

**MINUTES OF THE SPECIAL MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN, NY
HELD SEPTEMBER 25, 2018 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL, NEW YORK,
COMMENCING AT 6:30 PM....**

PRESENT: Mrs. Joan Harris, Councilwoman
Mrs. Gail Seaman, Councilwoman
Mr. Douglas Needham, Councilman
Mrs. Cynthia Hyde, Supervisor

ABSENT: Mrs. Brenda Ackley, Councilwoman

ALSO PRESENT: Thomas Birdsall, Assessor

RECORDING SECRETARY: Susan E. Staples

The meeting was called to order at **6:36pm**.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Councilman Needham was given time to review the claims prior to resolutions being brought to the floor.

Supervisor Hyde noted that this Special Meeting was called because there was no quorum at the September 12th meeting Regular Meeting. She also noted that there was a quorum at the September 18th Special Meeting, but that one Board Member had left the meeting prior to the point where business was to be conducted. She noted that there would be not privilege of floor tonight, and that they would go right to resolutions.

RESOLUTIONS:

Resolution # 98

On a motion introduced by **Councilwoman Harris** and seconded by **Supervisor Hyde**

RESOLUTION TO ACCEPT STREET LIGHTING AUDIT

The town board of the Town of Thurman accepts the results of National Grids street lighting audit and authorizes the supervisor to sign the necessary documents indicating the acceptance.

Supervisor Hyde noted that she had tried to pass this resolution at the last several meetings, and that it kept getting voted down. She also noted that **Councilwoman Harris** was the only Board Member to come in and look at it even though it has been available for months.

Motion Carried: Ayes~4 Harris, Needham, Seaman, Hyde Nays~0

Resolution # 99

On a motion introduced by **Councilwoman Harris** and seconded by **Supervisor Hyde**

TO AUTHORIZE AN INTERMUNICIPAL AGREEMENT WITH WARREN COUNTY FOR SNOW AND ICE REMOVAL AND MOWING OF COUNTY ROADS IN THE TOWN OF THURMAN

RESOLVED, that the Town Board of the Town of Thurman agrees to a 2019 Roadway Maintenance agreement with Warren County and authorizes the town supervisor to enter into this intermunicipal agreement with the county. The amount of the 2019 roadway maintenance agreement for the Town of Thurman is \$232,958.22 for snow and ice removal and \$3,714.20 for mowing.

Discussion: Councilwoman Seaman questioned why this was being done now stating that it should have been done in January at the Organizational Meeting in January. **Supervisor Hyde** noted that that was not true. **Councilwoman Seaman** noted other than last year this was done at the Organizational Meetings in January. Also that this was less than we got last year, and the you (Supervisor Hyde) had signed a five year contract last year. She noted that unless something changed that it did not have to be redone. She noted that we can't afford to go down in reimbursement. She also asked if this contract included \$8,000.00 for extra equipment. **Supervisor Hyde** noted that this was sent to her in August. It was brought to the August meeting and discussed. She noted that **Councilwoman Seaman** was not at that meeting. She noted that at a Special Meeting this was discussed with **Pat**. She noted that they had discussed not doing this because the amount was lower than it was last year. She went on to explain that there was a formula that they used to arrive at this amount, and that this was the results of those calculations. She also noted that she had talked to **Chairman Conover** in **Bolton** , and that they would most likely bring up using a different method for calculating because this method does not work well for towns like his and ours that have a lot of roads to do. She also noted that is not done at the Organizational Meeting. She noted that comes to her in August, and that they would like to know the answer by October. She noted that **Pat** would like to go ahead with this so we need to vote on this. **Councilwoman Seaman** again asked if the \$8,000.00 was included in this price for the equipment or not. **Supervisor Hyde** stated that this was how much that they weregoing to send us, and that she didn't understand her question so she would not answer it. **Councilwoman Seaman** stated that she thought we should see the entire contract because this does not have to be signed until January. **Supervisor Hyde** noted that this had to be signed by October. **Councilwoman Seaman** stated it does not. **Supervisor Hyde** explained that she had talked to the County Attorney. **Councilwoman Seaman** noted that she did not care. It doesn't go into effect until January 2019. It doesn't have to be signed until 2019. **Supervisor Hyde** noted that **Councilwoman Seaman** didn't know what she was talking about. That that was not true. **Councilwoman Harris** asked if **Pat** wanted this done now. Yes replied **Supervisor Hyde**. **Councilwoman Seaman** stated that she would like **Pat** to come in and talk to us then. **Councilwoman Harris** noted that **Pat** was here last time, and that you were not here. **Supervisor Hyde** noted that this is the contract would you like to read it **Doug**. **Councilwoman Seaman** stated she wanted to see the

