

July 12, 2016

**MINUTES OF THE REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN HELD July 12, 2016 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL, NEW YORK, COMMENCING AT 6:30 P.M...**

**PRESENT: Mrs. Evelyn Wood, Supervisor**

**Mrs. Gail Seaman, Councilwoman**

**Mr. John Youngblood, Councilman**

**Mrs. Susan Shepler, Councilwoman**

**Mr. Michael Eddy, Councilman**

**RECORDING SECRETARY: Jeanie Sprague, Town Clerk**

**PAYMENT OF CLAIMS**

The Meeting was called to order by **Evelyn Wood, Supervisor**

**PLEDGE ALLEGIANCE TO THE FLAG**

**ROLL CALL**

**RESOLUTION #84:**

On a motion by **Councilman Youngblood**, seconded by **Councilwoman Seaman**, the Town Board resolved to approve the Regular Meeting Minutes of June 14, 2016.

**Motion Carried: 5 Ayes ~ Youngblood, Wood, Seaman, Eddy, Shepler**

**PRIVILEGE OF THE FLOOR:** The following people spoke: **Keith Parent, Winefred Martin, Sally Jo Wallace, Mary Eddy, Marilyn Youngblood, Joyce Eddy, James Desourdy and Laurona Dibble**

**CORRESPONDENCES: None**

**Committee Reports:**

**Councilwoman Gail Seaman:** Attendance was low at Gleaning because of the Holiday. Otherwise everything is going fine.

EMS Report ó attached ó They are looking for volunteers. Many local EMS are struggling for volunteers. Anyone interested please contact **Steve Emerson**. Lighting the Way campaign is going and anyone wishing to get the lights please contact them.

July 12, 2016

**Councilman John Youngblood:**

The Highway is mostly cleaning up after the last storm. There were a lot of trees down and they had to do a lot of grading and raking of some of the dirt roads from the storm. They have the box off of the truck that is waiting for the new box and are getting ready to sand blast and paint it. It will then be ready for the installation when the box arrives. They have been busy crushing gravel and screening sand for the winter. Unfortunately the shaft on the crusher has broken. They are looking into options. Questionable if it is worth fixing. The crew has done a nice job keeping the field looking nice for the concerts. The shaft had been replaced 2 or 3 years ago. The concerts have had good turn outs. The second concerts had almost 80 people. Next week is Big Fez and the Surfomatics and the week after is square dancing.

**Youngblood** wanted to make a comment: He had been approached a few months back by a gentleman. He had followed a town employee and kept track of where and when he went and asked, "Why are we paying all this mileage?" The town employee was in fact off the clock. There had been several other complaints about the same thing. **Youngblood** just wanted to say "I think we can do better than that."

**Councilwoman Shepler:**

Youth Committee. A very big thank you to Don and Nancy Decker for their tireless effort and dedication for repairing and painting the youth building. I also would like to say thank you to Bob Shepler and his crew of "merry men" for moving the furniture and pool tables.

**SUPERVISOR'S REPORT:**

**OLD BUSINESS:**

The summer concerts are going well.

Spent a lengthy amount of time today going over brokerage firms for health insurance for the county. Its was interesting because we will be doing our insurance shortly.

Previously we had talked about the WPIQ Grant and applying for that in an attempt to get some money to go towards the paying on the hill. The Regional Development Grants had all the folks come in to talk about all the grants

July 12, 2016

available. We learned that the State will not be issuing contracts until next year. If we did work now we may not be eligible to be reimbursed. Not worth dedicating time to for the grant if we will not be reimbursed or have to wait until next year to do the work.

We had several meetings about EMS. WE are looking at solutions for a number of squads in the county are struggling. It is a man power issue. It is difficult to come by folks who have the training. The state is looking to increase the training required. Struggling to get ALS Techs for the Ambulances. It is 2 to 4 years worth of training The ALS Techs are going to places where they get paid for it. There will be more forthcoming from the county.

The board knows that we had received a summons regarding a lawsuit. It has been referred to the town attorney.

Changed my Deputy Supervisor. Susan Shepler is the new Deputy Supervisor.

Received a letter yesterday from the government. By 2019 they are going to run out of phone numbers in the 518 area code. The state is weighing two options. They could draw a line one area 518 and the other would get another area code. The other option is overlaying another area code in the area. The overlay is the one being recommended. So every time you want to make a call you have to dial the area code and the number. There will be public hearings on this. There will be a meeting July 26<sup>th</sup>, 2016 at Crandall Library at 5:00 pm. about the area code issue. The information will be given at 5 and public comments will be taken at 6 pm. The Warren County EDC sent out a press release.

**OLD BUSINESS:**

IT Services ó We rejected the bids last month. Everyone had received a new proposal. Hopefully we will receive more IT Service proposals.

Copier contracts: Some folks came into to look at them. Three were received from Repeat Business; National and Seeley all are competitive and excellent quotes. I pulled

July 12, 2016

out the budget and looked at where we are. I recommend that we stick right where we are for now because of the phone purchase now is not a good time to purchase a new copier.

