

September 11, 2019 Regular Board Meeting

**MINTUES OF THE REGULAR BOARD MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN, NEW YORK HELD SEPTEMBER 11, 2019 AT THE THURMAN TOWN HALL, 311 ATHOL ROAD, ATHOL, NEW YORK, COMMENCING AT 6:30 PM**

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

Mrs. Joan Harris, Councilwoman

Mr. Douglas Needham, Councilman

Mrs. Gail Seaman, Councilwoman

Mrs. Cynthia Hyde, Supervisor

**RECORDING SECRETARY:** Susan E. Staples

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

**PLEDGE OF ALLEGIANCE TO THE FLAG.**

**ROLL CALL:**

**MOMENT OF SILENCE:** A moment of silence was observed for Barbara Keene. **Supervisor Hyde** stated Barbara was someone who was active in Town for a long time. She was a journalist for a time. Her husband was a judge for a long time, and I believe he also served on the Town Board. Back then the judge automatically served on the Town Board if I remember correctly. She noted she would be missed by many she was sure. **Joyce Eddy** noted that **Barbara** was a phone caller for the fire company.

A moment of silence was also observed for the victims of 911.

**Discussion:** **Supervisor Hyde** noted I have prepared packet today on this. I would like to read some of it. We.....We have to appoint a **Sole Appointed Assessor**. Back in 2016 the Town Board passed a Local Law going from 3 elected to Sole Appointed. The Sole Appointed Elected.....The Sole Appointed Assessor's term is 6 years. In this particular case our Sole Appointed Assessor was elected for the first 3 years of that term. So there was 3 years left of that term. All towns across the State of New York have to appoint an Assessor this year because the term runs out September 30<sup>th</sup>, and the new term starts September 1<sup>st</sup>. **Councilwoman Seaman** noted October 1<sup>st</sup>. **Supervisor Hyde** continued the term for Sole Appointed Assessor is 6 years. OK. We ha.....We'll start with the first page. We have....I'll read it. The term for Sole Appointed Assessor is 6 years. All Towns in New York State will reappoint or appoint a Sole Appointed Assessor this year. The Thurman Town Board has received two letters of interest in the Sole Appointed Assessor position. One **Mr. Tuck Birdsall** is seeking reappointment to a position that he has held for 20 plus years. His salary for the last three years has been \$11,000.00 per year. He keeps office hours at least 3 days per week. Plus spends many hours out in the field looking at property. Our second applicant is **Mr. Christian Holt** currently the **Town of Johnsbury Assessor**. He is seeking to work 1 day per week in Thurman for \$20,000.00 a year. I would like to note that **Mr. Holt** was.....Is no.....As of the end of this month is no longer the Johnsbury Assessor. He did apply, but he was not reappointed. OK the next page....I would like to just read what an Assessor does because I really think a lot of people really don't understand what the Assessor's job is. This is from the New York State Office of Finance and Taxation. Can everybody here me? OK. Who is the Assessor, and what does the Assessor do? And I gave a link to this website so you can read it if you want to at another time. Who is the Assessor? The Assessor is a

Local Government official who estimates the value of Real Property within a city, town or village boundary. This value is converted into an assessment which is one component in the computation of Real Property Tax Bills. What does an Assessor do? The Assessor is obligated by New York State Law to maintain assessments at a uniform percentage of market value each year. The Assessor signs an oath to this effect when certifying the Tentative Assessment Roll. The document containing each properties assessment. The physical description or inventory, and value estimate of every parcel is required to keep.....To be kept current. In order to maintain a uniform roll each year your Assessor will need to analyze all of the properties in the municipality to determine which assessments need to be changed. Where assessments need to be changed in some cases your Assessor will be able to increase or decrease the assessment of a neighborhood or a group of properties by applying real estate market trends towards a property. This is possible only when the assessments to be changed are at a uniform level other than a municipalities stated level of assessment. In other cases the Assessor will need to conduct physical reinspections for reappraisals of property. Every assessing unit should be keeping all assessments at a fair and uniform level every year. The Assessment Roll shows assessments and appropriate exemptions. Every year the Roll with preliminary or tentative assessments is made available for public inspection. After the Board of Assessment Review has acted on Assessment complaints, and ordering any changes, the Tentative Assessment Roll is made final. I would like to put a note there that the final Roll is public information. Every last word in it. What kind of property is assessed? All Real Property commonly known as real estate is assessed. Real property is defined as land, and any permanent structure which is attached to it. Some examples of Real Property are houses, gas stations, office buildings, vacant land, motels, shopping centers, saleable natural resources, oil, gas, timber, farm, apartment buildings, factories, restaurants and in most cases mobile homes. OK, next page. Why is it important.....I wrote this part. Why.....Excuse me **Mrs. Seaman**, but I am reading to the audience could you please be quiet. I would appreciate that. **Councilwoman Seaman** asked do you need that much attention. **Supervisor Hyde** continued why is it important to keep assessments current? Why should the Assessor visit properties to see if improvements have been made, and then measure those improvements. Keeping assessments current creates equity for the Town. Sales tax is a major revenue for a town. The county collects sales tax, and keeps half. The other half of the sales tax is split between the towns in that county. How much a town gets of that sales tax is determined by the total assessed value of the town. So if the Assessor doesn't keep the assessments current, and the value of the town goes down or stays stagnant the town gets less money. If the Assessor does his job well, and increases the value of a town the town gets more money. The less a town gets in sales tax revenue the more the town has to raise in taxes. To meet the General Fund appropriations in our town sales tax is 76% of that revenue to meet those appropriations. Property tax is 10. We surely wouldn't like the property tax to be more now would we? And the other revenue sources are 14%. A reason to keep assessments current is.....Another reason to keep assessments current is fairness. If a landowner makes an improvement on his land, and the Assessor doesn't assess it then that landowner is not paying their fair share of the tax burden which in turns places a heavier burden on those landowners who are assessed properly. How would you feel if you paid taxes on your house that you built years ago, but the guy next door didn't because the Assessor didn't bother to get out, and assess his home that was built last year? Well, that is exactly what happens if an Assessor doesn't visit properties. We have two applicants like I said. Um, I would like to point out their years of experience. **Tuck Birdsall** has been our Assessor for 20 years. He has done an excellent job. He has....He gets out, and he goes around town. He makes sure that he keeps all the property.....The properties current. **Christian Holt** is the other applicant, and he has been the

