

MINUTES OF THE REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN, NEW YORK HELD MAY 08, 2019 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL, NEW YORK, COMMENCING AT 6:30 PM.....

PRESENT: Mrs. Gail Seaman, Councilwoman

Mrs. Cynthia Hyde, Supervisor

ABSENT: Mrs. Brenda Ackley, Councilwoman

Mrs. Joan Harris, Councilwoman

Mr. Douglas Needham, Councilman

ALSO PRESENT: James Buono, Potentia Management Group LLC

RECORDING SECRETARY: Susan E. Staples

The meeting started with a review of the claims.

Councilwoman Ackley arrived at 6:55pm.

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

MOMENT OF SILENCE: A moment of silence was observed for **Jim Galusha**. **Supervisor Hyde** noted **Jim** was a real positive presence in the Town of Thurman, and that everybody would miss him. She said that **Jim** could do just about anything. She noted that they had told a real funny story about him. She retold a story about **Jim** when he was working for a construction company with his son Rabbit. One of the guys was in a ditch, and doing some work. He was operating a piece of equipment with teeth on the bucket. Apparently he was so good at operating it that he inched the thing down and put the tooth in the guys pocket, and ripped the pocket right out. He could just manipulate that stuff so well. He was a horseman who won awards. He was a good horse trainer who could train a horse to do anything. He had a really nice family with two sons and many grandchildren. He was a good grandpa, father, friend and neighbor. He also was the Town Supervisor back around 1978. I think that the town is going to miss **Jim** a whole lot, and we were lucky to get the chance to know him. She noted **Joyce** has asked to say a few things about him. **Joyce Eddy** noted I had the privilege of working with **Jim** while he was Supervisor, and he was a great Supervisor and citizen for the Town of Thurman. During his administration he had the foresight to purchase the Harris property and the Harris House. Without that foresight, the Town Board that worked with him, we the Town of Thurman would not have the space for the salt shed or the Rec field. He brought people together to make Thurman better for all of us. **Supervisor Hyde** thanked her and noted next on the agenda we have a presentation by **James Buono**. She noted that she gave the Board what he had sent us.

James Buono noted that they were brought by National Grid as an energy efficiency contractor to go in and do the audits to see if there are any ways for customers to save money. He noted they have done over 60 municipalities. He noted they have finished the Town of Hague, Town of Bolton and Village of Lake George converting all of them to LED just within this county. He noted they were looking at taking out all the lights, and bringing it over to LED. National Grid pays for over half of the project. He noted

that we have Q12 lighting which typically last three years. Governor Cuomo put into play this year that these lights will no longer be able to be purchase at Lowes or any hardware store by December 31st. So no matter what something has to be done with them. If you convert to LED you will have a light bulb and ballast that last 50 years, and is under warranty for 10 years. The Highway Department would save \$791.00 a year, and the project cost is \$2,965.00. National Grid would kick in \$1,294.00. There are two options with that. One is to pay it up front which would be \$1,504.00. And if you wanted to, which other municipalities have done, and you don't have to budget, is that you can finance it at 0% interest. So you would save \$66.00 a month over there. It would be \$139.00 a month to pay for it, but you save 66. So your bill would go up \$73.00 for 12 months then you would receive that full savings of \$66.00. Same thing over at the Town Hall. You would save \$716.00 a year. Real close to what is was there. The monthly energy savings was \$60.00. The one year payment would be \$218.00, but you would save 60 so your bill would only go up \$158.00. We have done this with all the other municipalities. Only Johnsbury hadn't been done, and they were expecting approval in two weeks there. Warrensburg just built a new Highway Department, and were already LED. He noted it was a good deal, and prevailing wages, and everything is converted, and you are done with light bulbs. **Supervisor Hyde** asked so would we have to put out \$3,790.00 then we would.....I am trying to**Mr. Buono** replied nope. So the project cost....For the Town Hall, the project cost is \$3,790.00. National Grid is going to cover \$1,172.00. So you never pay that. If you did a lump sum it would be \$2,356.00. Or if you financed it through your saving your bill would go up \$158.00. So you would just see on your bill \$158.00. This is all right through National Grid. **Supervisor Hyde** asked until it is paid off. **Mr. Buono** responded yeah, for twelve months. Then you would get \$60.00 in savings. The Highway bill would go up \$73.00 for twelve months. Then you would see the full savings. **Councilwoman Seaman** noted maybe I am missing it, but where is the Highway Department piece? **Mr. Buono** noted this says Town Hall it is Highway Department. He and **Councilwoman Seaman** discussed the projections, and it was noted that there was separate email that had the Highway Department on it. He noted he had to do it separate because they have us do it per meter because of budget allocations. **Councilwoman Seaman** asked OK so this is the Highway Department for \$66.00, and the monthly savings would be \$66.00. Is that correct? **Mr. Buono** noted yup you are correct. This is the Town Hall, and this is the Highway Department. **Councilwoman Seaman** noted so what we are looking at payment after incentives, total payment for the Highway is \$1,671.00 and the total payment for the Town Hall is \$2,618.00. **Mr. Buono** noted so basically your bill would go up \$357.00 for 12 months. **Councilwoman Seaman** noted or we could pay the total. Just the price. **Mr. Buono** replied yup, if you pay the price you get a 10% discount on this number. **Councilwoman Seaman** asked on this number? **Mr. Buono** replied yup. **Councilwoman Seaman** noted so it would be \$1,504.00 out of the Highway Fund, out of one of their Contractual. **Mr. Buono** noted then you guys would save \$1,500.00 for the year so you would actually take that out of whatever you had that budgeted for 1,500 (inaudible). **Supervisor Hyde** asked it is the same price if it comes out of the electric bill or you pay a lump sum. **Mr. Buono** noted 10% discount if you pay the lump sum. **Councilwoman Seaman** noted so it form 4,289 total down to 3,860 total. **Mr. Buono** noted as long as lights are on it makes sense to do this. The only time it doesn't make sense to do this is like some of the towns down in Schoharie County. They have barns that are used as Town Halls like once a month for meetings, and then they never use them again. Those I can understand they are not worth it, but if the lights are on it saves. **Supervisor Hyde** asked when do we have to make this decision by? **Mr. Buono** noted so this program they have until August. Everything is approved. So everything would have to be by July. That is why I wanted to make sure.....Yeah July would be. The July meeting would be the last one to approve by. **Supervisor Hyde**

