

February 14, 2012

**MINUTES OF THE FISCAL AND REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN HELD FEBRUARY 14, 2012 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL NEW YORK, COMMENCING AT 6:30 P.M...**

**PRESENT:     MRS. EVELYN WOOD, SUPERVISOR**  
**MR. CHARLES BILLS, COUNCILMAN**  
**MR. LEON GALUSHA, COUNCILMAN**  
**MR. AL VASAK, COUNCILMAN**  
**MRS. REBECCA HITCHCOCK, COUNCILWOMAN**

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

**FISCAL MEETING**: The Town Board reviewed all claims.

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

**PLEDGE ALLEGIANCE TO THE FLAG**

**ROLL CALL**

**CLAIMS:**

On a motion by **Councilman Galusha**, seconded by **Councilwoman Hitchcock**, payment of claims was approved,  
**General Fund**-early bills \$1618.69, assessor \$285.00, General abstract \$18,538.14  
**Highway Fund**-\$89,600.85  
**Capital Funds**-\$60,000.00  
**T+A**-\$27,000.00

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

**APPROVAL OF THE MINUTES**: On a motion by **Councilwoman Hitchcock**, seconded by **Councilman Galusha**, the minutes from January 03, 2012 and January 10, 2012 were approved, Supervisor Wood asked that a correction be made in the January 10, 2012 minutes, on page 2 the minutes state that Wood was appointed as chair to two committees when it is actually only one committee.

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Minutes from January 25, 2012 and January 30, 2012 were not finished at this time.

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

**REPORTS:**

**Highway:** See attached

**Food Pantry:** See attached

**Landfill:** See attached

**Occupancy Tax Committee:** **Councilman Hitchcock** said that everyone is working hard on Maple Days and the Jack Wax party.

**Youth:** **Councilman Galusha** reported that 30 kids and Girl Scout Troop 3407 attended valentines for vets and **Myrna Keeler** delivered the cards. The next event is the Easter party on March 31 from 1-3.

**EMS:** **Councilman Galusha** read a report from EMS President Jean Coulard. See attached

**Supervisor's Report:** **Supervisor Wood** said that...

She met with the state office of emergency services. A grant application has been submitted through the county for FEMA funds. **Wood** said that she was grateful the town had the chance to get these funds which don't require a match of town money.

Meals on wheels has had some difficulty lately. **Supervisor Wood** said that a person is needed to pick up the meals in Warrensburg and deliver them 5 days per week. The pay for this position is \$7.59 per hour.

Internet details are being ironed out and possibilities explored.

The Bicentennial committee is looking for old photos.

A construction and demolition (at the landfill) permit has been applied for.

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Inquiries pertaining to reading of letters to the town board, may lead to acknowledgment of letters, the addition of the letters in the minutes but not the reading out loud of the letters at the meetings.

**ANIMAL CONTROL LAW:**

**Dexter Baker, ACO**, pointed out several mistakes in the recently adopted animal control local law. **Baker** also suggested some additions to the law.

**NEW BUSINESS:**

**Sand screener: Phil Carpenter** offered the town first chance to purchase the sand screener he is selling. In the past the town has rented Carpenters sand screener. A discussion ensued regarding prices of sand screeners and the cost of renting sand screeners.

**Town hall rental fees:** A discussion ensued regarding fees for using the town hall. It was decided that residents will need to pay a \$50.00 refundable deposit to use the town hall. Non residents will be charged \$50.00 to use the town hall.

**New Town Web Site: Supervisor Wood** said that the new town website is ready to go live. The new website will be updated in house.

**Grants:** The town board is looking into grant funds for the food pantry and the playground.

**RESOLUTION #13:**

**Resolution Establishing Rules of Procedure**

*BE IT RESOLVED that the Town Board of the Town of Thurman adopts the attached Rules of Procedure for its meetings.*

This resolution was tabled.