Assessor in Johnsburg for 6 years. I got a hold of Warren County, and they sent me a spread sheet to show the total assessed value of the two towns, and the changes. If you look at the two you can see the good job our Assessor has done every year since 2014 our assessments.....Our total assessed value of our Town has increased, and there is a reason for that. Because our Assessor gets out and does what he needs to do. Sometimes people get mad at him for that, but what he is really doing is his job. If you look at the other applicant you can see that there were small increases in 2015, and 16. In 2017, 2018 and 2019 the Town of Johnsburg lost value, and um that was very concerning to the Johnsburg Town Board. **Councilwoman Seaman** noted did you also bother to tell them that they were in the midst of a revaluation? This year. **Supervisor Hyde** responded they are not in the midst of a revalve. **Councilwoman Seaman** interrupted noting yes they are. **Supervisor Hyde** stated they are not in the midst of doing a revalve. They are about to do a revalve. I also would like.....**Councilwoman Seaman** interrupted noting now you also should.....You also (inaudible). **Supervisor Hyde** continued noting excuse me I am not done. I would also like to read a letter..... I would also like to read a letter from ....That was read at the last meeting, and I would like to read it because two of our Board Members were not present. This is from the Stoney Creek Assessor. **Councilwoman Seaman** interrupted stating oh no we are not going to read that again. Geesh. **Supervisor Hyde** continued reading the attached letter. During the reading of the letter she noted that the report was attached to the letter. **Councilwoman Seaman** interrupted asking did you want to.....**Cynthia** can I stop you for a second please. **Cynthia**. **Cynthia** I need to interject a word in here. **Cynthia**. **Supervisor Hyde** responded I am reading something here. **Councilwoman Seaman** replied no you're not, but I just want to make sure that people have the um, the knowledge that yes this gentleman wrote this letter for you, but even Stoney Creeks Assessor does not.....Even Stoney Creek's Assessor.....I can't finish a thought. **Cynthia**. Even Stoney Creeks Assessor does not use this form that **Tuck** uses so just to make sure that people know. **Supervisor Hyde** was gaveling the Councilwoman and stating you are out of order **Mrs. Seaman**. **Councilwoman Seaman** stated you are out of order. **Supervisor Hyde** stated you are out of order. **Councilwoman Harris** noted he is not saying one or the other here. **Supervisor Hyde** stated let me finish. **Councilwoman Seaman** stated he doesn't use the same assessment methodology as our Assessor. **Supervisor Hyde** finished reading the letter. **Supervisor Hyde** stated and I just think it is important to note that this isn't me saying this, or **Joan** saying this, or **Brenda** saying this or **Doug** saying this. This is New York State that is saying that we do an excellent job. That our Assessor in the Town of Thurman does an excellent job. Now I would like to open priv.....Excuse me did you have something to say? **Councilwoman Seaman** stated yes I do. Now while we are on this you said it was really important that all the assessments get turned in, and that you visit everything on time so that all the assessments are correct. Right? **Tuck?** **Supervisor Hyde** replied excuse me, but he doesn't have to.....Let us hear what you have to say. **Councilwoman Seaman** stated I'm just.....I'm just concerned that there is somebody right here that I had looked up that **Tuck** has been asked to go over their assessment several times. They have just moved into a new house last Christmas. But boy their Star exemption, and everything is on their old house still, and their new house that they have been living in for 9 months is only assessed at 50% done. Um that was listed on June 2019 that you submitted it. So they are getting the more expensive Star exemption off of the house that they are not even living in. **Supervisor Hyde** noted I would like to comment before you do **Tuck**. **Councilwoman Seaman** stated oh no, no names have been (inaudible), and I am not finished. We also have um a problem with.....I know a lot of people have been hit with waterfront property. A lot of people have argued about waterfront property. **Tuck** you yourself own waterfront property on Glen Athol Road, and it is not assessed at all. Because it is all covered under.....It is covered under wetlands

which make it exempt. **Mr. Birdsall** replied that is incorrect. It is assessed. **Councilwoman Seaman** interrupted asking it is? **Mr. Birdsall** continued taxes are paid on it, and wetlands are not exempt. It is assessed at a lower rate. **Councilwoman Seaman** stated is assessed at a lower rate. Why? Why? **Supervisor Hyde** noted **Mr. Birdsall** I happen to have the Assessment Rolls behind us. **Councilwoman Seaman** spoke over the **Supervisor** noting oh because yeah I know (inaudible). That is OK. Because when **Mrs. Seaman** makes an accusation we have the Tax Roll behind us. Would you like to.....If she is going to do this we have the Assessment Roll. **Councilwoman Seaman** noted so I just.....I just asked you. **Mr. Birdsall** responded this is not the place to go over cherry picking individual assessments. **Councilwoman Seaman** interrupted stating I am not cherry picking. **Mr. Birdsall** continued noting you can come into my office anytime. **Councilwoman Seaman** interrupted stating oh no, no. That is not the (inaudible). **Mr. Birdsall** noted because you have never been in there. **Councilwoman Seaman** interrupted stating yes, **Tuck** I have. **Mr. Birdsall** continued noting it is right down, right down the hall here. **Councilwoman Seaman** stated yeah **Tuck** I have. **Mr. Birdsall** replied you have never step foot in there. **Councilwoman Seaman** responded obviously I have. Oh you weren't there last time. **Supervisor Hyde** gaveled noting **Mrs. Seaman** that is enough. You are being a nasty.....You are being nasty to **Mr. Birdsall**. **Councilwoman Seaman** replied **Cynthia** button it. Listen I.....**Supervisor Hyde** stated **Mrs. Seaman** you cannot back up one single thing that you have said. **Councilwoman Seaman** stated I just did. The Assessment Roll filed with the State. With Warren County. Now.....**Councilwoman Harris** stated if you want to discuss something with **Tuck** you should come in another day in the office. **Supervisor Hyde** noted we are not here to put people down. Although that is what she is doing. **Councilwoman Seaman** stated oh no that is what you have been doing. Um now just another question. I was told probably erroneously, but somebody told me that you handed in your resignation. Did you? **Mr. Birdsall** stated that's incorrect. No. That is incorrect. **Councilwoman Seaman** responded you didn't hand it in. OK, so the person that told me was incorrect. OK just wondering because they told me.....When did you hand in your letter of interest and proposal to the **Town Clerk**? **Mr. Birdsall** responded well I handed one in at the original meeting. **Councilwoman Seaman** interrupted asking what original meeting? **Mr. Birdsall** replied that first time you were going to discuss the Sole Assessor. The **Town Clerk** noted prior to the July meeting. **Councilwoman Seaman** asked did you hand in a letter of interest and a proposal? **Councilwoman Harris** noted **Tucker** July ninth holding up his envelope. 2019 she continued. **Councilwoman Seaman** replied wait a minute that is not.....Alright I am just asking.....**Supervisor Hyde** noted **Mrs. Seaman, Mrs. Seaman** you are being very rude, and inappropriate, and out of order. **Councilwoman Seaman** replied I am sorry I am allowed to ask questions. **Supervisor Hyde** stated that is not why we are here for you to ask questions. **Councilwoman Seaman** continued so when did you.....When did you, and where was your proposal because we didn't see any proposal from you. **Supervisor Hyde** stated **Mrs. Seaman** we got a letter of interest. **Councilwoman Seaman** stated and there is no resume. **Supervisor Hyde** noted **Mr. Birdsall** it is OK because **Mrs. Seaman** has been trying to.....Trying to spread all around town that **Mr. Birdsall** did not submit a letter, and because of that I had to contact the Town Attorney. **Councilwoman Seaman** interrupted stating you had too. No, no, no you see.....**Supervisor Hyde** continued I sent the Town Attorney.....**Councilwoman Seaman** stated the Town Attorney means nothing unless he is sitting here, and answers our questions. **Councilwoman Harris** noted she was given the letter the same time I was, and so was **Doug**, and they (inaudible). **Supervisor Hyde** stated let me read the memorandum. **Councilwoman Harris** noted they did not take the letter with them. **Supervisor Hyde** read we have reviewed the Town Board Resolution authorizing solicitation of letter of interest for those wishing to be