noted yeah, because we don't even have a full board today (inaudible). **Mr. Buono** noted I wanted to make sure I came up, and you guys understand it now, then you have any questions you could let me know. Budgeting wise they don't think it is going to go past August. Because they only put so much money into this pool, and every year they basically run out even though they say it is going to last all year. **Supervisor Hyde** asked so do you think we are safe? **Councilwoman Seaman** asked so if they run out of money we don't get the..... **Mr. Buono** noted then I would have to come back next January when they reopen it, if they reopen it. That is why I wanted to make sure I got here quicker rather than later. **Supervisor Hyde** asked if we got onboard next month then we would be good? **Mr. Buono** responded yup, and for the whole building it would take two days (inaudible). Every ballast would be removed. **Supervisor Hyde** noted so maybe we should think about it for a month. **Councilwoman Seaman** noted well what we need to do is just to identify a source of funding. I mean we have plenty in some of the funds that we can do it with. Because it is not a great deal of money we could transfer out of one line to go into another to make sure it is covered if they are not going to be able to have the lights after December. Not much point. **Mr. Buono** noted if the lights, if they do die as of December, these lights are still at Lowes. Most of the ones at Lowes are like about 40% discount at the end of the aisle if you go look at it trying to get new stock out, but once they are gone there are no more that are coming of these so.....**Councilwoman Seaman** noted so (inaudible) pass this that nobody knew about. **Mr. Buono** noted he actually passed it last year, but it is going to take a full year to come into effect so that is why December 31st. If you guys have any questions on it I will make sure to email before the next meeting, and I'll just check in after that. **Supervisor Hyde** noted it sounds like a good deal. Everybody is changing over their lights. You would be crazy not to. **Mr. Buono** noted Yeah, and once you do it you are done with light bulbs you don't have to budget for maintenance fees or any other stuff. **Councilwoman Seaman** asked how long are the new LED guaranteed for? **Mr. Buono** replied they are guaranteed for 10 years. Like all the ones we have to put in for National Grid they are all under a 10 year warranty. So you know at least 10 years you are done with lights guaranteed, but they have a 50 year life span. But is it warranted for 10. **Councilwoman Seaman** replied the light is warranted for 10 not the installation. **Mr. Buono** stated yes, the installation itself. So if the ballast goes for any reason within 5 years then we can come and replace the ballast or anything like that, but if the actual bulb itself if it goes that is 10 years. **Councilwoman Seaman** replied OK.