**RESOLUTION #14:**

**Resolution to Set Rental Fees for Town Facilities**

*BE IT RESOLVED that the rental fees for town facilities shall be as follows:*

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- *Rental of the Town Hall will be no charge for residents of the Town, a fee of \$50 will be charged to nonresidents. Residents shall be required to leave a \$50.00 refundable deposit.*
- *Rental of the Pavilion will be at no charge but a refundable \$50 deposit will be charged.*
- *Events for Thurman clubs shall be charged \$50 unless it is a charitable event. Meetings for Thurman clubs at the Town Hall shall be at no charge.*
- *Organizations wishing to rent town facilities must provide the Town of Thurman with a \$1,000,000 certificate of insurance naming the Town of Thurman as additional insured.*
- *Those wishing to rent Town Facilities must sign the Town Hall Rental Agreement with the appropriate deposit and/or fee prior to rental of the facility. Prior to the event a key must be picked up from the Supervisor's Office. If use of the stove is required the renter must notify the Office when the key is picked up. Town facilities must be left clean and undamaged; the renter will be liable for any damages.*

On a motion by **Councilwoman Hitchcock** seconded by **Councilman Bills**, resolution # 14 was approved.

**MOTION CARRIED: 4 AYES ~ WOOD, HITCHCOCK, GALUSHA, BILLS**

**1 NAY ~ VASAK**

**RESOLUTION #15:**

**Resolution to Approve Website Change**

**WHEREAS**, the Town of Thurman desires to be able to frequently update its municipal website to conform to State requirements while minimizing costs,

**BE IT RESOLVED** that the Town selects North Shore Solutions to provide the Town with its municipal software package at a rate of \$455 per year.

On a motion by **Councilman Galusha**, seconded by **Councilman Vasak**, resolution # 15 was approved.

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

**RESOLUTION #16:**

**Body of the Resolution attached.** On a motion by **Councilman Galusha**, seconded by **Councilman Bills**, resolution #16 was approved.

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

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## **RESOLUTION #17:**

### **Resolution Enter Contract**

**BE IT RESOLVED** that the Town Board agrees to enter into a contract with Glens Falls Animal Hospital for services related to animal control for the year 2012, and

**BE IT FURTHER RESOLVED** that the Town Supervisor is authorized to execute the contract.

On a motion by **Councilman Vasak**, seconded by **Councilwoman Hitchcock**, resolution # 17 was approved.

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

The Town Clerk asked to voice a concern to the town board about the effect their decisions had on the daily duties of other town officials.

**LETTERS:** The Town Clerk read a letter from Richard Kline and one from herself.

**EXECUTIVE SESSION:** On a motion by **Councilman Vasak**, seconded by **Councilman Bills**, the town board went into executive session at **8:15 pm** to discuss collective negotiations under the Taylor law.

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

On a motion by **Councilman Vasak**, seconded by **Councilman Bills**, the town board came out of executive session at **8:25 pm** with no action being taken.

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

### **PRIVILEGE OF THE FLOOR**

**Barbara Farrell** said that she was confused about the meals on wheels position.

**Supervisor Wood** said that the current meals on wheels volunteers were much appreciated. **Wood** explained that this new position would take care of delivering the meals everyday and that maybe if the paid person was unable occasionally to do it a volunteer could step in.

**Jerry** asked how many years is the town going to rent a sand screen.

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**Councilman Vasak** said the sand screen issue should be put on the front burner.

**Mary Eddy** asked about the procedure at the land fill.

**Supervisor Wood** answered that the trash was put in the garbage truck and compacted. A cover for the trash is pending.

**Mary Eddy** wanted to know how many trash bags were purchased by the town.  
(30,000)

**Barbara Farrell** thought punch cards for landfill use would be cheaper.

**Dexter Baker** asked if more people could sell bags instead of just the town clerk.

**Arron Beadnell** thought bags should also be sold at the landfill.

**Paula Hubert** wanted to know if the town was getting paid for recyclables.

**Supervisor Wood** said that the town got credit for the recyclables.

**Mary Eddy** asked if the resolutions would be on the website.

**Arron Beadnell** felt that if letters to the board will no longer be read at the meetings it didn't make for open government.

**Supervisor Wood** said that the board would make the decision about reading letters.

**Paula Hubert** asked if letters would be put in the minutes.

**Joyce Eddy** said that she was confused about whether the town board could just give the town clerk duties (such as taking people to the food pantry and selling garbage bags) or if a resolution was needed to do this.

**Supervisor Wood** explained that the bags had to go through the Town Clerk's office but that she was not required to take anyone to the food pantry.

