

November 13, 2012

MINUTES OF THE FISCAL AND REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN HELD NOVEMBER 13, 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. AL VASAK, COUNCILMAN

MR. ROBERT HITCHCOCK JR., COUNCILMAN

ABSENT: MR. LEON GALUSHA, COUNCILMAN

ALSO IN ATTENDANCE TEMPORARILY: Town Attorney Marc Schachner

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

ATTORNEY: Supervisor **Wood** introduced Town Attorney **Marc Schachner** and asked him if there were any legal requirements dictating that the town should support an ambulance service. Attorney **Marc Schachner** stated that there were no such legal requirements.

Attorney **Marc Schachner** left the meeting.

APPROVAL OF THE MINUTES: On a motion by **Councilman Vasak**, seconded by **Councilman Hitchcock**, the October 09, 2012 regular meeting minutes were approved.

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

November 13, 2012

On a motion by **Councilman Bills**, seconded by **Councilman Vasak**, the October 03, 2012 budget workshop minutes were approved. **Supervisor Wood** asked that a correction be made on page 1 of the October 03, 2012 budget workshop minutes. The minutes state that the town board went into executive session at 7:09 pm to discuss matters relating to the appointment, promotion, demotion, disorderly conduct or removal of a particular person.

Wood used the word discipline instead of disorderly conduct; therefore the minutes from October 03, 2012 should read the town board went into executive session at 7:09 pm to discuss matters relating to the appointment, promotion, demotion, discipline or removal of a particular person.

MOTION CARRIED: 4 AYES ~ WOOD, HITCHCOCK, BILLS, VASAK

On a motion by **Councilman Vasak**, seconded by **Councilman Hitchcock**, the October 30, 2012 public hearing minutes were approved.

MOTION CARRIED: 4 AYES ~ WOOD, HITCHCOCK, BILLS, VASAK

CLAIMS: On a motion by **Councilman Vasak**, seconded by **Councilman Bills**, payment of vouchers # 2012697 thru 2012732, Highway fund \$19,313.17, General fund \$5,746.31, for a grand total of \$25,059.48 was approved.

MOTION CARRIED: 4 AYES ~ WOOD, HITCHCOCK, BILLS, VASAK

AWARD:

Joan Harris along with **Commander Ray Hensler**, from the American legion, presented **Tom Lloyd** with a plaque commemorating 50 continuous years of service to the American Legion. **Mr. Hensler** stated that the American Legion is here to serve veterans.

LETTERS: The town clerk read letters from **Rick Nelson** and the **Thurman EMS**.
See attached

REPORTS: **Al Vasak** gave reports on Highway crew, Youth commission and Food Pantry. **Vasak** Thanked **Robert Shepler** for all the food he donated to the

November 13, 2012

Halloween party. **Vasak** added that the annual Christmas party, with a visit from Santa, will be held December 17, 2012 from 1- 3. See reports attached

FOOD PANTRY GRANT:

Supervisor Wood thanked **Myrna Keeler** and **Susan Baker** for securing a grant for the food pantry. **Wood** commended them for their hard work.

PUBLIC HEARING:

Supervisor Wood opened the public hearing on proposed 2013 tax cap override at 7:00 pm.

Reading of the public notice:

TOWN OF THURMAN NOTICE OF PUBLIC HEARING PROPOSED LOCAL LAW TO OVERRIDE THE TAX CAP

NOTICE is hereby given that the Thurman Town Board will conduct a public hearing regarding a proposed property tax override Local Law, on Tuesday November 13, 2012 at 7:00 pm at the Town Hall, 311 Athol Road, Athol, New York. At that time, all interested parties will be given the opportunity to be heard.

By the order of the Thurman Town Board

Cynthia Hyde, Town Clerk

Town of Thurman

October 31, 2012

Supervisor Wood opened the floor to hear input on the override of the tax cap for budget year 2013.