appointed Assessor. **Councilwoman Seaman** interrupted stating yup. **Supervisor Hyde** continued we have also reviewed the solicitation itself which was published. The Resolution required the solicitation ad to state only that all applicants must meet New York State requirements for the position, and to please submit letters of interest, qualifications and proposals.....**Councilwoman Seaman** interrupted stating proposals. **Supervisor Hyde** continued reading to the Thurman Town Board for consideration. **Councilwoman Seaman** interrupted stating no proposal. **Supervisor Hyde** continued reading however, it appears that the Resolution did not specify that the solicitation had to list any certain requirements of the interest letter. Likewise the ad was published as directed, and the solicitation did not contain any specific requirements nor did it have too. Under these circumstances the Town Board is free to consider any letters of interest which are submitted from anyone. None are legally excluded from consideration for failure to include any certain information as again no specific information was required. We hope this clears up any confusion about this issue. Thank you. That is from the Town Attorney. **Councilwoman Seaman** interrupted noting he said.....So, so I guess.....That refuses to come and be asked, and be addressed by the Town Board. Now just out of curiosity the Board did state we wanted letters of proposal with this. A letter of interest, and a letter of proposal because you see for the last couple of years all we heard is somebody is being underpaid, and it is terrible, and he shouldn't have to work like this. And that is what a proposal is for. To know exactly how much he wants for the job. Is required for where that money is going to go, and if we should consider it, but I guess it is OK to have another 6 years of having everybody angry because **Cynthia and Joan**, and the other Board agreed with **Mr. Birdsall** for \$11,000.00 a year, and now you blame the rest of the Board who had nothing to do with those. So that is what the proposal was for. I have received no proposal. All I have is your continuing Education which is from 2000 which is great, but there is no um.....There is no resume. There is no proposal of what you plan to do in the office or (inaudible) do. Or what your salary requirements might be. **Mr. Birdsall** replied I assumed that this would be the time when we would discuss it. Not here, but after the appointment. **Councilwoman Seaman** stated no you don't discuss something after the appointment **Tuck**. You discuss it before that is why we know. **Supervisor Hyde** noted **Mrs. Seaman** now first of all. Let me clear this up. First of all this year we have this year's budget. We have a line for Assessor. We have the money appropriated for that line. That is all we have for the rest of this year appropriated for the Assessor what is left of the Assessor.....What is left at the end of this month. We wont talk about what we are going to pay the Assessor for next year until budget time. **Councilwoman Seaman** interrupted noting it is budget time now. **Supervisor Hyde** continued once the Assessor is appointed which is.....Which would mean that he starts the new term in October he will be required to submit a budget estimate or we will submit a budget estimate for him. Well in the case of our Assessor we had a budget estimate for him, and it is.....The Assessor can't demand what he wants, and we can't sit here and say oh because you proposed \$20,000.00 or \$11,000.00 we are going to pay that to you because we haven't done our budget yet for 2019 so we are even discussing yet what we are going to pay somebody next year. **Councilwoman Seaman** spoke over the **Supervisor** stating it is due the 29<sup>th</sup> of this month so I suggest you hurry up. **Supervisor Hyde** stated that is not up for discussion at this time. **Councilwoman Seaman** continued noting that is actually what a proposal, and anybody applying for a job gives the people so that you can budget correctly what the salary requirements are. Only after we know. I take it you go out and buy a car and don't ask what the price is. You just sign your name and then figure you are going to dicker with them afterwards. **Councilwoman Harris** noted I take it that you go to a job and say you are going to pay me first (inaudible) before you even.....**Councilwoman Seaman** interrupted noting when I go for a job I do. I submit my salary requirements. Absolutely. **Supervisor Hyde** stated we

all know what.....We all know what **Mr. Birdsall** has worked for for what his salary has been for the last three years. **Councilwoman Seaman** spoke over her noting the point of it is.....And you have complained about it for two years. **Supervisor Hyde** continued there is no reason why he had to propose what his salary is going to be. **Councilwoman Seaman** interrupted stating of course he does. **Supervisor Hyde** noted I just read the memorandum. I am sorry but you are wrong. What you are saying has no substance at all, and you are wasting our time with this nonsense. **Councilwoman Seaman** spoke over her noting no I am right. She continued noting because the Board passed a Resolution. No. The Board passed a Resolution asking for proposals. We got no proposals. **Supervisor Hyde** noted **Mrs. Seaman** are you telling me that the lawyer doesn't tell the truth. **Councilwoman Seaman** noted the lawyer didn't answer that question did he? You didn't tell him to come and talk to us. **Supervisor Hyde** responded this is our Town Attorney. **Mrs. Seaman** I am sorry, but you are not correct. **Councilwoman Seaman** stated well I have asked for three months to have the attorney here to ask questions. Letters of interest, qualifications and proposals. Yes it does you are right. **Supervisor Hyde** noted we would like to get on with privilege of the floor. **Councilwoman Seaman** stated well this memorandum does say that the Town Board for consideration that applicants must meet requirements, and to please submit letters of interest, qualifications and proposals to the Town of Thurman Town Board for consideration. OK the Resolution did specify that we wanted letters of interest and proposals. Only got one. **Supervisor Hyde** stated let's get on with privilege of the floor. **Councilwoman Harris** stated we got two. **Councilwoman Seaman** remarked no, there is not another proposal. If you can show me another proposal I want to see it.

**PRIVELEGE OF THE FLOOR:** Privilege of the floor was granted, and the following people spoke. John Haskell, Kathy Templeton, Stacey Eddy, Joyce Eddy, Sally Wallace, Sue Shepler and Wes Ramsey.

Privilege of the floor was closed at 8:04 pm.

**RESOLUTIONS:**

**Resolution # 60**

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

**RESOLUTION TO REAPPOINT ASSESSOR**

WHEREAS Thomas Birdsall has served the Town of Thurman as assessor for 20 plus years with integrity, loyalty and hard work and

WHEREAS Thomas Birdsall has all the qualifications and training necessary to serve as sole appointed assessor and

WHEREAS Thomas Birdsall's expertise as an assessor has been duly noted on reports from the New York State Board Of Real Property Tax Services and

WHEREAS Thomas Birdsall has provided the town board with a letter requesting reappointment now be it

RESOLVED that the town board appoints Thomas Birdsall as Sole Appointed Assessor for the Town of Thurman for the 6 year term starting in 2019 and now be it also

RESOLVED that Mr. Birdsall will be paid the remainder of the 2019 annual assessor salary of \$11,000 which would be \$ 195.38 per week for the months of October, November and December 2019

**Discussion:** Councilwoman Seaman noted maybe we should table this because it is not October 1<sup>st</sup>. Maybe we should just table it.

**A Roll Call Vote Was Called**

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

**Discussion:** Councilwoman Ackley stated first before I vote I would like to say to you (Supervisor Hyde) that not anybody in this room intimidates my vote. Neither does Gail. Yes. Supervisor Hyde replied that is fine.

Supervisor Hyde stated OK thank you everybody. I would like to have a motion.....Councilwoman Seaman interrupted noting Tuck just to let you know I will have you down to the Warren County Board of Assessors, and I will talk to Lexie, and I expect the assessments for the Eddy's and everyone else to be brought to where they are supposed to be. (Inaudible) forever. Supervisor Hyde gaveled and spoke over her stating excuse me. You're not going to pick on certain families in this room. You stop it right now. Councilwoman Seaman interrupted stating you mean the whole family. Cynthia. Supervisor Hyde noted Mrs. Seaman. Councilwoman Seaman stated you have under assessed your own property. Sue's properties are under assessed, and I will try and do my best to make sure those assessments are corrected through all legal means available. Supervisor Hyde stated enough. OK I would to get a motion appointing Sue Baker as Assessor Clerk on the floor. Councilwoman Seaman stated that is not on the books here. We can't possibly have posted that. You didn't give anybody any notice remember. Supervisor Hyde stated Roll Call Vote please Susan.

**Resolution # 61**

On a motion introduce by Councilwoman Harris and seconded by Supervisor Hyde

**RESOLUTION APPOINTING SUE BAKER AS ASSESSOR CLERK**

The Town Board of the Town of Thurman agrees to continue to appointment of Sue Baker as assessor clerk to allow her to continue working alongside the sole appointed assessor. For the remainder of 2019 she will continue to receive her current rate of pay.

**A Roll Call Vote Was Called**

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

**Discussion:** Councilwoman Seaman stated and now Sue you can also.....Also tell your brother that he can give her the equipment that her husbands needed to do a job. What? Oh that is right. We need to

get a Resolution on the floor to make sure that we pay for the Children's party that **Cynthia** doesn't want to. I would like to make that motion before we go. **Councilwoman Harris** stated no we are going to go on in order. **Councilwoman Seaman** noted I think we need to make a motion. I made a motion to get on the floor to supply \$500.00 to the children's party for the (inaudible). Do I have a second. **Councilman Needham** noted I will second that. **Councilwoman Seaman** noted I have a second. **Doug** has seconded that motion. Can we have a vote. The **Town Clerk** stated I didn't hear the Resolution. **Supervisor Hyde** asked all those in favor. Let's just get this done. **Councilwoman Seaman** stated to pay for the Children's party.

