

July 20, 2023

**REGULAR MEETING AND PUBLIC HEARING, TOWN OF THURMAN JULY 20, 2023**

A meeting and Public Hearing 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 20th day of July 2023

**BOARD MEMBERS PRESENT:**

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

**ALSO PRESENT:**

Cynthia Hyde     Town Clerk

Supervisor Runyon called the meeting to order at 6:07 pm with the pledge to the flag.

**RESOLUTION 54-2023**

**RESOLUTION TO ADOPT LOCAL LAW #2 OF 2023 NOISE CONTROL LOCAL LAW**

On a motion of Councilman Brown, seconded by Councilman Bills, the resolution to adopt a local law was brought to the floor.

**DISCUSSION:** Discussion ensued regarding the proposed Local Law for noise control.

**PUBLIC HEARING OPENED:** The Public Hearing on proposed Local Law # 2 of 2023 was opened at 6:10 pm and the following people spoke:

Renee Shattuck  
Brian Hall  
Joyce Eddy

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**PUBLIC HEARING CLOSED:** With all those desiring to be heard having been heard, the public hearing closed at 6:25 pm.

**VOTE ON RESOLUTION # 54-2023**

**WHEREAS**, the purpose of this law is to prevent excessive, unnecessary or unusually loud noise between the hours of 10:00 pm and 7:00 am of the following day, and

**WHEREAS**, this law will preserve, protect, and promote the public health, comfort, convenience, safety, welfare, prosperity, and the peace and quiet of the Town of Thurman and its inhabitants, and

**WHEREAS**, this local law is enacted pursuant to New York Municipal Home Rule Law and is attached to this resolution for your review, be it

**RESOLVED:** that the Town Board of Thurman approves this local law and this law shall take effect upon filing with the Secretary of State. See Local Law #2 attached

**ADOPTED** Ayes 5 Runyon, Galusha, Bills, Needham, Brown  
Nays 0

**RESOLUTION 55-2023**

**RESOLUTION TO APPROVE PAYMENT OF THE CLAIMS**

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

**ADOPTED** Ayes 5 Runyon, Galusha, Bills, Needham, Brown  
Nays 0

TOTAL OF ABSTRACT 7, GENERAL FUND, JULY 20, 2023 \$23,986.80

TOTAL OF ABSTRACT 7, HIGHWAY FUND, JULY 20, 2023 \$30,738.14

TOTAL CLAIMS FOR JULY 20, 2023 \$54,724.94

**RESOLUTION 56-2023**

**RESOLUTION TO HOLD SUMMER CONCERTS IN THE PARK**

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

**ADOPTED** Ayes 5 Runyon, Galusha, Bills, Needham, Brown  
Nays 0

**WHEREAS** the Town of Thurman has previously held summer concerts in the park on Monday nights during July and August, and

**WHEREAS** additional lighting has been requested to enable people to get to the port-o-johns and to their cars after dark, and

**WHEREAS** this event is well received by residents and non-residents, be it

**RESOLVED:** The Town Board authorizes the Supervisor to schedule bands to play at the Summer Concerts and utilize occupancy tax money to pay for their services as well as to purchase lights for a total cost of \$6,750.00 to be spent from code A6989.4. Concert schedule and costs are represented on the attached spreadsheet.

**RESOLUTION 57-2023**

**RESOLUTION TO APPROVE THE PROPOSAL FOR THE PAINTING OF THE TOWN HALL BUILDING**

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

**ADOPTED** Ayes 5 Runyon, Galusha, Bills, Needham, Brown  
Nays 0

**WHEREAS** the town hall has needed to be repainted for a very long time, in some cases bare wood is showing subjecting the town hall to decay, and

**WHEREAS** a good faith effort has been made to obtain three written quotes for this project, and

**WHEREAS** one written proposal has been submitted by the painter who just completed power washing and staining the bandstand and painting the pavilion on the rec field to the complete satisfaction of all concerned, be it

**RESOLVED:** The Town Board has reviewed the attached proposal and authorizes the hiring of Brushwolf Painting at a cost of \$9,500 with a down payment of \$4,750 and a final payment of \$4,750 upon completion to be paid for out of account code A1620.4.

