

January 26, 2017

MINUTES OF THE SPECIAL MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN HELD JANUARY 26, 2017 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL, NEW YORK, COMMENCING AT 7:00 P.M...

PRESENT: Mr. Michael Eddy, Councilman

Mrs. Cynthia Hyde, Councilwoman

Mrs. Kathy Templeton, Councilwoman

RECORDING SECRETARY: Jeanie Sprague, Town Clerk

The Meeting was called to order by **Cynthia Hyde, Councilwoman**

PLEDGE ALLEGIANCE TO THE FLAG

ROLL CALL

OTHERS PRESENT: Jamiee Ross, Tax Collector, Jeff Ackley, Deputy High Superintendent; Mark Schachner, Town Attorney

RESOLUTION #22:

On a motion by **Councilman Eddy**, seconded by **Councilwoman Templeton**, the Board resolved to designate Cynthia Hyde to Chair the meeting.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

Moment of Silence for Stuart Baker.

RESOLUTION #23:

On a motion by **Councilman Eddy**, seconded by **Councilwoman Templeton**, the Board resolved to accept the resignations of Evelyn Wood and John Jeyø Youngblood.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

Councilman Eddy introduced Mark Schachner

Statement read by Mark Schachner and is attached.

RESOLUTION #24:

On a motion by **Councilman Eddy**, seconded by **Councilwoman Templeton**, the Board resolved to make Cynthia Hyde the contact for the paperwork that Cedarwood Engineering has.

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Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

RESOLUTION #25:

To Seek Letters of interest to fill vacant Board of Assessment Review Positions

WHEREAS the Board of Assessment Review has three vacant seats, be it

RESOLVED the Thurman Town Board will be accepting letters of interest to fill these seats, and be it

FURTHER RESOLVED the Board reserves the right not to appoint, and letters of interest are due by the close of the business day on February 13, 2017.

On a motion by **Councilman Eddy**, seconded by **Councilwoman Templeton**, the Board approved Resolution #25.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

RESOLUTION #26:

To Seek Interest in Appointment as Town Supervisor and Town Board Member

WHEREAS the Town Supervisor and Town Board seat have current vacancies created by recent resignations, be it

RESOLVED that we will be accepting letters of interest to fill these seats, and be it

FURTHER RESOLVED the Board reserves the right not to appoint, and letters of interest are due by the close of the business day on February 2, 2017.

On a motion by **Councilman Eddy**, seconded by **Councilwoman Templeton**, the Board approved Resolution #26.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

RESOLUTION #27:

Authorizing Payment for Lodging at the Marriott Marquis in NYC

WHEREAS two Town Board members will be attending Annual training in New York City, and

WHEREAS they will be lodging at the Marriott Marquis, and

WHEREAS the Marriott Marquis will accept a check as a form of payment, be it

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RESOLVED we do authorize a check be made for payment of hotel rooms. Two Checks each for \$876.00 made out to: New York Marquis, Accounting Department, 9th Floor, 1535 Broadway N.Y., N.Y. 10036. Confirmation Numbers: 32JTT7BDO ó Cynthia Hyde; 32JTT9PGO ó Kathy Templeton.

On a motion by **Councilman Eddy**, seconded by **Councilwoman Templeton**, the Board approved Resolution #27.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

RESOLUTION #28:

Authorizing Handling payroll, prepays and check signing

WHEREAS the Town of Thurman currently does not have a Supervisor, and

RESOLVED the Town Board does hereby authorize Cynthia Hyde to handle payroll, prepays, sign checks and conduct the day to day Administrative duties of the Town until a new Town Supervisor is appointed.

On a motion by **Councilwoman Templeton**, seconded by **Councilman Eddy**, the Board approved Resolution #28.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

RESOLUTION #29:

Authorizing Permission to access Supervisor's office

WHEREAS the Town Clerk has Freedom of Information Law requests to respond to, and

WHEREAS certain records exist in the Town Supervisor's office, be it

RESOLVED the Town Board gives the Town Clerk permission to access the Supervisor's office, files and video surveillance camera footage to respond to FOIL requests.

On a motion by **Councilwoman Templeton**, seconded by **Councilman Eddy**, the Board approved Resolution #29.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

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RESOLUTION #30:

The town board of the Town of Thurman are accepting letters of interest in the cemetery superintendent position. The town board reserves the right to accept or reject any and all letters of interest. Letters will be accepted until the end of the business day of February 13, 2017.

On a motion by **Councilwoman Templeton**, seconded by **Councilman Eddy**, the Board approved Resolution #30.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

RESOLUTION #31:

TO RECIND RESOLUTION # 135 OF 2016

The Town of Thurman has passed local law #1 of 2016 "To Change to a Single Appointed Assessor" and according to section 4. Of local law #1 of 2016 passed by the Town of Thurman "The terms of office of each of the three elected assessors shall terminate on December 31, 2016".

The term of the elected assessors of the Town of Thurman did not terminate until December 31, 2016 therefore the town board of the Town of Thurman would have no authority to appoint an assessor until January 01, 2017.

According to the New York State Town Law Manual pages 191 and 192 chapter 10 Municipal Cooperation, agreements between towns should be approved by the governing body of each participating town. According to the Office of the NYS Comptroller Local Government Management Guide "Shared Services in Local Government" page 7 Focus on shared benefits, "Shared services should be a win/win situation for all participating municipalities. Each municipality should achieve some benefit through the cooperative agreement."