**Pat Wood** asked the board if a birthday party campout would be allowed at the youth field.

**Supervisor Wood** and the Town Board agreed that it would be ok with adult supervision. **Supervisor Wood** told **Pat wood** to go ahead and set the date for the party.

**Cynthia Hyde** (Town Clerk) said that the board made decisions at meetings (that affect other town officials), and then never look back. **Hyde** said that some board decisions can have serious ramifications to the officials expected to put these decisions into action. Furthermore the board doesn't seem to care or be bothered to ask how things are going.

**Paula Hubert** added that the Town Clerk and the Bookkeeper become the sounding board after decisions are made.

**Supervisor Wood** stated that everyone (at the town hall) gets their fair share of phone calls when there is a problem.

**Arron Beadnell** asked questions about the Town Clerk's access to records and why the town clerk would not have all the fiscal records on her computer.

**Beadnell** also referred to Town Law section 30.

**Supervisor Wood** explained that the Town Clerk didn't have to have physical custody of all records. **Wood** then explained the modules on the accounting software and that the Town Clerk used accounts payable but that the clerk didn't have access to the active records of the other modules. **Wood** said that once fiscal records were no longer active they would be turned over to the clerk. **Wood** also said that the Town Clerk could come upstairs and request any record (that was legally public) and the Supervisor's office would produce that record.

There was a discussion regarding the fiscal records (referred to in the Town Clerks letter) between the Town Clerk and the Supervisor.

The Town Clerk said that she believes view and print access to these records (on the Town Clerk's computer) is in keeping with the current trend towards technology enhancing open government. The Town Clerk also said that she didn't understand what purpose was served by not sharing these records.

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The Supervisor stated that this is the way the software is designed. The Supervisor also said that we've discussed this at length and that there is no provision in law stating that I must do it (put the records on the Town Clerk's computer) and the moment you can show me (a law stating this) I will be happy to oblige.

**ADJOURNMENT:** On a motion by **Councilman Vasak**, seconded by **Councilman Bills**, the meeting was adjourned at 8:06 pm.

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

**Respectfully Submitted:**

**Cynthia R. Hyde**  
**Town Clerk**  
**February 29, 2012**

**Attachments: P. 9 thru 13**



**Cynthia Hyde**

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**From:** "Richard Kline" <richardkline@hotmail.com>  
**To:** <thurmantownclerk@verizon.net>  
**Sent:** Tuesday, February 14, 2012 4:26 PM  
**Subject:** Town business

Thurman Town Clerk

Conditions at the town transfer station are disturbing and unsafe. Inadequate planning has resulted in garbage piled alongside a filled trash truck, which also serves as our town's compactor. Traffic jams at peak times present obstacles to safely depositing trash and recyclables. When winter ice disappears and mud season arrives, safety concerns will not diminish for those who must carry refuse to the truck or bins.

How has Thurman benefitted from the new trash program. Our taxes have been replaced by fees. Instead of employing local residents, we see an outside vendor removing both trash -- and wages that might be earned locally.

When this program was voted up, the justification was a series of estimates of tax increases which were pulled from thin air. The tax cap was similarly voted down and then up on flimsy grounds. The press carried a report that this was expedient for the town leadership. Why could the issues not be openly considered.

Now we are considering an Internet service. It sounds fine until sliding scales of payment and possible town subsidies are in play. For most residents, town support of trash collection would trump the Internet. As a resident who is inconvenienced by lack of high speed Internet, I still think it unfair to cut a service utilized by all while planning another for a minority of the town.

Again, the person writing a check sees little difference between a tax and a fee. However, a tax is arrived at through the political process. A commercial fee is set and raised at the discretion of the vendor.

Richard Kline

Sent from my iPad

TOWN OF THURMAN  
RESOLUTION #      OF 2012

Resolution introduced by: \_\_\_\_\_  
Seconded by: \_\_\_\_\_

Supervisor	Evelyn Wood	Yea	___	Nay	___
Councilman	Charles Bills	Yea	___	Nay	___
Councilman	Al Vasak	Yea	___	Nay	___
Councilman	Leon Galusha	Yea	___	Nay	___
Councilwoman	Rebecca Hitchcock	Yea	___	Nay	___