The following people were heard concerning the tax cap override

Mary Eddy on the increase in state retirement

Richard Kline about provisions for a special district (EMS) and that he hoped it would be considered

Ed Binder concerning the effect on taxes

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Jay Zullo wanted to override the tax cap to fund the EMS. **Zullo** stated he would sue the town if his wife sufferers due to no Thurman Ambulance service.

Lisa Binder asked if the cap was on town taxes or town and school taxes. (Cap being discussed tonight is a town tax cap)

Delbert Chambers questioned the length of time the override was valid for (1 year)

Delbert Chambers suggested a separate tax for EMS

Councilman Vasak said he was thinking about a district for **EMS**. **Vasak** said that people don't want their taxes to go up. **Vasak** asked if we could afford to add \$75,000.00 to the budget. **Vasak** address the people attending the meeting (the majority of which were supportive of funding the Thurman EMS) saying he felt for them but wondered if the consensus (town wide) really was supportive of funding the Thurman Emergency Squad. **Councilman Vasak** stated that the 35 people (in the room) don't represent the whole town.

Supervisor Wood reminded everyone that a tax district would still fall under a tax cap

Shirley Wendling wondered if an override could be per household

Mary Eddy spoke of the raise in Highway crew wages

CLOSE PUBLIC HEARING:

All persons desiring to be heard, having been heard, the Hearing was terminated at 7:20 pm.

SUPERVISOR'S REPORT:

On a motion by **Councilman Hitchcock**, seconded by **Councilman Vasak**, the town board ratified the action of a hand written check written by Supervisor Wood, check # 8141 for \$41.45.

MOTION CARRIED: 4 AYES ~ WOOD, HITCHCOCK, BILLS, VASAK

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Supervisor report:

A phishing scam that caused some concern did not cause a security breach to Town of Thurman

A training session she could not attend would not cost the town

Benefit plans needed to be updated

Policies needed

RESOLUTION #55:

Resolution to Close Hall to Public for Maintenance

***WHEREAS** the floors in the Town Hall are in need of maintenance, specifically the application of protective 'poly', and*

***WHEREAS** the Town Board desires to maintain the floors with as little impact to the public as possible,*

***BE IT RESOLVED** that the Town Board will close the Town Hall to the public on December 28, 2012 and December 31, 2012 so that the floors may be refinished,*

***BE IT FURTHER RESOLVED** that the Town Board intends for this closure to apply only to the Town Offices, and that the Highway Department will continue its normal schedule.*

On a motion by **Councilman Bills**, seconded by **Councilman Vasak**, the board agreed to close the hall for floor coating.

MOTION CARRIED: 4 AYES ~ WOOD, HITCHCOCK, BILLS, VASAK

Supervisor report continued:

Noted that the town board had the fuel bills to look over

The county budget shows a 4.56% for Thurman

A meeting was scheduled for Friday November 16, 2012 to adopt the budget

November 13, 2012

Occupancy Tax applications are due December 07, 2012

Several people are looking to volunteer

In response to the idea for a community Thanksgiving meal, (which the board is not opposed to), Wood said she would look into it

Supervisor's office will be closed Friday after Thanksgiving

Will need to attend retirement training

OLD BUSINESS:

Supervisor Wood prepared a travel policy. Some of the items such as amounts allowed for meals may have to be waived occasionally. Councilman Vasak asked, why do a travel policy if we are going to waive it?

Councilman Vasak asked where we are on whitespace internet.

Wood said we are waiting for a grant.

Councilman Vasak stated let's get the ball rolling.

Wood explained that because the cost of the initial set up per household is high it is hoped that a grant can be obtain to offset this cost to the individual. **Wood** said the biggest concern is the recurring cost and that they are trying to keep that down.

The possibility of a cell tower on town property to bring in revenue is being looked into.

NEW BUSINESS:

Supervisor Wood will be attending the Adirondack Association of Towns meeting.