**Resolution # 62**

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

**Resolution**

To give \$500.00 to the children's parties.

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

**Discussion: Councilwoman Seaman** stated that check is to written for their pick up by tomorrow I assume. Or are you going to ignore that like all the other Resolutions to fix the septic system. **Supervisor Hyde** noted **Mrs. Seaman** you passed that Resolution. The **Town Clerk** asked what the vote was on that.

**Councilwoman Seaman** left the meeting at **8:09 pm**.

**Resolution # 63**

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

**RESOLUTION TO APPROVE CLAIMS**

**General Fund \$4,506.30**

**Enterprise Fund \$50.00**

**Highway Fund \$94,048.04**

**Motion Carried: Aye~4 Ackley, Harris, Needham, Hyde, Nays~0**

**Resolution # 64**

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

**RESOLUTION TO ADOPT THE TOWN OF THURMAN SEXUAL HARRASSMENT POLICY**

The town board of the Town of Thurman adopts the Town of Thurman Sexual Harassment policy.



## Sexual Harassment Policy for All Employers in New York State



Combating  
Sexual Harassment

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

### **Resolution # 65**

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

#### **RESOLUTION TO APPROVE AGREEMENT**

**The town board of the Town of Thurman approves the agreement between the Town of Thurman and the Adirondack Park Local Government Review Board for the year 2020.**

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

### **Resolution # 66**

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

#### **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: Supervisor Hyde** noted I think they are going to be able to use the tracks aren't they this winter. No? **Councilman Needham** noted he hadn't heard yet. **Supervisor Hyde** noted just so that you know I am really in support of letting the snowmobilers (inaudible). **Councilman Needham** noted we have got the one section that we need. **Supervisor Hyde** noted that is what I thought. **Councilwoman Harris** noted I thought you were working with.....That you had a contract with Stony Creek. I thought you said you had a contract with Stony Creek, but we didn't have one here. **Councilman Needham** replied no we don't.....Thurman has nothing to do with that. **Supervisor Hyde** noted it came up at the Board of Supervisors to let you guys use the tracks. It hasn't come up.....It came up at a committee meeting. It is going to come up at a Regular Meeting. I supported that just so you know. **Councilman Needham** replied we had that last year the shorter section. **Supervisor Hyde** noted you need it. **Councilwoman Ackley** asked could you add in to (inaudible). **Councilman Needham** noted there is no contract with the Town of Thurman and the Snowmobile Club. What contract do we have with you? We don't have one. **Supervisor Hyde** responded well there is one that they.....I have given it to you.....**Councilman Needham** interrupted noting Warren County give us the money. **Supervisor Hyde** asked did they give it to you. **Councilman Needham** stated the Town of Thurman has nothing to do with it. **Supervisor Hyde** asked did they give you the money. **Councilman Needham** replied yes. **Supervisor Hyde** asked when. **Councilman Needham** noted a month ago. **Supervisor Hyde** responded they did,

because I asked them to. **Councilman Needham** stated the County has supposedly given us the money, as far as I know. **Supervisor Hyde** replied why don't we pass this just in case, and if they gave it to you.....Because I asked them if they.....I asked them, the County, if they could please give the snowmobile club the money directly so we don't have to do this pass through stuff, and they said we are doing that next year. **Councilman Needham** noted the town.....Stony Creek ....The president of the snowmobile club asked the county to do that. **Supervisor Hyde** noted well I did too. **Councilman Needham** continued to give the check to the snowmobile club without going through the Town of Thurman. **Supervisor Hyde** stated yeah I did too. **Councilman Needham** noted Warren County..... The head of Warren County Parks and Recs. Has control of that not the Town of Thurman. **Supervisor Hyde** noted well next year we are definitely doing it that way. You see they didn't do it this year. I just on the outside chance that they don't have their money we can pass it. If they got their money it doesn't matter. I just want them to get their money. That is all. **Councilman Needham** responded all right. **Councilwoman Harris** asked so what do you advise **Doug**. **Councilman Needham** noted I am abstaining from it. I can't.....**Councilwoman Harris** noted probably have too. **Supervisor Hyde** noted a check for.....We are going to give them a check for.....I won't even put that there. The contract says what we are doing. It is a pass through, but I don't think that they got it yet. So we want to get them paid. So all those in favor.

**Motion Carried: Ayes~3 Ackley, Harris, Hyde, Nays~0, Abstain~1 Needham**

**Resolution # 67**

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

**RESOLUTION TO APPROVE REINSTATING TRANSFER STATION ATTENDANT**

WHEREAS Ernie Smith had served as a Thurman transfer station attendant until his position was defunded and

WHEREAS he did a good job and

WHEREAS there is a need for a second transfer station attendant because the highway department requested that their laborer, who they have been lending to the transfer station, could no longer work at the transfer station because she was need elsewhere. And

Whereas the budget contains funds for this position now

BE IT RESOLVED that the board rehires Ernie Smith to work part time at the transfer station as transfer station attendant at a rate of \$11.10 per hour no benefits.

**Discussion:** **Councilman Needham** stated this has to go out for um not bid, but you just can't hire. Don't we have to take applications for this? **Supervisor Hyde** replied no **Doug** because remember.....**Councilwoman Ackley** interrupted noting I have an application that **Gail** gave me a copy

of. (Inaudible). **Councilman Needham** stated because we have a lot of people interested. **Supervisor Hyde** replied well wait a minute when you guys defunded it.....Didn't you hear me when I read that Resolution? **Councilman Needham** interrupted her noting we still have other people who have applications for the job. **Supervisor Hyde** responded well wait. No you are not following me. When you guys.....The reason **Ernie** isn't working there is because the Board defunded the position, and they said.....Here is the Resolution .....Here is Mrs. ....Here is the discussion in the minutes. Let me see which minutes it was. **Susan** what is the date on this? Do you know what date? The **Town Clerk** replied not right off hand, but I can check from the Resolution and go back to the meeting form there. **Supervisor Hyde** stated because the discussion was discussion ensued about hourly employees. **Councilwoman Seaman** noted that hourly employees had to be paid. That their pay could not be put on hold or anything like that. All we can do is put the positions on hold right now. We don't want to eliminate them, but we can put them on hold until the finances are in line, and then we can have them still in the budget, and we can ask the people to come back. That is all I am trying to do. That is what you originally did is defund. **Councilman Needham** I say we table it for now. **Supervisor Hyde** noted well I would like.....What about you **Brenda**? **Councilman Needham** asked what do you think **Brenda**. **Councilwoman Ackley** stated I actually talked to **Pat** today, and I mean he did kind of need the help. **Councilwoman Harris** noted we have to get somebody up there. Has he been up there alone? **Supervisor Hyde** replied no Ed Brown. Ernie has been working at the Transfer Station for years. **Councilwoman Harris** noted so we need a second person up there for safety anyway. **Supervisor Hyde** noted he didn't.....He wanted to keep his job. **Councilwoman Harris** remarked right. I understood that he was there. **Supervisor Hyde** noted and Charlie he had the job and quit. So anyway. **Councilwoman Ackley** asked are we allowed to be discussing this. **Supervisor Hyde** noted I am just saying that he quit, and he did. He used to work at the Transfer Station I am not (inaudible) him. **Councilwoman Ackley** noted I am not saying that I am saying that you are discussing. **Supervisor Hyde** replied I am not saying anything bad. I am just say what is the truth. All those in favor.