addendums on it. **Supervisor Hyde** noted that she would give them everything that she had. **The Supervisor** did not have the contract with her, but it was noted that the contract had been in their meeting packets a couple of meetings ago. **Councilwoman Seaman** then wanted to table the resolution. **Supervisor Hyde** noted that **Pat Wood** wanted this contract voted on. **Councilwoman Seaman** noted that she could not vote without seeing the contract.

A Roll Call Vote Was Called

Motion Failed: Ayes ~2 Harris, Hyde, Nays~2 Needham, Seaman

Resolution # 100

On a motion introduced by **Councilwoman Harris** and seconded by **Supervisor Hyde**

RESOLUTION TO REHIRE ASSESSOR CLERK

The Assessment roll is the financial foundation of the town. To ensure that the assessor's office is adequately staffed, which in turn ensures fairness in assessments by keeping current with assessable improvements to properties in the Town of Thurman, the town board of the Town of Thurman rehires Susan Baker to serve as clerk to the assessor.

Supervisor Hyde asked **Thomas Birdsall** to come up and talk to the Board. **Councilwoman Seaman** was talking over the Supervisor as she was talking. **Supervisor Hyde** noted that **Councilwoman Seaman** could not be allowed to disrupt every single meeting that the town board has. She is rude and obnoxious. She talks over everybody. After interruptions from the floor **Supervisor Hyde** noted that we were not having privilege of the floor right now. She went on to note that this was a very Important issue for the town of Thurman, and that **Mr. Birdsall** needs to explain some things to the board. **Councilwoman Seaman** continued to talk over **Supervisor Hyde**. **Supervisor Hyde** continued to remind her that she did not have the floor. **Supervisor Hyde** noted to **Councilwoman Seaman** that we were discussing a different resolution at this time. **Mr. Birdsall** stated with all due respect I only need two minutes. **Councilwoman Seaman** continued to talk stating that unless we had a source of revenue we cannot hire anybody back. **Supervisor Hyde** asked **Mrs. Seaman** to not bring erroneous information out to the public. **Councilwoman Seaman** noted that that was absolute information. Those positions were done away with they have to go out to bid. They also have to be applied for. **Supervisor Hyde** continued to ask **Councilwoman Seaman** to stop talking noting that she was ruining Town Board meetings for this entire town. **Councilwoman Harris** asked if they were going to let Mr. Birdsall speak. **Councilman Needham** noted let's pay the bills so we can get out of here. **Supervisor Hyde and Councilwoman Harris** noted that they wanted to hear from **Mr. Birdsall**. **Councilwoman Seaman** stated that you already heard what he had to say. **Mr. Birdsall** stated that he needed two minutes. He noted that the Assessor's job is one of record keeping . That they are constantly gathering information storing it, and putting it where it needs to go. He noted the changes that had been made in the office over the years with staffing reductions in that office. He noted that they went from three Assessor's to one part time Assessor and a part time clerk. He noted that the Clerk was very knowledgeable about exemptions which take up about half of their time. He noted that the office was falling behind now. He noted that you are asking him to do twice the work for half the pay. He noted that he needs the clerk. He stated that he was respectfully asking the Board to reinstate that position. **Supervisor Hyde** asked if there were any questions.

