

JANUARY 19, 2010

MINUTES OF THE FISCAL AND REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF THURMAN HELD JANUARY 19, 2009 AT THE TOWN HALL, 311 ATHOL ROAD, ATHOL NEW YORK, FISCAL MEETING COMMENCING AT 6:30 P.M., REGULAR MEETING COMMENCING AT 7:00 P.M.

PRESENT: **MR. CHARLES BILLS**

 MR. LEON GALUSHA

 MR. JAMES LIGON

 MR. LAWRENCE [RED] PITKIN

 MR. AL VASAK

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

The meeting was called to order by **Supervisor Lawrence [Red] Pitkin**

FISCAL MEETING: The Town Board reviewed all claims.

REGULAR MEETING:

Pledge of allegiance to the flag of the United States of America..

A moment of silence for our troops and the people of Haiti

APPROVAL OF THE MINUTES: On a motion by **Councilman Bills**, seconded by **Councilman Vasak**, the **November 17, 2009** minutes were approved.

MOTION CARRIED: 5 AYES ~ **GALUSHA, BILLS, LIGON, PITKIN, VASAK**

PAYMENT OF CLAIMS: On a motion by **Councilman Galusha**, seconded by **Councilman Ligon** payment of claims from abstract # 76 General fund[\$23,125.53], abstract # 89Highway fund [\$47,937.76] and abstract #90 Highway fund [\$11,106.51] were approved.

MOTION CARRIED: 5 AYES ~ **GALUSHA, BILLS, LIGON, PITKIN, VASAK**

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THANK YOU: Thank you to **Bruce T** and **Doug Needham** for all their work on the skating rink.

ROPE TOW: The Town Board is tossing around the idea of installing a rope tow on the hill behind the youth field. Some residents felt the exercise of walking up the hill was important and that the rope tow is a bad idea.

REPORT FROM COUNCILMAN GALUSHA: **Councilman Galusha** reported that the new town truck has been having some issues.

RESOLUTION # 24:

RESOLUTION TO AUTHORIZE THE SUPERVISOR TO ENTER INTO A CONTRACT WITH THE THURMAN VOLUNTEER FIRE COMPANY

BE IT RESOLVED, the Thurman Town Board hereby authorizes the Supervisor to enter into a Contract with the Thurman Volunteer Fire Company, Inc. for the year 2010, in the amount of \$75,850.00 for the purpose of fire protection for the Town of Thurman.

On a motion by **Councilman Ligon**, seconded by **Councilman Bills**

MOTION CARRIED: 5 AYES ~ GALUSHA, BILLS, LIGON, PITKIN, VASAK

RESOLUTION # 25:

RESOLUTION TO AUTHORIZE OCCUPANCY TAX EXPENDITURES

WHEREAS, the Thurman Occupancy Tax Committee has recommended funding for the following projects:

Thurman Townwide Sale	\$ 700.00
Thurman Station Farmers' Market	\$3,000.00
14 th Annual Fiddlers' Jamboree	\$6,380.00
Movies on the Hill	\$1,114.00
Thurman Maple Days	\$5,000.00
Contingency	\$ 300.00

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General Publicity	\$1,500.00
Web email	\$ 250.00
Webmaster (50% share)	\$ 300.00
Porta Potties	\$1,540.00

THEREFORE BE IT RESOLVED, the Thurman Town Board authorizes expenditure of monies to fund the above-referenced projects.

On a motion by **Councilman Galusha**, seconded by **Councilman Ligon**

MOTION CARRIED: 3 AYES ~ GALUSHA, LIGON, PITKIN 2 NAYS ~ Bills, Vasak

There was discussion regarding occupancy Tax spending.

RESOLUTION # 26:

<p>RESOLUTION TO SELECT PAYROLL COMPANY FOR TOWN PAYROLL <i>BE IT RESOLVED</i>, the Thurman Town Board hereby authorizes the Supervisor to enter into a Contract with Liberty Management Services in order for this company to provide weekly payroll services for the Town of Thurman commencing with the January 27 payroll for a period of 1 year.</p>

On a motion by **Supervisor Pitkin**, seconded by **Councilman Galusha**

MOTION CARRIED: 5 AYES ~ GALUSHA, BILLS, LIGON, PITKIN, VASAK

Discussion ensued concerning reasons for using a payroll company. The Town Board felt that the sophistication of the payroll software surpassed the computer skills of past bookkeepers, hence the outsourcing of these duties.