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

**Resolution # 68**

**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 whacked 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 needs 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:** **Councilman Needham** stated now isn't this one supposed to be posted too. You just can't hire somebody. You have to take applications. **Councilwoman Harris** made an inaudible remark. **Supervisor Hyde** noted you know you guys were able to just fire people. **Councilman Needham** stated I didn't fire nobody. **Supervisor Hyde** noted **Joan** they did fire.....**Councilwoman Harris** noted that is all they have been doing. (Inaudible). **Supervisor Hyde** stated but **Doug** the reason that you guys.....**Councilman Needham** stated you just can't hand pick who you want to work. You have to take applications. **Supervisor Hyde** responded you hand pick who you want to hire. The people were working for us. You..... I am not blaming you because you were new, and you didn't understand we had the money to pay these people. You were lead to believe that we didn't have the money to pay these people. That wasn't true. So all these people who lost their jobs because of false information so you.....He didn't lose his job. It was Steve who lost his job, and we tried to rehire him, and that didn't go. And he is so mad now that he could spit, and so Brett because he's the animal control officer. So if you don't want to hire him that is fine with me. I would think it would be good because we kind of need maintenance man to be available because we don't have one. **Councilwoman Harris** asked this is something he is volunteering for the rest of the year right. **Supervisor Hyde** noted right, and he.....**Councilwoman Harris** noted it is only about three months. **Supervisor Hyde** noted he is already.....**Councilman Needham** asked does Brett live here. (Inaudible). he doesn't live here in Thurman. His house is rented to somebody else. **Supervisor Hyde** remarked if you don't want to vote for this that that is fine. I am just bringing a Resolution to the floor. It is up to you what you want to do. **Councilwoman Harris** stated I have two complaint calls about the cemeteries. **Supervisor Hyde** stated I get complaints about that too. Anyway all those in favor.

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

**Discussion :** **Supervisor Hyde** noted that my friends is the last one. Motion to adjourn. **Councilwoman Ackley** stated no. **Supervisor Hyde** responded OK. **Councilwoman Ackley** stated I would like to make a motion to hire **Charlie** as the Landfill attendant. **Supervisor Hyde** replied I would like to make a motion to go into Executive Session before we do that. Vote that we go into Executive Session. Alright we are going to go into Executive Session to discuss personnel matters. All those in favor?

With all four Board Members in agreement the Thurman Town Board went into **Executive Session** at **8:25 pm**. With a motion from **Councilwoman Harris** and seconded by **Councilman Needham** , and all four Board Members voting aye the Board returned from **Executive Session** at **8:30 pm**.

**Discussion:** **Supervisor Hyde** stated OK **Susan** we are going to.....Let's see we are going to seek letters of interest in the Transfer Station position. It is part time no benefits. Make it real short. Transfer Station attendant needed part time no benefits. \$11.10 per hour. And if you could get that in right away. Does that sound good to you guys? **Councilman Needham** asked we are going to run the ad for what a week? **Supervisor Hyde** asked is there a special.....The **Town Clerk** noted I think the cheapest ad is like 370 for like a week. The one that we did for the Assessor was 650 each. They ran twice that was \$1200.00 just for the PostStar. The Sun is much cheaper. **Councilman Needham** stated this something we legally have to do. **Supervisor Hyde** stated I will put it on the Town website too. The **Town Clerk** asked do you want it in the Sun. Well it won't go in the Sun. It won't make it this week. **Councilwoman Harris** noted asked what do you want out of the (inaudible). What do you want them to tell (inaudible). What do you want

in the letter of interest so we don't go through the same.....**Councilman Needham** replied it is a laborers job. It is a labor job. Heavy lifting. **Supervisor Hyde** noted we don't want to put too much in the ad. **Councilman Needham** noted it is open to the public. **Councilwoman Harris** noted because we don't want the amount of people (inaudible). The **Town Clerk** noted well say exactly what you want then. **Supervisor Hyde** asked all those in favor? **Councilwoman Ackley** asked how.....(Inaudible) you run the ad? **Supervisor Hyde** noted due by..... What did you say **Brenda**. **Councilwoman Ackley** noted I am thinking if we run it for two weeks from the.....If it goes in tomorrow. The **Town Clerk** noted it is like per week. It is like.....If it goes in .....It probably won't go in tomorrow, but if it goes for a week it is like 370 per week so keep that in mind I don't know how much you guys have left in your contractual. Even a short one.....**Supervisor Hyde** asked what about an ad for two weekends. Like on Saturday.....The **Town Clerk** noted I don't know if they do that. I could call and find out. If you wait till the next week there will be enough time to get it into the Sun. The Sun is cheaper it is only about 35 bucks for an ad on that, but we have to put it legally in the PostStar because the Sun is not a legally recognized paper because it doesn't have a paid subscription. And the PostStar is our legal paper so it has to go in that. **Supervisor Hyde** noted once in the PostStar and then once in the Sun that probably would be enough. I will put it on the Town website. The **Town Clerk** noted OK PostStar and Sun. **Supervisor Hyde** noted they do get expensive. Legal ads are not expensive, but help wanted ads are. The **Town Clerk** noted are hugely expensive. **Supervisor Hyde** noted the Sun everybody gets one. The **Town Clerk** noted no actually not. Um that is another thing. If you.....Starting I think this week if you get the Sun at the Post Office you will no longer get it. You are going to have to call them up and request it be delivered to your house. **Supervisor Hyde** stated I didn't know that. The **Town Clerk** replied that is why I am telling you. **Supervisor Hyde** asked so what do you guys want to do? **Councilman Needham** stated the PostStar Saturday and Sunday, and the Sun for two weeks or something. **Supervisor Hyde** replied OK. The **Town Clerk** asked so Saturday and Sunday like a weekend.....See if I can get that.....**Councilman Needham** noted that is when everybody reads the paper yeah. **Councilwoman Harris** noted two weekends. **Councilman Needham** noted two weekends and two weeks in the Sun. **Supervisor Hyde** asked can you get it in.....Can you get in the Sun, and have it come out soon? The **Town Clerk** replied not this week because Monday is the deadline so.....**Supervisor Hyde** asked could you get it in the Sun twice. **Councilman Needham** asked could you post it here too. **Councilwoman Harris** noted on the website and on the door. **Supervisor Hyde** stated we can put it on the door. **Councilwoman Harris** noted put it on the advertising thingy out there. So two weekends the PostStar. **Supervisor Hyde** asked so you have that **Sue**. The **Town Clerk** noted so in the Sun it is going to go in for two weekend....Two weeks, and the PostStar two weekends. **Supervisor Hyde** noted OK. Did you guys by any chance get an email from the lady on Dippikill. Did she send it to all of us? This lady called me up today and she um.....The **Town Clerk** asked with the party for the bus. It is a UAlbany thing. **Supervisor Hyde** stated she called me up, and she wants to close a couple of feet of the Town road for an event. And so I said you probably have to call **Pat** because I'm not.....I have no authority over highways. So she called **Pat**. **Pat** told her to call me, and so I looked it up in the Highway Town Law Manuel, and you can't just close the road. You have to.....The Town may if they want the Town Board, they if they want to um.....I have to go up and get the.....The **Town Clerk** stated wait a minute I have a question. I don't have anyone introducing this. I think you just said we are going to make a motion to do this, but nobody introduced or seconded it. **Councilwoman Ackley** stated I will introduce it. The **Town Clerk** asked who did. **Councilwoman Ackley** stated me. The **Town Clerk** noted who did, you. **Supervisor Hyde** asked introduced what. **Councilwoman Ackley** noted the ad one right. The **Town Clerk** noted the ad. **Councilman Needham** noted he would second it.

**Resolution # 69**

**Resolution Seeking Letters of Interest**

Transfer Station attendant needed part time no benefits. \$11.10 per hour.

