

June 15, 2023

REGULAR MEETING, TOWN OF THURMAN JUNE 15, 2023

A meeting of the Town Board of the Town of Thurman, County of Warren and the State of New York was held at the town hall, 311 Athol Road, Athol, NY on the 15TH day of June 2023.

BOARD MEMBERS PRESENT:

Debra Runyon Supervisor
Charles Bills Councilperson
Ed Brown Councilperson
Doug Needham Councilperson

BOARD MEMBERS ABSENT:

Randy Galusha Councilperson

ALSO PRESENT:

Cynthia Hyde Town Clerk

Supervisor Runyon called the meeting to order at 4:30 pm with the pledge to the flag.

RESOLUTION 44-2023

RESOLUTION TO APPROVE PAYMENT OF THE CLAIMS

On a motion of Councilman Brown, seconded by Councilman Bills, the following resolution was

ADOPTED Ayes 4 Runyon, Bills, Needham, Brown
 Nays 0

TOTAL OF ABSTRACT 6, GENERAL FUND, JUNE 15, 2023, \$10,455.81
TOTAL OF ABSTRACT 6, HIGHWAY FUND, JUNE 15, 2023, \$24,344.58
TOTAL CLAIMS FOR JUNE 15, 2023, \$34,800.39

RESOLUTION 45-2023

RESOLUTION TO APPROVE BUDGET ADJUSTMENT

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On a motion of Councilman Needham, seconded by Councilman Bills, the following resolution was

ADOPTED Ayes 4 Runyon, Bills, Needham, Brown
Nays 0

WHEREAS there is a balance left in the Tax Collector's contractual code in the amount of \$1,113.75 which will not be needed as she is done for the year, and **WHEREAS** the Historian has need of additional funding for her future events, be it **RESOLVED:** The Town Board approves the budget adjustment listed below to enable the Historian to fund her future events.

Increase A7510.4 Historian Contractual	\$ 1,113.75
Decrease A1330.4 Tax Collection Contractual	\$ 1,113.75

RESOLUTION 46-2023

RESOLUTION TO APPROVE BUDGET ADJUSTMENT

On a motion of Councilman Needham, seconded by Councilman Brown, the following resolution was

ADOPTED Ayes 4 Runyon, Bills, Needham, Brown
Nays 0

WHEREAS there is a need for \$724.00 additional funding in the Unallocated Insurance Code to prevent a negative balance, be it

RESOLVED: the Town Board approves the following budget adjustment

Increase Code A2410 Interest Earnings	\$724.00
Increase Code A1910.4 Unallocated Insurance	\$724.00

RESOLUTION 47-2023

RESOLUTION TO APPROVE THE USE OF HIGHWAY FUND BALANCE TO FUND ADDITIONAL PAVING COSTS

On a motion of Councilman Brown, seconded by Councilman Bills, the following resolution was

ADOPTED Ayes 4 Runyon, Bills, Needham, Brown
Nays 0

WHEREAS the highway department would like to pave Garnet Lake Road and River Road (shim and overlay) in 2023, and

WHEREAS the Peckham Industries Invoice for both roads totals \$393,201.92, and

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WHEREAS the CHIPS reimbursement for 2023 is \$302,537.29 be it
RESOLVED: the Town Board approves the following budget adjustment

Increase Code DA5112.2 CHIPS Capital Outlay	\$90,664.63
Decrease DA599 Fund Balance	\$90,664.63

RESOLUTION 48-2023

RESOLUTION TO APPROVE THE PAYMENT OF THE CEMETERY WORKER'S MILEAGE ON A WEEKLY BASIS

On a motion of Councilman Brown, seconded by Councilman Bills, the following resolution was

ADOPTED Ayes 4 Runyon, Bills, Needham, Brown
Nays 0

WHEREAS the Cemetery Worker, Scott Brown, has requested that his mileage reimbursement be paid to him on a weekly basis, and

WHEREAS the Town Board agrees that the mileage reimbursement can be done as a separate check at the same time as his weekly paycheck

RESOLVED: the mileage reimbursement for Scott Brown can be done on a weekly basis.

RESOLUTION 49-2023

RESOLUTION TO INTRODUCE LOCAL LAW AND PROVIDING FOR PUBLIC NOTICE AND HEARING

On a motion of Councilman Needham, seconded by Councilman Bills, the following resolution was

ADOPTED Ayes 4 Runyon, Bills, Needham, Brown
Nays 0

WHEREAS A Local Law entitled NOISE CONTROL LOCAL LAW is hereby introduced, and

WHEREAS copies of the proposed Local Law have been provided to each member of the Thurman Town Board, be it

RESOLVED: that the Town Board shall hold a public hearing regarding the proposed

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Local Law on June 27, 2023, at 6 pm at the Town Hall, 311 Athol Road, Athol, NY 12810, and

RESOLVED that the Town Clerk shall publish a public notice in the official newspaper of the Town of Thurman no later than five (5) business days prior to the public hearing.