RESOLUTION #47:

Authorization to Attend the Adirondack Association of Towns and Villages Membership Meeting

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WHEREAS the Town of Thurman is a member of the Adirondack Association of Towns and Villages, and

WHEREAS the Membership Meeting of the Adirondack Association of Towns and Villages will be held on December 2 & 3, 2012 at the Holiday Inn in Lake George, NY

BE IT RESOLVED that the Town Board approves attendance for Evelyn Wood at the Membership Meeting.

On a motion by **Councilman Hitchcock**, seconded by **Councilman Vasak**, the town board approved resolution #47

MOTION CARRIED: 4 AYES ~ WOOD, HITCHCOCK, BILLS, VASAK

RESOLUTION #48:

Resolution to Override the Tax Levy Limit Established in General Municipal Law 3-c and Adopt Local Law #1 Of 2012 to Override the Tax Levy Limit

WEHREAS the Town of Thurman must fund increased costs for pension contributions and health insurance expenses; and

WHEREAS the Town Board held a Public Hearing on the proposed Law to Override the Tax Levy Limit for fiscal year 2013 on November 13, 2012, and

WHEREAS, this resolution is adopted pursuant to subdivision 5 of General Municipal Law§3-c, which expressly authorizes the Town Board to override the tax levy limit by adoption of a Local Law approved by sixty percent (60%) of the Town Board;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Thurman, County of Warren is hereby authorized to adopt a budget for fiscal year 2013 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law § 3-c.

BE IT FURTHER RESOLVED that the Town Board of the Town of Thurman adopts Local Law #1 of 2012 entitled Tax Levy Limit Override for fiscal Year 2013.

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On a motion by **Councilman Vasak**, seconded by **Councilman Hitchcock**, the town board approved resolution #48

MOTION CARRIED: 4 AYES ~ WOOD, HITCHCOCK, BILLS, VASAK

RESOLUTION #49:

Resolution to Authorize Attendance at the Association of Towns Annual Meeting

WHEREAS, the New York State Association of Towns Annual Meeting is to be held in New York City, February 17-20, 2013 ,and

WHEREAS, this meeting is very educational and informative, and

WHEREAS, actual and necessary expenditures are a town charge, (General Municipal Law 77-B Section 77-B Chapter 413 L 1974) and the maximum rates as per the Town of Thurman's Travel Policy are waived for this training,

BE IT RESOLVED, the Town Supervisor is authorized to attend the Annual Meeting, and that those wishing to attend contact the Town Supervisor for arrangements.

On a motion by **Councilman Bills**, seconded by **Councilman Hitchcock**, the town board approved resolution #49

MOTION CARRIED: 4 AYES ~ WOOD, HITCHCOCK, BILLS, VASAK

RESOLUTION #50:

Resolution to Designate Voting Delegate to the Annual Business Session of the Association of Towns

WHEREAS, the Association of Towns is having their Annual Meeting during the month of February 2013,

BE IT RESOLVED, that the Town Clerk of the Town of Thurman does hereby certify that the Town of Thurman has duly designated the following named person to attend the Annual Business Session of the Association of Towns of the State of

November 13, 2012

New York, to be held in New York City, February 17-20, 2013, and Constitution and By-Laws of said Association.

Name of Delegate – Evelyn M. Wood Office – Town Supervisor

On a motion by **Councilman Vasak**, seconded by **Councilman Bills**, the town board approved resolution #50

MOTION CARRIED: 4 AYES ~ WOOD, HITCHCOCK, BILLS, VASAK

RESOLUTION #51:

Resolution to Adopt Travel Policy

BE IT RESOLVED that the Thurman Town Board adopts the attached Travel Policy.

On a motion by **Councilman Vasak**, seconded by **Councilman Hitchcock**, the town board approved resolution #51

MOTION CARRIED: 4 AYES ~ WOOD, HITCHCOCK, BILLS, VASAK

RESOLUTION #52:

Resolution Granting Occupancy Tax Funds

BE IT RESOLVED that the Town Board grants three hundred dollars in Occupancy Tax Funds for the Christmas Bazaar scheduled for November 24, 2012, and

BE IT FURTHER RESOLVED that the Town Board authorizes payment of the \$300 along with the regular bills so that the event advertisement can appear on time.

