

January 03, 2013

MINUTES OF THE ORGANIZATIOAL MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN HELD JANUARY 03, 2013 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL NEW YORK, COMMENCING AT 6:30 P.M...

PRESENT: MRS. EVELYN WOOD, SUPERVISOR
MR. LEON GALUSHA, COUNCILMAN
MRS. GAIL SEAMAN, COUNCILWOMAN

ABSENT: MR. CHARLES BILLS, COUNCILMAN
MR. AL VASAK, COUNCILMAN

Recording secretary: **Cynthia R. Hyde**, Town Clerk

BOARD MEETING: The Organizational meeting was called to order by **Evelyn Wood, Supervisor**.

OATH OF OFFICE: New **Councilwoman Gail Seaman** took the oath of office and took her seat on the Thurman Town Board.

PLEDGE ALLEGIANCE TO THE FLAG

ROLL CALL

RESOLUTION #1:

Resolution to Make Appointments, List Salaries, Establish Petty Cash, Authorize Yearly Contracts, Set Mileage Rate, Set Official Holidays, Establish Returned Check Fee, Establish Meeting Dates, Designate Official Newspapers, and Designate Opener of Sealed Bids.

WHEREAS it is necessary to establish certain offices, make various appointments, and authorize the Supervisor to sign certain yearly contracts as well as make various other appointments, establishments, and designations at the Town Board's Organizational meeting, be it

RESOLVED, that the Town Board of the Town of Thurman adopts the following for the year 2013, and be it further

RESOLVED, that the Town Board authorizes the Supervisor to enter into the contracts listed below for the year 2013.

Town Attorney

Miller, Mannix, Schachner, &

Per Diem by Contract

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	<i>Hafner</i>	
<i>Town Engineer</i>	<i>Cedarwood Engineering</i>	<i>Per Diem By Contract</i>
<i>Health Officer</i>	<i>Dr. Bryan Smead</i>	<i>\$1550.00 paid by Con. Board of Health</i>
<i>Historian</i>	<i>Joan Harris</i>	<i>\$500 per year</i>
<i>Registrar of Vital Statistics</i>	<i>Cynthia Hyde</i>	<i>\$1,040 per year</i>
<i>Deputy Town Clerk</i>	<i>Paula Hubert</i>	<i>\$8.50 per hour</i>
<i>Deputy Town Clerk</i>	<i>Susan Baker</i>	<i>\$8.50 per hour</i>
<i>Deputy Highway Superintendent</i>	<i>Jeff Ackley</i>	<i>.80 cents per hour</i>
<i>Justice Clerk</i>	<i>Joanna Cummings</i>	<i>\$12.50 per hour</i>
<i>Animal Control Officer</i>	<i>Dexter Baker</i>	<i>\$2,675 per year</i>
<i>Cleaner</i>	<i>Bambi Castro</i>	<i>\$7.75 per hour</i>
<i>Supervisor's Clerk/Account Clerk</i>	<i>Lester Losaw</i>	<i>\$32,848 per year</i>
<i>Cemetery Superintendent</i>	<i>Marc Kenyon</i>	<i>\$300 per year</i>

Elected Officials

<i>Supervisor</i>	<i>Evelyn Wood</i>	<i>\$10,800 per year</i>
<i>Town Justice</i>	<i>Sheila Flanagan</i>	<i>\$5,500 per year</i>
<i>Town Clerk</i>	<i>Cynthia Hyde</i>	<i>\$18,384 per year</i>
<i>Tax Collector</i>	<i>Michelle Prybylski</i>	<i>\$3,184 per year</i>
<i>Superintendent of Highways</i>	<i>Patrick Wood</i>	<i>\$40,485 per year</i>
<i>Assessor Chairman</i>	<i>Thomas Birdsall</i>	<i>\$9,010 per year</i>
<i>Assessor</i>	<i>Susan Baker</i>	<i>\$6,876 per year</i>

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Assessor	Edward Binder	\$6,876 per year
Town Councilperson	Al Vasak	\$3,196 per year
Town Councilperson	Leon Galusha	\$3,196 per year
Town Councilperson	Charles Bills	\$3,196 per year
Town Councilperson	Gail Seaman	\$3,196 per year

Contracts

Glens Falls Animal Hospital	Animal Control	See Exhibit A attached
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Petty Cash

Town Clerk	\$25.00
Tax Collector	\$150.00
Town Justice	\$100.00
Supervisor's Clerk	\$50.00

<u>Mileage Allowance</u>	\$0.41 per mile
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<u>Official Newspapers</u>	The Post Star
	The Adirondack Journal

Official Holidays

New Year's

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Day
Martin Luther King Day
Washington's Birthday
Memorial Day
Independence
Day
Labor Day
Columbus Day
Veteran's Day
Thanksgiving
Day
Christmas Day

Town Board Meetings will be held on the second Tuesday of the month beginning immediately following the Audit of Claims which will start at 6:30pm.

