clarify what you are trying to tell us. **Councilwoman Seaman** spoke over the **Supervisor** noting yeah it is clear, and you're not clear. **Supervisor Hyde** noted **Mrs. Seaman**.....**Councilwoman Seaman** stated I have told you. **Supervisor Hyde** noted why don't you write it down then give it to the Town Clerk. **Councilwoman Seaman** replied nope. No because she didn't want anything written down before. She wants to do it off the tape. **Supervisor Hyde** noted well.....**Councilwoman Seaman** interrupted

noting we can't vote on buildings and grounds. **Supervisor Hyde** continued you can't vote on (inaudible) unless you put down what you want to say. **Councilwoman Seaman** remarked why don't you just be quiet for 30 seconds. Try. It is really hard. Take a pill somewhere. **Supervisor Hyde** responded excuse me **Mrs. Seaman**. **Councilwoman Seaman** noted Whereas the (inaudible) Town Buildings and grounds and light maintenance. We need a position for that. We need a position for cemetery attendant to mow lawns. And we need a position for Landfill Attendant. These are all part time positions no benefits. And I believe the rates of pay is all 11.10 each aren't they. **Councilman Needham** noted (inaudible) minimum wages (inaudible). **Councilwoman Seaman** continued yeah I think that is about.....That is what it is. And no benefits for anyone. Please, please give applications....Get applications at the Town Hall, and submit them for consideration.....It's June 24th Monday when do you think it is.....OK so we meet.....Our next Board Meeting is July 10th which is a little short notice so it will have to be.....They need to be in by the 12th of August. There were some inaudible comments and **Councilwoman Seaman** responded well the next meeting is the 14th of August. Well the 10 of July we have a meeting, but that is a week and a half. Two weeks. And she said she can't get it into the.....She said she can't get it into the.....The **Town Clerk** responded the Sun. No. I said I could not get it into the Sun. **Councilwoman Seaman** replied well usually if you get it in by Wednesday they put it in this week's paper. The **Town Clerk** responded not the Sun. Not the Sun. **Councilwoman Seaman** replied yeah the deadlines are Wednesday. The **Town Clerk** replied no. Someone noted they changed it to Monday. **Councilwoman Seaman** noted by she can check. The **Town Clerk** stated I am telling you I have already checked recently. **Councilwoman Seaman** responded oh really. What other quote.....What other did you put in. The **Town Clerk** replied we put several ads in recently. **Supervisor Hyde** noted we just need the comment. We didn't need the comment (inaudible). The **Town Clerk** continued you just had me....You just had me.....You just had me put an ad in for the Sole Assessor which could not go in for the newspaper. **Supervisor Hyde** noted she just accused you of doing something they don't know about, and I want to bring out the fact that we have another instance of verbal abuse. **Councilwoman Seaman** noted oh absolutely. **Supervisor Hyde** replied **Mrs. Seaman** has a real problem with verbal abuse at these meetings. **Councilwoman Seaman** interrupted noting **Cynthia** put a sock in it. She continued noting so what do you think **Brenda**? Do you want to try....If they can get them in to us by the middle of July, and we can have a Special Meeting. If you wanted to schedule a Special Meeting to look at them. **Councilwoman Ackley** noted it is going to be pointless. **Councilwoman Seaman** replied yeah well this is it. If we have a Special Meeting to hire someone in both positions. So today is the 24th, and we asked for them to be returned by the 16th of July then we could have.....We could schedule a meeting for the 17th, or the 18th, or the 19th whichever is best for you. **Supervisor Hyde** noted maybe you better wait and see if you get any replies before you go scheduling meetings. **Councilwoman Seaman** replied no because it takes you too long to schedule a meeting. **Supervisor Hyde** replied two Board Members need to write me a letter in order to schedule a meeting. **Councilwoman Seaman** responded actually no we can schedule a Special Meeting at a Board Meeting. That is in the Law Book. Just read it. So if we have the applications to be in.....Well if we had them to be in (inaudible) this week, next week. By the 15th we could schedule a meeting for that week. Is there any problem? Is that good for you that week? **Councilwoman Ackley** noted it was. **Councilwoman Seaman** asked that fine? She asked **Councilman Needham** is there any date of the week for you if we have them in by Monday the 15th. **Councilman Needham's** response was inaudible. **Councilwoman Seaman** replied alright we if we have a meeting on the 16th is that OK? Tuesday the 16th. OK. We can do it Tuesday the 16th of July for a Special Meeting to review applications. **Supervisor Hyde** stated Tuesday the 16th of July. The Board Meeting is I believe what is it.....**Councilwoman Seaman** replied the 10th. **Supervisor Hyde**