On December 13, 2016 at a regular board meeting the town board of the Town of Thurman as it existed in 2016 voted on the following resolution:

BODY OF RESOLUTION #135 of 2016 INSERTED HERE

WHEREAS the Town of Thurman has passed a local law changing from three elected to sole appointed assessor, and

WHEREAS the Town Board finds that it is cost effective to share services of an assessor with another town and

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WHEREAS the Town Board also desires a smooth transition so that exemptions and fillings for property owners are not jeopardized because an assessor is not in place at the first of the year, and

WHEREAS the Town of Johnsburg's Assessor is willing to be part of a shared arrangement between the towns, and

WHEREAS the New York State Office of Real Property has indicated that Christian Holt is qualified to hold the position of Assessor, not therefore be it

Resolved that the Town of Thurman will share an assessor with the Town of Johnsburg and hereby appoints Christian Holt as the Thurman Assessor with his term to be January 1, 2017 until September 20 2019 at a salary of \$22,000.00

*On a motion by **Councilwoman Seaman**, seconded by **Councilman Youngblood**, Resolution #135 was approved.*

Roll Call vote: Evelyn Wood – Yes

John Youngblood – Yes

Gail Seaman – Yes

Susan Shepler – Yes

Michael Eddy – No

Motion carried: 4 Ayes – Youngblood, Wood, Seaman, Shepler,

1 Nay - Eddy

Whereas the Town of Thurman Town Board as of December 13, 2016 had no authority to fill the assessor position as it was not yet vacant and

Whereas the Town board of Johnsburg had no knowledge or any communication with the town of Thurman pertaining to sharing an assessor and

Whereas a shared benefit to both towns does not in any way exist with such an arrangement

The town board of the Town of Thurman in the year 2017 hereby rescinds resolution # 135 of 2016.

The town board of the Town of Thurman directs the town clerk to cause an email containing this resolution and a certified paper copy of this resolution to be sent to: Colleen Sheehan, New

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York State Department of Taxation and Finance, W A Harriman Campus, Building 8A, Albany, NY 12227, colleen.sheehan@tax.ny.gov .

On a motion by **Councilman Eddy**, seconded by **Councilwoman Templeton**, the Board approved Resolution #31.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

RESOLUTION #32:

TO APPOINT A SOLE ASSESSOR AND A CLERK TO THE SOLE ASSESSOR

Whereas the Town of Thurman has passed local law #1 of 2016 "To Change to a Single Appointed Assessor" and according to section 4. Of local law #1 of 2016 passed by the Town of Thurman "The terms of office of each of the three elected assessors shall terminate on December 31, 2016". The Town Board of the Town of Thurman as it exists as of January 01, 2017 has the authority to appoint a sole appointed assessor to fill the seat that became vacant as of 12:00 AM on January 01, 2017.

The Town Board of the Town of Thurman hereby appoints Thomas Birdsall to the position of sole appointed Assessor with his term to be January 01, 2017 until September 30, 2019 and Susan M. Baker as Clerk to the sole appointed Assessor with her term to be January 01, 2017 until September 30, 2019. The annual salary of \$22,000.00 code A1355.1 will be split exactly in half with \$11,000.00 A1355.1 paid annually to Thomas Birdsall, sole appointed Assessor, and \$11,000.00 A1355.1 paid annually to Susan M. Baker, the sole appointed Assessor's Clerk. This appointment of the Assessor's Clerk may be subject to possible Civil Service requirements.

The Town Board of the Town of Thurman directs the Town Clerk to cause an email containing this resolution and a certified paper copy of this resolution to be sent to: Colleen Sheehan, New York State Department of Taxation and Finance, W A Harriman Campus, Building 8A, Albany, NY 12227, colleen.sheehan@tax.ny.gov.

On a motion by **Councilman Eddy**, seconded by **Councilwoman Templeton**, the Board approved Resolution #32.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

RESOLUTION #33:

Resolution to Assess the Financial Status of

The Town of Thurman

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WHEREAS the Thurman Town Board has been advised to have an assessment completed on the condition of the Financial status of the accounting ledgers and records, be it

RESOLVED the Thurman Town Board will engage CPA McCarthy & Conlon, LLP to review the accounting ledgers and records. This will be performed as a free assessment.

On a motion by **Councilwoman Templeton**, seconded by **Councilman Eddy**, the Board approved Resolution #33.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

RESOLUTION #34:

On a motion by **Councilwoman Templeton**, seconded by **Councilman Eddy**, the Board resolved to appoint Debra Runyon as temporary part-time bookkeeper at \$12.50 per hour.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

Brief discussion ensued about how many hours that the bookkeeper would be. Councilman Eddy stated part-time was 20 hours per week.

RESOLUTION #35:

On a motion by **Councilwoman Templeton**, seconded by **Councilman Eddy**, the Board resolved to call a Special Meeting for February 2, 2017 at 7:00 p.m. to review letters of interest in the different positions that may come in and any other issues that may come up.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

On a motion by **Councilwoman Templeton**, seconded by **Councilman Eddy**, the board meeting was adjourned at 7:27 p.m.

3 Ayes

Respectfully Submitted:

Jeanie M. Sprague, Town Clerk

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