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

**Discussion:** **Councilwoman Harris** noted call the vote. The **Town Clerk** stated no we already voted. **Supervisor Hyde** noted let me grab the Highway Law Manual. **Councilwoman Harris** noted wait you have to vote. The **Town Clerk** noted you voted. You voted already, but I didn't have the beginning of it. **Councilwoman Harris** noted I know when you had the Youth Commission in here they closed this road down for a Soap Box Derby, and all we did was call the cops. So they put a cop down one end, and one up there. They ran the Soap Box they went down the road. Do you remember that? **Councilwoman Ackley** asked what road the Supervisor was talking about. The **Town Clerk** noted Dippikill. It is over by I think you know where they have that University of Albany center thing. They are having like 6-8 buses come in, and they are not going to have areas to park I guess so they want.....**Councilwoman Harris** noted if they open it back up that end of Dippikill at Stony Creek Road has been closed off for..... The **Town Clerk** responded I don't know, but they said it really wouldn't affect traffic because neighbors could go out either way. **Councilman Needham** asked about the buses. The **Town Clerk** noted they are having an event. They are going to be shuttling people back and forth from U Albany it sounded like and there is going to be 6-8 buses. I got the same email. **Councilman Needham** stated that is a narrow road to begin with. The **Town Clerk** replied that is why I think they wanted to block it off probably. **Supervisor Hyde** returned noting sorry about that. OK. The Dippikill Wilderness retreat is requesting a road block, temporary road closure for a large event taking place on Saturday October 5<sup>th</sup> from 3pm to 9pm. We are hosting a private event with over 500 students and volunteers. There will be 6-8 tour buses for the duration of the event to provide transportation from the University at Albany. For all our large events we contact the Warren County Sherriff's Office. Could you finish reading that for me so I can look this up. **Councilwoman Harris** continued this allows emergency services to be on standby. We are looking to only close off a portion of the road where our property is located, That means the main parking lot office to Jule's lodge. This will not affect the (inaudible) of homeowners on Dippikill as they will have access from Parker Cross-Dippikill as well as Stony Creek- Dippikill Road. We usually inform our neighbors when we hold this large event so they are aware on high traffic on Dippikill Road. So what do they want us to do? **Supervisor Hyde** replied well here is the thing. I told her.....I emailed her back, and I printed page out of the Law Manual. And I also talked to **Mark Schachner** about it. And here is what it says. This is the Highway Superintendent Law Manual. The Town Board may adopt a Town Regulation authorizing the use of Town Highways for block parties, celebrations and events. Town Law Section 6410-B. The regulations would have to be adopted at a Public Hearing on at least five days notice. The Regulation would allow the Town Superintendant of Highways to issue a permit for the holding of such a party on the Town's streets. Prior to commencing the event the permit issuing official would be required to block off that portion of the street to vehicular traffic except emergency and hazardous vehicles, and to post detour signs. So in order to grant their request we would have to call a public hearing to adopt a Town Regulation which would have to give the public 5 day notice of the hearing. We would have to post legal ads in the paper, and we would have to have the public hearing. And then we could adopt the Regulation. **Councilman Needham** asked when do they want to do this. **Supervisor Hyde** noted October 5<sup>th</sup> and 6<sup>th</sup>. **Councilman Needham** noted we don't have the time to do it. **Supervisor Hyde** noted we

September 11, 2019 Regular Board Meeting

don't have to do it, but I have to bring it to you guys. I kind of agree with **Doug**. We can just do nothing. What do you want to do? Do Nothing? Do nothing, OK. Motion to adjourn.

**Motion to adjourn:** On a motion introduced by **Councilwoman Harris** and seconded by **Supervisor Hyde** the meeting was adjourned at **8:41pm**.

**Ayes~4 Ackley, Harris, Needham, Hyde, Nays~0**

**Respectfully Submitted,**

**Susan E. Staples, Town Clerk**

**September 25, 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@mmshlaw.com

**MEMORANDUM**

**TO: Thurman Town Board**

**FROM: MILLER, MANNIX, SCHACHNER & HAFNER, Town Counsel**

**DATE: September 11, 2019**

**RE: Assessor Letters of Interest**

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We have reviewed the Town Board Resolution authorizing solicitation of letters of interest from those wishing to be appointed Assessor. We have also reviewed the solicitation itself which was published.

The Resolution required the solicitation ad to state only that all applicants must meet NYS requirements for the position and to "please submit letters of interest, qualifications and proposals to the Thurman town board for consideration." However, it appears that the Resolution did not specify that the solicitation had to list any certain requirements of the interest letters. Likewise, the ad was published as directed and the solicitation did not contain any specific requirements (nor did it have to).

Under these circumstances, the Town Board is free to consider any letters of interest which are submitted from anyone. None are legally excluded from consideration for failure to include any certain information as, again, no specific information was required.

We hope this clears up any confusion about this issue. Thank you.



***Town of Stony Creek***  
***Board of Assessors***  
***Town Hall, 52 Hadley Rd., P.O. Box 96***  
***Stony Creek, N.Y. 12878***

***Peter La Grasse, Chairman***  
***Board of Assessors***  
***911 Facilitator***  
**July 10, 2019**

Susan Staples, Town Clerk  
Town of Thurman  
P.O. Box 29, 311 Athol road  
Athol, New York 12810-0029

Dear Supervisor and Town Board Members:

I saw with the legal notices that you were advertising for a new Appointed Assessor. This letter is a commentary on the assessment in the Town of Thurman that I hope you will use as a guide in your deliberations on appointing a new or current assessor to fill this vital office.

This letter, really a study of assessment quality in the Town of Thurman, and the whole of Warren County, dwelling on objective measurements of assessment. That is, what is the quality of assessment in the Town of Thurman. Quality in assessment is the measure of uniformity within the assessing unit. "The chief measure of uniformity is the coefficient of dispersion (COD), which, depending on the nature of the properties involved, should not exceed 10.0-15.0 for residential properties, 15.0-20.0 for commercial properties, and 20.0 for vacant land." (p. 547, Property Appraisal and Assessment Administration. Joseph K. Eckert, Ph.D. IAAO 1990) A second measure of assessment uniformity is called the "price-related differential (PRD). I will get into the PRD a little later in this letter.

In 2018 New York State made a study of assessment quality, available on line. Appendix B-2018 Market Value Survey: Coefficient of Dispersion and Price Related Differential Report lists the results of this study for every town in the state. The COD for Thurman, 2014 All Property Sales / Appraisals was 10.83, and for 2017 Residential Sales Only was 10.01. This figure is within the IAAO standard listed above, and it is better than most of the rest of Warren County. To get a feel for this number, lets compare other towns and see how they measure up. To make this easier to understand, I am including the actual chart. For now, please just look at the COD column. At the extreme, Johnsbury has a COD of 28.50, the highest in Warren County. At the low end of the range the Town of Bolton has a lower COD of 8.36 and 8.34. Chester has a COD of 15.18 and 9.64. Just look at these numbers, the entire column, and you have to be proud of the accomplishments of the assessor in your Town of Thurman.

The next thing to study is the price-related differential (PRD). "The price-related differential is a statistic for measuring assessment regressivity or progressivity....A PRD greater than 1.00 suggests that the high-value parcels are under-appraised. On the other hand, if the PRD is less than 1.00, high-valued parcels are relatively over-appraised... As a general rule,... PRDs should range between 0.98 and 1.03." (P. 539-540 IAAO) For residential sales only, Thurman has a PRD of 1.02, matching three other towns with this figure, Glens Falls, Horicon, and Warre3nsburg. Only one town, Bolton, has a 1.00. The worst town is Stony Creek at 1.06 and

Johnsburg at 1.05. To get a better feel for this concept, I looked at the towns in Washington County and Saratoga County. Corinth has a real low PRD of 0.760n 2016 All Properties Sales Appraisals. The Town of Day has a 1.13 PRD in the same category and year as Corinth. Moreau has a PRD of 0.85 in the year 2013. Whitehall has a PRD of 1.13 for 2017 Sales Only, and 1.12 for All Property Sales/Appraisals in 2015. Whitehall also has a COD of 27.09 in 2017 Residential Sales Only.