Councilwoman Harris asked about the LUCA (local update of census addresses) asking how that was handled without him having the help. **Mr. Birdsall** noted that they were all primed and ready. They had a lot of information sent from LUCA for the next census, and we were ready to help. There was no way that we can do the leg work, and the things that they need now so we dropped out. He noted that that could potentially hurt the town because we are a source of information and now they have to go elsewhere for information. **Councilwoman Seaman** asked **Mr. Birdsall** if he knew what the salary was, and that it was a sole Assessor's position when you put in for it. Because there was no Assessor to the clerk (clerk to the Assessor) when you took that job, correct. **Mr. Birdsall** responded that it was decided to have an Assessor and a clerk to take advantage of the clerk's experience. **Councilwoman Seaman** noted that when you asked for it that did not even exist. That was something that was made up afterwards. The Sole Assessor's position was for a sole Assessor, and not a clerk. There was no clerk involved. **Supervisor Hyde** noted that a resolution was passed in 2016 when the Town Board erroneously tried to appoint a new Assessor when we already had an Assessor. They were going to pay that Assessor \$22,000.00 a year. She noted that after she took over, and there was a new Board they took the \$22,000.00 with a resolution that was looked over by the town attorney, and split that money between the clerk and the Assessor. She went on to note that the clerk is actually a full fledged Assessor so we are getting a pretty good deal. Even though she is called a clerk we are actually getting two Assessors. She went on to note the excellent year and the work that was done in the Assessor's office, and how that reflected in the budget. She noted that there was work that had to be done out in the field as well as work to be done in the office. She noted that without the clerk the Assessor cannot get out into the field because he has to cover the office, and it is the foundation of all of the towns finances. She then asked **Mr. Birdsall** if he had a comment on what she had said. **Councilwoman Seaman** started to speak when the Supervisor told her she did not have the floor, and asked **Mr. Birdsall** again to comment. He noted that other towns that have also hired out collectors, and that they go around to look at new construction. He noted that we have about 140 live building permits right now that need to be looked at before March of next year. He noted that the State has changed the rules for Enhanced Star, and that now everybody has to be in the IVP (income verification program). He stated that there was a lot of confusion going on with that change right now, and that it takes a lot of time. **Councilwoman Seaman** asked most of that is done online correct. **Mr. Birdsall** noted that for this one year it comes through our office, and then the state will completely take it over. **Councilwoman Seaman** noted that part of the problem as to why we did away with certain positions was in December 31, 2017 we only had between the Highway and the town \$207,351.00. In December 31 of 2016 there was over \$435,000.00. I'm not sure where all that money went, but to this date as of August 31st in the consolidated supposedly \$294,019.00, but \$57,000.00 of that has to go back to the Highway, and \$200,000.00 is frozen. So there isn't money to pay anybody. **Supervisor Hyde** noted that that was not correct. **Councilwoman Seaman** went on to ask how do you plan to pay bills when there is approximately right now \$29,000.000 useable in the Consolidated accounts. She went on to note that the bills for August had not been paid, and that you are going to run out of money sometime in October if you give the Highway Department back theirs. And the Highway Department regardless is going to run out of money in November. She noted that there is a \$64,000.00 bill coming due and there is not enough money to pay it. **Supervisor Hyde** noted that Unfortunately everything that was said there just now is totally erroneous. The reason that there was more money at the end of 2016 then of 2017 was because at the very end of the year the \$200,000.00 grant came in. Now that may sound like oh gee an extra \$200,000.00, but no one told you was the negatives in the Capital and Enterprise funds. It is also

untrue that we do not operate our entire year on what is left over at the end of December. At the end of the year, according to the Comptroller's office, you should have about 10 % left in your bank account. 10% of your total budget. We actually had close at the end of last year close to 20%. We have two new board members, and there is a lot to learn, I don't think they fully understood. That they believed we were supposed to operate on what money was left at the end of the year. What they didn't understand, what **Mrs. Seaman** tells them unless maybe she doesn't understand it is that when you start the year you do not have your money. After a brief interruption she continued noting that at the very beginning of the year you don't have any money except what was left from the year before which should be 10% of your total budget. So when January 1st starts the tax collector starts collecting taxes for the next three months. She noted that you don't have all of your taxes in by March, sometimes later than that. She noted that if we have not (received the funds) that the county would make us whole. She noted that we also have revenue and that in January we get the 4th quarter sales tax which was up this year, and then we get the second quarter sales tax which was up this year. She noted that we had not gotten the third quarter yet. She noted that we were expected about \$97,000.00 and that we got \$105,000.00. She noted that there is other revenue also garbage stickers, dog licenses, mortgage tax, revenue from paper and scrap metal from the Landfill. These revenues come in over the year. So what this Board was led to believe was that we have no money. There was a bank statement that had yellow markings on it, and so based on that false information the new town board they fired people for no reason. Cause we raised in taxes and revenue the money we needed to fund these positions. So by firing everybody, and in case you didn't know the cleaner was fired, the maintenance man was fired, the bookkeeper was fired and brought back, hours were cut, the deputy clerk isn't paid anymore. So you all paid for what is in that budget, and they took it away from you. They took it away from you. You need to know that we are not in these financial straits that this person is trying to tell you we are in. She is not proving this. I hope that you all understand what I just told you. We are not broke. We are operating even with the hold on our general fund with no problem what so ever. We do not have a problem and we need our people in the Town Hall to do the job that you paid for. So I am asking Doug to please understand now that weren't trying to operate on what was left in theShe just showed it to you again. We are not trying to operate on what was left in December Doug that makes no sense. Every year we have to raise the taxes and bring in the revenue. Do you understand? Do you have any questions on that Doug she asked.