responded the 10th. **Councilwoman Seaman** responded yup. To review applications at 6:30. Is that good? OK so in the Resolution then we can put that there be hopefully gotten into the papers this week please, and that applications will be accepted up to the close of business on July 15th, Monday at 3 pm. And we like to schedule a special Board Meeting the 16th at 6:30 to review those applications. And we would like all those applications to remain sealed so that we can open them at the Board Meeting. **Supervisor Hyde** noted this isn't a bidding process **Mrs. Seaman. Councilwoman Seaman** no but the.....The **Town Clerk** interrupted noting the application that we have is not in a sealed envelope. If they don't return it to me sealed I'm.....That is not on me. **Councilwoman Seaman** replied fine. If they don't return it to you sealed that is fine. (Inaudible). **Supervisor Hyde** noted not to mention the fact that that is a very odd request considering that they are doing it totally differently with their letters of interest to the Assessors. They want to open the first batch that they expect to get in July, and then they want to open the second batch that they get in August. But in the case of the positions that they are now trying to hire for they want those to be sealed until the meeting. So somehow I don't understand this constant flip flop change of rules all the time that this Town Board seems to do. It makes no sense at all. **Councilwoman Seaman** interrupted noting **Cynthia** would you like to continue tonight. **Supervisor Hyde** noted it is very hard to keep up with all the changes in the rules. **Councilwoman Seaman** interrupted noting can we....Can we vote on this now? Can we get a Roll Call please? The **Town Clerk** called a **Roll Call Vote**.

Vote: Ayes~3 Ackley, Needham, Seaman, Nays~0, Abstain~1 Hyde

THE OFFERED RESOLUTION WAS NOT UNDERSTANDABLE. THEREFOR IT IS NOT BEING RECORDED OR FILED AS AN OFFICIAL RESOLUTION.

Discussion: Councilwoman Seaman stated you can't abstain. Never mind. Go ahead. **Supervisor Hyde** replied I don't want to vote on this one. It is ridiculous. **Councilwoman Seaman** replied I know you don't want to vote. **Supervisor Hyde** noted it is going to be kind of expensive too. **Councilwoman Seaman** noted no more expensive than. **Supervisor Hyde** was responding when **Councilwoman Seaman** interrupted stating I would like to make a motion to adjourn. **Supervisor Hyde** replied excuse me, but I am the Chairman of the Board **Mrs. Seaman. Councilwoman Seaman** asked do I have a second? We have a second. All in favor of adjournment. **Supervisor Hyde** responded you are a bully **Mrs. Seaman**. You are unbelievable. **Councilwoman Seaman** asked **Councilwoman Ackley and Councilman Needham** if they were in favor of adjournment and both responded yes. **Councilwoman Seaman** stated thank you. We are done. With that the meeting ended at **8:18 pm**.

Respectfully Submitted,

Susan E. Staples, Town Clerk

July 15, 2019

Attachments:

STATEMENT FROM CYNTHIA HYDE 6-12-2019 REGULAR MEETING

Due to a high fever and a nasty cough I am unable to attend tonight's meeting. This will be the first meeting I have ever missed in the 11 years I have worked for the Town of Thurman.

I have provided the board with everything they need in order to conduct tonight's business.