I hope this gives you a perspective on what an assessor struggles with all the time, equality and fairness. The examples of PRDs above show problems elsewhere. Warren County PRDs as a whole is good, Thurman is exceptional. Warren County's CODs range from excellent with Bolton and Thurman, to somewhat troubling for the rest of the county, the extreme being the Town of Johnsburg.

Enc: NYS Board of Real Property Tax Services, Assessment equity in New York: Results from the 2018 market value survey. Appendix B-2018 Market Value Survey: Coefficient of Dispersion and Price Related Differential Report Municipal Code 52 for Warren County

Yours truly,

Peter La Grasse

**From:** Delurey, Lexie  
**Sent:** Monday, September 9, 2019 12:44 PM  
**To:** Cynthia Hyde (thurmansupervisor@gmail.com)  
**Subject:** Assessed value differences

Cynthia-

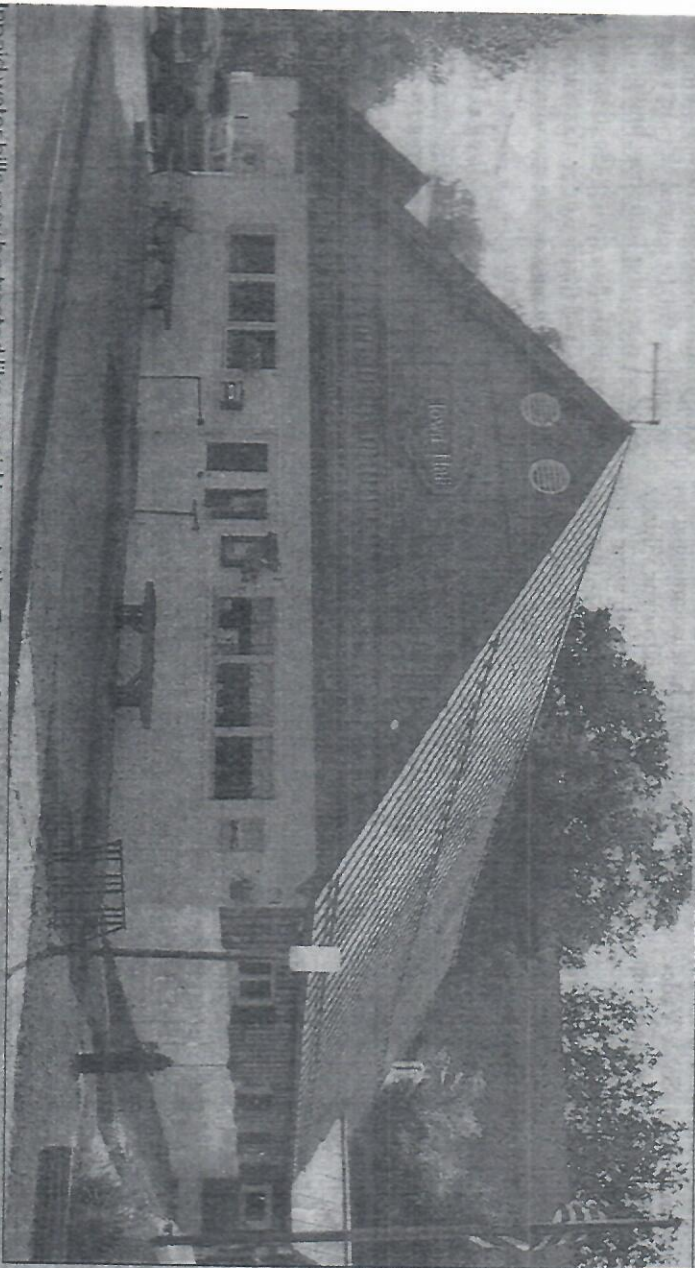
Attached is a spread sheet that I drafted up for you but I have the hard copies of the reports printed out here if you are down here before your meeting you could stop and pick up.

Lexie

	<u>Total Assessed Value</u>		
	<u>JOHNSBURG</u>		<u>THURMAN</u>
		changes	changes
2014	11,717,382		205,964,036
2015	11,723,647	6,265	207,277,836 1,313,800
2016	11,775,125	51,478	208,491,756 1,213,920
2017	11,755,688	19,437	210,588,383 2,096,627
2018	11,558,056	197,632	211,830,096 1,241,713
2019	11,537,980	20,076	212,718,251 888,155

Decreases  
in  
Total Town Assessed Values

# Water bills still issued three years after house demolished



Unpaid water bills may be treated like unpaid taxes in the Town of Johnsbury, so property owners are advised to make sure the town knows to take demolished houses off the tax rolls and water billing lists.

*File photo*

## Phantom bill haunts homeowner long after house was leveled

By Christopher South  
AFF WRITER

**JOHNSBURG** | Note to homeowners: If you tear down your house, you're still on the hook for water bills unless you inform local officials that the structure no longer exists. Such was the case facing Town of Johnsbury officials earlier this month when confronted by a homeowner with an outstanding balance. Councilwoman Laurie Amheiter reported that a property

owner, who has not been identified, had received a water bill for a River Road property where the house was torn down three years ago.

The North Creek Water District bills residential property owners a flat rate of \$220.80 annually.

There are no water meters to indicate how much water is being used — if any. If the water district customer ignores the water because he or she is not using it, the amount of the bill can be attached to the property, just like unpaid taxes.

Assessor Christian Holt said he was aware that the house was torn down, but the property is still privately owned, and there might be plans to construct a new home there in the future.

But the property owner has never made an attempt to get the no-longer-existing house off the tax rolls or the water department's ledger, he said.

"It's all based on paper," Holt said.

The specific piece of paper the town would look for as an assessor is a "certificate of completion" issued by the Warren County Fire Prevention & Building Code Enforcement office.

That office's administrator, Charles Wallace, said if someone wants to demolish a structure, they would start by visiting their town's zoning office, which would issue a zoning compliance certificate.

The county's code office would issue a demolition permit, perform a pre-demolition and post-demolition inspection, and then issue a certificate to the applicant.

The applicant could be the property owner or the contractor doing the demolition. In either case, a copy of the certificate is sent to the town zoning office where the demolition occurred.

Without being informed of the demolition, a water bill could be issued for a property where a house was demolished. ■



## TOWN OF THURMAN ASSESSORS OFFICE

TOWN OF THURMAN ASSESSORS OFFICE  
POST OFFICE BOX 29  
ATHOL, NEW YORK  
12810-0029  
PHONE 518-623-4593  
Extension 106

E-MAIL: [thurmanassessors@verizon.net](mailto:thurmanassessors@verizon.net)  
September 10, 2019

Supervisor Hyde and Members of the Thurman Town Board:

I would like to re-state my interest in being appointed to the Sole Assessor Position for the Town of Thurman, which begins October 1, 2019 and runs through September 30, 2025, a six-year term.

Attached is my Continuing Education Status Report from the State of New York Department of Taxation and Finance Office of Real Property Tax Services, which affirms my qualifications.

As a town resident and taxpayer, as well as being Assessor from 1978-1983, and 2000-present, I am familiar with the every corner of this Town. I am also aware of the need for an accurate assessment roll with up-to-date records.

Exemption requirements are constantly changing, and we make it a priority to be sure that our residents receive all exemptions they are entitled to.

Respectfully,

*Thomas Birdall*



**STATE OF NEW YORK  
DEPARTMENT OF TAXATION AND FINANCE  
OFFICE OF REAL PROPERTY TAX SERVICES**

**Educational Services**  
W. A. Harriman Campus  
Albany, New York 12227  
www.tax.ny.gov  
orpts.edservices@tax.ny.gov  
Telephone (518) 474-1764  
FAX (518) 435-8628

**Continuing Education Status Report**  
report date: 09/10/2019

Thomas J. Birdsall  
Appointed Assessor  
311 Athol Road - PO Box 29  
Athol, NY 12810  
Email: thurmanassessors@verizon.net

State Certified Assessor: 04/30/2003  
State Certified Assessor, Advanced: 03/03/2006

CE Begin Date: 10/01/2017

**Current Continuing Education Year is October 1, 2018 - September 30, 2019**

Continuing Education Year	Credits Awarded	Requirement Status
2017 / 2018	12	Met
2018 / 2019	8	

You are eligible to accumulate and be reimbursed for a maximum of 16 credits this C. E. year.  
You must complete ethics recertification training within one year of re-appointment or re-election to office.