The amendment to resolution # 52 to approve payment of \$300.00 for a Christmas Bazaar ad was discussed prior to passing this resolution.

On a motion by **Councilman Vasak**, seconded by **Councilman Bills**, the town board approved resolution #52

MOTION CARRIED: 4 AYES ~ WOOD, HITCHCOCK, BILLS, VASAK

RESOLUTION #53: Standard workday resolution for Susan Baker when she works as Deputy Town Clerk and punches the time clock. Retirement reporting will reflect actual time on the clock.

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On a motion by **Councilman Bills**, seconded by **Councilman Vasak**, the town board approved resolution #53

MOTION CARRIED: 4 AYES ~ WOOD, HITCHCOCK, BILLS, VASAK

PRIVILEGE OF THE FLOOR:

Barbara Farrell asked for an answer concerning funding for the EMS.

Jean Coulard said that she felt the Town board was putting them (Thurman EMS) off.

Supervisor Wood stated that until the budget is adopted they (the board) can't answer.

Lisa Binder asked if \$10,000.00 could be taken out of contingent and given to the EMS.

Supervisor Wood said that if the 10,000.00 in contingent is not expended it goes back in the general fund.

Lisa Binder noted that we have a lot of upset people; and that the town board doesn't even have any idea and there doesn't seem to be any talking.

Supervisor Wood stated that the board has talked.

Debra Runyon asked what will happen if the Thurman EMS closes.

Supervisor Woods answer was mutual aide.

Debra Runyon wondered if they (other EMS squads) are required to come.

Becky Desourdy said that the board had turned them (Thurman EMS) down (in the past) because they didn't make the call volume.

Mary Eddy wanted to know why the town board chose to override the tax cap since the budget was under the tax cap.

Supervisor Wood replied that because we are very close there could be an error.

November 13, 2012

Mary Eddy wanted to know the cost of the Attorney attending the meeting and why the Supervisor had not told the board he was attending so that they could have some questions ready.

Supervisor Wood stated that she got the call from the attorney today.

Aaron Beadnell asked if Warrensburg EMS had dropped their certificate of need to serve Thurman.

Supervisor Wood stated that if Warrensburg EMS had dropped their certificate of need she was not aware of it.

Aaron Beadnell said, " shouldn't you look into it"

Paula Hubert wondered if Occupancy Tax Money could be used for the Thurman EMS.

Delbert Chambers wanted to know how much the town would received from Occupancy tax.

Supervisor Wood said \$30,000.00.

John O'Neill stated that one of Thurman's EMTs was a Thurman resident but others here to help were being pulled from surrounding towns. **O'Neill** also said to contact him pertaining to an EMS thanksgiving gathering.

Barbara Farrell asked why FEMA money couldn't be used for the EMS.

Supervisor Wood stated that it's (FEMA money) in the highway fund and that it would be illegal to use it for other then highway.

Jean Coulard stated that people are not coming to town board meetings because they are disgusted with the way the meetings are run.

Lisa Binder wanted to know if a donation dinner could be done for the Thurman EMS.

Andrew Hall asked if the Thurman EMS had opened their books for the town board.

November 13, 2012

Josh Hayden said that the Thurman EMS was a combination of volunteer and paid staff.

Debra Runyon asked if there were other towns who had given up their EMS.

Runyon stated that she couldn't fathom giving up the EMS.

ADJOURNMENT: On a motion by **Councilman Hitchcock**, seconded by **Councilman Vasak**, the meeting was adjourned at 8:23 pm.

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

Respectfully Submitted:

Cynthia R. Hyde

Town clerk

November 28, 2012

Town of Thurman Travel Policy

Travel Policy Statement

The purpose of this Travel Policy is to help employees and elected officials understand and apply the Town of Thurman's travel rules and regulations and to provide instructions regarding reimbursement for expenses while in travel status. Travel is paid for with public funds and all travelers should exercise care when incurring travel expenses. The Town Board sets rules and regulations for reimbursement of expenses incurred while traveling on official business. When traveling on official Town business, only actual, necessary and reasonable business expenses will be reimbursed. All travelers are responsible for having a clear understanding of the Town's Policy and adhere to the policy.