Councilwoman Harris noted that if money isn't being used for what it was budgeted for you are being cheated. **Councilwoman Seaman** noted that the simple fact of the matter was that you are over spending. We are spending beyond our means. **Supervisor Hyde** disagreed and went on to explain the budget noting that a budget has two sides. It has revenue and it has appropriations. We expect during the year to get the revenue. We also expect that we are going to have these bills so we are going to have these appropriations. We know that we are going to have bills. You keep track of your bills for several years, and you know ball park what you are probably going to spend in the coming year. So that is what you appropriate for. There is money to cover everything. You make sure that you have your revenue, and that your revenue is going to cover your appropriations. So to sit here and say that by paying regular expected town bills we are not over spending. We are not running out to the gambling casinos and spending tax payers money.

A Roll Call Vote Was Called

Motion Failed: Ayes~ 2 Harris, Hyde, Nays~2 Needham, Seaman,

September 25, 2018 Special Meeting

Supervisor Hyde noted that the vote was 2 against 2 so we could not hire the Assessor's clerk back.

Resolution # 101

On a motion introduced by **Councilwoman Harris** and seconded by **Supervisor Hyde**

RESOLUTION TO REHIRE DEPUTY TOWN CLERK

WHEREAS the town clerk must by law have a deputy clerk and

WHEREAS it is not fair to ask Deputy Town Clerk Susan Baker to work for free when the 2018 budget adequately supplied funds for a deputy town clerk to be paid in order to serve the public properly now be it

RESOLVED that the town board of the Town of Thurman authorizes Susan Baker to be paid for serving as deputy town clerk

After the resolution was introduced **Supervisor Hyde** had to ask for quiet from the audience. She noted that it was very rude for them to sit there and make noise while we are trying to have a meeting. **Councilwoman Seaman** noted that these are tax payers. The **Supervisor** noted that they were out of order and that we were not having privilege of the floor.

The **Supervisor** asked if there were any questions or discussion.

A Roll Call Vote Was Called

Motion Failed: Ayes~2 Harris, Hyde, Nays~2 Needham, Seaman

After the vote the **Town Clerk** noted for the record that her office would be closed starting Thursday and it would reopen the Tuesday after Columbus Day. **Supervisor Hyde** wanted people to understand that there would be no coverage in the Town Clerk's office because we just aren't going to have people work for free. **Councilwoman Seaman** noted just a FYI before you do that you are required by law to present the budget to the Town Clerk by the 29th of September, and it has to be presented to the Board by the fifth. **Supervisor Hyde** noted that the clerk won't be there. **Councilwoman Seaman** noted that the Supervisor would be in violation of state law. **Supervisor Hyde** noted that the Board had voted not to have anyone there. The **Town Clerk** also noted that she had staffed her office is staffed and you are unstaffing it. That is on the Board.

Resolution # 102

On a motion introduced by **Councilwoman Harris** and seconded by **Supervisor Hyde**

RESOLUTION TO REHIRE CLEANER, MAINTENANCE MAN AND TRANSFER STATION ATTENDENT

The town board of the Town of Thurman authorizes Carol Baker to resume cleaning the Thurman Town Hall, Steve Baker to resume maintenance duties for the Town of Thurman and Ernie Smith to resume working at the transfer station

A Roll Call Vote Was Called

Motion Failed: Ayes~2 Harris, Hyde, Nays~2 Needham, Seaman

Resolution # 103

On a motion introduced by **Councilwoman Harris** and seconded by **Councilwoman Seaman**

RESOLUTION TO APPROVE FUNDS FOR YOUTH PARTY

The town board of the Town of Thurman authorizes a check to Susan Sheplar for \$500.00 to fund the Thurman Halloween Youth Party.