TOWN OF THURMAN

NOISE CONTROL LOCAL LAW

ARTICLE 1. TITLE

This law shall be known as the Town of Thurman Noise Control Local Law

ARTICLE 2. DEFINITIONS

Local Law shall mean the Town of Thurman Noise Control Local Law

Person shall mean any individual, group of individuals or any other legal entity whatsoever.

Unnecessary Noise shall mean any excessive or unusual loud sound or any sound which either annoys, disturbs, injures, or endangers the comfort, health, safety, or peace and quiet of the community or any resident thereof.

ARTICLE 3. POLICY

It is the policy of the Town of Thurman to prevent excessive, unnecessary or unusually loud noise. The provisions and prohibitions contained hereafter and enacted are in pursuance of and for the purpose of preserving, protecting and promoting the public health, comfort, convenience, safety, welfare, prosperity and the peace and quiet of the Town of Thurman and its inhabitants.

No person shall make, continue or cause to be made any excessive noise, as defined above, between the hours of 10:00 pm and 7:00 am of the following day.

Standards to be considered in determining whether unnecessary noise exists include but are not limited to:

- a. The volume of the noise
- b. The volume and intensity of the background noise if any.
- c. The proximity of the noise to residential sleeping facilities.
- d. The time of day or night the noise occurs.
- e. The time duration of the noise.

ARTICLE 4. PENALTIES AND COMPLIANCE

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Any person found guilty of violating any of the provisions of this local law shall be guilty of a violation, and upon conviction shall be punishable by the fine of _____ for the first violation, and _____ for each violation thereafter.

RESOLUTION 50-2023

RESOLUTION TO INTRODUCE LOCAL LAW AND PROVIDING FOR PUBLIC NOTICE AND HEARING

On a motion of Councilman Brown, seconded by Councilman Bills, the following resolution was

ADOPTED Ayes 4 Runyon, Bills, Needham, Brown
Nays 0

WHEREAS A Local Law entitled MORATORIUM OF SHORT TERM RENTALS is hereby introduced, and

WHEREAS copies of the proposed Local Law have been provided to each member of the Thurman Town Board, be it

RESOLVED: that the Town Board shall hold a public hearing regarding the proposed Local Law on June 27, 2023 at 6 pm at the Town Hall, 311 Athol Road, Athol, NY 12810, and

RESOLVED that the Town Clerk shall publish a public notice in the official newspaper of the Town of Thurman no later than five (5) business days prior to the public hearing.

MORATORIUM ON SHORT TERM RENTALS

WHEREAS tourism is an important part of the local economy, including short term rentals in residential neighborhoods, and

WHEREAS in recent years the density and frequency of rentals of less than 30 days, or short-term rentals in residential neighborhoods has increased, due to large part to the web-based marketing tools such as Airbnb, Vacation Rental By Owner, and the like; and

WHEREAS the increase in transient occupancy has had an adverse impact on residential neighborhoods, subsequently generating excess noise, traffic and trash, and

WHEREAS the Thurman Town Board is in the process of studying the issue in order to make recommendations on the best approach for the town, including conducting work sessions, other studies, and proposing a local law regarding the regulation of short-term rentals, be it

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RESOLVED that in order to protect the public health, safety, and welfare, it is in the best interest of the town to declare a temporary moratorium on short term rentals.

BE IT FURTHER RESOLVED that beginning with the effective date of this Local Law, no new short term rentals will be approved through _____, 3 months from the date of this ordinance.

DISCUSSION:

Supervisor Runyon said that National Grid approved the grant reimbursement for new LED lights for town buildings. July 14, 2023, was the deadline at Warren County for delinquent taxes. The town equalization rate is 73.46 and the town board may have to budget for a revaluation.

RESOLUTION 51-2023

RESOLUTION TO ENTER IN EXECUTIVE SESSION

On a motion of Councilman Brown, seconded by Councilman Bills, the following resolution was

ADOPTED Ayes 4 Runyon, Bills, Needham, Brown
Nays 0

WHEREAS the Thurman Town Board has a need to meet in Executive Session for the purpose of discussing proposed, pending, or current litigation, be it

RESOLVED: the Town Board, by majority vote, approves the Executive Session.

The town Board went into executive session at 5:47pm.

MOTION:

OUT OF EXECUTIVE SESSION

On a motion of Councilman Brown, seconded by Councilman Needham, the town board came out of executive session at 6:00 pm with no action taken.

MOTION CARRIED

Ayes 4 Runyon, Bills, Needham, Brown
Nays 0

DISCUSSION:

Discussion ensued regarding completion of the AUD's (annual update documents) 2018, 2019, 2020 are complete 2021 is submitted and once 2022 is completed we

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will be able to move ahead to get grant funding for a new highway garage. Supervisor Runyon said the new garage site is at the landfill and that SLIC internet would be brought to the new garage and that ARPA funds would be used to put in a well and septic.

The board also discussed a cement slab and roof for the recycling boxes and a possible garage building kit to replace the dump shack.

ADJOURN:

On a motion of Councilman Needham, seconded by Councilman Bills, the town board adjourned the meeting at 6:10 pm.

MOTION CARRIED Ayes 4 Runyon, Brown, Needham, Bills
 Nays 0

Respectfully Submitted

Cynthia Hyde, Town Clerk
June 28, 2023