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**RESOLUTION 58-2023**

**RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN THE SATISFACTION OF JUDGMENT**

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

**ADOPTED** Ayes 4 Runyon, Bills, Needham, Brown  
Nays 1 Galusha

**WHEREAS** a settlement has been reached in the Town of Thurman vs. Gail Seaman litigation in the amount of \$1,000.00, and

**WHEREAS** a Satisfaction of Judgment must be signed, notarized, and returned to the Town Attorney in order to finalize this settlement, be it

**RESOLVED:** the Town Board authorizes the Supervisor to sign the Satisfaction of Judgment.

**FOR THE RECORD:** Councilman Galusha said that for the record he is not in agreement with the settlement reached in the Town of Thurman vs. Gail Seaman.

**RESOLUTION 59-2023**

**RESOLUTION TO SOLICIT BIDS PER A REQUEST FROM THE HIGHWAY SUPERINTENDENT FOR A 2004 INTERNATIONAL 7600 TANDEM TRUCK, VIN# 1HTWYSBT4SJ045355, WITH A C12 CAT ENGINE**

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

**ADOPTED** Ayes 5 Runyon, Galusha, Bills, Needham, Brown  
Nays 0

**WHEREAS** the Town of Thurman Highway Superintendent has expressed a desire to sell one of the tandem trucks by putting it out to bid: be it

**RESOLVED:** The Town Clerk will put an ad in the newspaper informing potential bidders of this opportunity and stating that the truck can be viewed at the Thurman Highway Department 311 Athol Road, Athol, NY, Monday through Friday, 7am – 3pm. Bids will be publicly opened on August 17, 2023 at 4:30pm. No bids will be accepted after that time. The Town of Thurman reserves the right to reject any and all bids.

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**DISCUSSION:** Supervisor Runyon said that \$4,945 in interest was earned this past month and \$23,893 in interest has been earned so far this year in the NYS Class accounts and the year-to-date sales tax revenue received is \$363,247.12. A garbage truck update was given, and the new garbage truck is in the final phase of being built

**RESOLUTION 60-2023**

**RESOLUTION TO ENLIST SERVICES OF WEB MASTER**

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

**ADOPTED** Ayes 5 Runyon, Galusha, Bills, Needham, Brown  
Nays 0

The Town Board of the Town of Thurman enlists the services of the North Shore Solutions webmaster for website training at a cost not to exceed \$600.00 paid out of A1620.4.

**PRIVILEGE OF THE FLOOR:** No one spoke during privilege of the floor.

**ADJOURN:**

On a motion of Councilman Needham, seconded by Councilman Galusha, the town board adjourned the meeting at 6:46 pm

**MOTION CARRIED** Ayes 5 Runyon, Brown, Galusha, Needham, Bills  
Nays 0

Respectfully Submitted

Cynthia Hyde, Town Clerk  
August 02, 2023

**TOWN OF THURMAN**

**LOCAL LAW # 2 – 2023 NOISE CONTROL LOCAL LAW**

This local law shall be known as a local law establishing noise control in the Town of Thurman

Be it enacted by the Town Board of the town of Thurman as follows:

**SECTION 1. 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.

**SECTION 2. 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 and intensity 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.

**SECTION 3. PENALTIES FOR OFFENSES**

Any person who violates any provision of this local law shall be guilty of a violation punishable by:

- a. First offense is a warning and a request to cease immediately.
- b. Second offense is a fine not less than \$100 and not more than \$500.
- c. Third offense is a fine not less than \$500 and not more than \$1,000.
- d. Subsequent offenses will be a fine of \$1,000.

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- e. When a violation is continuous, each date or portion thereof on which a violation occurs shall constitute a separate and distinct violation for which a separate and additional penalty may be imposed.

**SECTION 4. ENFORCEMENT**

The provisions of this local law shall be enforced by the Town of Thurman Code Enforcer, Warren County Sheriff Department, or New York State Police Department.

**SECTION 5. EFFECTIVE DATE**

This local law shall take effect upon filing in the Office of the Secretary of State.