

February 2, 2017

MINUTES OF THE SPECIAL MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN HELD February 2, 2017 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL, NEW YORK, COMMENCING AT 7:03 P.M...

PRESENT: Mr. Michael Eddy, Councilman

Mrs. Cynthia Hyde, Councilwoman

Mrs. Kathy Templeton, Councilwoman

Mrs. Joan Harris, 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; Mark Schachner, Town Attorney

Town Attorney Mark Schachner read a statement.

RESOLUTION #36:

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

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

RESOLUTION #37:

On a motion by **Councilwoman Templeton**, seconded by **Councilman Eddy**, the Board resolved to move into executive session at 7:12 p.m. to discuss the employment history of particular person or persons relating to a possible appointment of a particular person.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

RESOLUTION #38:

On a motion by **Councilwoman Templeton**, seconded by **Councilman Eddy**, the Board resolved to come back from executive session at 7:17 p.m. and no action was taken.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

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RESOLUTION #39:

On a motion by **Councilwoman Templeton**, seconded by **Councilman Eddy**, the Board resolved to appoint Joan Harris to the Thurman Town Board.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy

Joan Harris was sworn in as a town board member.

Councilwoman Hyde stated they would extend the letters of interest until February 13, 2017.

Councilwoman Templeton stated they had contacted the Regional Food Bank of Northeastern New York last Monday and received approval to the food pantry hours for the last two weeks from Lynne Ackershack. Tuesday January 24th we had one family served. It was probably low attendance because many people didn't think we would have the pantry. Tuesday January 31st we had three families with a total of eight people. There was training today in Colonie for this and we had five or six people get training. They will all be certified so if someone can't make we have backup. Gleaning will be Monday February 6th 1 p.m. We have been fielding several calls from White Space subscribers. Many have connectivity problems, many have not been able to get hooked up and numerous callers have not received bills in three months. I received an email from Perky Granger from the Thurman Station Association looking to find out how we are going to finish booking bands for the concerts. Jey Youngblood contacted to her and told her the contracts usually go out at the end of February and there are two bands that have not been confirmed. We are going to have to look into that. Jey gave us a full list of the bands and is going to stop in with all of their contact information.

PREVILEGE OF THE FLOOR: The following people spoke: Jamiee Ross, Susan Shepler, Gail Seaman, Mary Eddy, Joyce Eddy, Sally Wallace, Paula Hubert, Keith Parent, and Wini Martin

RESOLUTION #40:

Resolution to Authorize a person to gain access to the online bank account

WHEREAS it is necessary to access our bank account with Glens Falls National via their Internet Banking service, be it

RESOLVED the town of Thurman authorizes Cynthia Hyde as the designated person for such access.

On a motion by **Councilwoman Templeton**, seconded by **Councilman Eddy**, the Board approved Resolution #40.

Motion Carried: 3 Ayes ~ Hyde, Templeton, Eddy, Harris

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RESOLUTION #41:

Resolution to Designate a Delegate to the Association of Towns

WHEREAS the Association of Towns requests that the town board appoint a delegate to represent the town at the Annual Association of Towns meeting, be it

RESOLVED that the town board appoints Kathy Templeton as the town's delegate, and Cynthia Hyde as the alternate.

On a motion by **Councilman Eddy**, seconded by **Councilwoman Harris**, the Board approved Resolution #41.

Motion Carried: 4 Ayes ~ Hyde, Templeton, Eddy, Harris

RESOLUTION #42:

Rescind Resolution #140 December 27, 2016 – Appoint Susan Shepler as Organizer for the Jack Wax Party

WHEREAS the Jack Wax dinner has always been Organized by individual volunteers of the Town of Thurman.

WHEREAS the Jack Wax dinner has never been an Event Organized by the Thurman Town Board.

WHEREAS the Thurman Tow Board has not designated any monies in the Thurman Town budget in previous years.

BE IT RESOLVED that Resolution #140 of 2016 appointing Susan Shepler as the Organizer for the Jack Wax dinner is RESCINDED. Susan Shepler is welcome to volunteer for the event. We are just not going to make this a town board decision.

On a motion by **Councilman Eddy**, seconded by **Councilwoman Harris**, the Board approved Resolution #42.

Motion Carried: 3 Ayes ~ Hyde, Eddy, Harris

1 Abstained ~ Templeton

Discussion by the board on Jack Wax.

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RESOLUTION #43:

Approve payment for two seats at \$75.00 each on the bus to New York City for the New York State Association of Town's Training and registration for two at \$125.00 each to attend this event.