**Jurisdiction(s)**  
(SWIS: 523800) Town of Thurman

Course Date	Course, Seminar, or Conference	Hours Attended	Method	C.E. Credits Awarded
02/24/2000	Assessor Orientation	Basic	classroom	N/A
04/10/2000	Assessment Administration	Basic	classroom	N/A
03/19/2001	Data Collection R/F/V, Fundamentals of	Basic	classroom	N/A
12/19/2001	(R-1) Real Estate Appraisal, Introduction to	Basic	classroom	N/A
04/11/2002	Land Appraisal, Introduction to	Basic	self-study	N/A
12/13/2002	(R-2) Valuation Principles and Procedures	Basic	classroom	N/A
04/30/2003	(G-1) Income Property Valuation, Introduction	Basic	classroom	N/A
02/27/2004	Mobiles, Modulares, Log Cabins, & Manuf.	7	classroom	7
04/06/2004	Mass Appraisal , Introduction to	18	self-study	18
12/14/2004	Adirondack Properties: Establishing Market	7	classroom	7
10/21/2005	One Day Seminar - Land Valuation - Forest	6	classroom	6
01/26/2006	Deeds:Reading, Plotting and Understanding	7	classroom	7
03/03/2006	Farm Appraisal , Introduction to	30	self-study	30
03/20/2006	Residential Construction Basics	7	classroom	7
11/30/2006	Architectural Styles	7	classroom	7
01/25/2007	Great Adirondack Camps	7	classroom	7
03/21/2007	Tax Assessment Grievance Process	7	classroom	7
01/11/2008	One Day Seminar - Waterfront Valuation	6	classroom	6
01/22/2008	Home Inspection:Defects & Remediation	7	classroom	7
03/05/2008	RPS V4 (Basic)	12	classroom	12

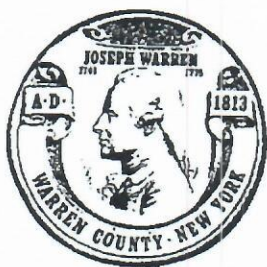
## Continuing Education Status Report

report date: 09/10/2019

Thomas J. Birdsall (continued)

Course Date	Course, Seminar, or Conference	Hours Attended	Method	C.E. Credits Awarded
03/14/2008	Industrial Appraisal, Introduction to	24	self-study	24
06/10/2008	Ethical Decision - Making	7	classroom	7
02/18/2009	Surveying, Priority of Calls & Law	7	classroom	7
02/27/2009	One Day Seminar - Exemption Administration	6	classroom	6
09/28/2009	Assessors Association Conference	3	classroom	3
12/18/2009	One Day Seminar - Mixed Use Property	6	classroom	6
03/12/2010	One Day Seminar - Land Valuation	6	classroom	6
01/14/2011	One Day Seminar- C-Store, Gas Station	6	classroom	6
01/24/2011	Establishing Market Value - Combo Properties	7	classroom	7
02/10/2012	One Day Sem - Val. Wetlands/Conservation	6	classroom	6
10/19/2012	Cellular Tower Valuation	6	classroom	6
11/16/2012	Ethics and the Assessor	Recert	classroom	N/A
01/23/2013	One Day Seminar - What is Income	6	classroom	6
11/21/2013	Real Estate Scams and Schemes	7	web on-line	7
03/13/2015	One Day Seminar - Blueprints Reading &	6	classroom	6
03/27/2015	One Day Seminar - Critiquing Appraisals	6	classroom	6
08/03/2015	Agricultural Issues Facing Assessors	12	classroom	9
09/17/2015	Lake Front Valuation Seminar	6	classroom	6
02/05/2016	One Day Seminar - Not for Profit Exemptions	6	classroom	6
06/03/2016	Ethics and the Assessor	Recert	classroom	N/A
04/12/2017	RPS V4 Valuation (1 Day)	6	classroom	6
04/17/2019	Correction of Errors	3	classroom	3
07/25/2019	Manufactured Home Appraisal	4	classroom	4
08/21/2019	Basic Construction Refresher	7	web on-line	7

**!!!! END OF REPORT !!!!**



## WARREN COUNTY

REAL PROPERTY TAX SERVICES AGENCY  
County Municipal Center  
1340 State Route 9  
Lake George, New York 12845

Tel. 518-761-6464  
Fax 518-761-6559

LEXIE A. DELUREY  
*Director*

KRISTEN MAC EWAN  
*Deputy Director*

July 10, 2019

Town of Thurman  
Town Hall  
311 Athol Road  
Athol NY 12810

RE: Assessor position

Town Board-

I am writing this letter to let you know that I have worked with Thomas "Tuck" Birdsall in some sort of capacity since he was appointed as an assessor in 2000 through current. Tuck has always been mindful and professional in his position of assessor. I feel he has fairly represented the Town of Thurman on the final assessment rolls and maintained equitable values.

I support the Town of Thurman re-appointing Thomas "Tuck" Birdsall.

Sincerely,

Lexie A Delurey, Director  
Real Property Tax Services



## Susan Staples

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**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=

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**From:** Brandon Reo

**Sent:** Saturday, September 7, 2019 2:00 PM

**To:** thurmantownclerk@verizon.net; thurmansupervisor@gmail.com

**Subject:** I support Tuck Birdsall, Assessor and Sue Baker, His Assistant

To whom this may concern,

My name is Brandon Reo. My address is 212 Garnet Lake Road South, Thurman.

It is my opinion that Mr. Tuck Birdsall and his clerk Ms. Sue Baker have done an excellent job assessing for the Town of Thurman for many years and should be allowed to continue.

An assessor that does his job well creates equity for the town, Mr. Birdsall's years of experience, training and caring attitude have repeatedly produced fair and current assessments for all property owners in Thurman.

I support appointing Tuck Birdsall.

Thanks,  
Brandon Reo

**From:** Ann Deppe depdo@aol.com  
**Subject:** Tuck Birdsall  
**Date:** July 10, 2019 at 1:59 PM  
**To:** Thurmansupervisor@gmail.com



July 10,2019

Dear Thurman Supervisor and Town Board,

I write this letter in support of Tuck Birdsall getting reappointed for a six year term for the Town of Thurman. I am the former assessor for the Town of Johnsbury and have worked with Tuck for a number of years. We were in the Warren County Assessors Association and attended many conferences and seminars together.

He is extremely knowledgeable and very honest .

I cannot stress how valuable an assessor is when they know the town and the people who live in it. Living in my town as assessor helped me with exemptions and knowing the real estate market.

Again I just wanted to support Tuck for his reappointment.

Thank you for you attention and time.

Sincerely yours,

Ann P Deppe

## Susan Staples

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**From:** Lorrie Smith [MrsDan12@outlook.com]  
**Sent:** Wednesday, September 11, 2019 1:22 PM  
**To:** thurmantownclerk@verizon.net  
**Subject:** Assessor

Thurman Town Board,

I am writing this letter with great concern about wanting to hire Mr. Holtz as our Assessor. it concerns me that Jonsburg did not rehire Mr. Holtz leads me to believe he was not doing his job He also applied for a zoning enforcement officer and did not get hired for that job either . Please think about tis where is he going to lead Thurman what is this going to do to our taxes and what burden will it put on our elderly. Tuck and Sue have done a great job and are doing the job to state standards. Please think about this and reconsider not hiring him. I have other obligations and can not make it to the meeting. Thank You

Lorrie Smith

Sent from Outlook