A few people have requested that we look into moving to a sole appointed assessor. I did chat with both Thomas Birdsall and Susan Baker about it already.

Mr. Groff did give me a call. We had talked about it but never formally did anything about it. Are we going to pay r Mr. Groff retroactive for January, February, March and April bills. He did pay those.

**RESOLUTION #85:**

On a motion by **Councilwoman Seaman**, seconded by **Councilwoman Shepler**, the Board resolved to pay Joseph Groff retroactively for the January, February, March and April utility bills he had paid.

**Motion Carried: 4 Ayes ~ Youngblood, Wood, Seaman, Shepler**

**1 Nay ~ Eddy**

**Councilman Eddy** said he had sent an email asking who it operating the Whitespace? According to the court proceedings we had someone running it. **Supervisor Wood** stated that the town is operating it. We do not have an operator. **Councilman Eddy** asked who is connecting people. **Supervisor Wood** stated that there was a waiting list of people to be connected until we can bring an operator on board. **Councilman Eddy** asked if there had been an advertisement to bring an operator on board. **Supervisor Wood** stated we have interviewed a few firms, we have recommendations from the state on Women Minority Owned Businesses and are starting there. **Councilman Eddy** stated that it did not include him, he had no knowledge. Discussion ensued.

ITEMS OF INTEREST: Summer Concerts.

**RESOLUTION #86:**

**Resolution to Adjust Budget**

WHEREAS the Town Board authorizes the following budget adjustment:

**Highway:**

July 12, 2016

Increase:

DA5120.4 Bridges Contractual -	\$ 969.00
DA5142.4 Snow Removal Contractual -	\$9,723.00
DA5142.1 Snow Removal Personal Services -	<u>\$ 592.00</u>
	\$ 11284.00

Decrease:

DA5120.2 Bridges Equipment -	\$,3000.00
DA5140.1 Brush & Weeds PS -	\$5,000.00
DA5130.4 Machinery Contractual -	<u>\$3,284.00</u>
	\$ 11,284.00

**General:**

Increase:

A1010.4 Town Board Contractual -	\$ 3,896.00
A1420.4 Attorney Contractual -	\$ 1,000.00
A1330.4 Tax Collector Contractual -	\$ 49.00
A8810.4 Cemeteries Contractual -	\$ 100.00
A1440.4 Engineer Contractual -	\$3,000.00
A1640.4 Buildings Contractual -	<u>\$4,000.00</u>
	\$12,045.00

Decrease:

A7140.4 Playgrounds Contractual -	\$ 800.00
A8810.1 Cemeteries PS -	\$2,000.00
A9060.8 Hospital & Medical Ins -	<u>\$9,245.00</u>
	\$12,045.00

July 12, 2016

On a motion by **Councilwoman Seaman**, seconded by **Councilman Youngblood**, Resolution #86 was passed/

**Motion Carried: 4 Ayes ~ Youngblood, Wood, Seaman, Shepler**

**1 Nay ~ Eddy**

**RESOLUTION #87:**

**Resolution Regarding Hiring**

WHEREAS the Town Board advertized for various positions after the June meeting, and

WHEREAS applications were received by the deadline from qualified applicants,

BE IT RESOLVED that the Town Board ratifies the hiring of Amy Cason in the position of Cleaner, and Bruce Dingman as Recycling Attendant, and Steven Baker as Maintenance be it

FURTHER RESOLVED that the rate of pay for the Recycling Attendant position is amended to \$11.00 per hour.

On a motion by **Councilwoman Seaman**, seconded by **Councilwoman Shepler**, Resolution #87 was passed.

**Motion Carried: 4 Ayes ~ Youngblood, Wood, Seaman, Shepler**

**1 Nay ~ Eddy**

**RESOLUTION #88:**

**RESOLUTION INTRODUCING LOCAL LAW AND PROVIDING FOR PUBLIC NOTICE AND HEARING**

BE IT RESOLVED that an introductory Local Law, titled "A Local Law to Change to a Single Appointed Assessor in the Town of Thurman," be and it hereby is introduced, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED that the Town Board shall hold a public hearing to said proposed local law at the Town Hall, 311 Athol Road, Athol, NY 12810 at 7 PM on July 20, 2016, and

BE IT FURTHER RESOLVED that the Town Clerk shall publish or cause to be published a public notice in the official newspaper of the Town of Thurman no later than five (5) days prior thereto.

July 12, 2016

öA Local Law to Change to a Single Appointed Assessor in the Town of Thurmanö

Local Law #1 of 2016

Section 1. **LEGISLATIVE INTENT.** It is the intent of this local law to abolish the board of three elected assessors in the Town of Thurman and to substitute therewith a single appointed assessor to be appointed pursuant to Real Property Tax Law §310.

Section 2. **TITLE.** This local law shall be known and may be cited as the öA Local Law to Change to a Single Appointed Assessor in the Town of Thurman.ö

Section 3. **AUTHORITY.** This local law is adopted pursuant to Real Property Tax Law §328, which authorizes the Town Board, at its discretion, to adopt a local law, not subject to referendum, providing that from and after a date certain there shall be but one assessor to be appointed as provided in Real Property Tax Law §310.