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RESOLUTION # 27:

RESOLUTION TO SET ELECTED OFFICIALS SALARIES FOR 2010

BE IT RESOLVED, the Thurman Town Board hereby authorizes the following elected officials for the Town of Thurman be paid, per the approved 2010 Budget, at the following rates:

SUPERVISOR	\$10,575.00
DIRECTOR OF FINANCE	\$2,090.00
TOWN CLERK	\$18,023.00
REGISTRAR OF VITAL STATISTICS	\$1,040.00
TOWN BOARD	\$3,136.00 each
TOWN JUSTICE	\$5,400.00
TAX COLLECTOR	\$3,121.00
ASSESSORS (CHAIRMAN)	\$8,833.00
ASSESSORS	\$6,741.00
HIGHWAY SUPERINTENDENT	\$39,691.00

On a motion by **Councilman Galusha**, seconded by **Councilman Vasak**

MOTION CARRIED: 5 AYES ~ GALUSHA, BILLS, LIGON, PITKIN, VASAK

RESOLUTION # 28:

RESOLUTION TO AUTHORIZE SPENDING FROM CAPITAL RESERVE FUND

BE IT RESOLVED, the Thurman Town Board hereby authorizes the spending of up to \$1,300 for engineered and stamped blueprints for handicapped access for both the front (kitchen) and the rear (upstairs) for the Thurman Town Hall.

On a motion by **Councilman Galusha**, seconded by **Councilman Vasak**

MOTION CARRIED: 5 AYES ~ GALUSHA, BILLS, LIGON, PITKIN, VASAK

RESOLUTION # 29:

RESOLUTION TO AUTHORIZE FINAL ADJUSTMENTS FOR CLOSEOUT OF THE 2009 BUDGET

BE IT RESOLVED, that the Town Board of the Town of Thurman authorizes final closeout for the 2009 Budget based on the attached adjustments:

On a motion by **Councilman Bills**, seconded by **Councilman Galusha**

MOTION CARRIED: 5 AYES ~ GALUSHA, BILLS, LIGON, PITKIN, VASAK

ACO: The **Town Clerk** gave a brief summary of the **Animal Control Officer's** report. **SEE ATTACHED**

LETTERS: The **Town Clerk** read letters from **Edwin Baker** and **Dexter Baker**. **SEE ATTACHED**

DISCUSSION EMS: Prior to approving any contracts, the Town Board stated the need to ascertain responsible fiscal and professional behavior within the Thurman EMS. It was suggested that the EMS give a presentation to the Town Board and supply a copy of their bylaws.

EMS member George Mckinney thought attorneys should be consulted .

Councilman Vasak suggested a rebuttal letter from the Ems.

Many of those in attendance complimented Former Ems Treasurer **Suzie Baker's** excellent bookkeeping skills.

Former EMS member Suzie Baker said that she was humiliated when the sheriff came to her house. Baker feels that the people of this town need to know the truth about the EMS.

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ADJOURNMENT: With no further business on a motion by **Councilman Ligon** seconded by **Councilman Vasak** the meeting was adjourned.

MOTION CARRIED: 5 AYES ~ GALUSHA, BILLS, LIGON, PITKIN, VASAK

Respectfully Submitted,

Cynthia R. Hyde, Town Clerk

Attachments:

1. Letter from Dexter Baker p. 8
2. Letter from Edwin Baker p. 10

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Dexter Baker

450 High Street

Athol, NY 12810

Town of Thurman

311 Athol Road

Athol, NY 12810

Dear Thurman Town Board and Residents,

My name is Dexter Baker and while you may know me as the ACO for the Town of Thurman, I also volunteer the majority of my time with the emergency squad for our town. I joined Thurman EMS in 2007 and it is unfortunate for me to say that presently this agency is not the same from when I first started. By this I mean there are currently officers in charge of this agency that have a strict disregard for following the proper guidelines that need to be followed in order to run an agency effectively. Our agency has of course had its rough spots in regards to few members and some missed calls. However, when officers take over and try to engage in practices that are in violation of not only Bylaws, but also the ethical guidelines of an agency, problems arise. It is these problems that I have witnessed and feel it is my obligation to inform the Town Board and the public of Thurman about them.