General Guidelines and Responsibilities

- Travel between the employee's home and official station is considered commuting and is not reimbursable.
- Vouchers must be submitted on a timely basis. Records/receipts can be lost and memories grow dim when there is too much time between business travel and submission of travel expenses.
- Employees and Elected Officials must obtain Board permission prior to travel for expenses to be reimbursable.
- Employees and Elected Officials may be personally responsible for improper costs incurred and any such improper costs will be recovered as decided by the Town Board.

Mileage Reimbursement

Routine travel for the purpose of official duties, for example bank deposits or ACO response, does not require preapproval to be reimbursed. The rate of mileage reimbursement shall be set by the Town Board.

Preapproval Process

All travel for training and conferences or other purposes that will require reimbursement for anything other than mileage must be preapproved by the Town Board. Prior approval must have occurred for expenses to be reimbursable.

Day Trips vs. Overnight

The minimum distance necessary to qualify for an overnight stay is 50 miles.

Cash Advance

Cash advances must be approved by the Town Board and should be requested at the time an employee requests travel approval. When approved for a cash advance the employees must maintain

the appropriate documentation (see Required Documentation) and complete the appropriate form. All documentation and any unused funds must be completed and turned in within 1 week of the employee's return from travel.

Required Documentation

Original receipts are required in order for an expense to be reimbursed. When an employee wishes to be reimbursed for expenses related to travel on official business they must submit their receipts and the appropriate voucher within 1 month of the employee's return from training.

Reimbursable Expenses

Business related expenses such as:

- Telephone calls
- Internet connection fees
- Baggage transfer and storage expenses
- Supplies and materials

Nonreimbursable Expenses

- Expenses for speeding fines, parking tickets, alcohol, laundry, valet services, entertainment (e.g., theater tickets, in-room movies), and transportation charges not directly related to Town business, and other personal charges.

Official Station

The official station is the employee's usual work location. The purpose of an official station is to establish when the employee is in travel status and eligible for reimbursement of travel expenses. Travel between the employee's home and official station is considered commuting and is not reimbursable. The employee's home is considered to be in the city or town in which the employee primarily resides when working at his or her official station.

Employee or Elected Official Process to be Reimbursed

- Be certain the department's budget has sufficient funds to cover the travel
- Fill out Travel Request Form; if necessary also complete request for cash advance to submit with Travel Request form
- After Board Approval make travel arrangements, retain all original documentation and keep careful record of expenses, be certain expenses are permissible and do not exceed the maximum rate set.

- Upon return from travel complete and return all necessary documentation and receipts along with a completed voucher if necessary and turn in to the Town Bookkeeper within the allotted timeframe.

Procedures for Auditing Travel Expenses

- Review Board approval for travel and expenses to ensure voucher and original receipts are present as well as that math are correct.
- Check to be certain that expenses are permissible.
- Approve any reimbursable expenses.

Claims that are Disallowed

Any claim disallowed shall be the responsibility of the employee or elected official who incurred the expense. The Town Board may disallow claims which are not documented by original receipt, are not reimbursable expenses, exceed the maximum allowance, or are otherwise in violation of the Town's Travel Policy. The Town Board shall determine the best method of recovering the cost of any Disallowed Claims.

Maximum Rates

The maximum rates for reimbursement are set forth below. From time to time the Town Board may adjust these rates as necessary. There may be incidents when the maximum rates must be exceeded, which requires Town Board approval to be reimbursable.

Breakfast - \$11.00
Lunch - \$16.00
Dinner - \$34.00
Incidentals - \$5.00
Hotel - \$94.00

If a conference or training provides meals as part of its package meal reimbursement will not be allowed for those meals provided.