Section 4. **ABOLITION OF EXISTING BOARD OF THREE ASSESSORS.** (a) The offices of the three elected assessors as previously established and continued by Town of Thurman are hereby abolished. The terms of office of each of three elected assessors shall terminate on December 31, 2016, the year in which this local law shall take effect. (b) In place and stead of the three elected assessors, the Town of Thurman shall have one single assessor to be appointed by the Town Board of the Town of Thurman.

Section 5. **TERM OF OFFICE.** The office of appointed assessor shall fill for the remainder of a six-year term of office, consistent with Real Property Tax Law §310.

Section 6. **NO REFERENDUM.** Pursuant to Real Property Tax Law §328, this local law shall not be subject to a referendum.

Section 7. **INCONSISTENCY.** All other local laws and ordinances of the Town of Thurman that are inconsistent with the provisions of this local law are hereby repealed; provided, however, that such repeal shall only be to the extent of any such inconsistency and in all other respects this local law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this local law.

Section 8. **SEVERABILITY.** If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjusted finally by a Court of competent jurisdiction to be invalid, such judgment shall not effect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or any part thereof, directly involved in the controversy or action in which such judgment shall be rendered. It is hereby intended to be the legislative intent that the remainder of this local law would have been adopted had any such provisions not been included.

July 12, 2016

Section 9. EFFECTIVE DATE. This local law shall take effect immediately upon filing of this law with the Secretary of State, pursuant to §328 of the Tax Property Tax Law, and the term of all elected assessors shall terminate December 31, 2016.

On a motion by **Councilman Youngblood**, seconded by **Councilwoman Seaman**, Resolution # 88 was passed.

**Motion Carried: 4 Ayes ~ Youngblood, Wood, Seaman, Shepler,**

**1 Nay ~ Eddy**

**RESOLUTION #89:**

**RESOLUTION INTRODUCING LOCAL LAW AND PROVIDING FOR PUBLIC NOTICE AND HEARING**

BE IT RESOLVED that an introductory Local Law, titled "TAX LEVY LIMIT OVERRIDE FOR FISCAL YEAR 2017," be and it hereby is introduced, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed Local Law be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED that the Town Board shall hold a public hearing to said proposed local law at the Town Hall, 311 Athol Road, Athol, NY 12810 at 7 PM on July 20, 2016, and

BE IT FURTHER RESOLVED that the Town Clerk shall publish or cause to be published a public notice in the official newspaper of the Town of Thurman no later than five (5) days prior thereto.

**TOWN OF THURMAN  
TAX LEVY LIMIT OVERRIDE FOR FISCAL YEAR 2017  
LOCAL LAW NUMBER 2, 2016**

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 2017**

**IN THE TOWN OF THURMAN, WARREN COUNTY, NEW YORK TO BE KNOWN AS  
LOCAL LAW NUMBER 2, 2016, TAX LEVY LIMIT OVERRIDE FOR FISCAL YEAR 2017.**

**BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF THURMAN,  
WARREN COUNTY, NEW YORK AS FOLLOWS:**

**Section 1. Purpose.** The purpose of this law is to override the Town of Thurman's tax

July 12, 2016

levy limit for fiscal year 2017. It is necessary that the Town of Thurman be able to adopt a budget requiring a tax levy greater than the tax levy limit for fiscal year 2017 because of increased costs.

Section 2. Statutory Authority. This Local Law is enacted pursuant to General Municipal Law Section 3-c (5).

Section 3. Tax Levy Limit Override. The Town of Thurman hereby overrides its tax levy limit for fiscal year 2017 and is authorized to adopt a budget requiring a tax levy greater than that calculated according to General Municipal Law Section 3-c (3)(c).

Section 4. When Effective. This Local Law applies only to fiscal year 2017 and shall take effect upon filing with the Secretary of State.

On a motion by **Councilwoman Seaman**, seconded by **Councilwoman Shepler**, Resolution #89 was approved.

**Motion Carried: 5 Ayes ~ Youngblood, Wood, Seaman, Shepler, Eddy**

**RESOLUTION #90:**

**APPROVAL OF CLAIMS:** 2016 Abstract 007 (General Fund - \$19,679.25; Highway Fund - \$35,816.71, Capital Fund - \$2,697.17, Enterprise Fund - \$1,305.97 and Fire District Fund - \$74,500.00) for a total of \$133,999.10.

On a motion by **Councilwoman Seaman**, seconded by **Councilman Youngblood**, the Board approved payment of the claims.

**Motion Carried: 4 Ayes ~ Youngblood, Wood, Seaman, Shepler**

**1 Nay ~ Eddy**

**ADJOURNMENT:** On a motion by **Councilwoman Shepler**, seconded by **Councilwoman Seaman** the meeting was adjourned at 7:41 p.m.

**MOTION CARRIED: 5 Ayes ~Youngblood, Wood, Seaman, Shepler, Eddy**

July 12, 2016

Respectfully Submitted:

Jeanie M. Sprague, Town Clerk

July 15, 2016

DRAFT