REPORTS FROM THE BOARD: **Councilwoman Seaman** noted I do have a couple here. We all received the email. I just wanted to make sure that a copy of it was entered into the minutes from one of our townspeople regarding the Highway Department, and it was listed as the **Supervisor and Town Council**. It says my husband John and I own property on Hall Mountain Road. We ask that you pass along to the Highway crew that they are very grateful for great job that they did replacing and repairing a culvert on their road in the past week. We have always been impressed with the care and maintenance they show throughout the town, and specifically on our road. We are very aware that the Town had a great deal of storm related and winter related damage to deal with – water/ice/flooding issues. We were very impressed that they were able to take care of this so efficiently and did an excellent job from what we can tell. Just wanted to say thanks. They put a lot of long, hard, exhausting hours caring for our Town and we want them to know that does not go unnoticed or unappreciated. And it was signed Thank you Heidi and John Meyers. And I would like that added to the minutes please because I think the Highway Department deserves a really big round. The guys do a great job. And there is also another.....The Town every year has always had the Town wide garage sale, and I was asked at this meeting if I could mention it please. The community yard sale will be May 17, 18, and 19. That is Friday, Saturday and Sunday. Rose

Shlemp will be publishing the addresses for individual townspeople one week prior to the sales which is like at the end of this week. Please contact her by phone to be included in the listing, and her number Rose at 623-3730. And it would be great.....I know we put a lot of stuff on the message board out here. We have always; you know advertised concerts and everything like that. It would be really nice if we could put the Town wide garage sale, and just list the dates on the electronic board. If you don't have any objections to that. **Supervisor Hyde** noted no I don't have any. I don't know how to do it, but I will see if somebody who knows how to do it can do it. **Councilwoman Seaman** responded OK so if somebody could do it, it would just be great. It tells people that we having it, and where to sign up for it. And I know that they have been signing up here at the Town Hall. You know it is just good for the community. **Supervisor Hyde** asked anything else. **Councilwoman Seaman** noted well I did have some Resolutions that I wanted just for old business. **Supervisor Hyde** noted we're doing.....**Councilwoman Seaman** asked do you want to do those last? **Supervisor Hyde** asked Resolutions for what? I'm (inaudible) of what you want. Do you just want to inform people of Resolutions that you wrote? **Councilwoman Seaman** noted no, these are old business because.....**Supervisor Hyde** asked and you are expecting to vote on them? **Councilwoman Seaman** asked why not. **Supervisor Hyde** replied because they were not provided to me.....**Councilwoman Seaman** interrupted noting yeah. **Supervisor Hyde** continued or the **Town Clerk**, or the public that is why. **Councilwoman Seaman** replied they have been provided to you. We....**Supervisor Hyde** interrupted noting you've had.....No. You did not provide us with any notice that you were bringing Resolutions to this meeting. **Councilwoman Seaman** responded **Cynthia** we passed Resolution # 27 in April and you wanted clarification. **Supervisor Hyde** noted **Gail** the protocol is if a Town Board Member is going to bring a Resolution to a meeting they need to.....**Councilwoman Seaman** spoke over the **Supervisor** noting the protocol is. No, where was that? **Supervisor Hyde** continued let the public know, and they need to let the **Supervisor** know, and the **Town Clerk** know. You can't just blindside people with Resolutions. **Councilwoman Seaman** interrupted noting and the State law says, the State law says that the Town Board can bring a Resolution and pass it at the same meeting. So that is in the Town Law book, and the Town Law book supersedes your wishes. **Supervisor Hyde** replied **Gail**, **Gail** have you forgotten about transparency? You can't.....**Councilwoman Seaman** spoke over the **Supervisor** noting yes, I know (inaudible) transparency. **Supervisor Hyde** continued you bring Resolutions to the floor without any prior notice. It is not right. It is not fair and it is not proper. **Councilwoman Seaman** spoke over her noting well we already.....The **Town Clerk** stated we have an opinion from the **Committee on Open Government** for this very thing for this very reason. **Councilwoman Seaman** spoke over her stating **Susan** you are not in this.....You are not in this discussion. You are not a Member of the Board. Thank you. We do have a past Resolution. It is Resolution #27 that was to have the septic system certified. That was passed by the Board. **Supervisor Hyde** asked **Councilwoman Ackley** do you have these Resolutions **Brenda**. **Councilwoman Ackley** nodded no. **Supervisor Hyde** stated I don't have these Resolutions. **Councilwoman Seaman** interrupted stating you do because we passed it. **Supervisor Hyde** continued the Resolutions that I write you get ahead of time. I don't see any Resolutions here. Do you have any Resolutions besides the one that we put on the Town Website. The **Town Clerk** replied no I do not. **Supervisor Hyde** continued noting I don't either, and neither does **Brenda**. **Councilwoman Seaman** responded OK the Resolution.....**Supervisor Hyde** interrupted noting and we were not in any way shape or form prepared to vote on Resolutions that we have not seen until now. **Councilwoman Seaman** interrupted stating you mean you don't want to vote on it. Because we are prepared as a Board. **Supervisor Hyde** continued we have had no time **Gail**, to see what it is you (inaudible). **Councilwoman Seaman** noted we already passed it. You had it.