On a motion by **Councilman Eddy**, seconded by **Councilwoman Templeton**, the Board approved Resolution #43.

Motion Carried: 4 Ayes ~ Hyde, Templeton, Eddy, Harris

Looking for letters of interest in a possible temporary part-time landfill position. We would like to get them by February 13, 2017.

On a motion by **Councilman Eddy**, seconded by **Councilwoman Templeton**, the board meeting was adjourned at 7:50 p.m.

4 Ayes

Respectfully Submitted:

Jeanie M. Sprague, Town Clerk

February 21, 2017

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STATEMENT OF MARK SCHACHNER – TOWN OF THURMAN LEGAL COUNSEL

As I stated last week, my colleagues and I are fierce supporters of open government and regularly advise the many municipalities we work for about open government issues. We are not inexperienced on this topic and I am the author of two “open government” articles in statewide publications and a frequent lecturer at statewide conferences, especially if Bob Freeman is unavailable.

My colleagues and I are also strong supporters of freedom of the press. We have an excellent relationship with numerous newspapers and reporters, including some at the Post Star. We believe that responsible newspaper reporting is very helpful and important to local government. In this area, we generally see accurate and responsible reporting from our weekly newspapers, the Sun and the Chronicle but, unfortunately, often not from our daily newspaper.

Those of us who were here last week witnessed quite a spectacle when the Town Board and I convened a completely lawful Attorney/Client Privileged Conference just before the Town Board meeting. The Post Star reporter objected to us doing so, which is certainly his right, but did so in a totally unprofessional manner, including loss of temper and yelling and screaming that we were having an illegal meeting. At the Town Board meeting, I explained that our conference was perfectly lawful and suggested that the Post Star contact the State Committee on Open Government for confirmation. The next day's paper included the accusation of illegality and “sugar-coated” the reporter's tantrum as “repeatedly pressing” that the meeting was improper.

Lo and behold, the Post Star did contact the Committee on Open Government and was informed that the statement I made was 100% correct and our conference was perfectly lawful.



Mr. Goot did call me on Friday morning to apologize for his unprofessional behavior. However, neither he nor the Post Star has apologized to the Town Board and the people of Thurman for screaming unfounded allegations at us and wrongly reporting issues of alleged illegality. They owe you an apology.

In the same light, the Friday newspaper had a large headline stating "Thurman has a supervisor" and reported that the Town Board had appointed a new temporary Town Supervisor at the Town Board meeting. Based on this headline and article, members of the County Board of Supervisors were even asking us who their new colleague was. There is no such position as "temporary" Supervisor. Much more importantly, however, the Town Board did not appoint a new Supervisor, temporary or otherwise. No Resolution appointing a Supervisor was introduced or read at the meeting and no Motion to appoint any new Supervisor was made. The Post Star reporter sat through our entire meeting and these words were never spoken, yet the newspaper blared "Thurman has a supervisor". The only "correction" to this enormous error was a passing reference in the back of Saturday's paper to me pointing out that no Supervisor was appointed, but no correction of anywhere near the magnitude of the false headline and story. As recently as this past week, the Town received correspondence addressed to the supposedly new Supervisor, undoubtedly as a result of the misinformation published in the Post Star. Even as of now, the Post Star has still not affirmatively stated that, in fact, Thurman does not yet have any new Town Supervisor.

Lest we miss a week without criticizing the Town of Thurman, the Post Star "booed" the Town Board for not having two of last week's Resolutions available before the Town Board meeting. Contrary to what the Post Star seems to believe, the law does not prohibit introduction of Resolutions that simply did not yet exist days before the meeting, nor does it prohibit introduction of Resolutions "from the floor" at Town Board meetings. The law does require such availability whenever practicable and the Town Board has complied with this directive.

The Post Star rides a high horse with its "holier than thou" attitude, yet "whitewashes" its own glaring mistakes. It strives to find fault with others, especially local government and attorneys, while shamelessly adding "fuel to the fire" through baseless allegations. When the allegations turn out to be untrue, this is either ignored or barely acknowledged in passing in a manner which seems intentionally designed to get less attention than the allegations themselves.

The Post Star itself claims that the ethic of journalism is to provide fair, accurate and responsible reporting, yet it abandons these principles in efforts to create news by casting negativity through unfounded allegations whenever possible. The Town Board is working hard to get things back on track and has already accomplished much in this regard for which it should be commended. It is the Post Star itself that is deserving of the "boo" and we await its apology.

This Statement is a public document and anyone who wishes may have a copy. We request that the Post Star and Sun include it in their reports of this meeting.