Credit Card Use

Any use of municipal credit cards must be in compliance with the Town of Thurman's Credit Cards Use Policy.

Highway Report

11/13/12

) Old Frost St. has been repaired and re-opened.

Putting up a centralized reclamation pile for future use at the gravel mine.

| Box on the 93 FWD has been sandblasted and primed.

| Have been cleaning ditches and the ends of culverts.

) Spoke with Loughberry about our trucks. Target completion date is Dec 31st

| Have a couple beaver dams to remove.

) The trucks we have are set up and ready for winter.

November 13, 2012

The annual Halloween party was held at the town hall on Oct. 27th. There were 42 children plus parents in attendance. Fun was had by all.

The next event for the youth will be the annual Christmas party. It will be held Dec. 17th. from 1-3pm at the town hall. We will have crafts, games and refreshments and a visit from Santa. All area children and parents are welcomed to attend.

November 13, 2012

600 Dippikill Road
Warrensburg, New York 12885
November 7, 2012

Town Board
Town of Thurman
P.O. Box 29
Athol, New York 12810

Dear Town Board,

Please accept my resignation from the Town Board of Assessment Review effective December 31, 2012. I've served on this Board for the past 20 years and feel the time has come to move on.

Thanks to all of you past and present for your confidence in appointing me to this Board.

Sincerely,



Richard T. Nelson

November 13, 2012



**THURMAN EMERGENCY MEDICAL
SERVICES INC.**

P.O. BOX 114
572 HIGH STREET
ATHOL, N.Y. 12810
518-623-9014

PRESIDENT JEAN F. COULARD
VICE PRES. SCOTT MOSHER
CAPTAIN JOHN O'NEILL

Nov. 8, 2012

Thurman Town Board

On behalf of the Thurman Emergency Medical Services Inc., I, Jean F. Coulard, as President, humbly request that the Town Board seriously consider our request for an appropriation of Seventy Five Thousand Dollars (\$75,000.00) to assist us financially for the year 2013.

In return, and within and under a proposed contract, we will provide a high level of emergency medical care to the residents of Thurman. We have achieved a 98% response record for the year 2012, and expect to have our ALS Certification for the year 2013.

Thurman residents need and want our service; and to continue this valuable service, we need your financial assistance.

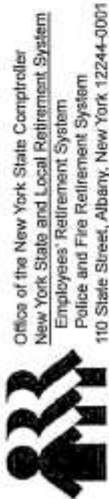
Thank you for your time and consideration.


Jean F. Coulard, Pres.

THURMAN EMS INC.

Standard Work Day and Reporting Resolution RS 2417-A

(12/10)



BE IT RESOLVED, that the Thurman / Location code 30812 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

| Title | Name | Social Security Number (Last 4 digits) | Registration Number | Standard Work Day (Hrs/day) | Term Begins/Ends | Participates in Employer's Time Keeping System (Y/N) | Days/Month (based on Record of Activities) | Tier 1 (Check only if member is in Tier 1) | Not Submitted (Check box if no record of activities completed or timekeeping system) |
|----------------------------|----------------|--|---------------------|-----------------------------|-----------------------|--|--|--|--|
| Elected Officials | | | | | | | | | |
| | | | | | | | | | |
| Appointed Officials | | | | | | | | | |
| Deputy Town Clerk | Susan M. Baker | | | 06.00 | 04/17/2012-12/31/2013 | Y | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | | | | | | | | |
| | | | | | | | | | |

If additional rows are needed, please use form RS2417-B and attach.

On this 13 day of November, 2012, Cynthia L. Hyde (Signature of clerk) Date enacted: 11/13/2012
 I, Cynthia L. Hyde, clerk of the governing board of the Town of Thurman, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 13 day of November, 2012, on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of 5 members, and that 4 of such members were present at such meeting and that 4 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto Set my hand and the seal of the Town of Thurman (Name of Employer)

This document consists of 1 page(s) (see additional RS2417-B forms attached).