Resolution to Adjust 2011 Budget

**HIGHWAY FUND**

Increase Expenses

DA5110.1	General Repairs/Personal Services	\$	7,866.29
DA5110.4	General Repairs/Contractual	\$	192.04

Decrease Expenses

DA5142.1	Snow Removal/Personan Services		\$	8,058.73	
				\$	
		\$	8,058.33	\$	8,058.73

**GENERAL FUND**

Increase Expenses

A1110.4	Justice Contractual	\$	98.63
A1420.4	Attorney Contractual	\$	1,391.50
A5132.4	Garage Contractual	\$	185.42
A5182.4	Street Lighting	\$	127.39
A6772.4	Programs for the Aging	\$	255.00
A8810.4	Cemeteries/Contractual Exp.	\$	61.19
A9010.8	State Retirement	\$	549.00

Decrease Expenses

A1910.4	Special Items/ Unallocated Ins.		\$	2,668.13	
				\$	
		\$	2,668.13	\$	2,668.13

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## **MEMO**

### **THURMAN EMERGENCY MEDICAL SERVICE INC.**

DATE: Feb. 14, 2012

TO: Leon Galusha

FROM: Jean F. Coulard

RE: THURMAN EMS

I am happy to report that of the 13 calls to date, since Jan 1<sup>st</sup>, Thurman EMS has responded and transported 11. Two calls came while the squad was transporting a patient to the hospital, and were handled by another agency.

Also, Mr. Fred Witz, owner of Warrensburg Car Care, has generously contributed funds to purchase new uniforms for the officers. And a local contractor has also been donating time to help with repairs to the building.

The squad status for ALS certification is in the works. We should have an answer by the end of the month. I might add at this time that our Captain, Adam Styers, is currently undergoing training to be a critical care tech, which will qualify him for ALS status. And since Adam now lives in Thurman, he will be readily available to respond when needed, even if he is not on duty.

We will be having a meeting on Wed., Feb 15 at 6:30 to discuss fund raising. I invite any Town residents to attend, and join in the discussion. Every idea is welcome. Once again I remind you that we desperately need volunteer drivers. Remember it is not mandatory to drive at high speeds. Our drivers are required to drive only at a level where they are comfortable. Driving safely is more important than speed.

We will be sending out donation requests by mail soon, and would be most grateful for any amount that folks can afford.

Jean

Feb 14 Town Board Meeting.

Reports

Highway - Two Trucks Down - Truck Beds Broken repaired by welding - Presently fixed by welding  
 Overtime - 130 HRS - Salting roads in morning before work hours

Presently - cleaning + steaming culverts  
 cutting brush, repair chipper + other machine

Food Pantry + Cleaning

Next Cleaning March 5 1 PM

14 Residents used food pantry

Recommendation - Food Pantry only used once month on Monday + Friday unless it is an EMERGENCY

Thanks to George Clarke + Bruce Trevik for picking up food from Community Action.

Landfill	USAGE				Amount of vehicles to the landfill
	Thu	Wed	Sat	Sun	Total
	4	14	50	37	105
	6	15	62	40	123

List of Recycling on back Tables

Orange bag only will be taken after Feb 20

Complaints - road repair, landfill employees not polite and helpful

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Board members,

As the elected Town Clerk I am by law also the Records Management officer. The Town Clerk is the administrator of the freedom of information law, responsible for guaranteeing the public access to public records. The Town Clerk/RMO by law has custody of all records of the town.

Local government is set up to protect and be accountable to the tax payer. Segregation of duties, checks and balances, transparency are key to good government.

The office of the Town Clerk is an important part of the checks and balances put in place by town law. The Town Clerk is not in a policy making position or in other words does not vote as a board member. The board makes decisions, elected officers do their work and the Town Clerk makes sure everything stays out in the open.

Recently our town purchased new accounting software. Enhanced Business solutions installed the software on the Supervisor's office computers and the town clerk computer.

I asked Enhanced for view and print of all the fiscal records. Enhanced installed only accounts payable records on the clerk's computer. Enhanced was directed by the supervisor to install accounts payable for the town clerk (which I work in) and nothing else.

I have discussed having the fiscal records installed on my computer with the supervisor. The Supervisor feels I need to obtain these records through her office.

I believe we have a broken link in our chain of transparency and that there is some confusion on the part of the supervisor about the concept of segregation of duties and checks and balances.