This letter is not meant to draw out all the issues that are present, but to only indicate those which are more questionable. The most important issues to hint upon include our election of 2010 and the suspension process. Beginning with the election, certain members of the agency felt it appropriate to hold a meeting the night after our original election night, seeing as that meeting ended abruptly, but to hold this second meeting without informing others present at the original. This means issues surrounding the election process were not able to be brought up and thus officers were afforded a position in the agency, when in fact they should not have been allowed into those positions. This election was held in violation of our corporate Bylaws, as members have been afforded positions that were either not on the nomination sheet or those members that were not eligible to run for office. Both the President and Vice President of this agency, Jim Desourdy and Rick Ovitt respectively, are in violation of Article 13 Section 2 of our Bylaws, as they changed their names for the above positions after they

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were officially closed. Furthermore, it is ironic that the only two members not present at the second meeting were my mother and I.

In regards to the suspension process of this agency, towards the end of last year both I and my mother, Susan Baker, were suspended. The issue arises in that both suspensions were initiated on unfounded and unconfirmed information. My suspension was overturned as no proof was found to hold such suspension valid and my mother's suspension is currently pending, even though she was suspended for unknown reasons. Susan's constitutional rights were thus violated and she has still not been contacted about the allegations and has had no opportunity to refute such allegations or to be represented within the agency.

Evident within this agency is that there exist members that basically attempt to perform business interests that suit themselves and their view of the agency, regardless of which rules and regulations are violated. Officers in this agency initiate misconduct and insubordination claims, when in fact they have no real, concrete basis to do so. What happens when poor judgment is exercised is that false claims are made and false police reports are filed, considering the Board of Thurman EMS initiated a larceny complaint against my mother to return any treasurer papers in her possession, when in fact there was no reason to eject her from that position until the election was held instituting a new treasurer. Apparent is that the current Board of this agency wants to eject any and all participation from my mother and I, as this would then show justification for instituting billing and paid staff within our agency, two components discussed heavily by George McKinney and John Kindred, who have even mentioned they would sit in our building if paid. This can then be compared to the incident that occurred with the North Warren Emergency Squad, as you would have members serving on the Board of Directors for Thurman EMS, with those same members also being paid.

I am writing this letter to you because my concerns and opinions are clearly not being expressed within our agency, as I have attempted to inform our members of these injustices and the current officers continue to cover them up and are unwilling to express my points to those in the agency that should be informed of them. I thus urge the Town Board of Thurman to investigate these injustices by whatever means necessary and to strongly consider if a professional, emergency medical service agency should continue to run in this manner or if changes need to be made. I do not want to see the existence of our agency discontinued, but at the same time I want the people in charge of the agency to be fair not only to those members within the agency, but also to the towns' people of Thurman. This means following rules and regulations when operating the agency, not suspending people based off unfounded or unclear evidence and to show the survival of this agency is possible.

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President at that time. He told her to bring the EMS books up to the building and only after she asked him three times why, he then told her that the Board had suspended her. This was a total surprise to her and as she indicated the lateness of evening she said she was ready for bed she wouldn't be up. It was then decided by whomever on the Board, that the Warren Country Sheriff's office should be notified to come to her home to retrieve the books. I feel that there was no justification in getting the police involved with this issue as the books could have been retrieved in a timely manner. Apparently they were holding a meeting that was later identified as a carry over meeting or an extended meeting from the night before which neither Susan or my son, Dexter were notified of. A lawyer was consulted by one of their members to see if it was legal, apparently it was. If you have to consult a lawyer to conduct a meeting then something is not right here.

Suzie has been a member of the EMS for the past 5 years dedicating her heart and soul to this Agency for the people of the Town of Thurman and has also served as Treasurer during this period. Her honesty and integrity has never been in question.

There is no way that the men responsible for this can justify what they did to her and to this day, 36 days after she was suspended, they still haven't made any decision on her suspension nor have they made any attempt to contact her to let her know exactly what's going on. I believe that this is wrong and that no one deserves to be treated in this manner. I also feel that both my wife's and my son's constitutional rights were violated as it appeared that they held their yearly elections during the Dec. 14th meeting and they were never notified that Dec. 13th meeting was to be carried over to the following night. My son who was the Secretary at that time was supposed to be the Head Teller and conduct the election.

I know that the Town Board normally doesn't like to get involved with the EMS or how they conduct their business, but I feel that if someone's rights are violated, there must be something that you can do. I have lived in the town of Thurman for over 50 years and this is the first time that I've had any reason to write a letter to the Town Board. I am asking for your help in resolving this problem. I feel that Susan's suspension should be lifted, for there is no valid reason for it. In order to suspend someone you have to have just cause, a valid reason and proof to back it up. I also would like this letter included within the minutes of this meeting Thank you for your time.

Sincerely,

Edwin J. Baker Jr.

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