A returned check fee of \$25.00 shall be charged on all returned checks.

The opening of Competitive bids shall be done by the Town Clerk.

On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, resolution # 1 was approved.

MOTION CARRIED: 3 AYES ~ WOOD, GALUSHA, SEAMAN

Discussion: **Councilman Galusha** asked if the salaries in this resolution could also have benefit amounts attached so that the public could see the total amount spent on a position. **Supervisor Wood** said that she would look into it.

RESOLUTION #2:

Resolution of Investment Policy for the Town of Thurman

In accordance with this policy, the Supervisor, as Chief Financial Officer, is hereby authorized to invest all funds, including proceeds of obligations and reserve funds, in:

- *Certificates of Deposits issued by a bank or trust company authorized to do business in New York State;*
- *Obligations of New York State;*
- *Obligations of the United States Government;*

All funds except revenue funds may be invested in:

- *Obligations of agencies of the Federal Government if principal and interest is guaranteed by the United States.*
- *With the approval of the State Comptroller, in Revenue Anticipation Notes or Tax Anticipation Notes of other local governments.*

Only reserve funds may be invested in:

- *Obligations of the Town of Thurman*

All other Town Officials receiving money in their official capacity must deposit funds in negotiable order of withdrawal accounts.

All investments made pursuant to this investment policy shall comply with the following conditions:

Certificates of Deposit shall be fully secured by insurance of Federal Deposit Insurance Corporation or by obligations on New York State or obligations of the United States or obligations of federal agencies the principal and interest of which are guaranteed by the United States, or obligations of New York State local governments. Collateral shall be delivered to the Town of Thurman or a Custodial Bank with which the Town of Thurman has entered into a Custodial Agreement. The market value of collateral shall at all times equal or exceed the principal amount of the Certificate or Deposit. Collateral shall be monitored, and market value shall mean the bid or closing price as quoted in the Wall Street Journal or as quoted by any other recognized pricing service.

Collateral shall not be required with respect to the direct purchase of obligations of New York State, obligations of the United States and obligations of federal agencies the principal and interest of which are guaranteed by the United States Government.

Payment shall be made by or on behalf of the Town of Thurman for obligations of New York State, obligations the principle interest of which are guaranteed by the United States, United States obligations, Certificates of Deposit, and other purchased securities upon delivery therefore to the Custodial Bank, or in the case of a book-entry transaction when the purchased securities are credited to the Custodial Bank's Federal Reserve System account.

All transactions shall be confirmed in writing.

Written contracts are required for Certificates of Deposit, and custodial undertakings. With respect to the purchase of obligations of the United States, New York State, or any other government entities, ect., in which monies may be invested, the interests of the Town of Thurman will be adequately protected by conditioning payment on the physical delivery of purchased securities in the Town of

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Thurman or Custodian, or in the case of book-entry transactions, on crediting of purchased securities to the Custodian's Federal Reserve System account. All purchases will be confirmed in writing to the Town of Thurman.

- *It is, therefore the policy of the Town of Thurman to require written contracts as follows:*
- *Written contracts shall be required for the purchase of all Certificates of Deposit.*
- *A written contract shall be required with the Custodial Bank.*
- *Glens Falls National Bank and Trust Company and TD Banknorth of Glens Falls are designated to act as Custodial Banks of the Town of Thurman investments.*

The Supervisor, as Chief Financial Officer, shall authorize the purchase and sale of all securities and execute contracts for Certificates of Deposit on behalf of the Town of Thurman.

Within 90 (ninety) days of the end of the fiscal year, the Chief Financial Officer shall prepare and submit to the Town Board an annual investment report; recommendations for change in these investment guidelines; and other such matters as the Chief Fiscal Officer deems appropriate.

The Town Board of the Town of Thurman shall review and approve the annual investment report, if practicable, at it's February meeting.

At least annually, and if practicable, at the February meting the Town Board shall review and amend, if necessary these investment guidelines.

The provisions of these investment guidelines and any amendments hereto shall take effect prospectively, and shall not invalidate the prior selection of any Custodial Bank or prior investment.

On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, resolution # 2 was approved.

MOTION CARRIED: 3 AYES ~ WOOD, GALUSHA, SEAMAN

RESOLUTION #3:

Resolution to Establish a Procurement Policy

WHEREAS, §104-b of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirement of GML §103 or any other law; and

WHEREAS, comments have been solicited from those officers of the town involved with procurement;

NOW, THEREFORE, BE IT RESOLVED: That the Town of Thurman does hereby adopt the following procurement policies and procedures:

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML §103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereafter Purchaser) shall estimate the cumulative amount of the items of

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supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2. *All purchases of a)supplies or equipment which will exceed \$10,000in the fiscal year or b)public works contracts over \$20,000 shall be formally bid pursuant to GML §103.*

Guideline 3.