Discussion: Supervisor Hyde asked **Susan Shepler** if that was what she wanted. **Susan Shepler** responded that it was. That they always overspend on the events and that the difference is made up by the **Sheplers** and the **Deckers**. **Councilwoman Seaman** asked her if she needed the Christmas money now also in order to take advantage of the best prices. **Susan Shepler** replied that she usually asks for that money in October. **Councilwoman Seaman** noted that it was October next week, and could we put in the extra money for the Christmas party so that they have plenty of time. **Councilwoman Harris** asked if we were discussing this. **Supervisor Hyde** noted that we were only discussing what is on the agenda. The reason that this wasn't done before is because people didn't show up. I've had this on the agenda since August. We are not discussing anything except what is on the agenda. **Councilwoman Harris** wanted to know how much money was turned in to the town from the concessions from the Youth Commission. **Susan Shepler** responded nothing. **Councilwoman Harris** asked why not noting that in the past they had been asked to turn in the money when they held events. **Susan Shepler** noted that that money does not go into the budget therefore it does not augment the money that we receive. She noted that the money they raise for the children's youth party at Christmas to help with the expenses. She noted that there are usually between 40 and 60 children here. She also noted that every child leaves here with a gift from Santa Claus. She noted that that was to offset some of the cost so it doesn't end up digging into the **Decker's and the Shepler's** pockets so much. **Councilwoman Harris** noted that she didn't want them dug into, and asked if she could get a figure of the money that **Susan Shepler** had. **Susan Shepler** noted that she could have the figure, but that she would not turn any of that money in. **Councilwoman Harris** noted that she would like the figures and also to find out...**Councilwoman**

Seaman interrupted and asked if she had gotten figures from the other concerts. Because I know somebody else here was at a concert. Do you have figures for all of them? **Councilwoman Harris** noted those were outside entity. This one is not an outside entity. **Councilwoman Seaman** again asked if she had gotten figures on those. **Councilwoman Harris** noted that she was not concerned with an outside entity. This one is not an outside entity. **Councilwoman Seaman** noted that we did not have any figures on it though. **Councilwoman Harris** noted that she didn't care about an outside entity. She cared about town money. She noted that you want people to know where the money is. You are always looking for clearance. We have got to decide about this money and that money. I'm asking Sue who is in charge to just do some of that because that is town money. **Susan Shepler** noted that it wasn't because the town did not pay for any of the supplies. Again **Councilwoman Harris** stated that she wanted to know what she (Susan Shepler) was going to do with the money that you receive. She wanted to know how those funds were going to be spent. **Susan Shepler** responded that she had told her it would be used to buy presents for the children of Thurman. **Councilwoman Harris** asked if the \$500.00 that we give you for Christmas plus all the extra money is not enough. **Susan Shepler** noted that they buy food, decorations, and gifts. It goes for all of that. Plus in addition to this we end up spending our own money, and so do the Deckers. She noted that if you go back and you can look at the ones that I have given and turned in as requested, and you can see every year, every party we have over spent, and it has come out of our own pockets. Not the towns. **Councilwoman Harris** noted that she understood that. At this point she was interrupted by **Councilwoman Seaman**. **Councilwoman Harris** noted that she was being rude and asked her to shut her mouth. She noted that she was talking to Sue. **Susan Shepler** stated that in December she would show you what that money is, where it has gone, and I will have receipts for every penny plus. **Councilwoman Harris** asked if this would be before the end of December so we can submit them. Yes, I will try and get it in before the end of December **Susan Shepler** noted. **Councilwoman Harris** stated that she was assuming that maybe we could do some fixing up with the equipment up there. No responded **Councilwoman Seaman**. **Susan Shepler** noted that that money was raised for the sole purpose of the Christmas party. **Councilwoman Harris** noted that she did not see that advertised anywhere. We advertised it and people were told **Susan Shepler** noted. More discussion ensue clarifying that the money raised was only used for the Christmas party, and how in the past that other people have chipped in and used their own funds for other parties in the town.

A Roll Call Vote Was Called

Motion Carried: Ayes~4 Harris, Needham, Seaman, Hyde, Nays~0

Councilwoman Seaman stated we want to pass the Highway funds separately.