Supervisor Hyde continued I am sorry, but you did not provide the Resolution to the Board or the Public ahead of time which is protocol. **Councilwoman Seaman** replied we have a Resolution that was passed on April, April 10th. April 14th. Something like that. **Supervisor Hyde** noted would you by chance be talking.....**Councilwoman Seaman** interrupted stating and you um....We already passed it. You asked for a clarification because you had questions. So I wrote the clarifications so that you would get the septic system certified which you refuse to do. **Supervisor Hyde** noted so you wrote the clarification, but you didn't provide me, the **Town Clerk, or Brenda** with a copy of it. **Councilwoman Seaman** interrupted noting you have all the information **Cynthia**. You have all the information. **Supervisor Hyde** stated I have one Resolution in front of me that I have prepared. That is the only Resolution that I had any idea was coming before the Board today. **Councilwoman Seaman** stated we passed a Resolution in April that the Town Hall has been equipped to serve for vending for public and private events. Whereas the New York State Department of Health requires the septic system to be certified before issuing permits to those serving food as part of their event to the public. Now therefore be it resolved that the Town of Thurman through its Supervisor contract with Cedarwood Engineering. Cedarwood Engineering sent this paper on February 1st with an estimate of cost. And to inspect and document the Town Hall septic system within 14 calendar days of passage of this Resolution. This was passed in April. You have refused to carry out the Resolution. You said they might have some questions, but they never specified any questions. We did specify that you were to do this. You have refused to do it. **Supervisor Hyde** noted the Resolution.....Apparently you have forgotten the memorandum of the Town Attorney. **Councilwoman Seaman** interrupted saying they said they had possible questions, but they didn't say what they were. **Supervisor Hyde** responded no. **Councilwoman Seaman** continued yes, that is exactly what they said. **Supervisor Hyde** continued the Resolution that was passed was not a valid Resolution. That was why it was not followed. **Councilwoman Seaman** replied it was passed by a majority of the Board. It was passed by a majority of the Board. It is a valid Resolution in New York State. **Supervisor Hyde** stated it was not a valid Resolution. **Councilwoman Seaman** noted absolutely it is. **Supervisor Hyde** responded **Gail**, you can't just write whatever you feel like, and think that it is a valid Resolution. The Town Attorney looked at that Resolution, and agreed that it was not valid. **Councilwoman Seaman** interrupted noting really, that is not what he said. **Supervisor Hyde** continued therefore I could not follow it, and that is the end of the story. **Councilwoman Seaman** responded that is not what he said. You show me where he said it was not valid. **Supervisor Hyde** stated he did so say that. **Cynthia** where does he say that is was not valid. I want to see where he says exactly that it is not a valid Resolution. In New York State you are one member of a Board. **Supervisor Hyde** responded you were given a copy of.....You were given a copy of the memorandum. **Councilwoman Seaman** continued you have one vote, I have one vote. **Supervisor Hyde** noted you were given a copy. So was everybody else. I do believe it is even in the minutes for the last month. The memorandum explaining why that Resolution could not be followed because it was not valid. **Councilwoman Seaman** spoke over her noting a duly passed Resolution. No. The memorandum did not.....She continued that is not what they said. That is not what they said in any way shape or form. **Supervisor Hyde** replied I am not going to argue with you. **Councilwoman Seaman** replied I know, but you don't want to certify a septic system for the Department of Health so that we could have kids parties. So that we can have functions here again. So you are refusing again to take care of this. **Supervisor Hyde** noted no one.....Where did you get this word certified? That is something that you plucked out of the air. **Councilwoman Seaman** replied oh no, let's see Cedarwood Engineering on February 1st sent to you.....**Supervisor Hyde** continued there was never any question of certifying anything. **Councilwoman Seaman** responded it was sent to you. Supervisor Hyde based on a phone