All estimated purchases of

- Less than \$10,000 but greater the \$3,000 requires a written request for a proposal (RFP) and written/fax quotes from 3 vendors.*
- Less than \$3,000 but greater than \$1,000 requires an oral request for the goods and oral/fax quotes from 2 vendors.*
- Less than \$1,000 but greater than \$250 are left to discretion of the Purchaser.*

All estimated public works contracts of:

- Less than \$20,000 but greater the \$10,000 requires a written RFP and written/fax proposals from 3 contractors.*
- Less than \$10,000 but greater than \$3,000 requires a written RFP and written/fax proposals from 2 contractors.*
- Less than \$3,000 but greater than \$500 are left to discretion of the Purchaser.*

Any written RFP shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 4. *The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best*

interest of the town and its taxpayers to make an award to other than the low bid. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

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Guideline 5. *A good faith effort shall be made to obtain the required number of proposals or quotes. If the Purchaser is unable to obtain the required number of proposals or quotes, the Purchaser will document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.*

Guideline 6. *Except when directed by the town board, no solicitation of written proposals or quotes shall be required under the following circumstances:*

1. *Acquisition of professional services;*
2. *Emergencies;*
3. *Sole source situations;*
4. *Goods purchased from agencies for the blind or severely handicapped;*
5. *Goods purchased from correctional facilities;*
6. *Goods purchased from another governmental agency;*
7. *Goods purchased for less than \$250;*
8. *Public works contracts for less than \$500.*

Guideline 7. *This policy shall be reviewed annually by the town board at its organizational meeting or as soon thereafter as is reasonably practicable.*

On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, resolution # 3 was approved.

The Town Board decided to remove #7 of guideline 6.

MOTION CARRIED: 3 AYES ~ WOOD, GALUSHA, SEAMAN

RESOLUTION #4:

Resolution to Designate a Polling Place in the Town of Thurman

WHEREAS, pursuant to Article 4-104 of the New York State Election Law, the Town Board of the Town of Thurman must submit to the Warren County Board of Elections, a listing of the polling places in the Town of Thurman in the Election District in which elections may be held. Therefore be it

RESOLVED, that the following locations are hereby designated as the respective polling place in the district as enumerated:

SOLE ELECTION DISTRICT: *Thurman Town Hall and that such location is accessible to the physically handicapped voter, pursuant to Article 4-104A of the Election Law (unless otherwise noted) and be it further,*

RESOLVED, that a copy of this resolution be forwarded to the Warren County Board of Elections.

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On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, resolution # 4 was approved.

MOTION CARRIED: 3 AYES ~ WOOD, GALUSHA, SEAMAN

RESOLUTION #5:

Resolution to Establish Bonds for the Year 2013

WHEREAS, under Sec. 25 Town Law it requires the Town Board to set the amount of the Town Employees', Town Supervisor's, and Town Tax Collector's Bonds by resolution, be it

RESOLVED, that the amount of the Bond for Town Employees be set at \$10,000.00 for the year 2013, and be it further

RESOLVED, that the amount of the Bond for the Town Supervisor be set at \$60,000 for the year 2013, and be it further

RESOLVED, that the amount of the Bond for the Town Tax Collector's be set at \$60,000 for the year 2013, and be it further

RESOLVED, that the Town Clerk for the Town of Thurman be hereby instructed to file a copy of this resolution with the Warren County Clerk before January 15, 2013.

On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, resolution # 5 was approved.

MOTION CARRIED: 3 AYES ~ WOOD, GALUSHA, SEAMAN

RESOLUTION #6:

Resolution to Authorize Payment in Advance of Audit

WHEREAS, the Town Board may by resolution authorize the payment in advance of utility services, and postage as described by Town Law Sec. 118(2),

BE IT RESOLVED, that the Town Board of the Town of Thurman does hereby authorize the prepayment of utility bills and postage. All claims for these payments will be presented at the next regular meeting for audit.

On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, resolution # 6 was approved.

MOTION CARRIED: 3 AYES ~ WOOD, GALUSHA, SEAMAN

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BIDS: The town clerk open bids for the River Road Pipe Arch Bridge, **the Chazen Company** \$17,850.00, **Vision Engineering** \$35,000.00 and **Cedarwood Engineering Services** \$12,000.00. No action was taken on this matter.

ADJOURNMENT: On a motion by **Councilman Galusha**, seconded by **Councilwoman Seaman**, the meeting was adjourned at 6:48 pm.

MOTION CARRIED: 5 AYES ~ **WOOD, GALUSHA, BILLS, VASAK, SEAMAN**

Respectfully Submitted:

Cynthia R. Hyde

Town clerk

January 15, 2013