On a motion introduced by **Councilwoman Harris** and seconded by **Supervisor Hyde**

RESOLUTION TO PAY CLAIMS

The town board of the Town of Thurman approves Vouchers # thru #

General Fund ~ \$ 3,891.64

Highway Fund ~ \$ 80,174.59

Enterprise Fund ~ \$50.00

Councilwoman Seaman stated again we'd like to pay these separately. Approve them separately please she noted. **Supervisor Hyde** asked OK why is that. Because we want to get the Highway bills paid right away. After someone asked who was **Councilwoman Seaman** stated I would like to get the Highway bills. **Supervisor Hyde** asked who we was asking Doug if she was talking for him. **Councilwoman Seaman** responded **Pat**. No, **Pat** needs them done. **Supervisor Hyde** asked you said we **Gail**, but who is we. **Pat** and myself **Councilwoman Seaman** responded. I don't think so replied **Supervisor Hyde** noting that **Pat** is not happy about the way his bills are not getting paid. So you want to pay all the Highway bills So tell us more the Supervisor said. Why do you want to do that separately? **Councilwoman Seaman** responded that she would like to pay the Highway bills first. That's not how we do it responded **Supervisor Hyde**. Why do you want to pay the Highway bills first? **Councilwoman Seaman** responded because there are a whole lot of questions on these general fund bills. Ask away **Supervisor Hyde** responded. **Councilwoman Seaman** replied Oh no. I've already asked, and you have refused to answer me. That's what the problem is. So we can go over those separately. Because according to the Town Officials information they have to be she noted. **Supervisor Hyde** noted that if you have a question about a bill, and you are not going to approve them then you need to state your reason why so that she can put it in the minutes. That's the way it goes. **Councilwoman Seaman** responded I did, but you don't let me talk. So I would like to approve the Highway bills separately she noted. **Supervisor Hyde** noted that we have the bills, we have the bills to pay. She noted that she wanted a vote on this. The Clerk reminded the Board that they needed the resolution to be introduced and seconded before the vote. The **Supervisor** noted that if the Board wants to pick out a bill they are going to have to tell us exactly what they don't like about it. **Doug** do you have any bills you don't want to pay. **Councilman Needham** replied that he would like to pay just the Highway for right now. **Supervisor Hyde** asked him if him if he could explain why. **Supervisor Hyde** noted you can't just say that. Tell us why. I want to know why you don't want to pay those bills. **Councilman Needham** responded that he wanted to look them over a little closer. **Supervisor Hyde** stated well go ahead we will wait while you look them over. We do not have two separate resolutions. This is my resolution. Tell us what you don't want to pay in the general fund, and then tell us why. Then the clerk can have a record of it. We are waiting. **Councilwoman Seaman** stated Cynthia, this resolution is not correct. Payments allowed prior to audit Section 118. The Town Board by resolution may permit the Supervisor to pay claims. She went on to list the prepay bills allowed stating that all such claims must be presented for audit at the next regular board meeting, and the claimants and the Town Officers in approving these claims are jointly and severally liable for any amount disallowed upon audit. **Supervisor Hyde** responded that this town board always gets a folder with all the pre-audit bills and they get an abstract of the pre-audit bills. So **Mrs. Seaman** you get everything that it says in there so what is your problem? They have to be included in the fund money, and you know that **Councilwoman Seaman** noted. **Supervisor Hyde** responded here is the paid abstract. Here is the unpaid abstract. Those are from the general fund, correct **Councilwoman Seaman** noted. **Supervisor Hyde** stated that these are preaudit which means that the Bookkeeper and myself can pay these bills as they come in. We do not have to wait until they get audited, but we do present the Town Board with the pre-audit bills which are right here, and here is the abstract which you have both had since August so let's see if you can approve all these bills. These are already paid so you don't have to approve those. **Councilwoman Seaman** responded oh yes you do have to approve them,