conversation and discussion with New York State Department of Health the following Cedarwood Engineering services propose to fully evaluate and document the Town Halls existing septic system. The evaluation will include documentation of size, components and location in order to determine if the system meets all requirements and is a compliant system. The items included in this proposal can be used by the Town to obtain permits including food service permits. Cedarwood is not obtaining any permits as part of this proposal. Inspection, excavation oversight, perk test, cost development \$2,490.00 total. And the time table they are willing to get right to the task as soon as the **Supervisor** signs this which she was instructed to sign in April, and which she has not. **Supervisor Hyde** replied I am sorry, but I will not be signing anything that was passed at a prior meeting that was not valid. I would also like to point out.....**Councilwoman Seaman** noted and nowhere did the attorney say it was not valid, and you cannot prove it. Prove it. Prove that the attorney said that is not valid. **Supervisor Hyde** responded excuse me, but I would like to finish my sentence. **Councilwoman Seaman** interrupted stating why, you never let me finish. **Supervisor Hyde** stated I would like to point out that.....And **Brenda** just so you know at the last meeting the Board passed a Resolution closing the bathrooms to everybody including employees. So the next day I called the Town Attorney, and I found out that the Board has no authority to do any such thing. **Councilwoman Seaman** interrupted stating of course we do. **Supervisor Hyde** continued so that was also not followed. **Councilwoman Seaman** stated ah another Resolution that she just determines not to follow because she doesn't want to follow it. Um, I know you have made a comment in the paper that you are not the Supervisor of the Town. You understand that. You really aren't, but a Supervisor would take care of these issues, and make sure that the Department of Health was satisfied so that the people.....The peanut gallery is not appreciated back there, thank you. Yeah, and I don't appreciate the finger either Mr. whatever you are. You are not appreciated. **Supervisor Hyde** stated I didn't see anybody give you the finger **Gail**. **Councilwoman Seaman** continued well you know what, this is a Board, and I know where you lie. I don't care. **Supervisor Hyde** responded I would appreciate it if you wouldn't attack the people in this audience. **Councilwoman Seaman** replied oh I know. The people who support you are one, but the point of it is, is this is something that has to be taken care of. Now again you won't take care of it. **Supervisor Hyde** interrupted stating **Gail** you are not the boss here telling me what to do. I will not follow a non valid Resolution. End of story. **Councilwoman Seaman** interrupted noting no, the Board told you. Resolution 27 the Board passed told you to take care of this issue. **Supervisor Hyde** responded sorry **Gail**; I will not follow a non valid Resolution. **Councilwoman Seaman** interrupted noting she refuses again to follow the Board Resolution. Well we will wait then until we get a full quorum or at least one more person because **Cynthia** will not pass anything, and I guess we are done here because **Cynthia** doesn't feel the need to take care of people of the Town. Rather just **Cynthia's** wishes so.....A resident asked so bills aren't going to get paid. **Councilwoman Seaman** stated why? We don't want to take care of the rest of the people so why should the bills. I will pay the Highway Department bills. They are fine. They don't have a problem. They hate us, and (inaudible). The resident stated just do your job. **Councilwoman Seaman** responded since when did anybody tell you that you get to speak either. Another resident noted you work for us. **Councilwoman Seaman** noted and that is why we will get things done or (inaudible). Have a nice day. **Supervisor Hyde** stated just so everybody knows **Mrs. Seaman** just walked off here, and now we can't pay any of the Town's bills. And just so that you know that is the fifth time she has caused the town, the fifth month now.....**Councilwoman Seaman** says good bye as she leaves the meeting at **7:23pm**. **Supervisor Hyde** continued that she has caused the Town to be unable to pay the normal everyday claims. So what this means I cannot pay..... The only bills I can pay are the ones I can pay anyway. Which

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is insurance, medical insurance, utility bills, the phone bill. Any other of the Town's bills cannot be paid now because **Brenda and I** can't. We are only two votes we can't pass it. And so we can't pay the Town's bills.

The meeting was adjourned at **7:25 pm**.

Respectfully Submitted,

Susan E. Staples, Town Clerk

May 15, 2019

Attachment:

From: Heidi hhhmeyers@nycap.rr.com
Subject: Thank you and job well done to highway crew
Date: Apr 28, 2019 at 4:18:27 PM
To: <chydethurman@gmail.com> chydethurman@gmail.com,
<dougneedham248@gmail.com>
dougneedham248@gmail.com, "'sakolady@verizon.net.'",
<ackleyb36@gmail.com> ackleyb36@gmail.com,
<seamangg@aol.com> seamangg@aol.com

Dear Supervisor and Town Council;

My husband John and I own property on Hall Mountain Road. We ask that you pass along to the highway crew that we are very grateful for the great job they did replacing and repairing a culvert on our road just this past week. We have always been impressed with the care and maintenance they show throughout the town, and specifically on our road. We are very aware that the town had a great deal of storm related and winter related damage to deal with - water/ice/flooding issues. We were very surprised that they were able to take care of this so efficiently and did an excellent job from what we can tell.

Just wanted to say thanks. They put in a lot of long hard, exhausting hours caring for our Town and we want them to know it does not go unnoticed or unappreciated.

Thank you,

Heidi and John Meyers