Before leaving today I made sure everything was ready for the meeting with meeting packets and all claims left on the table for the board and meeting packets printed for the public.

Included in the meeting packets are the operating statements, the paid and unpaid abstracts, the agenda and the following resolutions written by me, all of which were shared with the board and public (posted on the website) ahead of the meeting.

A resolution approving a contract with the Thurman Connection snowmobile club

A resolution to amend resolution # 44 of 2019

A resolution approving training for the court clerk

A resolution approving payment of the claims

A resolution approving hiring Brett Moulton (Dog Control Officer of Thurman) to do maintenance duties for the town along with his DCO duties.

A resolution rehiring Ernie Smith to work as a transfer station attendant

Please include in my statement in the minutes and distribute to the audience and the board.

Thank you, Cynthia Hyde

Town of Thurman, NY

[Home](#)

[Government](#)

[Business](#)

[Community](#)

[Documents](#)

[EXHIBITS](#)

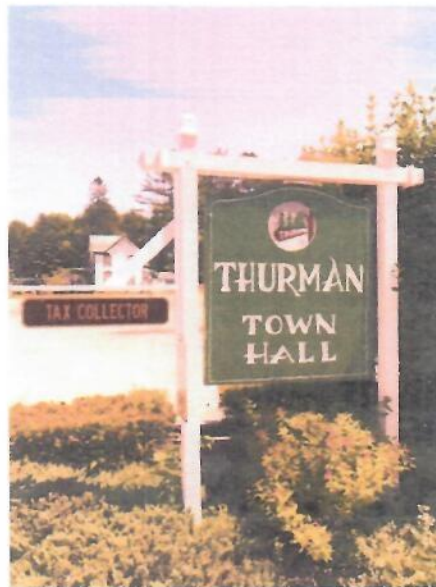
[Board Meeting Audios](#)

Welcome to the Town of Thurman's website!

Contact Info

Thurman Town Hall
311 Athol Road
P.O. Box 29
Athol, New York 12810
Phone 518-623-9649
Fax 518-623-4050
FOOD PANTRY
TUESDAYS 11AM THRU 1pm

Regular Meeting
June 12, 2019 at 6:30 pm
[Meeting Packet](#)



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Section 2-16. Town Board

B. Responsibilities. The town board is the executive and legislative branch of town government.

- 1. Majority of board acts as body.** The town board, as a group, is the executive head of the town and must function as a body. Thus, an individual board member or supervisor may not unilaterally act on behalf of the town board and each town board member has the same authority as any other board member. In most instances, a simple majority (3 votes) is necessary for the board to take action.

LINKS

[Meeting Minutes](#)
[2016 Adopted Budget](#)
[2017 Adopted Budget](#)
[2018 Adopted Budget](#)
[2019 Tentative Assessment Roll](#)
[2018 Final Assessment Roll](#)
[2018 Final Alpha Index](#)
[Property Record](#)
[2018 Annual Update Document](#)
[2019 Preliminary Budget](#)
[2019 Preliminary Budget Summary](#)
[Reports Abstracts Bank Statements](#)
[BUDGET MESSAGE](#)

Help Wanted Ad

Written and promoted by
Councilperson Gail Seaman

Town of Thurman seeking to fill position of Sole Assessor for term beginning 10/1/2019. All applicants must meet NYS requirements for the position. Please submit letters of interest, Qualifications and proposals to the Thurman Town Board for consideration. Letters will be reviewed at the July and August Regular meetings and should be addressed to Thurman Town Board, 311 Athol Road, Athol, NY 12810