and we are not going to approve. She went on to state that you are liable for them. You're liable personally. **Supervisor Hyde** noted that they are health insurance, it's payroll, it's child support. You can't say we're not paying that bill. You can't say that. Let me see **Councilwoman Seaman** stated. Hartley Band, Stony Creek Band she noted. **Supervisor Hyde** noted that those are contracts I have to pay on contracts. **Councilwoman Seaman** stated you cannot pay on a contract of less than a year. **Supervisor Hyde** noted that the Board passed a resolution allowing me to sign the contract. I pay on contracts. You don't make contracts with anybody and then refuse to pay them. You do not sign the contract and then refuse payment. I'm sorry you don't seem to understand. If you have a contract you pay that person that you have that contract with. **Mr. Needham** was one of the votes that approved signing the contracts. So you recall that **Mr. Needham**? **Councilwoman Seaman** responded Cynthia, do you recall that all bills have to be presented for payment to the Board. **Supervisor Hyde** responded that they are all presented. **Councilwoman Seaman** noted the only prepay that are allowed are electric bills fuel bills, and of course the T&A bills, and health insurance. Only contracts of greater than one year, and a contract for one day is not greater than one year. That are the laws of the state of New York, and if you pay them then you are liable for them. **Supervisor Hyde** then noted that we are waiting for you people to tell us what general fund bills are you not going to pay. **Councilwoman Seaman** responded that they needed to go over them. **Supervisor Hyde** stated go over them then. What are you wasting our time for. Go over the general fund bills, and tell us which ones you are not going to pay. **Councilwoman Seaman** noted that she would like to pay the highway fund bills right now. **Supervisor Hyde** stated we are not paying anything until you tell us what you are not going to pay. **Councilwoman Seaman** then said I would like to make a motion to pay the highway fund bills for a total of \$80,174.59. You are not the Chairman **Supervisor Hyde** noted. Do I have a second **Councilwoman Seaman** asked? I'll second it **Councilman Needham** noted. The **Town Clerk** noted that there was already a motion on the floor. The Clerk then told **Councilwoman Seaman** again that there was a motion on the floor already, and that she could not bring another one. **Supervisor Hyde** again stated that she was waiting for them to tell us what bills that they did not want to pay. **Councilwoman Seaman** again stated that we have a motion and a second on the floor. **Councilwoman Harris** told her that her motion was out of order. **Councilwoman Seaman** again stated that there was a motion on the floor and that she just wanted to pay the highway bills. The **Supervisor** again asked them what bills that they were not going to approve so that they could get on with the meeting. We need to pay the highway bills and there is a motion and a second on the floor **Councilwoman Seaman** stated again. No there is not the **Town Clerk** noted. There is already a motion on the floor to pay the entire bills. **Supervisor Hyde** asked **Doug** could you please tell us what bills you don't want to pay so we can take those out. Again **Councilwoman Seaman** stated that there is a motion and a second on the floor. I'd like to pay the highway bills, and that is the motion. She again stated that there was a motion on the floor, and **Councilwoman Harris** again noted that there was already a motion on the floor, and that she was out of order. No, I'm not out of order **Councilwoman Seaman** responded. There is a motion on the floor she continued. **Supervisor Hyde** noted to tell the Clerk what you want so that it could be put in the minutes. **Councilwoman Seaman** again noted that there was a motion on the floor. She stated that there was a motion and a second to pay the Highway claims. The **Town Clerk** noted you are right there is to pay the claims. That is the open resolution. **Supervisor Hyde** repeated that the motion was to pay the claims, and the second is to pay the claims, and that is what we are going to pay. So we are going to wait for you guys to decide what bills you don't want to pay. **Councilwoman Seaman** replied we want to pay the highway bills I think. Do you want to pay the highway fund bills she asked **Councilman Needham**. OK we want to pay the Highway fund bills. Do you not want to pay the

Highway fund she asked. **Supervisor Hyde** responded that you are not going to twist this resolution into that. We want to pay the Highway fund **Councilwoman Seaman** repeated. What you don't understand if these people are so sure that they are not going to pay the general fund bills why is that they can't tell us what they are. What is this game that they are playing? What is this ridiculous, ridiculous at the expense of the tax payers. The **Supervisor** had to ask for quiet from the floor. She again noted that we are waiting for **Mr. Needham and Mrs. Seaman** to tell us what bills they don't want to pay.

Councilwoman Seaman again responded that she wanted to pay the highway fund bills. So are you saying that you don't want to pay the general fund bills **Councilwoman Harris** asked. We want to pay the highway right now **Councilwoman Seaman** said. So you are saying ...Let's be clear you don't want to pay the general fund and you don't want to pay the enterprise fund **Councilwoman Harris** asked

Councilwoman Seaman said that she wanted to go over the general fund more. She again noted that she wanted to pay the highway bills. **Supervisor Hyde** noted that these bills had been sitting in my office since September 12th unpaid. September 12th she repeated. That's your problem **Councilwoman**

Seaman noted. What bills do you want to pay other than the highway bills **Councilwoman Harris** asked?

We want to pay the highway bills right now **Councilwoman Seaman** stated. **Councilwoman Harris** asked

what other funds do you not want to pay. Doug do you want to pay? **Councilman Needham** responded

that he just wanted to pay the highway fund. That's all you want to pay asked **Councilwoman Harris?**

Councilman Needham responded yes, let's get that done. **Councilwoman Harris** noted so you are not going to pay the general fund and you are not going to pay the enterprise fund. Not right at the moment no **Councilman Needham** stated. **Councilwoman Harris** asked not this night. No responded

Councilman Neeham. **Councilwoman Harris** repeated not this night, not this night. For this night they

are not going to want to pay the general fund and the enterprise fund. I want to pay the highway fund

right now stated **Councilman Needham**. **Councilwoman Harris** responded OK I just trying to clarify that

you don't want to pay. **Councilwoman Seaman** noted we just said that we want to pay the highway bills. We just answered that three times speaking over **Councilwoman Harris** who was noting that **Doug** is

capable of speaking for himself. Alright, but you are not answering the other question. You are not

paying on the other ones. **Councilwoman Seaman** stated not tonight. **Supervisor Hyde** asked them why

are you holding bills that have been sitting there since September 12th? **Councilwoman Harris** noted

that he could do whatever he wanted. Let him do it. **Supervisor Hyde** noted no, no he can't do it

without giving a reason. Yes he can replied **Councilwoman Seaman**. **Supervisor Hyde** noted that he

can't just give this vague ridiculous "I don't want to pay them" you can't do that. **Joan**, you can't do that.

You need to tell us why you won't pay the bills. **Councilman Needham** replied I ain't gonna tell you

anything. I don't have to tell you nothing. Well he says he doesn't have to tell us anything

Councilwoman Harris noted. **Supervisor Hyde** stated that you cannot disapprove a claim for no good

reason. So you are not paying all the bills just because you don't want to, and you don't have to tell us

why you won't pay those bills. **Councilman Needham** responded I do not have to tell you. No. Yes you

do said **Supervisor Hyde**. If you disallow a claim you have to state the reason why. **Councilman**

Needham stated no I don't. Pay the highway then we will....We will what asked **Supervisor Hyde** asked

then we will what. Then we will what **Doug**. **Councilman Needham** noted that he would look at them

more. **Supervisor Hyde** stated that you looked at them already. We wait for you to look at them. Look at

them. Here's the bills. Look at them **Doug**. Look at them. Look at them all you want. We will wait while

you look at them. **Councilwoman Harris** noted that we have a motion on the floor. If they vote on it they

have to vote no on it. **Councilwoman Seaman** noted no, we can abstain, and then it doesn't matter (a

vote to Abstain is counted as a Nay vote).

A Roll Call Vote Was Called

Motion Failed: Ayes~2 Harris, Hyde, Nays~0, Abstain~2 Needham, Seaman

Councilwoman Seaman then stated that she wanted to put a motion on the floor to pay the highway bills. **Supervisor Hyde** noted that you are not in charge of this meeting. Do I have a second **Councilwoman Seaman** inquired? Yes said **Councilman Needham**. **Councilwoman Seaman** noted we have a second. Any of us can. Any of us can put a motion on the floor. Because she only wants to pay the highway bills the **Supervisor** noted. Can we call a vote **Councilwoman Seaman** asked? **Supervisor Hyde** responded first we have to know why you are not paying the general fund. **Councilwoman Seaman** responded no, we don't have to give you a reason. The motion is to pay the highway bills, the highway fund. Do you not want to pay the highway fund she asked? The **Supervisor** noted to **Councilwoman Seaman** that she wasn't the Chairman. **Councilwoman Seaman** responded that anybody, any Board Member can put a motion on the floor. **Councilwoman Harris** stated not unless you have presented it before. **Supervisor Hyde** noted that you cannot just make up resolutions out of the air. I'm sorry. **Councilwoman Seaman** replied yes you can. No you can't agreed **Councilwoman Harris**. **Councilwoman Seaman** stated yes you can. Right in here. Town law book. The **Town Clerk** noted not unless it is an emergency , and this is not an emergency. **Supervisor Hyde** said I think we are going to have to adjourn this meeting, and we are going to have to try again because obviously these people are just going to play games. Do I have a motion to adjourn she asked?

ADJOURNMENT: On a motion introduced by **Councilwoman Harris** and seconded by **Supervisor Hyde** the meeting was adjourned at **7:37 pm**.

Respectfully Submitted,

Susan E Staples, Town Clerk

October 17, 2018