PUBLIC OFFICERS LAW

AND OTHER STATE ETHICS LAWS RELATED TO
STATE EMPLOYEES AND OFFICIALS

NEW YORK STATE
JOINT COMMISSION ON PUBLIC ETHICS

JCOPE.NY.GOV

Revised 10/2012

promise to pay any political assessment, subscription or contribution. Every officer or employee who may have charge or control in any building, office or room occupied for any governmental purpose is hereby authorized to prohibit the entry of any person, and he shall not knowingly permit any person to enter the same for the purpose of making, collecting, receiving or giving notice therein, of any political assessment, subscription or contribution; and no person shall enter or remain in any such office, building or room, or send or direct any letter or other writing thereto, for the purpose of giving notice of, demanding or collecting a political assessment; nor shall any person therein give notice of, demand, collect or receive any such assessment, subscription or contribution. No person shall prepare or take any part in preparing any political assessment, subscription or contribution with the intent that the same shall be sent or presented to or collected of any officer or employee subject to the provisions of this chapter, and no person shall knowingly send or present any political assessment, subscription or contribution to or request its payment of any said officer or employee. Any person violating any provision of this subdivision shall be guilty of a misdemeanor.

- 4. Prohibition against promise of influence.** Any person, who while holding any public office, or in nomination for, or while seeking a nomination or appointment for any public office, shall corruptly use or promise to use, whether directly or indirectly, any official authority or influence, whether then possessed or merely anticipated, in the way of conferring upon any person, or in order to secure or aid any person in securing any office or public employment, or any nomination, confirmation, promotion or increase of salary, upon the consideration that the vote or political influence or action of the last-named person, or any other, shall be given or used in behalf of any candidate, officer or party, or upon any other corrupt condition or consideration, shall be deemed guilty of bribery or an attempt at bribery. Any public officer, or any person having or claiming to have any authority or influence for or affecting the nomination, public employment, confirmation, promotion, removal, or increase or decrease of salary of any public officer, who shall corruptly use, or promise, or threaten to use any such authority or influence, directly or indirectly in order to coerce or persuade the vote or political action of any citizen or the removal, discharge or promotion of any officer or public employee, or upon any other corrupt consideration, shall also be guilty of bribery or of an attempt at bribery. Every person found guilty of such bribery, or an attempt to commit the same, as aforesaid, shall, upon conviction thereof, be liable to be punished by a fine of not less than one hundred dollars nor more than three thousand dollars, or to imprisonment for not less than ten days nor more than two years, or to both such fine and imprisonment in the discretion of the court.

CIVIL SERVICE LAW

§107. Prohibition against certain political activities; improper influence.

- 1. Recommendations based on political affiliations.** No recommendation or question under the authority of this chapter shall relate to the political opinions or affiliations of any person whatever; and no appointment or selection to or removal from an office or employment within the scope of this chapter or the rules established thereunder, shall be in any manner affected or influenced by such opinions or affiliations. No person in the civil service of the state or of any civil division thereof is for that reason under any obligation to contribute to any political fund or to render any political service, and no person shall be removed or otherwise prejudiced for refusing so to do. No person in the said civil service shall discharge or promote or reduce, or in any manner change the official rank or compensation of any other person in said service, or promise or threaten so to do, for giving or withholding or neglecting to make any contribution of money or service or any other valuable thing for any political purpose. No person in said service shall use his official authority or influences to coerce the political action of any person or body or to interfere with any election.
- 2. Inquiry concerning political affiliations.** No person shall directly or indirectly ask, indicate or transmit orally or in writing the political affiliations of any employee in the civil service of the state or of any civil division thereof or of any person dependent upon or related to such an employee, as a test of fitness for holding office. A violation of this subdivision shall be deemed a misdemeanor and conviction thereof shall subject the person convicted to a fine of not less than one hundred dollars nor more than five hundred dollars or to imprisonment for not less than thirty days nor more than six months, or to both such fine and imprisonment. Nothing herein contained shall be construed to prevent or prohibit inquiry concerning the activities, affiliation or membership of any applicant or employee in any group or organization which advocates that the government of the United States or of any state or of any political subdivision thereof should be overturned by force, violence or any unlawful means.
- 3. Political assessments.** No officer or employee of the state or any civil division thereof shall, directly or indirectly, use his authority or official influence to compel or induce any other officer or employee of the state or any civil division thereof, to pay or

